United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 87th CONGRESS, SECOND SESSION

SENATE

FRIDAY, MARCH 16, 1962

(Legislative day of Wednesday, March 14, 1962)

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

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

O Thou timeless Lord of life and light, who art the center and soul of every sphere:

Turning aside, for this hallowed moment, from the violence and turbulence of these embittered days, we would hush the words of the wise and the prattle of the foolish.

As Thy presence becomes vivid, our faith is strengthened in the supremacy of ultimate decencies.

In the silence of this Chamber of governance, we would hear the ancient assurance, "Be still and know that I am God."

Come to us, we pray, in the common life that entangles us. Meet us in the thorny questions which confront us amid the tragedies and suspicions that have befallen men and nations.

We ask not that Thou wilt keep us safe in these dangerous times, but that Thou wilt keep us loyal to the starry ideals of this dear land of freedom.

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

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, March 15, 1962, was dispensed with.

ORDER FOR RECESS UNTIL 12 O'CLOCK NOON MONDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand in recess until next Monday at 12 o'clock meridian.

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

BIRTHDAY FELICITATIONS TO SENATOR MANSFIELD

Mr. MANSFIELD. Mr. President——

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

Mr. MANSFIELD. I yield.

Mr. MORSE. At the beginning of the session today, I should like to express my very warm birthday greetings to the majority leader.

I do not know from what fountain of youth the majority leader drinks. I should like to have him tell me where that bubbling fount is. But certainly he is a good example, in my judgment, of the teaching of the physiologists—that, after all, both youth and aging are matters of blood chemistry. I suspect that the Senator from Montana has some secret that gives him his wonderful youth and vitality. I would that he would let me in on it.

But, Mr. President, to speak now in all seriousness, I extend to the Senator from Montana my greetings and best wishes for a very happy birthday for him, and I wish him many, many more of them.

I am sure I bespeak the sentiments of the entire Senate when I point out that the Senator from Montana, MIKE MANSFIELD, is beloved on both sides of the aisle, and his leadership and his statesmanship are very greatly appreciated by all of us.

I wish him many, many happy returns of the day.

Mr. DIRKSEN. Mr. President, I was interested in the observations made by the distinguished Senator from Oregon [Mr. MORSE]. When he talks about the mysterious blood chemistry that keeps people looking so youthful, I wish to say that I think the mystery is compounded by the fact that there must have been a strange alchemy at the beginning of the life of our distinguished majority leader, as well as now, because history records that he entered the U.S. Navy at age 14. Exactly how he fooled the recruiting officers at that time is a mystery to me—unless there was an interesting maturity about him at even that early age.

But I concur in the observation that for his age—which I shall not disclose—that alchemy has been operating; and I am glad to note the vigor he possesses as he pursues his responsibilities.

It is also interesting to note that this great Irish colleague of ours observes his birth anniversary just 1 day before the whole wide world pays tribute to St. Patrick. Interestingly enough, we do not observe the birthday of St. Patrick; we observe the day of his departure from this world—because his birthday has been lost in the mists of obscurity.

So I am glad that today and tomorrow there is to be a double celebration—first, in observing the natal anniversary of our distinguished majority leader, the senior Senator from Montana [Mr. MANSFIELD]; and, next, the celebration by us, together with all good Irishmen, in observing tomorrow the departure day of St. Patrick.

We wish Senator MIKE MANSFIELD well; and I was glad to observe that when the newspaper reporters assembled at his desk, before the convening bell rang for the session today, they all had their pipes attuned to the celebrated harp that echoed in Tara's Halls, and that we did manage to sing to him, "Happy birthday to you." [Laughter.]

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the nominations on the Executive Calendar, beginning with the nomination to the United Nations.

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 a message from the President of the United States submitting the nomination of Earl F. Haffey, of Durango, Colo., to be assayer of the mint at Denver, Colo., which was referred to the Committee on Banking and Currency.

The VICE PRESIDENT. If there be no reports of committees, the nominations on the Executive Calendar, beginning with the nomination to the United Nations, will be stated.

UNITED NATIONS

The Chief Clerk read the nomination of W. Michael Blumenthal, of New Jersey, to be the representative of the United States of America on the Commission on International Commodity Trade, of the Economic and Social Council of the United Nations.

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

CAREER AMBASSADORS

The Chief Clerk proceeded to read sundry nominations of career ambassadors.

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

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

U.S. ARMS CONTROL AND DISARMAMENT AGENCY

The Chief Clerk proceeded to read sundry nominations in the U.S. Arms Control and Disarmament Agency.

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

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

FEDERAL POWER COMMISSION

The Chief Clerk read the nomination of Harold C. Woodward, of Illinois, to be a member of the Federal Power Commission for the remainder of the term expiring June 22, 1962.

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

ASSISTANT SECRETARY OF COMMERCE

The Chief Clerk read the nomination of William Ruder, of New York, to be an Assistant Secretary of Commerce.

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

MARITIME ADMINISTRATOR

The Chief Clerk read the nomination of Donald W. Alexander, of Florida, to be Maritime Administrator.

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

COAST AND GEODETIC SURVEY

The Chief Clerk proceeded to read sundry nominations in the Coast and Geodetic Survey.

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

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

U.S. CIRCUIT JUDGE

The Chief Clerk read the nomination of Paul R. Hays, of New York, to be U.S. circuit judge for the 2d circuit.

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

U.S. DISTRICT JUDGES

The Chief Clerk read the nomination of Wilfred Feinberg, 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.

The Chief Clerk read the nomination of Dudley B. Bonsal, 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.

The Chief Clerk read the nomination of George Rosling, of New York, to be U.S. district judge for the eastern district of New York.

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

The Chief Clerk read the nomination of Leo Brewster, of Texas, to be U.S. district judge for the northern district of Texas.

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

The Chief Clerk read the nomination of Sarah T. Hughes, of Texas, to be U.S. district judge for the northern district of Texas.

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

The Chief Clerk read the nomination of James L. Noel, Jr., of Texas, to be U.S. district judge for the southern district of Texas.

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

The Chief Clerk read the nomination of Adrian A. Spears, of Texas, to be U.S. district judge for the western district of Texas.

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

The Chief Clerk read the nomination of James H. Meredith, of Missouri, to be U.S. district judge for the eastern district of Missouri.

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

Mr. LONG of Missouri. Mr. President, the action of the Senate in confirming the nomination of James H. Meredith to be U.S. district court judge for the eastern district of Missouri will be well received by Missourians.

Mr. Meredith is one of our State's most outstanding lawyers. He was admitted to the bar in 1937 and has practiced law both in a small town and in a large metropolitan area. He also served our State government for 3 years in a legal capacity. He is learned in the law and possesses the many other traits which are so essential to being a fine judge.

The President's selection of Mr. Meredith for this judgeship has received bipartisan support. I am confident that Mr. Meredith will render the highest public service to Missouri and the Nation.

U.S. MARSHALS

The Chief Clerk read the nomination of Marion Mathias Hale, of Texas, to be U.S. marshal for the southern district of Texas.

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

The Chief Clerk read the nomination of Robert I. Nash, of Texas, to be U.S. marshal for the northern district of Texas.

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

The Chief Clerk read the nomination of Tully Reynolds, of Texas, to be U.S. marshal for the eastern district of Texas.

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

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

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

Mr. YARBOROUGH. Mr. President, this is a most historical occasion. It is the first time in the history of the United States that the nominations of four U.S. district judges in my home State of Texas have been sent to the Senate by one President, and it is the first time that four such nominations have been confirmed by the Senate in 1 day. Certainly it is an auspicious day—not only for the reasons I have just now stated, but also because of the fact that it is the birthday of our beloved majority leader, Senator MIKE MANSFIELD, of Montana, and it is the day preceding St. Patrick's Day.

Mr. President, the four Texans whose nominations to be U.S. district judges have just now been confirmed by the Senate are very able and and highly qualified.

SARAH T. HUGHES

First, let me state that I desire to point out one particular honor; namely, that Sarah T. Hughes, of Texas, whose nomination to be U.S. district judge for the northern district of Texas was confirmed only a moment ago by the Senate, is the second woman in the history of the United States to be appointed and confirmed as a U.S. district judge.

Judge Hughes is a person of outstanding accomplishment. She was born in the State of Maryland.

Judge Hughes is a descendant of the Tilghman family, of Revolutionary War fame, who settled on the eastern shore of Maryland in the 1660's; and she is a descendant of colonial judges of Maryland and of attorneys general of Maryland.

She received her A.B. degree from Goucher College in 1917, and received her LL.B. degree from George Washington University in 1922.

She moved to Texas after having taught science at Salem College, in North Carolina, and after having served as a policewoman with the District of Columbia Metropolitan Police Department while she was a student at George Washington University Law School.

She has been national president of the Business and Professional Women of America, and she has been a law instructor at Southern Methodist University Law School, at Dallas.

I became acquainted with her about 31 years ago, while she was a member of the Texas Legislature, elected in Dallas County—and elected as a loyal Democrat in a county in which it is very difficult for Democrats to be elected on that kind of a platform—thus attesting to her popularity, her ability, and her fine public performance.

After she had served 4 years in the Legislature of Texas, she was appointed by the late Judge James V. Allred, while he was Governor, as a district judge at Dallas. To the surprise of many persons, she overwhelmingly defeated her male opponent at the next election. This is an elective office in Texas. She has been regularly reelected each 4 years to that office.

She has, during that service on the bench, where there are a number of district judges in Dallas County, because of the large population, had fewer days of absence than any of the seven or eight

men judges serving in the same period of time. She has put in more days a year than has any other district judge in Dallas. She has served in more litigation with fewer reversals than has any other judge on the bench there. She has made one of the most outstanding judicial trial records of any district judge in our State.

Hers was a merited appointment, award, and honor when the President sent to the Senate the nomination of Sarah T. Hughes, who was appointed as a U.S. district judge for the northern district of Texas.

It was a privilege for me, as I am certain it was for the Vice President, who now presides in the chair, when we testified before the subcommittee of the Committee on the Judiciary on her behalf.

I recommend that her nomination be confirmed by the U.S. Senate, feeling sure that this appointment will reflect credit and honor upon the administration, on the Judiciary Committee that unanimously reported her nomination, and upon the Senate that confirmed the nomination.

Mr. President, I ask unanimous consent that a biographical sketch of Judge Sarah T. Hughes be printed at this point in the RECORD.

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

SARAH T. (MRS. GEORGE E.) HUGHES

Born in Baltimore, Md., August 2, 1896.

Education: 1913–17, Goucher College, A.B. degree; 1919–22, George Washington University, LL.B. degree.

Bar: 1922, Texas and District of Columbia.

Experience: 1917–19, Salem College, Winston-Salem, N.C., teacher; 1919–22, Metropolitan Police Department, Washington, D.C., policewoman; 1923–24, Priest, Herndon & Ledbetter; 1924–35, Priest, Herndon & Hughes, Dallas, Tex., 1940's, Southern Methodist University, Dallas, Tex., law instructor; 1931–35, member of Texas Legislature; 1935–61, judge of 14th District of Texas (Dallas County); October 3, 1961, appointed U.S. district judge, northern district of Texas (recess appointment).

Marital status: Married.

Office: Dallas, Tex.

Home: 3816 Normandy Avenue, Dallas, Tex.

To be U.S. district judge for the northern district of Texas.

LEO BREWSTER

Mr. YARBOROUGH. Mr. President, among these history-making appointments being approved by the Senate today, four in 1 day being appointed by the President as judges for life, under the Constitution of the United States, to serve in our State, the second one is another judge for the northern district of Texas, in which Judge Hughes serves; namely, Leo Brewster, a native of Fort Worth, Tex.

He served as a practicing lawyer in Texas. It was my privilege to be a classmate of his at the University of Texas Law School. I have had the pleasure of knowing him for something like 38 or 39 years. He has been president of the State bar of Texas. He has been a fine lawyer with an outstanding record in our State. He will make an able trial judge.

He served as president of the county bar association. He served as president of the Fort Worth Junior Chamber of Commerce. He was a member of the board of directors of the State bar of Texas. He was a member of the house of delegates of the American Bar Association. He was a fellow of the American College of Trial Lawyers, which, as my colleagues know, is comparable to the American College of Surgeons in the medical profession.

He has three times been offered appointment as commissioner of the court of criminal appeals of Texas, which is the supreme court in criminal cases in Texas. A commissioner is equivalent of a judge in that court. Each time he has declined.

He has lectured on a number of law programs, including three sponsored by the Federal Judicial Conference.

Mr. President, I ask unanimous consent that a biographical sketch of Leo Brewster be printed at this point in the RECORD.

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

JUDGE LEO BREWSTER

Native of Fort Worth, Tex.; resided there all his life.

Father was native of Alabama; mother, of Georgia.

Elementary and high school education in Forth Worth public schools.

Academic and law school education at University of Texas; LL.B., 1926.

Entered general practice in Fort Worth in 1926 and has practiced there ever since.

Assistant State district attorney from 1934 to 1939. Was first assistant or trial attorney for felony cases.

Returned to private practice in 1939 and continued in it until October 1961, when he went on the Federal bench under an interim appointment.

His practice was devoted almost exclusively to trial work in State and Federal courts. For the past 15 years, most of his work has been devoted to trying complicated cases for other lawyers over the State. Result has been that he has had a wide experience in a great variety of cases over the entire State of Texas.

President of Fort Worth Junior Chamber of Commerce, 1932.

President of Fort Worth-Tarrant County Bar Association, 1952.

Member of board of directors of State bar of Texas, 1958–60; chairman of board of directors, 1956–57. President of State bar of Texas, 1958–59. State bar of Texas is second largest State bar association in the United States, with 14,000 members.

Member of house of delegates of American Bar Association.

Fellow of American College of Trial Lawyers, which is comparable to the American College of Surgeons in the medical profession.

Has been three times offered appointment as commissioner on court of criminal appeals of Texas, which is supreme court in criminal cases in Texas. Commissioner is equivalent of judge in that court. Offer is compliment to lawyer because the court itself selects its commissioners.

Has lectured on a number of law programs including three sponsored by the Federal Judicial Conference.

Member of First Presbyterian Church of Fort Worth.

Has been married for 34 years and has two daughters. One is a graduate of the University of Missouri and the other of the University of Texas.

Has two brothers. The older one is eye, ear, nose, and throat specialist in Watertown, S. Dak. He was division surgeon of 36th Division in World War II. The other one is judge of the 67th District Court of Tarrant County, Tex. Has served in that capacity for about 10 years.

FEDERAL POWER COMMISSION

Mr. MANSFIELD and Mr. STENNIS addressed the Chair.

The VICE PRESIDENT. Does the Senator from Texas yield, and if so, to whom?

Mr. YARBOROUGH. I yield to the majority leader without losing my right to the floor.

Mr. MANSFIELD subsequently said: Mr. President, due to an error, I called up the nomination of Mr. Harold C. Woodward to be a member of the Federal Power Commission. I had forgotten that there was at my desk an objection on the part of a Senator to the consideration of that nomination today, because he wanted to get some material on it.

I ask unanimous consent that the nomination be restored and that the action taken in confirming the nomination be reconsidered.

The VICE PRESIDENT. Is there objection? Without objection, the nomination is reconsidered.

JAMES L. NOEL, JR.

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

Mr. YARBOROUGH. I yield.

Mr. STENNIS. Had the Senator from Texas addressed himself to the nomination of Mr. James L. Noel, Jr.?

Mr. YARBOROUGH. That is the next one.

Mr. STENNIS. The Senator from Mississippi had just walked into the Chamber and had not heard the Senator from Texas.

Mr. YARBOROUGH. The third of the judges whose nominations are being confirmed by the Senate today is Mr. James L. Noel, Jr. He was born at Pilot Point, Tex. His father was five times appointed postmaster of that city. He comes from a distinguished American family. The Noel family settled in the Tappahannock region of Virginia in the 1650's. James Noel is descended from a family which served with distinction in colonial days and through the Revolution. One uncle was a Governor of the State of Mississippi.

I became acquainted with him in 1938. Thereafter, while I served as district judge in my home city of Austin, he was assistant attorney general of Texas. He tried many cases in that court, and I learned then of his outstanding ability.

He served 3 years as assistant attorney general of Texas, at Dallas, and was Commissioner on Government Security, appointed from 1955 to 1957, where he served with distinction, his name having been submitted by the late beloved Speaker of the House, Sam Rayburn.

He was appointed U.S. district judge for the southern district of Texas in a recess appointment by President Kennedy.

I yield now to the Senator from Mississippi, without losing the floor.

Mr. STENNIS. I thank the Senator for yielding to me. I asked him to do so for the purpose of endorsing his high commendation of Mr. James A. Noel, Jr., to be a U.S. district judge. I had the pleasure of serving a few years ago on a commission with Judge Noel. I was very much impressed with him.

I was highly pleased to learn that he was a nephew of former Governor Noel, one of the outstanding Governors of Mississippi. I predict a very fine career for him on the bench, because he has the qualities of learning which will make him outstanding. It is another illustration of the soundness and high qualities of Texas because of the contributions made thereto by the State of Mississippi.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that a biographical sketch of James L. Noel, Jr., be printed at this point in the RECORD.

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

JAMES L. NOEL, JR.

Born: Pilot Point, Tex., October 28, 1909.

Education at Southern Methodist University: 1926–31, civil engineering degree; 1932, B.S. degree; 1938 LL.B. degree.

Bar: 1937, Texas.

Experience: 1937–38, employed in office of Dallas County judge; 1938–39, assistant district attorney, Dallas, Tex.; 1939–43, 1945–46, assistant attorney general of Texas; 1943–45, U.S. Navy, lieutenant commander; 1946–53, Butler, Binien, Rice & Cook, Houston, Tex.; 1953–61, private practice of law, Houston, Tex.; 1955–57, Commissioner on Government Security, Washington, D.C.; October 5, 1961, appointed U.S. district judge, southern district of Texas (recess appointment).

Marital status: Married; five children.

Office: Houston, Tex.

Home: 2417 Stanmora Drive, Houston, Tex.

To be U.S. district judge for the southern district of Texas.

ADRIAN A. SPEARS

Mr. YARBOROUGH. The fourth nominee named to be a U.S. district judge is Adrian A. Spears, of San Antonio. He was born in South Carolina. He is descended from a family of lawyers and a distinguished family that have contributed much to the history of this country.

He attended The Citadel and the University of North Carolina. He received his law degree in 1934 at the University of South Carolina.

Shortly thereafter he removed to San Antonio, Tex., where his older brother was floor leader during the term of the late Governor Allred.

He immediately rose to the forefront of his profession at San Antonio. He has been in private practice. He was appointed by recess appointment, as is true of the other three nominations I have mentioned, being named by the Honorable John Kennedy, President of the United States, in October of last year, and has been serving since.

His appointment has brought more telegrams and letters of approbation than I have ever seen for the appointment of any other person to any office.

I know each of these four appointees. I have known this appointee for years. He was in active practice until 1961.

These are nominations of four of the ablest persons with judicial ability that could be picked in our State. One is proven judge material. The others have proven themselves also. Two of them have been in public service, and one has been in private practice. They have the capabilities, character, family, heritage, background, and have proven to have the scholarly diligence necessary to be great judges, because these four persons were students. Each of them is a book lawyer, as we say, who will study the cases, and will not "shoot from the hip," but will make, in my opinion, judges who will reflect credit upon the appointive power for years to come.

Mr. President, I ask unanimous consent that a biographical sketch of Adrian A. Spears be printed at this point in the RECORD.

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

ADRIAN A. SPEARS

Born: Darlington, S.C., July 3, 1910.

Education: 1928–29, University of North Carolina; 1929–30, The Citadel; 1930–34, University of South Carolina, LL.B. degree.

Bar: 1934, South Carolina; 1937, Texas.

Experience: 1934, Samuel Want; 1935–37, Spears & Dennis, Darlington, S.C.; 1937–55, Conger, Low & Spears and subsequent firms, Spears & LaLaurin, San Antonio, Tex.; 1955–61, private practice of law, San Antonio, Tex.; October 5, 1961, appointed U.S. district judge, western district of Texas (recess appointment).

Marital status: Married; five children.

Office: San Antonio, Tex.

Home: 114 Five Oaks, San Antonio, Tex.

To be U.S. district judge for the western district of Texas.

Mr. YARBOROUGH. Mr. President, also confirmed today were the appointments of three U.S. marshals for districts in Texas.

ROBERT I. NASH

The appointment of Mr. Robert I. Nash, to be U.S. marshal for the northern district of Texas, was confirmed.

Mr. Nash was born in Kaufman, Tex., in Kaufman County which adjoins my home county of Henderson. We have known his family for two or three generations.

He attended school there and went to college at the University of the South, in Sewanee, Tenn.

Mr. Nash was born in 1906. Despite his age, he enlisted as a private in the U.S. Army in World War II. He was placed in the military police corps, and he rose to the rank of major.

After the allied forces occupied Naples, during World War II, when the black market gangs operating along the waterfront were seizing the American trucks, he was placed in charge of a special detail of military police to protect those truck convoys, and he did the job successfully and well. He was honored for getting those truck convoys to the front. He had under him several hundred picked military policemen. He has had experience in handling men both as a captain and as a major of the military police in World War II.

Mr. Nash is now the operator of a ranch near Scurry, Tex., in Kaufman County.

He has been a committeeman for the Agricultural Stabilization and Conservation Bureau for many years, elected by the other farmers and ranchers of the area.

Mr. President, I ask unanimous consent to have a biographical sketch of Mr. Robert I. Nash printed in the RECORD at this point.

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

ROBERT I. NASH

Born: February 13, 1906, at Kaufman, Tex.

Education: 1923–28, University of the South, Sewanee, Tenn.

Experience: 1935–41, Aetna Insurance Co., Dallas, Tex., land appraiser; U.S. Army—February to September 1941, private; January to June 1942, corporal; 1942–46, captain; many years operator of family-owned ranch near Scurry, Tex.; director of Farmers & Merchants National Bank, Kaufman, Tex.; committeeman for Agricultural Stabilization and Conservation Bureau of Kaufman City, Tex.; appointed U.S. marshal, northern district of Texas, October 6, 1961 (by recess).

Marital status: Single.

Office: Federal Building, Fort Worth, Tex.

Home: 104 South Houston Street, Kaufman, Tex.

To be U.S. marshal for the northern district of Texas.

MARION MATHIAS HALE

Mr. YARBOROUGH. Mr. President, the Senate also today confirmed the nomination of Mr. Marion Mathias Hale, of Texas, to be the U.S. marshal for the southern district of Texas. Mr. Hale is from Brownsville, Tex.

Mr. Hale also has had experience in handling men, but in a different capacity from that of Marshal Nash, whose experience was in the military. Mr. Hale was a football star at Baylor University, and in the days when transfers were allowed he transferred to George Washington University of this area and played football there. He received his bachelor of science degree in physical education. Later he was a football coach at Howard Payne College, in Brownwood, Tex. He is now in business in Brownsville, Tex.

Mr. Hale had his experience in handling men first as a high school football coach and then later as a college football coach. I think experience in handling men is a very important attribute of training with respect to qualifying a man to be a successful U.S. marshal.

Mr. President, I ask unanimous consent to have a biographical sketch of Mr. Hale printed in the RECORD at this point.

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

MARION MATHIAS HALE (BARNEY)

Born: July 12, 1905, Grandview, Tex.

Education: 1925–29, Baylor University, Waco, Tex.; 1930–31, George Washington University, Washington, D.C., junior college student; 1933, B.S. in physical education.

Experience: 1934–35, physical education instructor, 1941–48, teacher and coach, Howard Payne College, Brownwood, Tex.; 1936–40, Rochelle, Tex., High School, teacher and coach; 1936–40, operated a drugstore in Rochelle, Tex.; 1948–61, owner-operator-man-

ager of Grande Theater, Brownsville, Tex.; October 6, 1961, appointed U.S. marshal, southern district of Texas (by recess).

Marital status: Married, two children.

Office: Post Office Building, Houston, Tex.

Home: 4 Robbins Lane, Brownsville, Tex.

To be U.S. marshal for the southern district of Texas.

TULLY REYNOLDS

Mr. YARBOROUGH. Mr. President, the third nomination to be U.S. marshal which the Senate has confirmed today is that of Mr. Tully Reynolds to be U.S. marshal for the eastern district of Texas.

I am glad to note the Vice President is in the chair. As a native of our State and a distinguished citizen, he knows all of these men well. Doubtless if he were on the floor and privileged to speak he would have many more incidents to relate concerning them and their fine capabilities, as he did when he appeared for the judicial appointees before the Senate Committee on the Judiciary.

As I said, Mr. President, the third nominee confirmed as a U.S. marshal is Tully Reynolds, of Gilmer, Tex., a county only one county removed from my native county in the eastern part of the State. At the time of his appointment he was serving as tax assessor and collector for his county. He has been elected and reelected by the votes of the people a number of times. He has shown his capability by serving acceptably and well for his neighbors, and has had his service rewarded by them by reelection.

Mr. Reynolds has shown experience in picking deputies. Since both assessing and collecting duties have been combined, he has shown ability in picking first the proper assessing deputies; and, second, the proper collecting deputies. He has had experience in handling men which I think will fit him well for the duties of U.S. marshal, which are partly, or perhaps largely, bookkeeping and account keeping, under the duties marshals have to perform these days.

Mr. President, I ask unanimous consent to have printed in the RECORD a biographical sketch in respect to Mr. Reynolds.

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

TULLY REYNOLDS

Born: March 28, 1907, at Gilmer, Tex.

Education: Public schools of Gilmer, Tex.

Experience: 1924–25, Gleason Garage, Gilmer, Tex.; 1925–26, Gilmer Motor Co., Gilmer, Tex.; 1927–31, mechanic; 1926–27, Langford Motor Co., Wichita Falls, Tex., mechanic; 1931–33, Reynolds Repair Shop, Gilmer, Tex., owner-operator; 1933–38, Moody Chevrolet Co., Gilmer, Tex., service manager; 1938, oilfield worker in Atlanta, Tex., area; 1938–41, manager of Upshur County Barn; 1941–44, A. B. Capers & Co., Gilmer, Tex., personal property man; 1944–46, Reynolds-Pounds Buick Co., Gilmer, Tex., owner-operator; 1946–47, Progressive Motor Co., Gilmer, Tex., owner-operator; 1947–49, 1950–54, Reynolds Motor Co., Clarksville and Gilmer, Tex., owner-operator; 1947–50, Magnolia Bulk Oil Co., Gilmer, Tex., operator; October to December 1954, 1955–61, Upshur County, Tex., deputy sheriff, tax assessor and collector; October 1961, appointed U.S. marshal, eastern district of Texas (by recess).

Marital status: Married, two chidren.

Office: Post Office Building, Tyler, Tex.

Home: 208 South Montgomery, Gilmer, Tex.

To be U.S. marshal for the eastern district of Texas.

ORDER FOR RECESS TO 11 A.M. MONDAY NEXT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it recess until 11 o'clock Monday next, instead of 12 o'clock, as previously ordered.

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

LEGISLATIVE SESSION

Mr. HOLLAND. 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.

ENROLLED BILL SIGNED DURING RECESS

Under authority of the order of the Senate of March 15, 1962,

The VICE PRESIDENT announced that on today, March 16, 1962, he signed the enrolled bill (H.R. 8723) to amend the Welfare and Pension Plans Disclosure Act with respect to the method of enforcement and to provide certain additional sanctions, and for other purposes, which had been signed by the Speaker of the House of Representatives.

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 March 15, 1962, the President had approved and signed the act (S. 1991) relating to manpower requirements, resources, development, and utilization, and for other purposes.

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 concurrent resolution (S. Con. Res. 59) authorizing the printing of additional copies of Senate Report No. 448, 87th Congress, entitled "Administered Prices, Drugs."

The message also announced that the House had passed a bill (H.R. 10606) to extend and improve the public assistance and child welfare services programs of the Social Security Act, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 10606) to extend and improve the public assistance and child welfare services programs of the Social Security Act, and for other purposes, was read twice by its title and referred to the Committee on Finance.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

EXECUTIVE COMMUNICATIONS, ETC.

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

REPORT ON 1961 SOIL BANK CONSERVATION RESERVE PROGRAM

A letter from the Secretary of Agriculture, transmitting, pursuant to law, his report on the 1961 soil bank conservation reserve program (with an accompanying report); to the Committee on Agriculture and Forestry.

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

A letter from the Chairman, Federal Communications Commission, transmitting, pursuant to law, a report on the backlog of pending applications and hearing cases in that Commission, as of January 31, 1962 (with an accompanying report); to the Committee on Commerce.

REPORT OF FEDERAL TRADE COMMISSION

A letter from the Chairman, Federal Trade Commission, Washington, D.C., transmitting, pursuant to law, a report of that Commission, for the fiscal year ended June 30, 1961 (with an accompanying report); to the Committee on Commerce.

REPORT OF GOVERNMENT OF THE DISTRICT OF COLUMBIA

A letter from the President, Board of Commissioners, District of Columbia, transmitting, pursuant to law, a report of the government of the District of Columbia, for the fiscal year ended June 30, 1961 (with an accompanying report); to the Committee on the District of Columbia.

REPORT OF U.S. INFORMATION AGENCY

A letter from the Director, U.S. Information Agency, Washington, D.C., transmitting, pursuant to law, a report of that Agency, for the 6-month period ended December 31, 1961 (with an accompanying report); to the Committee on Foreign Relations.

AUDIT REPORT ON GOVERNMENT SERVICES, INC.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the audits of Government Services, Inc., and of Government Services, Inc.'s employee retirement and benefit trust fund and supplemental pension plan, year ended December 31, 1961 (with an accompanying report); to the Committee on Government Operations.

ADMISSION INTO THE UNITED STATES OF CERTAIN DEFECTOR ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting admission into the United States of certain defector aliens (with accompanying papers); to the Committee on the Judiciary.

AMENDMENT OF TITLE 39, UNITED STATES CODE, RELATING TO RELIEF OF POSTMASTERS AND OTHER EMPLOYEES FOR CERTAIN LOSSES

A letter from the Acting Postmaster General, transmitting a draft of proposed legislation to amend title 39, United States Code, to authorize the Postmaster General to relieve postmasters and other employees for losses resulting from illegal, improper, or incorrect payments, and for other purposes (with accompanying papers); to the Committee on Post Office and Civil Service.

PETITIONS AND MEMORIALS

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

By the VICE PRESIDENT:

Two joint resolutions of the Legislature of the Commonwealth of Virginia; to the Committee on Finance:

"SENATE JOINT RESOLUTION 6

"Joint resolution requesting the Congress of the United States to adopt certain legislation to alleviate certain problems being faced by American railroads

"Whereas the Congress of the United States and many State legislatures and local governing bodies have recognized that circumstances exist which have placed the railroads in this Nation in a position where, due to economic factors, their operations may have to be curtailed to a point which can seriously affect the services they are able to render to the public; and

"Whereas certain suggested remedies have been proposed by the Association of American Railroads in a document entitled 'Magna Carta for Transportation,' and these should be given careful consideration by the Congress of the United States: Now, therefore

"Resolved by the senate (the house of delegates concurring), That the Congress of the United States is requested to give careful consideration to the proposals made by the railroads of America for relief from certain restrictions, regulations, and burdensome taxes, to the end that they may continue to render service to the American public on an economically sound basis; and the Congress is specifically requested to give consideration to the enactment of legislation which will permit any tax reductions, made by State or local governments seeking to assure their citizens of adequate service from the railroads, to inure wholly to the benefits of the railroads concerned rather than resulting indirectly in an increase in the tax burden imposed on the railroads by the Federal Government; and

"Resolved, further, That the Senators and Representatives of the Commonwealth of Virginia in the Congress of the United States are urged to support such legislation; and

"Resolved, finally, That the clerk of the Senate of Virginia is directed to send copies of this resolution to the President of the Senate and the Speaker of the House of Representatives of the United States and to each of the Senators and Representatives of the Commonwealth of Virginia in the Congress of the United States.

"Agreed to March 7, 1962, by house of delegates.

"Agreed to February 1, 1962, by Senate of Virginia.

"A true copy, teste:

"BEN D. LACY,
"Clerk of the Senate."

"SENATE JOINT RESOLUTION 9

"Joint resolution requesting the Congress of the United States to repeal the Federal excise tax on the transportation of persons

"Whereas the Federal excise tax on the transportation of persons was adopted in 1942 for the purpose of discouraging nonessential use of common carrier transportation facilities during emergency wartime conditions; and

"Whereas such excise tax is no longer necessary or desirable for this purpose and its continued imposition is detrimental to the welfare of all common carriers of persons: Now, therefore, be it

"Resolved by the Senate of Virginia, (the House of Delegates concurring), That the General Assembly of Virginia favors the repeal of the Federal excise tax on the transportation of persons;

"That the Congress of the United States is requested to enact legislation to repeal such tax;

"That the Senators and Representatives of the Commonwealth of Virginia in the Congress of the United States are urged to support legislation providing for the repeal of such tax; and

"That suitable copies of this resolution be sent to the President of the Senate and the Speaker of the House of Representatives of the United States and to each of the Senators and Representatives of the Commonwealth of Virginia in the Congress of the United States.

"Agreed to March 7, 1962, by house of delegates.

"Agreed to February 1, 1962, by Senate of Virginia.

"A true copy, teste:

"BEN S. LACY,
"Clerk of the Senate."

A resolution adopted by Lloyd Grubbs Post No. 49, the American Legion, Orange, Tex., relating to the training of Communist military personnel in the United States, and so forth; to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

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

H.R. 10526. An act making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies for the fiscal year ending June 30, 1963, and for other purposes (Rept. No. 1307).

By Mr. BIBLE, from the Committee on Interior and Insular Affairs, without amendment:

S.J. Res. 171. Joint resolution providing for the establishing of the former dwelling house of Alexander Hamilton as a national memorial (Rept. No. 1308).

REPORT OF JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES—FEDERAL PERSONNEL AND PAY

Mr. BYRD of Virginia. Mr. President, as chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, I submit a report on Federal employment and pay for the month of January 1962. In accordance with the practice of several years' standing, I ask unanimous consent to have the report printed in the RECORD, together with a statement by me.

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

FEDERAL PERSONNEL IN EXECUTIVE BRANCH, JANUARY 1962 AND DECEMBER 1961, AND PAY, DECEMBER AND NOVEMBER 1961

PERSONNEL AND PAY SUMMARY

(See table I)

Information in monthly personnel reports for January 1962 submitted to the Joint Committee on Reduction of Nonessential Federal Expenditures is summarized as follows:

Total and major categories	Civilian personnel in executive branch			Payroll (in thousands) in executive branch		
	In January numbered—	In December numbered—	Increase (+) or decrease (−)	In December was—	In November was—	Increase (+) or decrease (−)
Total [1]	2,428,691	2,430,998	−2,307	$1,216,623	$1,198,980	+$17,643
Agencies exclusive of Department of Defense	1,368,628	1,371,837	−3,209	705,033	664,425	+40,608
Department of Defense	1,060,063	1,059,161	+902	511,590	534,555	−22,965
Inside the United States	2,264,196	2,267,833	−3,637			
Outside the United States	164,495	163,165	+1,330			
Industrial employment	564,961	569,195	−4,234			
Foreign nationals	169,545	170,110	−565	29,093	[2] 26,629	+2,464

[1] Exclusive of foreign nationals shown in the last line of this summary.

[2] Revised on basis of later information.

CHANGES IN DEPARTMENT OF DEFENSE REPORTING EFFECTIVE IN THIS REPORT

Changes in organizational entities for which the Department of Defense reports Federal civilian employment are to be noted as effective in this report. They will be found in tables I, II, and III.

The changes follow reorganizations directed by the Secretary of Defense under authority of section 3(a) of the Department of Defense Reorganization Act of 1958 (Public Law 85–599).

Since October 1947 civilian personnel employed by the Department of Defense has been reported under the Office of the Secretary of Defense, and the Departments of the Army, Navy, and Air Force.

Effective with his report Federal civilian employment in the Department of Defense will be recorded as certified for—

Office of the Secretary of Defense
Department of the Army
Department of the Navy
Department of the Air Force
Defense Atomic Support Agency
Defense Communications Agency

Defense Intelligence Agency
Defense Supply Agency
Office of Civil Defense
U.S. Court of Military Appeals
Interdepartmental activities
International military assistance

The reorganizations resulting in these changes are documented in the appendix, beginning on page 11; and the personnel transfers incident to the reorganizations are shown in a table on page 12.

Table I, below, breaks down the above figures on employment and pay by agencies.

Table II breaks down the above employment figures to show the number inside the United States by agencies.

Table III breaks down the above employment figures to show the number outside the United States by agencies.

Table IV breaks down the above employment figures to show the number in industrial-type activities by agencies.

Table V shows foreign nationals by agencies not included in tables I, II, III, and IV.

TABLE I.—*Consolidated table of Federal personnel inside and outside the United States employed by the executive agencies during January 1962, and comparison with December 1961, and pay for December 1961, and comparison with November 1961*

Department or agency	Personnel				Pay (in thousands)			
	January	December	Increase	Decrease	December	November	Increase	Decrease
Executive departments (except Department of Defense):								
Agriculture	91,312	91,673		361	$41,842	$45,870		$4,028
Commerce [1]	28,563	28,437	126		16,230	17,102		872
Health, Education, and Welfare	73,347	72,871	476		35,645	35,862		217
Interior	54,026	53,953	73		28,340	29,731		1,391
Justice	30,899	30,862	37		18,683	19,327		644
Labor	8,089	7,709	380		4,234	4,429		195
Post Office	580,433	586,235		5,802	[2] 316,866	256,770	$60,096	
State [3] [4]	39,011	39,084		73	18,322	18,830		508
Treasury	80,763	80,193	570		42,745	44,801		2,056
Executive Office of the President								
White House Office	441	439	2		256	254	2	
Bureau of the Budget	455	458		3	361	349	12	
Council of Economic Advisers	43	46		3	37	30	7	
Executive Mansion and Grounds	72	73		1	34	36		2
National Aeronautics and Space Council	16	14	2		11	13		2
National Security Council	43	43			32	35		3
Office of Emergency Planning	476	503		27	389	468		79
President's Commission on Campaign Costs	14	13	1		5	1	4	
Independent agencies:								
Advisory Commission on Intergovernmental Relations	25	30		5	14	12	2	
American Battle Monuments Commission	413	414		1	79	82		3
Atomic Energy Commission	6,783	6,784		1	4,552	4,809		257
Board of Governors of the Federal Reserve System	603	603			373	380		7
Civil Aeronautics Board	787	776	11		532	559		27
Civil Service Commission	3,823	3,833		10	2,149	2,270		121
Civil War Centennial Commission	6	7		1	4	4		
Commission of Fine Arts	6	6			4	5		1
Commission on Civil Rights	56	52	4		30	35		5
Export-Import Bank of Washington	257	259		2	170	180		10
Farm Credit Administration	235	238		3	158	165		7
Federal Aviation Agency	43,315	43,232	83		26,942	27,958		1,016
Federal Coal Mine Safety Board of Review	7	7			4	5		1
Federal Communications Commission	1,360	1,361		1	831	886		55
Federal Deposit Insurance Corporation	1,274	1,275		1	755	788		33
Federal Home Loan Bank Board	1,144	1,139	5		692	718		26
Federal Maritime Commission	145	142	3		96	92	4	
Federal Mediation and Conciliation Service	355	356		1	288	309		21
Federal Power Commission	898	900		2	583	613		30
Federal Trade Commission	1,000	[5] 983	17		665	655	10	
Foreign Claims Settlement Commission	62	61	1		43	44		1
General Accounting Office	4,728	4,767		39	2,792	2,944		152
General Services Administration	30,685	30,601	84		13,814	14,216		402
Government Printing Office	6,889	6,865	24		3,427	3,707		280
Housing and Home Finance Agency	12,401	12,261	140		7,005	7,261		256
Indian Claims Commission	20	20			16	17		1
Interstate Commerce Commission	2,398	2,396	2		1,490	1,543		53
James Madison Memorial Commission	1	1			1	1		
National Aeronautics and Space Administration	19,798	19,130	668		12,424	12,859		435
National Capital Housing Authority	420	420			175	182		7
National Capital Planning Commission	57	56	1		36	31	5	
National Capital Transportation Agency	81	67	14		46	42	4	
National Gallery of Art	308	310		2	127	136		9
National Labor Relations Board	1,841	1,848		7	1,173	1,215		42
National Mediation Board	139	139			126	125	1	
National Science Foundation	786	760	26		478	502		24
Outdoor Recreation Resources Review Commission	42	47		5	27	28		1
Panama Canal	14,508	14,391	117		4,439	4,575		136
President's Committee on Equal Employment Opportunity	33	38		5	22	24		2
Railroad Retirement Board	2,116	2,115	1		1,053	1,102		49
Renegotiation Board	203	250		47	198	203		5
St. Lawrence Seaway Development Corporation	154	155		1	91	97		6
Securities and Exchange Commission	1,210	1,179	31		737	755		18
Selective Service System	6,804	6,791	13		2,020	2,120		100
Small Business Administration	2,923	2,876	47		1,608	1,749		51
Smithsonian Institution	1,163	1,146	17		547	566		19
Soldiers' Home	1,032	1,031	1		345	338	7	
South Carolina, Georgia, Alabama, and Florida Water Study Commission	56	56			41	43		2
Subversive Activities Control Board	27	27			21	21		
Tariff Commission	269	267	2		180	188		8
Tax Court of the United States	149	148	1		106	109		3
Tennessee Valley Authority	18,429	18,545		116	10,338	11,123		785
Texas Water Study Commission	28	30		2	16	17		1
U.S. Arms Control and Disarmament Agency	63	57	6		31	34		3
U.S. Information Agency	11,009	10,994	15		4,330	4,630		300
Veterans' Administration	176,716	176,458	258		72,546	77,327		4,781
Virgin Islands Corporation	585	531	54		121	118	3	
Total, excluding Department of Defense	1,368,628	1,371,837	3,313	6,522	705,033	664,425	60,157	19,549
Net change, excluding Department of Defense			3,209				40,608	

[1] January figure includes 123 seamen on the rolls of the Maritime Administration and their pay.
[2] Includes pay for temporary Christmas employees.
[3] January figure includes 14,982 employees of the Agency for International Development as compared with 14,866 in December, and their pay. These AID figures include employees who are paid from foreign currencies deposited by foreign governments in a trust fund for this purpose. The January figure includes 3,332 of these trust fund employees and the December figure includes 3,396.
[4] January figure includes 415 employees of the Peace Corps as compared with 402 in December and their pay.
[5] Revised on basis of later information.

TABLE I.—*Consolidated table of Federal personnel inside and outside the United States employed by the executive agencies during January 1962, and comparison with December 1961, and pay for December 1961, and comparison with November 1961*—Continued

Department or agency	Personnel				Pay (in thousands)			
	January	December	Increase	Decrease	December	November	Increase	Decrease
Department of Defense:								
Office of the Secretary of Defense [6]	1,801	3,213		1,412	$2,218	$2,297		$79
Department of the Army [6]	387,745	397,509		9,764	182,995	189,948		6,953
Department of the Navy [6]	351,508	352,930		1,422	181,547	[4] 192,444		10,897
Department of the Air Force [6]	306,866	305,509	1,357		144,830	149,866		5,036
Defense Atomic Support Agency [6]	2,050		2,050					
Defense Communications Agency [6]	121		121					
Defense Intelligence Agency [6]	107		107					
Defense Supply Agency [6]	8,627		8,627					
Office of Civil Defense [6]	1,117		1,117					
U.S. Court of Military Appeals [6]	38		38					
Interdepartmental activities [6]	35		35					
International military assistance [6]	48		48					
Total, Department of Defense	1,060,063	1,059,161	13,500	12,598	511,590	534,555		22,965
Net change, Department of Defense			902				$22,965	
Grand total, including Department of Defense [7]	2,428,619	2,430,998	16,813	19,120	1,216,623	1,198,980	60,157	42,514
Net change, including Department of Defense			2,307				17,643	

[6] See appendix, p. 11, for Department of Defense reorganization pursuant to Public Law 85-599.

[7] Exclusive of personnel and pay of Central Intelligence Agency and National Security Agency.

TABLE II.—*Federal personnel inside the United States employed by the executive agencies during January 1962, and comparison with December 1961*

Department or agency	January	December	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	90,234	90,618		384
Commerce [1]	27,953	27,835	118	
Health, Education, and Welfare	72,842	72,368	474	
Interior	53,500	53,436	64	
Justice	30,560	30,525	35	
Labor	8,007	7,628	379	
Post Office	579,031	584,832		5,801
State [2] [3]	9,839	9,977		138
Treasury	80,173	79,617	556	
Executive Office of the President:				
White House Office	441	439	2	
Bureau of the Budget	455	458		3
Council of Economic Advisers	43	46		3
Executive Mansion and Grounds	72	73		1
National Aeronautics and Space Council	16	14	2	
National Security Council	43	43		
Office of Emergency Planning	476	503		27
President's Commission on Campaign Costs	14	13	1	
Independent agencies:				
Advisory Commission on Intergovernmental Relations	25	30		5
American Battle Monuments Commission	10	10		
Atomic Energy Commission	6,752	6,753		1
Board of Governors of the Federal Reserve System	603	603		
Civil Aeronautics Board	786	775	11	
Civil Service Commission	3,821	3,831		10
Civil War Centennial Commission	6	7		1
Commission of Fine Arts	6	6		
Commission on Civil Rights	56	52	4	
Export-Import Bank of Washington	257	259		2
Farm Credit Administration	235	238		3
Federal Aviation Agency	42,363	42,281	82	
Federal Coal Mine Safety Board of Review	7	7		
Federal Communications Commission	1,357	1,358		1
Federal Deposit Insurance Corporation	1,272	1,273		1
Federal Home Loan Bank Board	1,144	1,139	5	
Federal Maritime Commission	145	142	3	
Federal Mediation and Conciliation Service	355	356		1
Federal Power Commission	898	900		2
Federal Trade Commission	1,000	[4] 983	17	
Foreign Claims Settlement Commission	58	58		
General Accounting Office	4,664	4,701		37
General Services Administration	30,682	30,599	83	
Government Printing Office	6,889	6,865	24	
Housing and Home Finance Agency	12,233	12,097	136	
Indian Claims Commission	20	20		
Interstate Commerce Commission	2,398	2,396	2	
James Madison Memorial Commission	1	1		
National Aeronautics and Space Administration	19,785	19,117	668	
National Capital Housing Authority	420	420		
Independent agencies—Continued				
National Capital Planning Commission	57	56	1	
National Capital Transportation Agency	81	67	14	
National Gallery of Art	308	310		2
National Labor Relations Board	1,808	1,816		8
National Mediation Board	139	139		
National Science Foundation	779	753	26	
Outdoor Recreation Resources Review Commission	42	47		5
Panama Canal	158	161		3
President's Commission on Equal Employment Opportunity	33	38		5
Railroad Retirement Board	2,116	2,115	1	
Renegotiation Board	203	250		47
St. Lawrence Seaway Development Corporation	154	155		1
Securities and Exchange Commission	1,210	1,179	31	
Selective Service System	6,647	6,634	13	
Small Business Administration	2,884	2,838	46	
Smithsonian Institution	1,152	1,135	17	
Soldiers' Home	1,032	1,031	1	
South Carolina, Georgia, Alabama, and Florida Water Study Commission	56	56		
Subversive Activities Control Board	27	27		
Tariff Commission	269	267	2	
Tax Court of the United States	149	148	1	
Tennessee Valley Authority	18,423	18,539		116
Texas Water Study Commission	28	30		2
U.S. Arms Control and Disarmament Agency	63	57	6	
U.S. Information Agency	2,976	2,935	41	
Veterans' Administration	175,679	175,420	259	
Total, excluding Department of Defense	1,308,420	1,311,905	3,125	6,610
Net decrease, excluding Department of Defense			3,485	
Department of Defense:				
Office of the Secretary of Defense [5]	1,757	3,155		1,398
Department of the Army [5]	335,739	345,774		10,035
Department of the Navy [5]	327,818	329,513		1,695
Department of the Air Force [5]	278,335	277,486	849	
Defense Atomic Support Agency [5]	2,050		2,050	
Defense Communications Agency [5]	115		115	
Defense Intelligence Agency [5]	107		107	
Defense Supply Agency [5]	8,627		8,627	
Office of Civil Defense [5]	1,117		1,117	
U.S. Court of Military Appeals [5]	38		38	
Interdepartmental activities [5]	34		34	
International military assistance [5]	39		39	
Total, Department of Defense	955,776	955,928	12,976	13,128
Net decrease, Department of Defense			152	
Grand total, including Department of Defense	2,264,196	2,267,833	16,101	19,738
Net decrease, including Department of Defense			3,637	

[1] January figure includes 123 seamen on the rolls of the Maritime Administration.

[2] January figure includes 2,332 employees of the Agency for International Development as compared with 2,278 in December.

[3] January figure includes 369 employees of the Peace Corps as compared with 361 in December.

[4] Revised on basis of later information.

[5] See appendix, p. 11, for Department of Defense reorganization pursuant to Public Law 85-599.

TABLE III.—*Federal personnel outside the United States employed by the executive agencies during January 1962, and comparison with December 1961*

Department or agency	January	December	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	1,078	1,055	23	
Commerce	610	602	8	
Health, Education, and Welfare	505	503	2	
Interior	526	517	9	
Justice	339	337	2	
Labor	82	81	1	
Post Office	1,402	1,403		1
State [1] [2]	29,172	29,107	65	
Treasury	590	576	14	
Independent agencies:				
American Battle Monuments Commission	403	404		1
Atomic Energy Commission	31	31		
Civil Aeronautics Board	1	1		
Civil Service Commission	2	2		
Federal Aviation Agency	952	951	1	
Federal Communications Commission	3	3		
Federal Deposit Insurance Corporation	2	2		
Foreign Claims Settlement Commission	4	3	1	
General Accounting Office	64	66		2
General Services Administration	3	2	1	
Housing and Home Finance Agency	168	164	4	
National Aeronautics and Space Administration	13	13		
National Labor Relations Board	33	32	1	
National Science Foundation	7	7		
Panama Canal	14,350	14,230	120	
Selective Service System	157	157		
Independent agencies—Continued				
Small Business Administration	39	38	1	
Smithsonian Institution	11	11		
Tennessee Valley Authority	6	6		
U.S. Information Agency	8,033	8,059		26
Veterans' Administration	1,037	1,038		1
Virgin Islands Corporation	585	531	54	
Total, excluding Department of Defense	60,208	59,932	307	31
Net increase, excluding Department of Defense			276	
Department of Defense:				
Office of the Secretary of Defense [3]	44	58		14
Department of the Army [3]	52,006	51,735	271	
Department of the Navy [3]	23,690	23,417	273	
Department of the Air Force [3]	28,531	28,023	508	
Defense Communications Agency [3]	6		6	
Interdepartmental activities [3]	1		1	
International military assistance [3]	9		9	
Total, Department of Defense	104,287	103,233	1,068	14
Net increase, Department of Defense			1,054	
Grand total, including Department of Defense	164,495	163,165	1,375	45
Net increase, including Department of Defense			1,330	

[1] January figure includes 12,650 employees of the Agency for International Development as compared with 12,588 in December. These AID figures include employees who are paid from foreign currencies deposited by foreign governments in the trust fund for this purpose. The January figure includes 3,332 of these trust fund employees and the December figure includes 3,396.

[2] January figure includes 46 employees of the Peace Corps as compared with 41 in December.

[3] See appendix, p. 11, for Department of Defense reorganization pursuant to Public Law 85-599.

TABLE IV.—*Industrial employees of the Federal Government inside and outside the United States employed by the executive agencies during January 1962, and comparison with December 1961*

Department or agency	January	December	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	3,907	3,927		20
Commerce	5,456	5,154	302	
Interior	8,141	8,133	8	
Post Office	252	251	1	
Treasury	5,155	5,147	8	
Independent agencies:				
Atomic Energy Commission	246	246		
Federal Aviation Agency	1,884	1,891		7
General Services Administration	1,674	1,643	31	
Government Printing Office	6,889	6,865	24	
National Aeronautics and Space Administration	19,798	19,130	668	
Panama Canal	7,466	7,379	87	
St. Lawrence Seaway Development Corporation	126	126		
Tennessee Valley Authority	15,542	15,660		118
Virgin Islands Corporation	585	531	54	
Total, excluding Department of Defense	77,121	76,083	1,183	145
Net increase, excluding Department of Defense			1,038	
Department of Defense:				
Department of the Army:				
Inside the United States	[1] 137,950	[2] 142,082		4,132
Outside the United States	[1] 4,750	[2] 4,746	4	
Department of the Navy:				
Inside the United States	204,903	205,484		581
Outside the United States	459	458	1	
Department of the Air Force:				
Inside the United States	138,319	138,958		639
Outside the United States	1,459	1,384	75	
Total, Department of Defense	487,840	493,112	80	5,352
Net decrease, Department of Defense			5,272	
Grand total, including Department of Defense	564,961	569,195	1,263	5,497
Net decrease, including Department of Defense			4,234	

[1] Subject to revision.

[2] Revised on basis of later information.

TABLE V.—*Foreign nationals working under U.S. agencies overseas, excluded from tables I through IV of this report, whose services are provided by contractual agreement between the United States and foreign governments, or because of the nature of their work or the source of funds from which they are paid, as of January 1962, and comparison with December 1961*

Country	Total		Army		Navy		Air Force		National Aeronautics and Space Administration	
	January	December	January	December	January	December	January	December	January	December
Australia	1	1							1	1
Canada	37	35					37	35		
Crete	50	50					50	50		
England	3,322	3,386			72	57	3,250	3,329		
France	21,857	21,912	18,260	18,322	11	11	3,586	3,579		
Germany	80,785	80,663	67,904	67,587	85	84	12,796	12,992		
Greece	276	273					276	273		
Greenland	144	49					144	49		
Japan	53,491	54,130	19,057	19,332	14,517	14,740	19,917	20,058		
Korea	6,185	6,212	6,185	6,212						
Morocco	2,718	2,723			825	828	1,893	1,895		
Netherlands	55	53					55	53		
Norway	24	24					24	24		
Saudi Arabia	2	4					2	4		
Trinidad	598	595			598	595				
Total	169,545	170,110	111,406	111,453	16,108	16,315	42,030	42,341	1	1

FOREIGN NATIONALS

Table V segregates and accounts for certain categories of personal services rendered to the U.S. Government overseas, which cannot be regarded as ordinary direct employment.

This personal service is rendered to U.S. agencies overseas under agreements with the foreign governments. In most cases the employment is indirect. The foreign governments hire the employees. The U.S. military agencies in most cases administer or direct the activity.

Personnel hired and used under such circumstances cannot be properly considered in the same category as regular employment, but they are used and should be counted for what they are.

For this reason the Joint Committee on Reduction of Nonessential Federal Expenditures counts employees of this type along with, but separate from, regular U.S. employment overseas.

APPENDIX

Changes in organizational entities for which the Department of Defense reports Federal civilian employment effective with the certifications for January 1962 are documented as follows:

1. Letter dated March 2, 1962, to the committee from the Department of Defense:

ASSISTANT SECRETARY OF DEFENSE,
Washington, D.C., March 2, 1962.

Hon. HARRY F. BYRD,
Chairman, Joint Committee on Reduction of Nonessential Federal Expenditures.

DEAR SENATOR BYRD: Since its inception, the Department of Defense has made monthly civilian employment reports to the Civil Service Commission and to the Joint Committee on Reduction of Nonessential Federal Expenditures in four component parts—the Office of the Secretary of Defense including the Joint Chiefs of Staff, and the Departments of the Army, Navy, and Air Force.

In section 3(a) "(c)(6)" of the Department of Defense Reorganization Act of 1958 the Secretary of Defense was authorized, whenever he determines it will be advantageous to the Government in terms of effectiveness, economy, or efficiency, to provide for the carrying out of any supply or service activity common to more than one military department by a single agency or such other organizational entities as he deems appropriate. This authority has now been applied to the broad fields of communications, intelligence, supply, and atomic energy matters through the establishment of a Defense Communications Agency, a Defense Intelligence Agency, a Defense Supply Agency, and a Defense Atomic Support Agency.

These agencies are separately organized within the Department of Defense under the direction, authority, and control of the Secretary of Defense but are outside of the Departments of the Army, Navy, and Air Force and the Office of the Secretary of Defense. The Office of the Secretary of Defense includes the Secretary of Defense, the Deputy Secretary of Defense, the Director of Defense Research and Engineering, the Assistant Secretaries of Defense, the General Counsel, and several Special Assistants; in other words, those principal civilian assistants who are prescribed by statute. These civilian assistants serve as the immediate staff to the Secretary of Defense assisting him in the performance of his responsibilities and do not normally perform operating functions as do the Department of Defense agencies referred to above.

Many of the personnel previously included in the monthly reports of the military departments have now been transferred to these Department of Defense agencies and will no longer be reported by the military departments. The Civil Service Commission, to further its improved personnel statistics program, has assigned each of the Department of Defense agencies and other defese activities an agency code for reporting purposes. Therefore, a separate account has been assigned for each of these Department of Defense agencies in order to properly account for their personnel.

Civilian personnel reported separately in January for these agencies are not new additions to the rolls. Heretofore they have been included in the reports of either the Office of the Secretary of Defense, Army, Navy, or Air Force as shown in the enclosed tabulation.

In addition, separate reports are provided for certain other defense, interdepartmental and international military activities which heretofore have been included in the Office of the Secretary of Defense report, such as the Office of Civil Defense, the U.S. Court of Military Appeals, and the U.S. contingent of the Standing Group to the North Atlantic Treaty Organization which are not organizational components of the military departments or the Office of the Secretary of Defense. With the exception of the Office of Civil Defense, the numbers of personnel involved in these activities are small. The personnel for the Office of Civil Defense resulted from the transfer of civil defense personnel and functions from the Office of Civil and Defense Mobilization to the Department of Defense in accordance with Executive Order 10952, July 20, 1961.

In recognition of the foregoing situation, discussions were held with members of your staff and with officials of the Civil Service Commission regarding the addition of a fifth component part to the monthly civilian employment report to bring together the agencies and activities described above into a single reporting group and thus provide a more realistic and meaningful report. Therefore, the monthly report for January 1962 is submitted in five parts, as follows:

Office of the Secretary of Defense and Organization of the Joint Chiefs of Staff.
Army.
Navy.
Air Force.
Other defense activities.

Supplemental reports on Standard Form 113 are provided for each of the agencies and activities included in the new reporting group together with a consolidated summary for the entire Department of Defense. As requested by members of the committee staff, enclosed are additional data relating to internal Department of Defense reporting procedures, establishment of the Department of Defense agencies and the justification of budget estimates for fiscal year 1963 for those agencies.

If we can be of any further assistance on this matter, please let us know.

Sincerely,

CHARLES J. HITCH,
Assistant Secretary of Defense.

2. Civilian employment in "other defense activities" (separately organized within the Department of Defense but outside of the Departments of Army, Navy, and Air Force, and the Office of the Secretary of Defense) as of January 31, 1962:

Agency or activity to which personnel were transferred in January	Agency from which personnel were transferred in January				Other charges, net		SF 113 (line 10) Jan. 31, 1962
	Army	Navy	Air Force	OSD	Gain	Loss	
Defense Communications Agency [1]				116	5		121
Defense Intelligence Agency [1]	9	16	17	49	16		107
Office of Civil Defense [1]				1,119		2	1,117
U.S. Court of Military Appeals [1]				39		1	38
Interdepartmental activities [1]				38		3	35
International military assistance [1]				48			48
Defense Supply Agency [2]	7,640	887	16	2	80		8,625
Defense Atomic Support Agency [3]	2,032				5		2,037
Total	9,681	903	33	1,411	106	6	[4] 12,128

[1] Change in reporting effective January 1962 in accordance with provisions of DOD Instruction 7730.18. Through Dec. 31, 1961, personnel of these agencies or activities were included in the SF 113 totals of the agency from which transferred.
[2] Transfers were effective Jan. 1, 1962, per DSA G.O. No. 2, dated Dec. 20, 1961.
[3] Change in reporting effective January 1962 in accordance with provisions of DOD Instruction 7730.18. Through Dec. 31, 1961, personnel of DASA were included in the Army SF 113 totals.
[4] This total plus 15 intermittents (2 DSA and 13 DASA) equal the 12,143 reported on line 1 of January SF 113, "Other defense activities."

3. Department of Defense instructions, directives, etc., establishing defense agencies and activities within the Department of Defense, but outside of the Office of the Secretary of Defense and the Departments of the Army, Navy, and Air Force, follow:

Department of Defense Instruction 7730.18, February 6, 1962, subject: "Monthly Report of Civilian Employment."

Department of Defense Directive 5105.19, November 14, 1961, subject: "Defense Communications Agency (DCA)."

Department of Defense Directive 5105.22, November 6, 1961, subject: "Defense Supply Agency (DSA)."

Department of Defense Directive 5140.1, August 31, 1961, subject: "Assistant Secretary of Defense (Civil Defense)."

Department of Defense Directive 5105.21, August 1, 1961, subject: "Defense Intelligence Agency."

Department of Defense Instruction 2010.1, March 1, 1961, subject: "Support of International Military Activities."

Defense Atomic Support Agency Charter, section 1, May 1, 1959, subject: "Defense Atomic Support Agency (DASA)."

Title 10, United States Code, section 867, article 67, subject: Court of Military Appeals.

STATEMENT BY SENATOR BYRD OF VIRGINIA

Executive agencies of the Federal Government reported civilian employment in the month of January totaling 2,428,691. This was a net decrease of 2,307 as compared with employment reported in the preceding month of December.

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

Civilian employment reported by the executive agencies of the Federal Government, by months in fiscal year 1962, which began July 1, 1961, follows:

Month	Employment	Increase	Decrease
July 1961	2,435,804	16,700	
August	2,445,078	9,274	
September	2,427,216		17,862
October	2,429,691	2,475	
November	2,437,709	8,018	
December	2,430,998		6,711
January 1962	2,428,691		2,307

Total Federal employment in civilian agencies for the month of January was 1,368,628,

a decrease of 3,209 as compared with the December total of 1,371,837. Total civilian employment in the military agencies in January was 1,060,063, an increase of 902 as compared with 1,059,161 in December.

Civilian agencies reporting the larger decreases were Post Office Department with 5,802 and Agriculture with 361. Increases were reported by National Aeronautics and Space Administration with 668, Treasury Department with 570, Department of Health, Education, and Welfare with 476, and Labor Department with 380.

Inside the United States civilian employment decreased 3,637, and outside the United States civilian employment increased 1,330. Industrial employment by Federal agencies in January totaled 564,961, a decrease of 4,234.

DEFENSE DEPARTMENT REORGANIZATIONS

Previous statements in the RECORD on the committee's series of monthly reports on Federal civilian personnel have carried generally at this point a statement of major Defense Department increases and decreases in the Office of the Secretary and the Departments of the Army, Navy, and Air Force.

Such a comparison must be omitted in this statement relative to January 1962 employment because reorganizations in the Department of Defense have changed the organizational components for which the Department reports civilian personnel.

Recent changes ordered under authority of the Defense Department Reorganization Act of 1958 have established eight agencies and activities in the Department but outside of the Office of the Secretary and the three military departments.

The functions of these agencies and activities were transferred out of the Office of the Secretary and the three military departments which previously reported the civilian personnel. These agencies and activities are now reported as separate components in addition to the Office of the Secretary and the Departments of the Army, Navy and Air Force.

FOREIGN NATIONALS

The total of 2,428,691 civilian employees certified to the committee by Federal agencies in their regular monthly personnel reports includes some foreign nationals employed in U.S. Government activities abroad, but in addition to these there were 169,545 foreign nationals working for U.S. agencies overseas during January who were not counted in the usual personnel reports. The number in December was 170,110. A breakdown of this employment for January follows:

Country	Total	Army	Navy	Air Force	NASA
Australia	1				1
Canada	37			37	
Crete	50			50	
England	3,322		72	3,250	
France	21,857	18,260	11	3,586	
Germany	80,785	67,904	85	12,796	
Greece	276			276	
Greenland	144			144	
Japan	53,491	19,057	14,517	19,917	
Korea	6,185	6,185			
Morocco	2,718		825	1,893	
Netherlands	55			55	
Norway	24			24	
Saudi Arabia	2			2	
Trinidad	598		598		
Total	169,545	111,406	16,108	42,030	1

FEDERAL PAYROLL

(There is a lag of a month between Federal employment and Federal payroll figures in order that actual expenditures may be reported. Payroll expenditure figures in the committee report this month are for December.)

Payroll expenditure figures in the executive branch during the first 6 months of the current fiscal year 1962 totaled $7.1 billion. These payroll expenditures for the first half of the fiscal year, July–December 1961, exclusive of $156 million of U.S. pay for foreign nationals not on the regular rolls, follow:

[*Payroll, in millions*]

Month:	
July	$1,128
August	1,231
September	1,160
October	1,187
November	1,199
December	1,217
Total	7,122

BILLS AND JOINT RESOLUTIONS INTRODUCED

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

By Mr. ELLENDER (by request):

S. 3006. A bill to amend section 204 of the Agricultural Act of 1956; to the Committee on Agriculture and Forestry.

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

By Mr. MOSS:

S. 3007. A bill relating to the conservation of wildlife within Dinosaur National Monument; to the Committee on Interior and Insular Affairs.

By Mr. HART:

S. 3008. A bill to establish an agency of the legislative branch of the Federal Government authorized to conduct the elections of Members of the Senate and the House of Representatives; to the Committee on Rules and Administration.

By Mr. HICKEY:

S. 3009. A bill for the relief of Leonard F. Rizzuto; to the Committee on the Judiciary.

By Mr. BIBLE (by request):

S. 3010. A bill to amend the act entitled "An act to provide for commitments to, maintenance in, and discharges from the District Training School, and for other purposes", approved March 3, 1925, as amended;

S. 3011. A bill to amend section 4 of the act of Congress approved March 1, 1899, entitled "An act to authorize the Commissioners of the District of Columbia to remove dangerous and unsafe buildings and parts thereof, and for other purposes";

S. 3012. A bill to amend the act of March 5, 1938, establishing a small claims and conciliation branch in the municipal court for the District of Columbia; and

S. 3013. A bill to amend the act of July 2, 1940, as amended, relating to the recording of liens on motor vehicles and trailers registered in the District of Columbia, so as to eliminate the requirement that an alphabetical file of such liens be maintained; to the Committee on the District of Columbia.

By Mr. SCOTT:

S. 3014. A bill to amend the act of July 15, 1955, relating to the conservation of anthracite coal resources; to the Committee on Interior and Insular Affairs.

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

By Mr. BYRD of Virginia:

S. 3015. A bill for the relief of James B. Troup; to the Committee on the Judiciary.

By Mr. MAGNUSON (by request):

S. 3016. A bill to amend the act of March 2, 1929, and the act of August 27, 1935, relating to load lines for oceangoing and coastwise vessels, to establish liability for surveys, to increase penalties, to permit deeper loading in coastwise trade, and for other purposes; to the Committee on Commerce.

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

By Mr. PROXMIRE:

S. 3017. A bill for the relief of José Maria Bravo-Jimenez; to the Committee on the Judiciary.

By Mr. DWORSHAK:

S.J. Res. 172. Joint resolution to provide that, for the purposes of the act entitled "An act to provide for the transfer of certain lands in the State of Idaho to the Idaho Ranch for Youth, Inc.," approved July 11, 1952 (66 Stat. A. 150), the Idaho Ranch for Youth, Inc., shall be held and considered to have made payment in full to the Secretary of the Interior for such land; to the Committee on Interior and Insular Affairs.

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

By Mr. WILLIAMS of Delaware (for himself, Mr. BYRD of Virginia, Mr. BOGGS, Mr. BEALL, Mr. ROBERTSON, Mr. KEATING, Mr. HOLLAND, Mr. BENNETT, Mr. CARLSON, Mr. CURTIS, Mr. CASE of New Jersey, Mr. BUSH, Mr. BUTLER, Mr. ERVIN, Mr. JORDAN, and Mr. WILLIAMS of New Jersey):

S.J. Res. 173. Joint resolution relating to the treatment under the Internal Revenue Code of 1954 of casualty losses in areas designated by the President as disaster areas; to the Committee on Finance.

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

By Mrs. NEUBERGER:

S.J. Res. 174. Joint resolution to authorize the establishment of a commission to study the harmful effects of cigarette smoking; to the Committee on Labor and Public Welfare.

(See the remarks of Mrs. NEUBERGER when she introduced the above joint resolution, which appear under a separate heading.)

PROPOSED AMENDMENT OF SECTION 204 OF THE AGRICULTURAL ACT OF 1956

Mr. ELLENDER. Mr. President, I introduce, for appropriate reference, a bill to amend section 204 of the Agricultural Act of 1956.

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

The bill (S. 3006) to amend section 204 of the Agricultural Act of 1956, introduced by Mr. ELLENDER, by request, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. ELLENDER. Mr. President, I ask unanimous consent to have printed in the RECORD a letter addressed to the present occupant of the chair dated

March 9, 1962, signed by Edward Gudeman, Acting Secretary of Commerce.

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

THE SECRETARY OF COMMERCE,
Washington, D.C., March 9, 1962.

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

DEAR MR. PRESIDENT: The Department of Commerce urges the introduction and enactment of the enclosed draft legislation "to amend section 204 of the Agricultural Act of 1956."

Section 204 of the Agricultural Act of 1956 authorized the President to negotiate international agreements relating to the export to and the import by the United States of "any agricultural commodity or product manufactured therefrom or textiles or textile products." Because it was drafted primarily with bilateral agreements in mind, the existence of necessary power in the President with respect to nonparticipants in a broadly based multilateral agreement is questionable. In both the 1-year cotton textiles arrangement presently in force and the long-term cotton textiles arrangement, expected to come into force with substantially the same participants on October 1, 1962, provisions permit the United States to take action to prevent trade with nonparticipants in the arrangements from frustrating the purposes of the arrangements. Since countries accounting for 90 percent of the free world trade in cotton textiles are participants, the same authority which the President has already been delegated by section 204 should clearly be extended to nonparticipants to prevent the minority of countries which choose to stay out of the arrangements from thereby gaining an advantage over the countries which participate in them.

By the term "significant" in the draft is meant significant to the national interest of the United States. The term "products" is intended to convey the concept of origin, that is, "products of countries" means articles which are the growth, manufacture, or produce of those countries.

The Bureau of the Budget advises that, from the standpoint of the administration's program, there is no objection to the presentation of this legislation to the Congress.

Sincerely yours,

EDWARD GUDEMAN,
Acting Secretary of Commerce.

Mr. ELLENDER. Mr. President, I received a telephone call from Mr. Hodges, the Secretary of Commerce, explaining the urgency of passage of the bill.

The bill would authorize the President, for the purpose of carrying out any agreement under section 204 of the Agricultural Act of 1956, to limit the importation of any agricultural commodity or product covered by such agreement from countries not participating in the agreement. It would be applicable only in the case of agreements where imports from participating countries account for a significant part of the world trade in the article.

Section 204 authorizes the President to enter into agreements with foreign countries limiting the importation of any agricultural commodity. He does not have clear authority at present to limit imports from countries not participating in the agreement, and this bill would provide such authority. At present the only agreement under section 204 is the 1-year cotton textile arrangement in which 19 countries participate. Passage of the bill is urgently needed to prevent anticipated imports from nonparticipating countries vitiating the effect of the agreement.

CONSERVATION OF ANTHRACITE COAL RESOURCES

Mr. SCOTT. Mr. President, I introduce, for appropriate reference, a bill to authorize the United States to participate on a matching fund basis with the Commonwealth of Pennsylvania as part of a previously authorized anthracite conservation program, to seal abandoned coal mines and to fill voids in abandoned coal mines in those instances where it is economically justified and where the work is in the interest of public health or safety.

Mr. President, the anthracite mine drainage law of 1955 established the congressional policy of providing for the control and drainage of water in anthracite mines in order to conserve natural resources, promote the national security, prevent injuries and loss of life, and preserve public and private property. The act recognized that the presence of large volumes of water in the anthracite coal formations involves serious wastage of full resources to the Nation and constitutes a menace to health and safety as well as to the national security. This act established an $8.5 million fund to be expended under a 50–50 matching program with the States, for drainage in the anthracite coal area. It further provided for the purchase and installation of pumps and other machinery and equipment necessary for the pumping of water from the mines. The language in the act prohibited the Federal Government from using any of its funds for operation and maintenance. The funds could only be used for the purchase, supply, and installation of drainage pumps.

As the program progressed, it became evident that in order that it might be fully effective, the sealing of abandoned coal mines and the filling of voids in such mines was also required. It is noted that the present act is not broad enough to encompass this work. Thus, the program has not been effective, because the cost of operating and maintaining the pumps became so expensive that there were no communities, individuals, or companies able to take on this type of expense. It has been indicated by testimony given by Federal, State, and local authorities that there has been some surface subsidence and the large areas of the anthracite region are in danger of subsidence by reason of abandoned mines. This, to a large extent, could be prevented or alleviated by the authorization that would be granted by this legislation.

It is my feeling, Mr. President, that because of the unique situation in the anthracite region of Pennsylvania, an expansion of the basic Anthracite Conservation Act would be amply justified.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

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

The bill (S. 3014) to amend the act of July 15, 1955, relating to the conservation of anthracite coal resources, introduced by Mr. SCOTT, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide for the conservation of anthracite coal resources through measures of flood control and anthracite mine drainage, and for other purposes", approved July 15, 1955 (30 U.S.C. 572), is amended in the following respects:

(1) The second sentence of section 1 is amended to read as follows: "It is therefore declared to be the policy of the Congress to provide for the control and drainage of water in the anthracite coal formations and thereby conserve natural resources, promote national security, prevent injuries and loss of life, and preserve public and private property, and to seal abandoned coal mines and to fill voids in abandoned coal mines, in those instances where such work is in the interest of the public health or safety.";

(2) The preamble clause of section 2 is amended to read as follows: "The Secretary of the Interior is authorized, in order to carry out the above-mentioned purposes, to make financial contributions on the basis of programs or projects approved by the Secretary to the Commonwealth of Pennsylvania (hereinafter designated as the 'Commonwealth') to seal abandoned coal mines and to fill voids in abandoned coal mines, in those instances where such work is in the interest of the public health or safety, and for control and drainage of water which, if not so controlled or drained, will cause the flooding of anthracite coal formations, said contributions to be applied to the cost of drainage works, pumping plants, and related facilities but subject, however, to the following conditions and limitations:";

(3) Section 2(b) is amended to read as follows: "The total amount of contributions by the Secretary of the Interior under the authority of this Act shall not exceed $8,500,000, of which $1,000,000 of the unexpended balance remaining as of June 30, 1961, shall be reserved for the control and drainage of water;";

(4) Section 2(c) is amended to read as follows: "The amounts contributed by the Secretary of the Interior under the authority of this Act and the equally matched amounts contributed by the Commonwealth shall not be used for operating and maintaining projects constructed pursuant to this Act or for the purchase of culm, rock, or spoil banks;";

(5) Section 2(d) is amended by striking out the word "and" after the semicolon;

(6) Section 2(e) is amended to read as follows: "Projects constructed pursuant to this Act shall be so located, operated, and maintained as to provide the maximum conservation of anthracite coal resources or, in those instances where such work would be in the interest of the public health or safety, to seal abandoned coal mines and to fill voids in abandoned coal mines, and, where possible, to avoid creating inequities among those mines which may be affected by the waters to be controlled thereby; and";

(7) Section 2 is further amended by adding a new subsection to read as follows:

"(f) Projects for the sealing of abandoned coal mines or the filling of voids in abandoned coal mines shall be determined by the Secretary of the Interior to be economically justified. The Secretary shall not find any project to be economically justified unless the potential benefits are estimated by him to exceed the estimated cost of the project."

(8) Section 5 is amended by adding a sentence to read as follows: "The Secretary of the Interior shall, on or before the first day of February of each year after the institution of the program for the sealing of abandoned coal mines or the filling of voids in abandoned coal mines, submit a report to Congress of the actions taken under this Act."

Mr. KEATING subsequently said: Mr. President, I ask unanimous consent that a bill which the Senator from Pennsylvania [Mr. SCOTT] introduced today may lie on the table for 3 days for additional cosponsors.

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

LOADLINES FOR OCEANGOING AND COASTWISE VESSELS

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the act of March 2, 1929, and the act of August 27, 1935, relating to loadlines for oceangoing and coastwise vessels, to establish liability for surveys, to increase penalties, to permit deeper loading in coastwise trade, and for other purposes. I ask unanimous consent to have printed in the RECORD a letter from the Secretary of the Treasury, requesting the proposed legislation.

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

The bill (S. 3016) to amend the act of March 2, 1929, and the act of August 27, 1935, relating to loadlines for oceangoing and coastwise vessels, to establish liability for surveys, to increase penalties, to permit deeper loading in coastwise trade, and for other purposes, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter presented by Mr. MAGNUSON is as follows:

THE SECRETARY OF THE TREASURY,
Washington, March 9, 1962.

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

DEAR MR. PRESIDENT: There is transmitted herewith a draft of a proposed bill, "To amend the act of March 2, 1929, and the act of August 27, 1935, relating to loadlines for oceangoing and coastwise vessels, to establish liability for surveys, to increase penalties, to permit deeper loading in coastwise trade, and for other purposes."

The purpose of this proposal is to amend the laws governing loadlines of U.S. vessels engaged in the oceangoing and coastwise trade to incorporate certain changes found to be necessary from the application of these laws over the past two decades.

Since the loadline laws governing oceangoing vessels are so similar to the loadline laws governing coastwise vessels the changes proposed to each are nearly identical.

Present law prohibits only the departure of an overloaded vessel from a port or place of loading. It does not prohibit the overloading of U.S. merchant vessels at all times when upon the navigable waters of the United States or the high seas or prohibit the overloading of foreign vessels when in U.S. territorial waters. The bill would plug this loophole in the law which permits vessels to operate in dangerous overloaded condition without fear of penalty so long as they are not departing a loading port or place. Since the purpose of the law is to improve and promote safety, it logically should apply to a vessel at all times, inasmuch as the dangers of overloading are always present and not solely when departing a port.

The law currently authorizes any collector of customs to detain a vessel suspected of being overloaded and to require the vessel to be surveyed and examined prior to permitting such vessel to proceed to sea. Although Coast Guard officers are deemed to be officers of the customs (14 U.S.C. 143), this fact is not apparent on the face of the law. When Coast Guard officers initiate action in such cases, it is often necessary for them to explain to vessel owners the basis of their authority. In order to make such authority clearly apparent, the bill would specify Coast Guard district commanders as officials empowered to act under the statutes. Such a change would appear logical since appeals under the law are to the Commandant of the Coast Guard.

These loadline surveys are for the purpose of confirming or refuting the original finding of a violation and for determining suitable corrective action if the vessel is found to be overloaded. Costs of such surveys may run as high as several hundred dollars in a typical case. Existing law does not clearly specify who should pay these costs. With the enactment of the present proposal to apply the loadline laws to arriving vessels in additional to departing ones it is expected that there will be a considerable increase in the occasions for such surveys. The Government should not be required to bear the costs of loadline surveys where the original finding of a violation is confirmed by the survey. Instead such costs should be borne by the vessel owners. This indirect penalty would tend to discourage violations and would intensify enforcement of the law. Consequently, the bill would authorize the collection of costs of surveys from vessel owners where the survey shows the vessel to be in violation of the law.

The present monetary fines and penalties incurred for violations of the law range from $100 for failure to log a vessel's drafts and applicable loadline markings to $1,000 for knowingly permitting or causing a change in a vessel's loadline markings. These fines and penalties are not realistic when they are compared to the monetary gains to be realized through overloading. U.S. penalties are also more lenient than those of other leading maritime nations. The bill would increase the penalties from $100 to $500 for failure to make correct log entries, from $500 to $1,000 for permitting a vessel to proceed to sea overloaded, from $500 to $1,000 plus an additional $500 for each inch of draft in overloading, and from $1,000 to $2,000 for knowingly permitting or causing a change in loadline markings. The increased penalties would enhance enforcement of these laws, discourage deliberate violations, and promote greater safety of vessels at sea.

Vessels engaged in the coastwise trade must by reason of existing law adhere to certain standards in loading prescribed in the International Load Line Convention, 1930. The bill would strike from the Coastwise Load Line Act reference to these standards. With this change, increases in draft could be prescribed by regulations, but such increases could not exceed the actual line of safety for a vessel. Increased drafts for vessels in this trade have been urged by shipping interests repeatedly. Such increases were found satisfactory during World War II. Other maritime countries sanction such departures from the standards of the convention for their domestic trade vessels. Modification of convention standards is not feasible in the foreseeable future due to current international complications. A revision in the Coastwise Load Line Act as proposed would permit the accomplishment of the change desired.

It would be appreciated if you would lay the proposed bill before the Senate. A similar proposed bill has been transmitted to the Speaker of the House of Representatives.

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

Sincerely yours,

DOUGLAS DILLON.

TITLE TO CERTAIN LANDS IN STATE OF IDAHO TO THE IDAHO RANCH FOR YOUTH, INC.

Mr. DWORSHAK. Mr. President, there is no more humanitarian or worthy cause we can sponsor than to furnish the proper environment and opportunity for rehabilitation and training of those boys who have no homes or who have been in some kind of minor difficulties. The time, money, and effort we expend in a proper manner will usually be repaid to society a thousandfold.

A group of public-spirited people in the State of Idaho, lead by Rev. James R. Crow and his wife, founded an "Idaho Youth Ranch" with the theme that, "It is better to salvage a citizen than to corral a criminal," and formed a nonprofit organization under the laws of the State of Idaho. On July 11, 1952—66 Stat. A150—an act of Congress made it possible for this group to purchase a 2,560-acre project of raw desertland near Rupert, Idaho. From this they are developing a ranch which will be, in fact is now, a haven for underprivileged boys.

Mr. President, the joint resolution I am introducing at this time would offer the same benefits that Secretary Udall has placed in effect on public parks and playgrounds and on use of lands for school purposes in the purchase of this tract. In fact, this group has already paid $4 per acre for this land, which is $1.50 an acre more than the flat fee now in effect for the purchase of recreation and school sites from the Department of the Interior. I consider the uses of this land the highest for which it can be utilized and feel sure that Members of this Congress will agree with me.

Mr. President, I ask unanimous consent that the joint resolution be printed in the RECORD.

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

The joint resolution (S.J. Res. 172) to provide that, for the purposes of the act entitled "An act to provide for the transfer of certain lands in the State of Idaho to the Idaho Ranch for Youth, Inc.," approved July 11, 1952 (66 Stat. A150), the Idaho Ranch for Youth, Inc., shall be held and considered to have made payment in full to the Secretary of the Interior for such land, introduced by Mr. DWORSHAK, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Whereas, by administrative order of May 31, 1961, the Secretary of the Interior established a new public land pricing schedule

under which State and local governments may purchase public lands for park and recreational purposes at the rate of $2.50 per acre;

Whereas, by administrative order of July 25, 1961, the Secretary of the Interior announced a new pricing schedule under which State and local governments and nonprofit private organizations may purchase public land sites for school construction at the rate of $2.50 per acre;

Whereas the Idaho Ranch for Youth, Incorporated, a nonprofit organization, has received from the United States certain public lands situated in the State of Idaho under the provisions of an Act of July 11, 1952, and dedicated such lands to public uses; and

Whereas the Idaho Ranch for Youth, Incorporated, has made payment to the Secretary of the Interior amounting to $4 per acre as compensation for such lands under the provisions of such Act: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Act entitled, "An Act to provide for the transfer of certain lands in the State of Idaho to the Idaho Ranch for Youth, Incorporated," approved July 11, 1952 (66 Stat. A150), the Idaho Ranch for Youth, Incorporated, shall be held and considered to have made payment in full to the Secretary of the Interior for the lands received under the provisions of such Act.

TREATMENT UNDER INTERNAL REVENUE CODE OF 1954 OF CASUALTY LOSSES IN AREAS DESIGNATED BY THE PRESIDENT AS DISASTER AREAS

Mr. WILLIAMS of Delaware. Mr. President, the day before yesterday I discussed the possibility of amending the Internal Revenue Code in a manner whereby persons suffering loses in a disaster area—an area which has been declared to be a national disaster area by the President of the United States—can, if the disaster occurred between January 1 and the date on which their taxes would be due—April 15 for individuals—charge such losses against their tax liability in the tax return for the preceding year, which in this instance is 1961. It would work in the same manner as though the disaster had happened in December.

All this proposal would do would be to allow them to claim the losses and get their refunds one year earlier.

As I stated, the disaster on the Atlantic seaboard last week took place after the 1961 tax liability was established, but before the date that these taxes were due to be paid. Many persons who owe balances on their 1961 taxes are destitute today and cannot pay those taxes. It would be most unfair to have these good citizens classed as tax delinquents.

On the other hand, many of them may be able to scrape up the money to pay their taxes. Nevertheless, they too are in desperate circumstances, and need this year the benefit of the tax credit which they would get next year anyway.

I have had discussions with officials in the Treasury Department and with members of our committee and they have drafted a joint resolution which we think will carry out this purpose.

I introduce this joint resolution on behalf of myself, the Senator from Virginia [Mr. BYRD], my colleague from Delaware [Mr. BOGGS], the Senator from Maryland [Mr. BEALL], the Senator from Virginia [Mr. ROBERTSON], the Senator from New York [Mr. KEATING], the Senator from Florida [Mr. HOLLAND], the Senator from Utah [Mr. BENNETT], the Senator from Kansas [Mr. CARLSON], the Senator from Nebraska [Mr. CURTIS], the Senators from New Jersey [Mr. CASE and Mr. WILLIAMS], the Senators from North Carolina [Mr. JORDAN and Mr. ERVIN], the Senator from Connecticut [Mr. BUSH], and the Senator from Maryland [Mr. BUTLER].

If there are any other Senators who wish to join in this joint resolution, I would welcome them as cosponsors.

I send the joint resolution to the desk. I feel confident we can get prompt action in Congress, in order that these people may be given this much-needed relief.

Obtaining these refunds 1 year earlier will not only prevent some of these unfortunate people from becoming delinquent in their taxes but will also give them their refunds now when they need the money with which to rebuild.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 173) relating to the treatment under the Internal Revenue Code of 1954 of casualty losses in areas designated by the President as disaster areas, introduced by Mr. WILLIAMS of Delaware (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Finance.

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

Mr. WILLIAMS of Delaware. I yield.

Mr. KEATING. I wish to commend the distinguished Senator from Delaware for this very constructive recommendation. It would help many people yet it would not actually cause any loss to the Treasury over the long run. Those who would qualify to take a deduction would under this amendment take it against their 1961 income, rather than their 1962 income. This is a most appropriate measure that can really provide immediate help to people who have lost their homes or other possessions.

Certainly, if someone with a modest home owed $50 or $60 on his 1961 income tax and was completely deprived of his home, he would be in a good position to use that $50 or $60 right away to try to rebuild and reinstate himself, rather than pay his tax and get a rebate next year. The people struck by this disaster are in need now and the best time to help these people is right away—while they are filling out their tax returns for 1961.

I think the Senator from Delaware has performed a real service in devising this method to meet a most unusual situation. I thoroughly congratulate him, and I am happy to be a cosponsor with him in this measure.

Mr. WILLIAMS of Delaware. I thank the Senator from New York. While I am not in a position at this moment to say exactly that this measure has the endorsement of the Treasury Department, because it has to be cleared through channels, I can say they did cooperate in supporting the principle. All officials, from the Secretary on down, have endorsed the principle. They have expressed an earnest desire to try to work out something. I think we have language in this particular proposal which can do the job. I am confident the committees of the Senate and the House will give it their prompt and immediate attention.

Mr. KEATING. Mr. President, would the Senator from Delaware like to ask unanimous consent that it may lie on the desk until Monday next?

Mr. WILLIAMS of Delaware. Yes. I ask unanimous consent that it be allowed to lie on the table until Monday next for additional sponsors.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred; and, without objection, will lie on the table as requested.

COMMISSION TO STUDY HARMFUL EFFECTS OF CIGARETTE SMOKING

Mrs. NEUBERGER. Mr. President, last Thursday, I spoke to the Senate of the need for remedial measures to treat the smoking problem. The many letters I have received from all over the country in response to that speech have convinced me that concern for this problem is deep and widespread.

Evidence that cigarette smoking causes lung cancer continues to proliferate. Yesterday, in Phoenix, at a seminar in cancer research sponsored by the American Cancer Society, Dr. Michael B. Shimkin, Associate Director for Field Studies of the National Cancer Institute, stated that the causal relationship between smoking and cancer "is as clearly demonstrated as any biological association can be."

If cigarettes were to disappear from the face of this country tomorrow, at least 20,000 people who would otherwise die of lung cancer within a year would survive. Cigarettes are not going to disappear tomorrow nor at any time within the foreseeable future. We could not effectively abolish cigarette smoking even if we wanted to. And we do not want to. We are not a nation of prohibitionists.

Nevertheless, I am convinced that the Federal Government has a vital role to play in eliminating this scourge. In England the Government has launched a massive educational program to alert the public to the causal relationship between cigarette smoking and lung cancer. This program is directed primarily at the youth of the country, in an effort to prevent them from succumbing to the youth-directed appeal of the cigarette advertisements. We can do no less.

Similar recommendations came from nine leading Danish authorities in Copenhagen. Their report also favored raising cigarette taxes in order to fight against smoking. It even suggested a ban on cigarette advertising and public smoking by children under 16.

We are certain that cigarette smoking causes lung cancer, but much research

remains to be done to isolate the causative agents in cigarette smoke, and to develop the means to eliminate such agents. Furthermore, any solution of the smoking problem must take into account the significance of the tobacco industry to the economy of tobacco growing areas.

For these reasons, I am introducing a joint resolution calling upon the President to create a Commission on Tobacco and Health and to initiate a program to inform the public of the hazards of cigarette smoking, particularly the relationship between cigarette smoking and lung cancer.

The Commission shall include representatives from the fields of public health, medicine, education, commerce and agriculture.

The Commission will be directed to conduct a full and complete study of the health hazards attributable to smoking and the means to eliminate such hazards. The Commission will also consider the economic and revenue problems, if any, which would result from a market curtailment in the consumption of tobacco.

The study will be conducted by the Commission with a view to recommending to the President appropriate governmental action for the regulation of the manufacture and distribution of tobacco products, and for the regulation of the advertising of tobacco products.

Mr. President, I ask that the joint resolution lay over until March 23 for additional sponsors.

The VICE PRESIDENT. The resolution will be received and appropriately referred and, without objection, the joint resolution will lay over until March 23 for additional sponsors, as requested by the Senator from Oregon.

The joint resolution (S.J. Res. 174) to authorize the establishment of a Commission to study the harmful effects of cigarette smoking, introduced by Mrs. NEUBERGER, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

PURCHASE OF UNITED NATIONS BONDS AND APPROPRIATION OF THE FUNDS THEREFOR—AMENDMENTS

Mr. AIKEN (for himself, Mr. HICKENLOOPER, and Mr. MORTON) submitted amendments, intended to be proposed by them, jointly, to the bill (S. 2768) to promote the foreign policy of the United States by authorizing the purchase of United Nations bonds and the appropriation of funds therefor, which were ordered to lie on the table and to be printed.

THE GREAT RIVER ROAD—ADDITIONAL COSPONSOR OF BILL

Under authority of the order of the Senate of March 12, 1962, the name of Mr. LONG of Missouri was added as an additional cosponsor of the bill (S. 2968) to provide assistance to certain States bordering the Mississippi River in the construction of the Great River Road, introduced by Mr. HUMPHREY (for himself and Mr. MCCARTHY) on March 12, 1962.

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

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

By Mr. HUMPHREY:

Message by the President of the United States addressed to the American Association for the United Nations, commending that association.

IMAGE

Mr. YOUNG of Ohio. Mr. President, in politics nowadays we frequently hear the phrase "image of the Republican Party," or the "image" of a certain candidate.

Frankly, I am glad we seldom, if ever hear the phrase "image of the Democratic Party." As long as our party advocates sound policies and presents good candidates, we shall not be hearing of the word "image," nor shall there be any need to hear that word. In the dictionary the word "image" is defined as "an imitation or likeness of any person or thing." Americans will not be satisfied with imitations and rosy deceptions. Publicity men and ballyhoo artists will never replace honesty and integrity.

Since August, 1958, I have been somewhat allergic to the word "image" when used in connection with politics. At that time the Louis Harris organization had been conducting a poll in Ohio of the political contest for the election of U.S. Senator in that State. On an August day I listened to the report of the pollster with a heavy heart. Then, for the first time, I heard in that report the word "image" used to imply the viewpoint of the general public regarding a candidate for political office.

The pollster stated that only 18 percent of the citizens of Ohio polled by his organization had any image of YOUNG, but that 78 percent had an image of my opponent, Senator John W. Bricker. Therefore, he concluded that it would take a miracle to bring about my election, and that a miracle had not occurred for nearly 2,000 years.

Having served four terms as a Representative at Large from Ohio previous to the 1958 campaign, it was somewhat of a jolt to me at that time to learn from that pollster that apparently I was entirely unknown or practically unknown to the citizens of the State of Ohio.

I am certain that no miracle occurred in Ohio in 1958, although I left that meeting with a somewhat heavy heart. Frankly, as a result of the reports of the pollster, I also had an empty pocketbook during the ensuing weeks so far as political contributions were concerned.

However, at about 10 o'clock on the following November election night, from certain chambers of commerce offices and from the political headquarters of my State's Grand Old Party, of which I am not a member, the cry went out, "The dam is busted; run for the hills."

I became convinced as a result of that election that the words "political image," about which we hear so much, are not important at all. Let members of the Republican Party work on the word "image" if they wish to do so, but so long as our party continues to advocate policies for the welfare of the people and presents good candidates for office, I feel that we shall not need to be concerned about the word "image."

BILLBOARDS ON MALAYAN HIGHWAYS

Mrs. NEUBERGER. Mr. President, an article in the Malayan Embassy Bulletin of December 15, 1961, which has been brought to my attention, concerns the use of billboards along highways in Malaya. With the coming of modern roads, ugly neon signs and billboards have sprung up there. It seems almost inevitable that this is the price one pays for progress. It is heartening, however, that many Malayans are objecting to the defiling of their countryside by advertising signboards.

Mr. President, I ask unanimous consent that the article from the Malayan Embassy Bulletin be printed in the RECORD.

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

BILLBOARD EXPERIMENT RAISES DRIVERS' HEAT

Malayan motorists have taken a dim view of the experimental introduction of billboards along highways. Car drivers prove to be the most clamorous of the antagonists, and are battling the move tooth and nail.

Objections raised centered on the esthetic. Billboards, they say, will sully the beautiful Malayan countryside, and can even prove distracting to the motorist.

But the experiment will be carried out with Government approval. Meanwhile, determined antibillboard protagonists are rallying to the cause and girding themselves for all-out war.

Malaya, after World War II, has become advertising conscious. Chrome and neon have brightened nightlife in the cities. Huge cantilevered signs stab the blue sky.

The effect of the expected rash of billboards, for better or for worse, along the periphery of rubber plantations and tin mines, may be the decisive factor whether or not they will remain as permanent fixtures of the Malayan scene.

SOVIET BRINKMANSHIP

Mr. KEATING. Mr. President, increasing Soviet harassment in the Berlin air corridors, the dropping of aluminum particles to jam radar, and now the flight of Soviet military transports at night are part of a menacing new pattern. The Soviets are deliberately—with premeditation and malice aforethought—creating the possibility of a direct cold war confrontation in one of the hottest points of the conflict. They appear to be daring us to retaliate and consciously to be driving us nearer to the fearful possibility of a nuclear conflict.

What can be their purpose in so doing? What are they trying to accomplish? Not disarmament certainly, not so-called peaceful coexistence and competition in the economic field. And I for one cannot actually believe that they want a direct conflict or nuclear war in Europe at this point, when we are ready and on the alert, and when, we have been assured, the only missile gap favors us.

What they may be driving at—and what President Kennedy may have inadvertently encouraged them to aim at—is a summit conference. What the President said on Wednesday and suggested even before that, when asked under what circumstances he would attend a summit conference at Geneva this spring was this: "I would go there on a brink of a war or a serious international crisis where my presence would make a significant difference."

The Russians may very well be interpreting this position to mean that if they can precipitate a serious enough crisis, if they can drive us to a brink of war situation, then the President would accede to Premier Khrushchev's demand and attend a summit conference. In short, the Russians may be deliberately trying to scare us into a summit conference.

Mr. President, I believe the position of the United States would be greatly strengthened if the President would clarify his statement. I am sure he did not mean to imply that we would consider an artificially fomented, Soviet concocted crisis legitimate cause for a summit conference which would produce no real results and only be a triumph for Soviet propaganda. We must not let the Russians have any opportunity to misunderstand the U.S. position on a summit conference. A vigorous clarification of our stand might have a very salutary effect on Soviet methods and motives of dealing with the Berlin situation and particularly on the air corridor harassment.

SUPPORT FOR CONGRESSIONAL TRADE VETO

Mr. KEATING. Mr. President, last week the National Planning Association issued a report entitled "Foreign Trade and Foreign Policy." This report was written by Dr. Howard S. Piquet, an extremely able and experienced authority in his field. Dr. Piquet's report contains several new and far-reaching recommendations on foreign trade.

Mr. President, I am particularly interested in a proposal which I have urged to give the Congress a broad trade veto authority in the Trade Agreements Act which must be extended before June 30 of this year. Among his several major recommendations, Dr. Piquet includes a two-thirds congressional trade veto. His discussion of this proposal is brief, but I believe that it would be of real interest to those of us in the Congress who feel that some provision for congressional oversight must be included in new trade legislation. I ask unanimous consent that the chapter from this report on the role of the Congress in foreign trade be printed at this point in the RECORD.

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

GREATER POWER FOR THE PRESIDENT: THE CONSTITUTIONAL PROBLEM

Demonstrated willingness by the United States to pursue an active policy of expanding international trade would be one of the most important international economic phenomena since World War II. Only passivity can be expected, however, if Congress fails to give the President power to lead, for it would be as impossible for Congress to administer the details of an active foreign trade policy as it would be for it to make every detailed decision regarding foreign policy generally.

Although the Constitution is not explicit as to where responsibility lies for formulating foreign policy, beyond the ratification of treaties and the appointment of ambassadors, it became evident early in the Nation's history that the day-to-day posture of the United States in its relations with other countries can be determined only by the Chief Executive. In practice, therefore, foreign policy has come to be made by the President, subject to broad review by Congress. Detailed implementation of policy is the prerogative of the President through the Department of State.

Yet, the powers that the President exercises with respect to foreign trade policy are only those that are delegated to him by Congress since the Constitution clearly gives to Congress the power to regulate foreign commerce. If foreign trade policy is to be used effectively as an instrument of foreign policy, the powers of the President relating to it will have to broadly coordinate with those that he exercises with respect to foreign policy generally.

It would be unrealistic, however, to expect Congress to give the President unlimited powers with respect to foreign trade. Since the Constitution entrusts Congress with responsibility for regulating foreign commerce the only feasible way for the President to acquire the necessary powers is by having Congress delegate them to him.

Although Congress cannot abdicate the powers and obligations given to it by the Constitution, it can delegate them to the President, provided it is clear as to the extent and duration of the delegation, and provided it specifies yardsticks or standards to guide the President in exercising them.

This is the formula that was written into the original Trade Agreements Act of 1934, under which the President was empowered to make Executive agreements with other countries to reduce U.S. tariffs by 50 percent from their 1934 levels, in exchange for equivalent trade concessions by other countries. The purpose of the delegation of power was to expand trade, particularly exports. The tariff-reducing power was limited to 50 percent of existing rates and the yardstick for action was the quid pro quo of concessions obtained from other countries. The agreements do not have to be approved by Congress.

Although several attempts have been made to have the Trade Agreements Act declared unconstitutional it has withstood every such test during the past 27 years.

In delegating the powers that would need to be given to the President to carry out the proposals made in this report it would be necessary for Congress to specify: (1) the purposes for which the powers are delegated, (2) the limits of the powers delegated, (3) the duration of the delegation, and (4) an intelligible principle to guide the President in exercising the delegated powers.[1]

Simple proclamation by the President that actions taken by him under these powers are necessary to implement U.S. foreign policy should be sufficient to satisfy the first requirement.

The limits of the delegation of power would have to be spelled out in the legislation itself. Under certain circumstances there would need to be a reciprocal quid pro quo, as in the case of trade agreements with economically developed countries. Under certain other circumstances, as with respect to trade with underdeveloped countries, there would need to be a specific proposal, or package, certified by the President to be necessary to implement U.S. foreign policy.

The power should remain delegated to the President for a stated number of years, or until revoked by the Congress. The period of delegation should be long enough to allow for continuity of policy, say 5 or 6 years.

Formulation of a guiding principle for the exercise of the delegated powers will be more difficult. The quid pro quo for admitting imports, even in limited quantities, under particularly favorable terms is necessarily general, just as the objectives of foreign policy itself are general. They cannot be specified with mathematical precision. Even the present law is vague in this respect, since the value of tariff concessions obtained from other countries cannot be measured precisely against those granted by the United States.

An approach to an answer to these difficulties has been given by Congress itself. After many expressions of dissatisfaction by individual Members of Congress with the manner in which the administration has enforced, or failed to enforce, the escape clause provision of the law, Congress in 1958 amended the Trade Agreements Act so as to give itself authority to veto the President by a two-thirds vote whenever he fails to implement a Tariff Commission finding of injury under the escape clause.

Giving Congress the power to veto the President should be an adequate substitute for a predetermined yardstick which, by the nature of the case, cannot be precise. From the point of view of the requirements of foreign policy, the power of veto by Congress would be satisfactory, particularly if it is further provided that Congress can veto only an entire agreement, or "package," submitted to it by the President and not individual items in any agreement or contract. It is rather unlikely that Congress would succumb to the logrolling impulse if the President were precise in his proposals and presented them in a realistic world setting. It also might be desirable for Congress to specify that, as in the case of reorganization plans submitted to Congress by the President under the Government Reorganization Acts, proposals under the new Foreign Trade Policy Act would become effective automatically, in the absence of congressional veto, 30 days after submission by the President.

Some purists might object that the return of the ultimate power of decision to Congress would result in a veto of any and all Presidential actions intended to expand imports. This is by no means a foregone conclusion. The requirement that Congress act on an entire "package" of proposals, rather on an item-by-item basis, ought to ensure that proposals presented imaginatively and in the perspective of overall foreign policy will overcome "localism" in Congress. The proposal is at least worth trying, inasmuch as the alternatives are to continue a tired and worn-out policy or to capitulate to those who would protect each and every domestic producing interest regardless of the imperatives of the international political situation.

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[1] The following court cases are pertinent: (1) The *Hampton* case (276 U.S. 394) Taft, 1928; "If Congress shall lay down by legislative act an intelligible principle to which the person or body authorized to fix such rates is directed to conform, such legislative action is not a forbidden delegation of legislative power," and (2) the *Curtiss-Wright* case (299 U.S. 304, 1936). "Congressional legislation which is to be made effective through negotiation and inquiry within the international field must often accord the President a degree of discretion and freedom from statutory restrictions which would not be admissible were domestic affairs alone involved."

SAFETY SEAT BELTS

Mr. KEATING. Mr. President, last year I was privileged to open the Women's Crusade for Seat Belts, sponsored by the National Federation of Women's Clubs, Automobile Industries Highway Safety Committee, and the National Automobile Dealers Association. This is a most worthwhile project that deserves the full support of all Americans. Recently, a most interesting article entitled "Automobile Seat Belts: What They Can Mean for Safety," appeared in the publication State Government. Mr. Pyle quotes the shocking statistics that if you drive a car, the chances are 7 out of 10 that you will have a traffic accident within the next 5 years.

Let me emphasize, Mr. President, that this means within the next 5 years, 70 out of the 100 Senators presently in this body may be involved in automobile accidents. Although I certainly intend to be nonpartisan about this that figure would include every single member of the Democratic Party, and half a dozen or so Republicans as well. Statistics can be wrong, but this one estimate is high enough to make us all stop and think.

The research that has been carried on at the automotive crash injury research project at Cornell has shown that seat belts can reduce serious to fatal injuries by as much as 35 percent. Mr. President, the Cornell study has shown that these figures are not abstract statistics. They have a tremendous significance for every one of us. I only wish it were possible to bring this information forcefully to the attention of every American who enters a car behind the driver's seat, or anywhere else.

Mr. President, the city of Rochester, N.Y., has just decided to install seat belts in nearly 200 city cars and trucks. This measure will offer plausible safety advantages to city employees, including policemen, firemen, public works, and public safety department employees.

Mr. President, I ask unanimous consent to have printed, following my remarks in the CONGRESSIONAL RECORD, the article by Howard Pyle, president of the National Safety Council, and former Governor of Arizona, discussing the value of automobile seat belts.

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

AUTOMOBILE SEAT BELTS: WHAT THEY CAN MEAN FOR SAFETY

(By Howard Pyle)

NOTE.—During 1961 at least six State legislatures required that all new automobiles after specified dates, be equipped with anchorage devices for safety seat belts. Another legislature, Wisconsin's, required seat belts themselves for the front seats of new cars. Announcements from the automobile industry have indicated that most new 1962 cars will have standard anchorage points for installation of front seat belts. In these pages, Howard Pyle, president of the National Safety Council, and formerly Governor of Arizona, underscores and documents the value of seat belts. He describes growing organizational campaigns for their adoption and use. In particular he emphasizes the need for much public education henceforth, with the objective of making their actual use by motorists standard procedure throughout the country.)

On the inside back cover of a recent issue of the magazine California Highways and Public Works, there is a vivid example of the lifesaving capabilities of a 2-inch-wide piece of webbing we have come to know as the seat belt. The California article is complete in eight lines, along with two pictures of a State-owned car. The pictures illustrate a before-and-after situation, and tell the real story of what might have been had the driver of the vehicle not been wearing his seat belt. The last few words of the text say that the driver "* * * was able to walk away from his wrecked car." Looking at the picture of the car after the collision, it is nearly unbelievable that the driver was spared at least serious injury, if not death.

This was not the first instance when a seat belt in an automobile proved its worth. Restraining belts and harnesses have been in use in automobiles for many years, almost since their introduction on airplanes. Pilots, racing car drivers, and others early recognized the value of being kept in place during a quick deceleration or crash. So it didn't take long for a few of the belts to appear in cars.

PACKAGES AND SOME LIMITATIONS

Various kinds of restraining devices have been used to keep the human body in place in vehicles. The devices range from the simple lap belt to the elaborate shoulder harness and belt combination. The diversity of these items has resulted in varying opinions as to how a motorist can best be "packaged" in a vehicle to eliminate or reduce injuries in the event of a collision or rollover.

The National Safety Council agrees with most experts that the complete safety package is most desirable in preserving life and limb in automobile collisions. This package includes, besides seat belts, fully padded instrument panels and sun visors, recessed steering column, and safety door locks. We also agree that the best protection afforded a motorist by a restraining device is one that restrains the body completely, very much like an astronaut is restrained during an orbital flight.

However, motor vehicles are not constructed in the same way as a space capsule or rocket ship. There are certain limitations on the amount of restraint possible for the motorist. A driver needs his arms and legs to operate his vehicle. Above all, the average American does not enjoy being completely tied down in anything, let alone being encapsulated in his automobile, the potential danger of which he very dimly realizes.

WHAT A LAP BELT DOES

To illustrate the potential danger, if you were to hit a solid obstruction with your car traveling 10 miles per hour and its front end crumpled just 6 inches, the force generated would be about 7 g.'s (g. being a unit of gravity). In this collision, a man of 200 pounds would need to exert 1,400 pounds of force to remain in his seat, and at a speed of only 10 miles per hour. A lap belt will easily hold a body in its seat at this speed and at much higher speeds.

Col. John P. Stapp, of the U.S. Air Force has demonstrated in rocket sled deceleration tests that the human body can withstand the forces that are generated in short stopping distances from high speeds. Colonel Stapp has also shown in his tests that the 2-inch lap belt does not cause injury to the body if it is properly installed and worn snugly around the pelvic region.

From the work of Colonel Stapp and his group, and from that of Cornell University's aeronautical laboratories and automotive crash injury research project, it has been learned that the lap-type seat belt is an effective means of reducing injuries and deaths due to motor vehicle collisions.

The main value of the lap-type seat belt is in keeping a driver or passenger from being thrown out of a car in a collision or rollover. It is also beneficial in keeping the body from buffeting around inside the car. The belt will not always prevent the head from striking the dashboard in severe head-on collisions, but it will reduce the force of contact with such rigid structures.

Many people complain that a seat belt will trap them in a car in the event of fire or submersion in water. But less than 1 percent of all accidents involve fire or submersion, and in any event a seat belt can be released in an instant. More important, it can hold one in place and make it more likely that he will be conscious following a collision and able to get out of the car.

The following example may serve to dispel doubts about seat belts in the event of submersion. Four men were riding in a Corps of Engineers panel truck in Tennessee early last year. The vehicle ran off the side of the road and into a ditch filled with water about 8 feet deep. All four men wore seat belts, and all four stated that they were able to get out of the truck only because they were held in place and not battered around inside the truck.

ACTION IN SWEDEN

Motorists in Sweden have adopted seat belts to the extent that almost 80 percent of the passenger cars in that country are equipped with them. Moreover, Swedish motorists are installing the combination lap belt and diagonal shoulder strap. There is good reason for them to choose this type of belt, because their small vehicles leave little space for a passenger to move forward in a collision. Most automobiles manufactured in the United States have more space for such forward movement.

One other pertinent factor about the combination belt for Swedish cars is a regulation by the National Swedish Road Board calling for greater webbing elongation (stretch) than webbing used in U.S.-made belts. The short space available in the small cars of Sweden and the greater elongation of webbing precluded use of the lap belt in front seats of the cars.

U.S. MODELS

In the United States, seat-belt manufacturers have been regulated by three sets of specifications: those of the Federal Aviation Agency (formerly the Civil Aeronautics Administration), the Society of Automotive Engineers, and the General Services Administration. The CAA specifications served as a guide to manufacturers prior to 1955. Since then, however, the SAE standard has been widely used. Automotive engineers point out that the differences between the SAE and GSA specifications are relatively slight. Both agree that webbing should not elongate more than 25 percent under full assembly (loop) load.

Studies by Cornell University's automotive crash injury research have shown the seat belt is capable of reducing serious-to-fatal injuries by as much as 35 percent. Studies have also shown that seat belts are not failing in collisions, nor are these lap belts causing injury in them.

Aware of the many facets of the problem of installation and use, the National Safety Council and several other national organizations have chosen to take the advice of the experts, the automotive safety engineers, research scientists, and accident analysis technicians, and agree that the lap-type seat belt is an effective means, readily available to help reduce the consequences of automobile collisions.

The council adopted its policy on the installation and use of seat belts for motor vehicles in 1955. We did not then, nor do we

now, limit the policy to a single type of belt. We encourage motorists to choose what is best for themselves, and emphasize always that the seat belt is no substitute for good driving.

At a special public education session on seat belts held at the National Safety Congress last October, Robert A. Wolf, director of automotive crash injury research at Cornell, stated: "The ability of the safety belt to influence the toll of death and injury on our highways depends on two main factors: the effectiveness of the device, itself, as a safety control measure (our research at Cornell produces the factual evidence), and the extent to which this measure is used by the motoring public."

A PROGRAM GROWS

The extent to which the motoring public uses seat belts will depend upon how well all interested individuals and groups coordinate their efforts to bring about this use. During the early 1950's, after the Cornell Aeronautical Laboratories and the Indiana State Police released their findings on seat belt research, several national organizations publicly announced their endorsement of this protective device. Late in 1958, the American Medical Association and the U.S. Public Health Service joined with the National Safety Council in a national joint program to stimulate installation and use of seat belts. Prior to this, the only nationwide campaign aimed at the public was conducted by one of the automobile manufacturers. In the initial stage of the joint program the three sponsoring organizations concentrated their activities on the education of their respective staffs, members, and related agencies as to the merits of seat belts.

The three sponsors felt it was necessary to set an example before going to the people to ask their cooperation. The work in this phase of the program has been continuing for almost 3 years. Its progress may be illustrated by the following:

1. Several Federal agencies have requested seat belts for staff vehicles and have engaged in promoting the use of belts in personal cars.

2. The American Medical Association has pointed out that nearly 35 percent of responding physicians in a recent survey reported they had belts.

3. In 1959 a survey of National Safety Council member fleet operators showed nearly 25 percent of the total number of vehicles reported were equipped with belts. Continued education has seen many additional fleets become equipped.

Preliminary to an all-out public acceptance campaign, the three organizations sponsored a year-long study in Fort Wayne, Ind., to determine the most effective methods available to motivate people to install and use seat belts. This study was made to serve as a basis for establishment of programs in other communities. The final evaluation of all the methods used in Fort Wayne will be made available to all who are interested in seat belt promotion.

It was determined that about 4 percent of the passenger cars in the Fort Wayne-Allen County area were equipped with belts prior to the beginning of the study. About 8.3 percent of the cars were estimated to have belts installed at its conclusion. Although the percentage increase appears relatively small, we feel this was an effective promotion. It was not an intensive sales campaign, but an educational program.

PUBLIC EDUCATION

The opening of the public education phase of the joint national educational seat belt program may be said to have coincided unofficially with the "CBS Reports" television program, "The Great Holiday Massacre," which was broadcast nationally to some 17 million viewers the day following Christmas of 1960. Seat belts were given prominent mention on this program, and it was noted that public interest in the subject increased considerably after it was shown.

Through the zeal of many individuals, civic groups, and official agencies, a large number of communities held seat belt campaigns during 1961. The General Federation of Women's Clubs aided in this work by its "Crusade for Seat Belts," in which women's groups throughout the country, some 16,000 clubs, hoped to promote the installation and use of one million and one belts during the year. The women were assisted by the Auto Industries Highway Safety Committee and the National Automobile Dealers Association.

Early in 1961, the five major U.S. automobile manufacturers helped the movement with their announcement that all 1962 model passenger cars would have standard anchorage points for easier installation of belts in the front seats. One manufacturer proposed to equip rear seats as well as front.

All these happenings brought the public's attention emphatically to seat belts. Our three sponsoring organizations officially began the public education promotion phase of our program on July 1, 1961, when the advertising council announced it would allot about 70 percent of its public service safety campaign to the subject of seat belts. The Outdoor Advertising Co. also joined in the promotion, with special outdoor posters on belts, and it provided special assistance to the General Federation of Women's Clubs for its crusade.

INSTALLATION AND USE OF BELTS

The increased interest in seat belts was illustrated in one weekend last year when the city of Corvallis, Oreg., sparked by its junior chamber of commerce, conducted a campaign in which 1,700 seat belts were installed in roughly 800 automobiles. In a month-long campaign, Rock Island, Ill., led by its safety council, saw more than 8,000 belts distributed. The U.S. Forest Service has equipped more than 70 percent of its fleet of 8,500 motor vehicles—including trucks, tractors and road graders—in a period of about 5 years. Many industrial firms report 100 percent of their fleet vehicles are equipped with belts.

Additionally, more than 20 State police agencies report their cars equipped with belts and several States have authorized all official cars to be equipped.

Some critics, pointing to Sweden's high acceptance (80 percent) of seat belts, lament the fact that our motorists are so far behind. But it is essential to note that the National Swedish Road Board issued its regulations on safety belts in 1958, and a concerted campaign to bring about their use was instituted at the same time. Passenger car registrations in Sweden amount to nearly 1¼ million units, in a country of almost 8 million people. This means that it now has a total of more than 1 million cars equipped with belts.

In the United States, with no Government regulation of belts, and no intensive public education prior to 1961, we find an estimated 2 million-plus cars equipped with seat belts. This represents less than 4 percent of the total passenger-car registration, which exceeds 60 million. Because of our motorists' different temperament, it is doubtful whether we would have achieved the same results as the Swedish motorists with Government control over manufacture and sale of belts.

We at the National Safety Council believe that everyone working toward the same end will achieve nearly the same results as accomplished in Sweden through more voluntary actions. An aid in this direction has been the legislation passed by several States requiring seat belt anchorages on all new cars sold in the States. Still further, the State of Wisconsin has required that all new cars sold shall have seat belts themselves for the right and left occupants of front seats.

Perhaps the most significant item to come from Sweden is the voluntary announcement from one of the major automobile manufacturers that belts would be made standard equipment on all new cars. We would hope that U.S. manufacturers might also do this in the future—providing the belts themselves.

With all the promotion of seat belts, one of the basic questions asked is: If we are successful in getting all cars equipped with belts, how many motorists will use them consistently? This is the second part of a twofold problem, first, getting the belts installed, then getting them used. If the seat belts are put into automobiles without proper education of the motorists, there is little hope of realizing the lifesaving potential of belts through their general use.

Critics point to a 1960 automotive crash injury research study of rural California accidents, in which it was reported that about one-third of the number of belt users involved in collisions were wearing their belts at the time of the accident. The study by ACIR was conducted prior to 1960, and is a good indication of the lack of education the users had regarding the effectiveness of the belts. The U.S. Forest Service reported in 1960 that its drivers wear belts at least 80 percent of the time. Other surveys indicate similar use, or at least state the belts are used more often than not. We hope that continued education will produce an awareness that will see nearly constant use of seat belts while a vehicle is in motion.

Constant use should bring increased reports of seat belt effectiveness, such as the Forest Service estimate of 100 personnel who were spared injury or death by the use of their belts, or the examples cited at the beginning of this article.

NEEDS FOR THE FUTURE

Although the American motorist is somewhat aware of the case for seat belts a bigger emphasis is more essential now than ever before—not only to encourage 100-percent installation, but also to remind drivers and passengers continually of the necessity to wear their belts at all times.

There is also need to encourage research to determine how better vehicles can be built, in order to help the belts do a better job of restraint. And there must be development of improved devices and methods of restraining human beings, especially children. Still further study is needed to learn what, if any, psychological effect the use of a seat belt produces on the driving habits of a motorist. But perhaps the foremost future need is the cooperation of officials in government, industry and civic organizations to assist in educating the motoring public about seat belts and about their use.

Here are some of the things a government official can very usefully do to encourage the public to install and use seat belts:

1. If you haven't already installed belts in your car, do so immediately, and make it a habit to use them always. Publicize the fact you have had them installed.

2. Set an example to the public by having all State-owned vehicles equipped with belts. Also, publicize this fact.

3. Encourage individual agencies to conduct programs for employees to install belts in their personal automobiles.

4. Encourage communities and organizations within your State to conduct programs in their own areas.

5. Enlist the cooperation of the communications media to concentrate their efforts on building an "image" of seat belts through repeated publicity on the need for them and their effectiveness.

Dr. Luther Terry, Surgeon General of the United States, remarked last June at a seat belt conference we held in New York City: "If you drive a car, the chances are 7 out of 10 that you will have a traffic accident within the next 5 years. Until the odds are better, the wisest thing for you, and me, and everyone else who drives a car, to do is to protect ourselves with seat belts." These words are grounds for sober reflection on the part which each of us plays in providing for the welfare of the public.

HOWARD HANSON AND THE NATIONAL ADVISORY COUNCIL FOR THE ARTS

Mr. KEATING. Mr. President, there is now legislation pending before the Congress to create a National Advisory Council for the Arts. Among those mentioned to head this group, should it ultimately be established, is Dr. Howard Hanson, president of the Eastman School of Music and director of the Eastman Philharmonia. Such a choice would be eminently suitable. Although Dr. Hanson would be sorely missed in Rochester, he could make a great contribution on the national scene. In directing the philharmonia's successful tour of Europe, Russia, and the Middle East, Howard Hanson has already made a substantial national and international contribution. If the National Advisory Council for the Arts is set up, Mr. Hanson would be an ideal candidate for its leadership.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point an editorial from the Rochester (N.Y.) Democrat and Chronicle.

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

NEW HANSON ROLE?

We can think of no other American who would be more ideally qualified to head up the proposed National Advisory Council for the Arts than Dr. Howard Hanson. Now before Congress, the suggested Council would recommend ways to increase the Nation's cultural resources and encourage private initiative in arts. The Rochesterian has been mentioned as a likely candidate for its chairmanship.

Dr. Hanson's plans for retirement as director of the Eastman School of Music have not been made known. The amazing vitality he displayed in the philharmonia's recent arduous concert tour abroad stamps him as a man who looks good for many more years of active work. Filling Dr. Hanson's shoes at the Eastman, whenever it happens, will be a king-sized job.

If the new group materializes and the Rochesterian should be interested, his persistent concern for America's failure to adequately support the arts would make him a happy choice to direct the Council. Dr. Hanson has said that in the creative arts the Nation's sense of values is still at an adolescent level. He wants the Nation to grow up, artistically as well as scientifically. The new Council needs that kind of a leader.

HARVARD STUDY SUGGESTS MILK, BUTTER DO NOT CAUSE HEART DISEASE

Mr. PROXMIRE. Mr. President, a study being conducted jointly between the University of Dublin in Ireland and Harvard University compares data on men residing in Boston with data on their blood brothers residing in Ireland. Diet, weight, exercise, work, and smoking habits are among the items checked.

Preliminary findings from studies of 150 pairs of brothers tend to show that diet might not be as important a factor in determining the blood's cholesterol level as some scientists have believed. The men checked in Ireland on the average consumed 300 more calories a day than their brothers in Boston and ate twice as much butter. Yet those checked in Ireland weighed 15 percent less as a group and had cholesterol levels 10 to 20 percent lower than their American counterparts.

One suspected reason for these results is that the men in Ireland get considerably more exercise and generally lead more tension-free lives. Men in Ireland typically walk several miles a day just to get to work and back home. Few persons own autos.

I call this matter to the attention of the Senate and the country because, partly because of loose talk about an alleged connection between consumption of dairy products and heart disease, there has been a very serious drop in the consumption of dairy products, and to point out the fact that at least this very significant study, conducted by authoritative and objective people, indicates that dairy products do not cause heart disease.

DON SLAYTON, ASTRONAUT

Mr. PROXMIRE. Mr. President, I am sure it was very distressing to a Wisconsin hero who had been chosen an astronaut, Donald Kent Slayton, to be informed yesterday that he would not be the next astronaut in orbit because of a heart condition.

This is a source of very serious regret to this fine young man, who had so earnestly hoped that he would have this opportunity to serve his country, at great risk to his life, of course.

Donald Slayton is a native of Sparta, Wis. Sparta is proud of his record. In grade school, Major Slayton won the top grades in his class. He was a fine student and all around boy in high school as a band member and athlete although he worked hard on his family's farm.

I ask unanimous consent that a biographical sketch of Don Slayton, detailing his later life after he left Wisconsin and recently printed in the Washington Star, be printed in the RECORD at this point.

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

DON SLAYTON MADE FLYING HIS THEME

SPARTA, WIS., March 7.—"Don was a determined boy who knew where he was going."

That's how his onetime science instructor remembers Donald Kent Slayton who is scheduled to become his country's second man in orbit next month.

And there are many other recollections of the astronaut by family and friends:

He played a trombone for 4 years in the high school band, and was proud of the uniform; he raised a prize sheep and won a blue ribbon, and sometimes he ran the 5 miles from school to his farm home to keep in shape for the track team; he has 3,600 hours in the air, and he told his mother the wildest ride of his life was in a taxicab taking him from one Chicago airport to another.

FLYING HIS DESIRE

For Don Slayton—he did not become "Deke" until Air Force buddies made a nickname of his initials—the urge for wings came early. The Sparta High School yearbook—"The Spartan," naturally—said of him in his junior year that his theme song was "keep 'em flying."

Walter Pribnow, who was Major Slayton's science instructor and now is superintendent of schools at Appleton, Wis., remembered that during Don's senior year he took a special interest in an aeronautical text.

"We made black airplane models for identification," Mr. Pribnow said. "Don was a determined boy, who knew where he was going."

Major Slayton was born, 38 years ago last week, in the Sparta hospital to Charles Slayton and his second wife, Victoria, both of Norwegian stock, and spent his boyhood on the family farm near the town of Leon.

ON TRACK TEAM

He was graduated from the Leon elementary school at the head of his class and entered the Sparta High School in a class of 180. A new $1.5 million high school, just completed, will be named for him in Sparta if, the board said last week, he approves the move.

In high school, he played trombone for 4 years with the band, and there is a picture of him in the band uniform, looking proud, and a little shy. He was out for the track team all 4 years, and played on the school's Future Farmers of America basketball team for 3 years.

Don, his brother Howard, his sisters Beverly and Verna, and Russ and Lloyd Harris made the 5-mile trip to school daily in a model T Ford the Harris boys bought for $26—borrowed from their father, they recall now—and which served them faithfully the whole period.

But during track season, Don sometimes ran the five miles to improve his wind and legs.

It was with the Future Farmers chapter that he raised the prize Oxford sheep, and after winning classes at the Monroe County Fair in Tomah went on to the State fair. A career on the farm, now operated by his brother, beckoned but could not compete with the lure of the wings.

SERVED IN AIR FORCE

Graduated 16th in his class, he enlisted in the Air Force on his 18th birthday. When he was called to duty, it was the first time he had been away from home for more than a day or two.

The National Aeronautics and Space Administration biography of his Air Force career takes up most of a page: 56 combat missions over Germany, 7 over Japan, time out to win an aeronautical engineering degree at the University of Minnesota, a brief tour as a civilian engineer.

"He quit a good paying job at Boeing," his mother says, "because he was grounded."

Then back into service with the Minnesota Air National Guard and an eventual berth as experimental jet test pilot at Edwards Air Force Base.

"If he had not been accepted as one of the seven astronauts," his mother says, "he might be in a more dangerous job, like testing the X–15."

Full name: Donald Kent Slayton.

Claim to fame: Scheduled to be America's second man in orbit.

Home: Sparta, Wis.

Birthday: March 1, 1924.

Education: Sparta High School; degree in aeronautical engineering, University of Minnesota, 1949.

Jobs: Aviation cadet, 1942. During World War II, flew 56 combat missions in Europe and 7 over Japan. Aeronautical engineer with Boeing Aircraft Co. after war until recalled to active duty in 1951. After various assignments became test pilot for Air Force.

Family: Wife, Marjorie Lunney Slayton, and son, Kent, 4. Parents, Mr. and Mrs. Charles S. Slayton of Sparta, Wis.

Hobbies: Hunting, fishing, shooting, archery, and skiing.

Mr. MANSFIELD subsequently said: Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I yield.

Mr. MANSFIELD. I had to leave the Chamber while the distinguished Senator from Wisconsin was discussing the withdrawal of a citizen of his State, Major Slayton, from the astronautical seven. I fully agree with his statement that it is unfortunate that this withdrawal has become necessary. I am certain that Major Slayton is just as sorry as he can be. Certainly he gave of his all and is entitled to high commendation and congratulations for his effort and desire to share in the great venture into the outer oceans. I know the Senator from Wisconsin spoke for all of us when he uttered the words he has already spoken this morning. I know that we are all happy that the Major will continue to contribute his abilities to the success of our space effort.

Mr. PROXMIRE. I thank the Senator from Montana for his statement. I ask unanimous consent that his statement follow the statement I made earlier on this subject.

It is a source of deep regret that Major Slayton will not be considered for the next orbital flight. He is an outstanding scholar and a great soldier. He has a magnificent war record. He is a daring test pilot—not only a daring test pilot, but an extremely able test pilot, and he is a man who has done his very best to make the flights of Astronauts Shepard and Grissom, as well as Colonel Glenn, possible. He has played a most important role in connection with those flights. I hope Major Slayton will be able to continue to assist in the space program. I am sure he has much to offer to it.

As I have said before, Wisconsin is mighty proud of "Deke" Slayton.

Mr. MANSFIELD. And we all wish him the very best of success in the years ahead.

Mr. PROXMIRE. I thank the majority leader. I am sure Major Slayton will be grateful for those comments.

PRESIDENT KENNEDY'S BROAD CONSUMER AID PROGRAM

Mr. PROXMIRE. Mr. President, yesterday I was delighted to learn that President Kennedy has proposed something which I have long advocated—a full, broad program to aid the consumer. The essence of the program is that the consumer has a right to be protected, to be informed, to be able to choose freely and effectively, and to be heard. I think this is a very promising effort on the part of the President of the United States. The rights of the consumer were very well summed up in an article entitled "Kennedy Submits a Broad Program To Aid Consumer," written by Joseph A. Loftus, and published in the New York Times of March 15. I quote, in part, from the article:

If all the proposals were enacted and enforced, the average consumer would be able to:

Buy pills or corn plasters and be assured that they were not only safe but would also do all that their makers said they would.

Pay less for medicines by asking for a drug under a simple, common name.

Buy lipstick and face powder without fear of poisoning or skin burns.

Buy meat without concern for its purity, even if it had not traveled in interstate commerce.

Buy a house, an automobile, or a washing machine on the installment plan and know exactly how much it would cost him in the end, above the cash price—

In other words, to know what the interest charge was—

Borrow $100 or more and know the exact rate and amount of interest.

Buy a television set that could tune in a potential total of 82 channels instead of the commonly used 12.

Mr. President, I hope Congress will give the President's consumer program most earnest consideration. Certainly it is in the public interest. The difficulty with this kind of program is that by its very nature special private interest will assail and attack it and few if any will fight for it, it will not receive the direct support it needs unless somehow Americans can be persuaded to realize that all of us are consumers.

THE B–70 BOMBER AND RS–70 RECONNAISSANCE-STRIKE PROGRAMS

Mr. PROXMIRE. Mr. President, the Secretary of Defense, Robert S. McNamara, has made public an extremely important statement concerning the B–70 bomber and the RS–70 reconnaissance-strike programs. He has opposed going ahead in the ambitious way that many Members of Congress feel the Air Force should be allowed to proceed with the B–70 program.

The Secretary of Defense has set forth an extremely cogent and very persuasive series of arguments. He has pointed out that the B–70 program, which was considered last year, is inadvisable for many reasons. Let me list some of them: First:

A careful study of the earlier B–70 proposal led to the conclusion that it was really no more than a manned missile. Indeed, a book about it was published under just such a title. The old B–70 system offered none of the advantages of flexibility generally attributed to manned bombers. It could not look for new targets nor find and attack mobile targets or targets of uncertain location. It offered no option but preplanned attack against previously known targets—a mission that can be effectively performed by missiles.

Second:

Moreover, the B–70 had important disadvantages when compared with ballistic missiles. It would have been vulnerable on the ground to surprise missile attack. It would not have been hardened and dispersed like Minuteman, or continuously mobile and concealed like Polaris. Rather, it would have had to depend on warning and ground-alert response—a method of production far less reliable, in an era where large numbers of missiles exist, than hardening and dispersal or continuous peacetime mobility.

Third:

Further, the B–70 is far less suitable than the B–52 for airborne-alert measures.

Fourth:

Moreover, the B–70 was poorly designed from the point of view of penetration of enemy defenses. The B–70 would present a very large radar cross section, and the higher it flew the earlier it could be picked up by radar.

Fifth:

Furthermore, the B–70 had not been designed for the use of air-to-surface missiles such as Hound Dog or Skybolt, and therefore could not attack while standing off several hundred miles, but would actually have had to fly into the target area to drop its bombs. Finally, the B–70 would have been an extremely expensive aircraft, particularly so in relation to its capability in the straight bomber version.

Mr. President, the B–70 has been revised, modified, and changed to be used primarily as a reconnaissance-strike plane. Secretary McNamara presents some very persuasive arguments against proceeding in such an extremely expensive way at this time with the new reconnaissance-strike RS–70. He points out that while the RS–70 is an improvement over the B–70, nevertheless a number of the materials and refinements which have been developed, have not been proven, and he points out that some of the key elements may well lie beyond what can be done on the basis of present scientific knowledge.

The Secretary shows, in a series of well-documented paragraphs, how very difficult it would be to assure the country that this plane could be operative in 1970, let alone in 1967.

I quote further from the statement:

SYSTEM IS COMPLICATED

The RS–70 would introduce in addition, another new set of subsystems, including reconnaissance sensors, processing systems, display systems, communication systems, all requiring human interpretation and decision within very short times, and air-to-surface missiles. Many of these new subsystems, it should be recognized, have yet to be developed. Indeed, our technical review of this proposal, to date, indicates that some of the key elements may well lie beyond what can be done on the basis of present scientific knowledge.

The most attractive aspect of the RS–70 is its proposed reconnaissance-strike capability in a postattack environment. This capability would require, first, the development of an extremely high resolution radar system—a system which, in combination with an operator, could recognize targets from an altitude of 70,000 feet and out to a considerable distance. To appreciate what this involves, consider the fact that to separate visually two points in an area as large as this radar is supposed to observe would require a screen 15 feet by 15 feet to present a television-quality picture. This example is given only to illustrate the problem of display and is not, of course, a solution which anyone would consider.

At the present time we do not know how to specify a system which can gather, process and display the data at the rates and with

the resolution necessary for the RS–70 mission, which involves firing a missile from an aircraft flying at 30 miles a minute before it moves out of missile range. To achieve the capability which would be required to "recognize" or to analyze damage on some important types of targets is beyond any known technique.

Picture the RS–70 flying at 70,000 feet, and moving at 2,000 miles per hour. The proposed mission would required the gathering of radar reconnaissance data on the presence of new targets—or known targets which may not have been destroyed or neutralized, and the prompt processing and analysis of these data in flight. The proposed radar, moving with the aircraft at 2,000 miles per hour, would be seeing new area at the rate of 100,000 square miles per hour or 750 million square feet per second. We cannot state today with any assurance that satisfactory equipment to perform this processing and display function in an RS–70 can be made operational by 1970, let alone by 1967, on the basis of any known technology, or whether the human interpretation job required of the operator can ever be done.

The Air Force proposal would also require the development of new air-launched strike missiles. For use against hard targets, these missiles, because of their limited size and warhead yields, would have to be far more accurate than any strategic air-launched missile now in production or development.

The RS–70 will involve operative problems far more difficult than that of the B–52.

I shall place the entire statement in the RECORD, and I hope Senators who favor the development of the B–70 on the basis that it has been championed so ably in the House will consider the objections that have been raised by the Secretary. I think this kind of debate will be crucial for the Senate, as we come to an informed conclusion about how we should act on this very expensive but extremely important plan.

Mr. President, I ask unanimous consent that the text of Secretary McNamara's statement on the B–70 bombers be printed at this point in the RECORD.

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

TEXT OF MCNAMARA'S STATEMENT ON THE B–70 BOMBERS

WASHINGTON, March 15.—Because of the great congressional and public interest in the B–70 bomber and RS–70 reconnaissance strike programs, I have within the last week furnished to interested Members of the Congress our latest analyses of these two aircraft. In line with our policy to keep our citizens informed on major defense issues, I believe as much of this information as security considerations permit should also be made available to the general public.

The B–70, in its long-range bomber configuration, has been a matter of intense controversy for a number of years. In reviewing the history of this project, I was impressed by the fact that the B–70 never enjoyed the full support of the President and his Scientific Advisory Committee, the Secretary of Defense and his principal civilian advisers, or the Joint Chiefs of Staff as a corporate body. In fact, the only consistent supporter of this program was the Air Force itself. The secretaries and chiefs of the other services, whether under this administration or the previous administration, never supported the B–70 for full weapon-system development or procurement and, indeed, many vigorously opposed it. So it is a matter of record that the B–70 has long been considered a very doubtful proposition, with the weight of competent scientific, technical, and military opinion against it for many years.

Nevertheless, I approached the B–70 problem with a completely open mind and without any preconceptions one way or the other. I carefully studied not only all the arguments pro and con but also the specific facts and figures upon which these arguments were based. I was particularly concerned, for example, with the cost and effectiveness of other ways of doing the job proposed for the B–70. And, I would like to emphasize at this point that, in selecting a weapon system to accomplish a particular military task, we are dealing not with absolutes but with comparatives. We must always take into account not only the planned capabilities of the proposed weapon system but also its full cost in comparison to the cost and effectiveness of other weapon systems which can do the same job, perhaps in somewhat different ways. I believe we can all agree that the common objective of both the legislative and the executive branches of our Government is to provide all of the forces we need for our security at the lowest possible overall cost.

ONLY A MANNED MISSILE

A careful study of the earlier B–70 proposal led to the conclusion that it was really no more than a manned missile. Indeed, a book about it was published under just such a title. The old B–70 system offered none of the advantages of flexibility generally attributed to manned bombers. It could not look for new targets nor find and attack mobile targets or targets of uncertain location. It offered no option but preplanned attack against previously known targets—a mission that can be effectively performed by missiles.

Moreover, the B–70 had important disadvantages when compared with ballistic missiles. It would have been vulnerable on the ground to surprise missile attack. It would not have been hardened and dispersed like Minuteman, or continuously mobile and concealed like Polaris. Rather, it would have had to depend on warning and ground alert response—a method of production far less reliable, in an era where large numbers of missiles exist, than hardening and dispersal or continuous peacetime mobility.

In answer to this it was argued that the B–70, like other manned bombers, could be launched subject to positive control on the basis of ambiguous warning—a property not possessed by missiles. But the important point here is not that bombers can be launched under positive control in response to warning; rather it is that they have to be launched under positive control in response to warning; rather it is that they have to be launched on the basis of warning because they are vulnerable and cannot ride out an attack. We don't care whether or not Polaris missiles, for example, can be launched subject to positive control because we are under no great compulsion to launch them until we are ready to make the final decision to destroy their targets.

Further, the B–70 is far less suitable than the B–52 for airborne alert measures. And attempts to maintain it on the ground in a widely dispersed posture and at a very high level of alert would have entailed all kinds of difficult and costly operating problems, problems that have effectively prevented the Air Force from operating any other of its bombers in this way.

CALLED POORLY DESIGNED

Moreover, the B–70 was poorly designed from the point of view of penetration of enemy defenses. The B–70 would present a very large radar cross section and the higher it flew the earlier it could be picked up by radar.

Furthermore, the B–70 had not been designed for the use of air-to-surface missiles such as Hound Dog or Skybolt, and therefore could not attack while standing off several hundred miles, but would actually have had to fly into the target area to drop its bombs. Finally, the B–70 would have been an extremely expensive aircraft, particularly so in relation to its capability in the straight bomber version.

So, it is not surprising that previous Secretaries of Defense and the previous President have had very grave doubts as to the desirability of this particular weapon system. Even the Air Force is now no longer proposing the B–70 in a bomber configuration, implicitly admitting the correctness of many of these reasons.

What the Air Force is currently proposing and has presented to the congressional committees is a new and quite different version of the B–70; namely, a reconnaissance-strike aircraft involving novel components and equipment. While this RS–70, if feasible, would be of considerably greater value to our overall strategic power than the B–70, it would still suffer from some of the same shortcomings, including very high costs; and, in addition, would introduce entirely new problems which we have yet to explore fully.

The B–70, as it was formerly envisaged, was already a more technically complex vehicle than any of the ICBM's we are now developing. Because of its great speed, it required a mass of electronic components for bombing-navigation, for communications and for controlling the environment within the aircraft. In contrast to an ICBM, these subsystems must operate with very high levels of reliability for periods of hours rather than minutes.

SYSTEM IS COMPLICATED

The RS–70 would introduce, in addition, another new set of subsystems, including reconnaissance sensors, processing systems, display systems, communication systems, all requiring human interpretation and decision within very short times, and air-to-surface missiles. Many of these new subsystems, it should be recognized, have yet to be developed. Indeed, our technical review of this proposal, to date, indicates that some of the key elements may well lie beyond what can be done on the basis of present scientific knowledge.

The most attractive aspect of the RS–70 is its proposed reconnaissance-strike capability in a postattack environment. This capability would require, first, the development of an extremely high resolution radar system—a system which, in a combination with an operator, could "recognize" targets from an altitude of 70,000 feet and out to a considerable distance. To appreciate what this involves, consider the fact that to separate visually two points in an area as large as this radar is supposed to observe would require a screen 15 feet by 15 feet to present a television-quality picture. This example is given only to illustrate the problem of display and is not, of course, a solution which anyone would consider.

At the present time we do not know how to specify a system which can gather, process, and display the data at the rates and with the resolution necessary for the RS–70 mission, which involves firing a missile from an aircraft flying at 30 miles a minute before it moves out of missile range. To achieve the capability which would be required to "recognize" or to analyze damage on some important types of targets is beyond any known technique.

Let me try to illustrate the severity of this problem. Picture the RS–70 flying at 70,000 feet and moving at 2,000 miles per hour. The proposed mission would require the gathering of radar reconnaissance data on the presence of new targets—or known targets which may not have been destroyed or neutralized—and the prompt processing and analysis of these data in flight. The proposed radar, moving with the aircraft at 2,000 miles per hour, would be seeing new

area at the rate of 100,000 square miles per hour or 750 million square feet per second. We cannot state today with any assurance that satisfactory equipment to perform this processing and display function in an RS–70 can be made operational by 1970, let alone by 1967, on the basis of any known technology, or whether the human interpretation job required of the operator can ever be done.

TECHNICAL PROBLEMS

Thus, it is clear that there are many very difficult technical problems yet to be solved—and, indeed, yet to be fully understood—before we can have any reasonable expectation that the reconnaissance capability required by the RS–70 can actually be developed and produced within the 1967–70 time period. We have started work on these problems and over $50 million has been separately provided for this purpose in the 1963 budget, but we are 2 or more years away from even a flight test of the reconnaissance subsystems in a form from which operational specifications can be drawn, let alone blueprints for the production of hardware.

The RS–70, as proposed by the Air Force, is also to have the capability of transmitting to home base, processed radar data on important target areas. This capability, if obtainable, would be useful in retargeting followup strikes by other manned bombers or by ICBM's. However, the assured rate of transmission over intercontinental ranges in a wartime environment would be only a minute fraction of the rate at which the data are being acquired and processed by the RS–70 radar.

The Air Force proposal would also require the development of new air-launched strike missiles. For use against hard targets, these missiles, because of their limited size and warhead yields, would have to be far more accurate than any strategic air-launched missile now in production or development. This requirement would entail yet another set of problems.

Finally, the deployment of the RS–70 will involve operating problems far more difficult than that of the B–52.

Although the Air Force has not yet stated the ultimate size of the RS–70 force, a force of about 200 B–70's was proposed at one time. Considering the capabilities the Air Force specifies for this aircraft, we can assume that a smaller number, say 150, would suffice. The Air Force estimates that the first wing of 45 RS–70 aircraft would cost $5 billion. A force of about 150 would probably cost in excess of $10 billion—excluding the cost of the tankers and the annual operating costs.

I think it is clear from the foregoing that:

1. The RS–70, as proposed by the Air Force, is very far from being ready for production or even full weapon-system development. The new subsystems which could provide the RS–70 with its damage assessment capability have been started in development, but we are not sure now that we know how to develop successfully the extremely high data rate, sharp resolution radar system required. Our best estimates now are that we could not have such a system early enough to produce an operational RS–70 force capable of useful reconnaissance strike before 1970.

2. The RS–70, without these subsystems, would be nothing more than a B–70, the production of which it is now agreed would not be warranted.

3. Until we know much more about the proposed system—its technical feasibility, its military effectiveness, and its cost—we have no rational basis for committing this aircraft to weapon-system development or production.

But regardless of whether or not the RS–70 will be ready for production or can be produced substantially as the Air Force describes it, the question still remains: Would the program be worth its cost? This question can be answered only in terms of the total job to be done and the various alternative ways of doing it in relation to their respective costs.

The 1963 and prior year budgets provide for over 1,000 Atlas, Titan, and Minuteman intercontinental ballistic missiles, plus 41 submarines with over 650 Polaris missiles, plus more than 700 B–52 and B–58 bombers. By 1967 the alert portion of the force alone will have three times the destruction capability of the alert force we had last June.

DESTRUCTION CAPABILITY

Now, how large a part of the enemy target system could this force be expected to destroy after absorbing an enemy surprise attack? As I pointed out in my statements to the Congress in January, this calculation involves a number of factors of which the following are the most important:

1. The number of warheads that each type of vehicle can deliver.

2. The proportion of each weapon system expected to survive the initial all-out nuclear attack—the survival rate.

3. The degree of reliability of each system, i.e., the proportion of the ready operational inventory that we can count on getting off successfully within the prescribed time—the reliability rate.

4. The ability of each type of vehicle to penetrate the enemy's defenses—the penetration rate.

5. The warhead yield and degree of accuracy that can be expected of each weapon system.

Utilizing these factors and applying to them values which, on the whole, are thought to be quite conservative, we calculate that the strategic retaliatory forces programed through 1967 could achieve practically complete destruction of the enemy target system—even after absorbing an initial nuclear attack. The addition of a force of either 200 B–70's, which was proposed last year by the Air Force, or the 150 RS–70's now being considered, either of which would cost about $10 billion, would not appreciably change this result.

While calculations of this sort are useful for estimating the adequacy of our programed forces under extreme conditions, it should be pointed out that these forces may not necessarily be used in this manner. Indeed, we are implementing command and control processes at all levels of authority to insure that our response can be graded by degree, by geographical and political area and by target type as would be appropriate to the type and extent of an enemy attack.

With regard to the wartime reconnaissance capabilities of the RS–70, we have other means of performing that function and with any adequate high-processing-rate radar system which may be developed, the B–52's and B–58's could have a considerable reconnaissance and bomb damage assessment capability incident to their principal mission. We think that the B–52's and B–58's, arriving after our missiles have suppressed the enemy's air defense, could penetrate as well or almost as well, as the RS–70.

A decision by the Soviet Union to produce and deploy an anti-ICBM system could not significantly change this overall picture, and in any event would be no less effective against the RS–70 and its missiles. To insure that our missiles can reach their targets even then, we have included a substantial sum in the 1963 budget for a "penetration aid program." We also have the option of increasing the Minuteman program for which extra production capacity has already been provided.

It is clear, therefore, that the RS–70 program, as we see it now, would not add significantly to our strategic retaliatory capability in the period after 1967. Interestingly enough, at the very time the Air Force is urging the production of another aircraft system on the grounds that nuclear-armed missiles are not dependable, one theater commander is requesting the production of a new nuclear-armed missile to replace his aircraft which he says are too vulnerable in a nuclear war environment. And, while the Air Force, in pressing its case for a new bomber, has questioned the dependability of nuclear-armed missiles, it is at the same time urging an aircraft (the RS–70) which itself depends for its strike capability on highly sophisticated nuclear-armed missiles.

While I am fully convinced that it is entirely premature to make any kind of commitment to weapon-system development or production of the RS–70 in fiscal year 1963, I am not prepared to preclude such a commitment at a later date. By continuing our XB–70 program of three prototype aircraft at the cost of $1,300 million and by proceeding with the exploratory development of the key subsystems of the proposed RS–70 for which funds have been included in the 1963 budget, we will have open to us the option of producing and deploying an RS–70 system at a later time if the need for such a system should become apparent. Since the key subsystems have yet to be developed, delaying the decision for 1 year would not postpone the real operational readiness of the first wing at all.

I have just recently reviewed this entire problem with the Joint Chiefs of Staff and again, except for the Chief of Staff of the Air Force, they all support the B–70 development program recommended by President Kennedy.

PRIVILEGES AND RESPONSIBILITIES OF OUR AMERICAN LEGACY

Mr. ERVIN. Mr. President, a high school student from Durham, N.C., Miss Margaret Walker, has beautifully expressed the privileges and responsibilities of our American legacy in a prize-winning essay, "What Freedom Means to Me." Sponsored by the Henry Seeman Post, Veterans of Foreign Wars, the essay won over many other fine entries because of Miss Walker's insight into our fundamental freedoms and the eloquence with which she expressed herself.

I ask unanimous consent that her excellent essay be printed in the body of the RECORD.

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

WHAT FREEDOM MEANS TO ME

(By Margaret Walker)

Freedom has many faces. To some it may mean freedom from hunger, or freedom from slavery and oppression; to others it may mean freedom to choose one's religion or vocation. We Americans enjoy all these liberties and many more; but, it seems to me that our most valuable and important right is freedom of speech.

Since its very beginning, the U.S. Government has assured the right of every individual to speak according to his beliefs. Our forefathers knew that freedom of speech is the cornerstone of democracy. They realized that without free speech all other liberties would vanish.

Our world today is radically different from the world of our forefathers. Freedom of expression is even more vital to our way of life now than it was 200 years ago.

We live in the age of mass communication. With books and newspapers, radio and television, we have the means to spread throughout the world all conceivable ideas and doctrines. The freedom to hear and

read what one pleases has become as important as the freedom to speak and write. In a California newspaper office hangs the motto, "Your right to know is the key to all your liberties."

Unfortunately there are countries where newspapers are suppressed at the whim of the ruling powers—where radios are silent unless they parrot prescribed propaganda—where books are banned and critics exiled. I wonder what freedom means to citizens of those countries.

The U.S. Government does not fear ideological opposition from well-informed citizens. We know that progress is fostered when a government encourages the free circulation of all beliefs in all areas of knowledge and human relations. An American can read "Mein Kampf" at any public library. The U.S. Post Office has delivered the Daily Worker to any subscriber's door.

As 20th century Americans we all enjoy this freedom of man's mind, but what have you and I done to deserve it? I did not fight a revolution for it. I did not escape from an iron-curtain country to gain it. I did not help write the Constitution that assures it. Some have achieved the blessing of freedom; but many of us have accepted it as our birthright.

Now that this incomparable heritage of freedom is ours, however, it is not enough merely to be thankful for it. We must be constantly vigilant that this freedom is denied to none of our citizens, regardless of race, color, creed, or political inclination.

We must exercise not only our right to speak and write our convictions, but also our freedom to hear and read what others think. By keeping an open mind we can exchange our wrong ideas for better ones and strengthen our right convictions by contrasting them with poorer ones. We owe this to our country. It is our duty also to speak out when we disagree with an action of our Government. When we do so, we are not weakening the country; we are strengthening its foundation of liberty.

To me freedom is not just a glorious opportunity to exercise my rights to the fullest extent. It is a binding charge to broaden and preserve for the future. Freedom is not a gift from our forefathers; it is a loan to be paid in full with interest to the next generation.

COST TO UNITED STATES OF PURCHASING U.N. BONDS

Mr. AIKEN. Mr. President, yesterday the Senator from Alabama [Mr. SPARKMAN] inserted tables purporting to show that the purchase of $100 million of U.N. bonds would cost the United States only $54.1 million over the 25-year life of the bonds.

These tables are shown on page 4228 of the CONGRESSIONAL RECORD of yesterday.

These tables, Mr. President, represents more of the weird thinking of our State Department.

The Department simply assumes that the money used to purchase bonds will not cost the United States any interest over the next 25 years because, as they say, it will all be paid for by taxes and not borrowing.

In other words, the administration will take the tax money which would normally be used to pay for such functions of Government as health programs, and payment of Government employees, to buy bonds and then borrow money with which to replace it.

Therefore, the money used to buy U.N. bonds would be interest free.

I am surprised, with the mathematical geniuses they have in the State Department, that they did not sharpen their pencils and find ways to give all agencies interest-free money with which to carry on their business.

This fantastic reasoning would be ludicrous if it were not dangerous.

Coincidentally, the President signed the bill raising the debt ceiling of the United States to $300 billion about the same time that the State Department found a way to get free money for the purchase of U.N. bonds.

I ask unanimous consent to have inserted in the RECORD at this point a table showing the actual cost to the United States should we approve the purchase of $100 million of U.N. bonds.

Mr. President, this table is correct.

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

U.S. receipts and disbursements on purchase of ½ of $200 million bond issue of the United Nations

	In	Out
Original U.S. subscription		$100,000,000
3.9 percent interest on U.S. borrowing		54,740,400
32 percent of U.N. interest costs		17,966,080
32 percent of U.N. principal repayments		64,000,000
2 percent U.N. interest payments to United States	$28,072,000	
U.N. repayment of principal to United States	100,000,000	
Total	128,072,000	236,706,480
Net U.S. cost		108,634,480

MEDICAL CARE FOR THE ELDERLY

Mr. ANDERSON. Mr. President, in his press conference this week, President Kennedy made it quite clear that he is going to campaign vigorously for the administration's health care for the aged bill. As this campaign progresses, I am quite confident that the need for financing such care through the social security system will be made clear to the American people. This will not be an easy task in many cases because the organized opposition has had years in which to practice sloganeering and deception aimed at convincing the public that a Government-sponsored program of health security for the aged would destroy the private practice of medicine in this country and lead to inferior medical care.

As the Washington Post commented this morning, "a lot of sand has already been thrown" into the eyes of the people by the opposition.

I ask unanimous consent that the editorial containing this comment be printed at this point in the RECORD.

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

CALL TO BATTLE

At his news conference on Wednesday, President Kennedy flung down a gauntlet. He indicated plainly that his administration would make an all-out effort to bring medical care for the elderly to a vote in both Houses of Congress during the current session. This is immensely heartening news for all who believe, as this newspaper does, that the country greatly needs a program which will give assured medical care as a matter of earned right to all senior citizens and that such a program can best be organized and financed through the social security system.

Evidently the President means to take his case, as he must, to the American people. He is going to speak next Tuesday at a major rally in Madison Square Garden designed to mobilize enthusiasm for the health care program. He will have an opportunity then to tell the public why the program is needed, why the logical way to finance it is through social security taxation and why this way is as thoroughly consistent with American political and economic principles as any other aspect of social security—or as any other public welfare program.

There is a most pressing need for the President to explain this to the people. For a lot of sand has already been thrown into their eyes. They are being told, through a highly organized publicity campaign, that while it may be all right to provide aid to dependent children and aid to the blind and aid to the unemployed through social security, it would be "socialistic" to provide medical care for the elderly through the same mechanism. They are being told that while the doctor-patient relationship will be unaffected by participation in a privately financed insurance scheme to pay for medical care, the right of a patient to choose his own doctor will somehow be taken away and medicine will be "socialized" if the financing is done through a public agency. They are being told that it is somehow more virtuous and more "American" to rely on the charity of physicians for medical care in old age than to save up during one's working years in order to pay one's own way.

The President is going to have a first-class fight on his hands to get his medical care program enacted into law. The American Medical Association has already launched a kind of religious crusade against it. The National Association of Manufacturers has announced its undying opposition. We believe the President can win this fight—and that if he does so he will at once enhance his own political stature and invaluably promote the general welfare. But to do it he will have to make the White House what Teddy Roosevelt once called it—a bully pulpit—and he will have to treat the Presidency as a position of moral leadership.

THE ALEXANDER HAMILTON NATIONAL MONUMENT — AMENDMENT TO THE CONSTITUTION DEALING WITH POLL TAXES

The Senate resumed the consideration of the motion of the Senator from Montana [Mr. MANSFIELD] to proceed to the consideration of the joint resolution (S.J. Res. 29) providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument.

Mr. STENNIS. Madam President, if there are no other matters in the morning hour, 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. HOLLAND. 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.

The question is on agreeing to the motion of the Senator from Montana to proceed to the consideration of Senate Joint Resolution 29. Under the order

previously entered, the Senator from Mississippi [Mr. EASTLAND] is recognized.

Mr. EASTLAND. Madam President, the Senator from Mississippi does not believe in meddling in the affairs of the sovereign States. I think it is wrong. I think the States have the power and the right, and it is their duty, to handle their own affairs.

However, if the Senate is determined to meddle in the affairs of my State and other States on the question of the poll tax, it is my judgment that we should go into all phases of that question. If the Senate is determined to adopt such an amendment, then at the proper time the distinguished Senator from Alabama [Mr. HILL] and I shall offer an amendment to the joint resolution which would prohibit the requirement of the payment of a poll tax to operate a motor vehicle on the public highways.

I think the people of the great States of Maine and Vermont should be rescued from such a condition, if Congress proposes to meddle in the affairs of the States.

Today, under the statutes of Maine and the statutes of Vermont, before a person can secure a license to operate a motor vehicle, he must pay a poll tax. Our plan is much more pertinent to those States, because in Maine and Vermont the U.S. Government contributes up to 90 percent of the cost of the construction of highways. Those highways are open to everyone. They are for public use. Yet those States provide that a motor vehicle may not be operated unless the driver has paid a poll tax.

Madam President, at this time I shall read from one of the statutes of the State of Maine—from chapter 91, section 2, entitled "Poll Tax":

SEC. 2. Poll tax.—A poll tax of $3 shall be assessed upon every male resident of the State between the ages of 21 and 70 years, whether a citizen of the United States or an alien, in the place where he resides on the first day of each April, unless he is exempted therefrom by this chapter. No person shall be considered a resident of a place merely on account of being present there as a student in an educational institution (1955, ch. 399, sec. 1. 1961, ch. 59, sec. 1).

In the same chapter, section 61 of the code of the State of Maine, provides:

SEC. 61. Licenses issued when poll tax paid.—No person required by law to pay a poll tax in this State shall be granted a license to operate a motor vehicle until he shall present a receipt or certificate that he has paid his poll tax in the town where he resided or written evidence from the taxing authority of that town that he was legally exempted therefrom or that the tax has been abated. Licenses issued from January 1 through August 31 shall require evidence of the payment of the previous year's poll tax—

And, Madam President, that is the same thing that was brought out yesterday about the State of Alabama—

and licenses issued from September 1 through December 31 shall require evidence of the payment of the current year's poll tax (R.S. ch. 19, sec. 49, 1957, ch. 121, sec. 2, 1959, ch. 84).

Madam President, I read now from one of the statutes of the great State of Vermont—from title 32, subchapter 1, section 3601, which provides:

SEC. 3601. Polls.—Except as provided in section 3801 of this title, listers shall set the polls of all inhabitants of the State, citizens and aliens, over 21 and under 70 years of age, in the grand list of the town wherein such inhabitants reside on April 1 in each year, at $1 each. The provisions of this section shall control in all cases and any provisions in a city charter providing otherwise are hereby repealed.

And in section 604 we find the following:

SEC. 604. Suspension of license for nonpayment of poll taxes.—No person shall be eligible to obtain a license to operate motor vehicles until certification is made on the application for such license that all taxes assessed as poll taxes, for which he is liable have been paid.

That means, Madam President, that they can make a person pay his back poll taxes, extending back for years, before he will be allowed to operate a motor vehicle on a public highway in that State. For instance, a workingman or a farmer, whose only recreation is to take his family for a ride in his car on a Sunday afternoon, is told by the State that he cannot do that unless he pays his poll tax, even though the Federal Government puts up 90 percent of the cost of the Federal-aid highways in that State.

Madam President, I hate to meddle in the affairs of other States; but if the Senate is determined to pass this measure, then I think the amendment which will be offered by the distinguished senior Senator from Alabama [Mr. HILL] and the senior Senator from Mississippi is certainly pertinent, and there is more ground for collecting a poll tax within a State, as a requirement for voting, than there is to collect a poll tax in connection with a public highway which has been built largely with the use of funds provided by the U.S. Government.

Mr. HILL. Madam President, will the Senator from Mississippi yield?

Mr. EASTLAND. I yield.

Mr. HILL. As the distinguished Senator from Mississippi well knows, on yesterday I occupied the floor of the Senate for some hours, and during that time expressed my unalterable opposition to having the Federal Government interfere with or in any way meddle with the affairs of the States in connection with the matter of the poll tax or any other matter of domestic concern to the people of the States. But surely, as the Senator from Mississippi has said, if the Federal Government is to interfere with and meddle with and use its powers of coercion with reference to the poll taxes in Alabama, Mississippi, Virginia, Arkansas, and Texas, then it is logical, is it not, and opens the door, does it not, and invites the same interference in these matters in the States of Maine and Vermont?

Mr. EASTLAND. Of course it does. In fact, it is even more so, because the United States puts up most of the money for the construction of the principal highways.

Mr. HILL. Is it not also true that in connection with interstate highways going through the States of Maine and Vermont, the U.S. Government puts up 90 percent of the cost of those highways?

Mr. EASTLAND. That is correct.

Mr. HILL. And, as the Senator from Mississippi has pointed out in connection with the Maine statute and the Vermont statute, if a citizen of one of those States does not pay his poll tax, he not only cannot drive his automobile, but he cannot even drive his car if he wishes to leave the State, if he sees fit to leave it. Is that correct?

Mr. EASTLAND. That is correct. One who does not pay his poll tax can move out of Alabama or out of Mississippi; but one who does not pay his poll tax cannot even move out of either Maine or Vermont with his family.

Mr. HILL. So, so far as Maine and Vermont are concerned, such a person is absolutely a captive there; he cannot drive in his car out of either of those States, if he does not pay his poll tax, and if he is a citizen of one of those States. Is that correct?

Mr. EASTLAND. Yes, the Senator from Alabama is entirely correct, as he usually is.

Mr. HILL. And if such a person remains in either the State of Maine or the State of Vermont, he cannot drive his car to business or to church or to take his children to school or to seek recreation or to visit his friends or to go to the hospital. Is that correct?

Mr. EASTLAND. It certainly is correct.

Madam President, what is the principal recreation of the average farmer? It is to take his family for an automobile ride on the public highways on Sunday, is it not?

Mr. HILL. That is correct. Furthermore, most of those of whom the Senator from Mississippi is speaking are God-fearing people who on Sunday wish to go with their families to church.

Mr. EASTLAND. That is correct.

Mr. HILL. But unless such a person has paid his poll tax, if he lives in Vermont or Maine he cannot drive his family to church.

Mr. EASTLAND. That is correct. In fact, if a resident of one of those States found that his wife was dying, he could not take her in his automobile to a hospital, unless he had previously paid his poll tax.

So, Madam President, if Senators wish to meddle in the affairs of other States, I think they should go all the way in this connection.

Mr. HILL. And if Senators wish to meddle in the affairs of other States, it follows logically that the Federal Government will take from these States these rights, which they have enjoyed since long before they entered the Federal Union.

Mr. EASTLAND. Of course the Senator from Alabama is eminently correct; and that is a field in which legislation will lie, because a limitation on an appropriation bill could force a State which received such Federal funds to repeal the poll tax; and in those instances it would not be necessary to amend the Constitution.

Mr. HILL. Yes, the 90 percent of the cost of the Federal highways in those States, which today is being paid by the

Federal Government, could be entirely cut off, and no longer would those funds go to those States from the Federal Treasury. Is that correct?

Mr. EASTLAND. It certainly is.

Madam President, I should like to read further from the Vermont statute:

Such certification shall be made under the penalties provided in section 202 of this title. The collector of taxes of any municipality, school district or fire district may, after such taxes become delinquent, submit to the commissioner a typewritten list containing the full name in alphabetical order of surnames and the address of delinquent taxpayers with a request to insert opposite each name on such list the operator's number, if any appears on record. Upon return of such list each such collector of taxes shall, if an operator's license appears of record, submit on forms to be furnished by the commissioner, a request for the suspension of the operator's license of a delinquent taxpayer, furnishing such commissioner with the full name, address and operator license number of the person to be suspended and the reason for the request. The commissioner shall, provided such tax collector certifies in writing that to the best of his knowledge and belief such taxes are unpaid and that a demand for such taxes has been made in person or in writing and that the taxpayer or person liable for payment of the tax neglects and refuses to pay same, suspend the operator's license of such person and shall not reinstate or reissue another license to such person until notified in writing by the collector that such person is no longer delinquent in the payment of such taxes. A collector of taxes shall immediately notify the commissioner, in writing, when payment of such delinquent taxes has been made.

That means they could go back 20 years or 30 years. It means that persons can be disqualified from using the public highways of those two great States.

I do not believe in meddling in the affairs of the great States of Maine and Vermont, but if we are going into this question we should certainly rescue their people and give them adequate access to the highways for which the Federal Government puts up most of the money to maintain.

The distinguished Senator from Alabama and I, if the Senate is so determined, give notice that, at the proper time, we will offer an amendment to this measure.

Madam President, I ask unanimous consent to yield certain time to the distinguished senior Senator from Florida [Mr. HOLLAND] the distinguished Senator from New York [Mr. KEATING] and the distinguished Senator from Vermont [Mr. AIKEN], with the understanding that I do not lose my right to the floor, and with the further understanding that I shall regain the floor at the conclusion of their remarks, and that it not be counted as two speeches or as another speech on this question.

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

Mr. HOLLAND. Madam President, with the approval of the Senator from Mississippi, whom I will endeavor to protect in every way on this question, I yield to the Senator from New York [Mr. KEATING], because his remarks are shorter than mine.

Mr. KEATING. Madam President, I shall be brief, but I want to speak on the subject we are discussing, even though it is not the pending business. I remind the Senate that the pending business is the motion to take up for consideration the resolution to make the Alexander Hamilton home in New York City a national memorial. That motion is the business before the Senate, but we have, for reasons which are apparent gotten into a discussion of the constitutional amendment proposed to be offered by the distinguished Senator from Florida [Mr. HOLLAND].

Madam President, poll tax legislation has been passed five times in the other body but has never been approved by the Senate. On the other hand, the Senate has approved a constitutional amendment to abolish the poll tax, but this has never been approved in the House. Obviously there is overwhelming sentiment in Congress against requiring any American to pay a fee before he can vote. But a difference of views as to the appropriate procedure has prevented final action.

In my opinion it is more important that we break this deadlock than that we continue to wrangle over procedure. I do not believe that a poll tax amendment will set any precedent for dealing with other civil rights problems by constitutional amendment, as some of my colleagues fear. Each issue has its own setting, and I would never concede that those who vote for a poll tax amendment are barred from supporting solutions to other civil rights problems by simple legislation.

To be specific, I would reject any suggestion that because we adopt an amendment to abolish poll taxes we must also adopt an amendment to abolish unreasonable literacy tests. On the basis of the record made by the Commission on Civil Rights, it is evident that literacy tests are being administered in a discriminatory manner to prevent large numbers of Negro citizens from voting. In this setting, it can be argued convincingly that adoption of legislation establishing an objective test of literacy, such as 6 years of schooling, is essential to implement the 15th amendment. The abolition of all literacy tests might raise a more difficult question. A ban on arbitrary literacy tests by statute, however, is not only proper but essential to carry out the guaranty of the 15th amendment against racial discrimination in voting.

In my opinion, we can deal with the poll tax problem either by statute or constitutional amendment. I favor the statutory approach because it is more likely to win House approval than a constitutional amendment and because a statute will not be subjected to the complicated and uncertain ratification process.

I also believe that the statutory approach is constitutional. The poll tax persists in only five States: Alabama, Arkansas, Mississippi, Texas, and Virginia. Whatever may have been its purpose in the early years of our Republic, it is a fact of history that it was instituted in these five States as a method of preventing Negroes from voting. In recent years, the poll tax has become as much an obstacle for voting by poor white citizens as Negroes, and those States which retain the poll tax have among the lowest percentages of voting participation in the Nation. It is clear from the reports of the Commission on Civil Rights that much more effective techniques have been devised to disenfranchise Negro voters, but we do not have to close our eyes to the history of the remaining poll tax provisions in determining the most appropriate method for their abolition.

The argument that the poll tax is a "qualification" for voting under article I, section 2 of the Constitution and therefore beyond control by Federal legislation is too broad. Not all qualifications for voting are lawful. A qualification which is designed to deny the right to vote on racial grounds can no more stand against the 15th amendment than a qualification designed to deny the right to vote to women could stand against the 19th amendment. Moreover, a property qualification for voting, in my opinion, is an arbitrary qualification which is no more entitled to recognition under article I, section 2, than would be a State law that redheaded people could not vote, or those with one arm, or vegetarians.

For these reasons, I will support the substitute proposed to be offered by my colleague from New York and hope that this position will prevail. If we fail to secure a majority vote for this legislation, however, I shall support the constitutional amendment as a feasible alternative for finally resolving this issue. And I express the hope now that the leadership in the other body will not be adamant in its approach and will approve whatever course is necessary to avoid a stalemate and to give the American people results.

Before concluding, let me emphasize that this is only one of the many issues with which we must cope in order to bring our electoral processes up to date. It will affect a relatively small number of Americans compared to the number denied the right to vote by discriminatory literacy tests, by arbitrary residence requirements, and by other obstacles to the exercise of the franchise. Whatever we accomplish today will be only a small beginning in overcoming the myriad of unreasonable impediments to voting which now prevent millions of Americans from going to the polls on election day.

I have asked the chairman of the Subcommittee on Constitutional Rights to broaden the scheduled hearings on literacy tests to include all the voting bills before the subcommittee and other civil rights measures on which action is long overdue. There is no possible justification for limiting our subcommittee's hearings, which begin next Tuesday, to literacy tests or to limit Senate action to poll taxes when so many other related problems also demand our attention. As I have already indicated, it is my intention to offer comprehensive civil rights amendments to the literacy bill when it is before us, amendments based on the specific recommendations of the Commission on Civil Rights. Certainly the

members of this outstanding and dedicated Commission should have an opportunity to appear before our Subcommittee on Constitutional Rights to present their views and findings. We should not insult their efforts by ignoring the vital work they have accomplished. And we cannot do so without breaking faith with the millions of Americans who had every reason to expect meaningful civil rights legislation from this Congress.

Mr. HOLLAND. Madam President, the time of the debate up to now, with the single exception of that just occupied quite briefly by my distinguished friend from New York [Mr. KEATING] has been, I believe, entirely used by those who are opposed to the motion to consider the joint resolution, in order that it may be made a vehicle for the proposed constitutional amendment to outlaw the poll tax as a prerequisite for voting for elective Federal officials; that is, for electors for President and Vice President, for Senators, and for Members of the House of Representatives.

I shall speak on this subject at some length later, but I wish the RECORD to show now I am grateful for this opportunity to discuss the measure.

This is the 14th year I have offered the proposal in the Senate. I have tried not to be discouraged from Congress to Congress. I have had very courteous treatment from members of the Committee on the Judiciary. On five occasions full hearings have been held on the proposed constitutional amendment. On three occasions subcommittees have reported the measure favorably to the full committee. I regret to say that our distinguished friends on the full committee have never been given the opportunity to report the measure. I think there never has been a time when it was not clear that a majority of the membership of the full committee was in favor of reporting favorably the proposed constitutional amendment.

I shall make no further comment on that, except to say I am grateful for the fact that the leadership on both sides of the aisle is now supporting the bringing up of the vehicle measure, in order to see if it may be adapted to the purpose which I have just expressed; that is, that it may become a proposed constitutional amendment of the sort I have described.

I have been edified by the speeches made by my distinguished friends in opposition to taking up the measure and, as they put it, in opposition to the constitutional amendment itself, but I have been particularly edified by the speech made by the distinguished Senator from Alabama [Mr. HILL] because he spent nine-tenths of his time in establishing historically something I probably would have had to establish in the event he had not helped me so kindly; namely, that this is a constitutional question, requiring a constitutional amendment, and that all the first States of the Nation either had a poll tax or much more onerous provisions limiting and restricting the exercise of the voting privilege. I believe the Senator from Alabama went into that subject in detail with respect to all 14 of the States which were in the Union at the time of the adoption of the Constitution; that is, the Original Thirteen States plus the good State of Vermont. I think he went into the question even more fully in discussing what has been done in other States.

Suffice it to say at this time that the last State to knock out a really onerous burden in this field was the great Keystone State of Pennsylvania, which eliminated a taxpaying requirement or a property-ownership requirement only a relatively few years ago; my recollection is, about 1933.

It appeared to me quite clear that the distinguished Senator from Alabama had little confidence in the validity of the point of order which he mentioned, which he said would be brought up when my amendment is offered, because if he had much confidence in it he would have allowed us to make the joint resolution the pending business, and would have allowed the point of order to come up for early disposition. I would think, after listening to his learned and scholarly discussion of 4 or 5 hours yesterday, that he lacks confidence altogether in the validity of any point of order as to the procedure which we are following, and I certainly agree with him in that conclusion if he has reached it.

I also note that my distinguished friend from Mississippi [Mr. EASTLAND] who now has the floor and who has been gracious enough to yield to me, apparently also has little confidence in that point of order, because he has outlined an amendment to the constitutional amendment which he says he will propose in due time, having to do with the good States of Maine and of Vermont and with the fact that they levy a poll tax which has no connection whatever with the voting privilege but is connected with the right of the citizens and residents to get automobile licenses for the operation of cars in those States.

I agree with the distinguished Senator from Mississippi that there is little confidence to be placed in the point of order, and I think we shall note that that is the case a little later in the course of the debate.

May I say also that we are getting in Florida so many good people from Maine and Vermont, and even more good people from Alabama and Mississippi, in the course of our great growth, that it may possibly be that some of the people from the New England States are attracted to us because we have no such condition as that about the issuance of drivers' licenses, which, of course, has no relation at all to the subject of the debate. I am very sure that we are getting many good people from Alabama and Mississippi because they resent the imposition of the poll tax and they resent the political climate that has resulted in some areas of those two grand States because of the poll tax imposition.

I note in passing that whereas each of those good States lost one Representative under the census of 1960, the State of Florida gained four. I am quite willing to say that some of that gain, particularly in connection with the good people of Alabama and Mississippi, who have joined us and who have been very welcome, must have been due to the fact that people were trying to escape from the political aura that surrounds the poll tax.

Yesterday the distinguished junior Senator from Kentucky [Mr. MORTON] addressed an inquiry to the Senate which I shall try to meet at this time, as I told him yesterday I would. He inquired as to the position of the administration on the measure, and said that he hoped that that position would be made clear in the course of the debate. For the information of all concerned, I wish to make it perfectly clear that the position of the administration has been made amply clear during the hearings in this body, during the hearings yesterday in the House of Representatives, and likewise by direct communication from the President himself. I should like to make those points matters of record at this time.

In the hearings of the subcommittee of the Senate Committee on the Judiciary, the Department of Justice was represented by a learned Assistant Attorney General, Mr. Katzenbach, who appeared and, I thought, made completely clear not only the position of his Department, but also the position of the President of the United States on this subject. First, in the printed hearings on this subject, at page 368, will be found the statement:

> The Justice Department supports the proposed amendment as a realistic technique which seeks the early demise of the poll tax.

There is more at that point, and all Senators may read it if they desire.

Later in his appearance the learned Assistant Attorney General had the following to say:

> I am speaking for the President on one point, sir.

The Senator from New York [Mr. KEATING] asked him—and I am glad the distinguished Senator from New York is present in the Chamber:

> Have you reached it yet?
> Mr. KATZENBACH. No, not yet.

Then Senator KEFAUVER, the chairman of the subcommittee, said:

> You mean, except for the point you mentioned, you are speaking for the Attorney General?

The answer was in the affirmative.

A little later in the hearing, at page 387, the witness came to the point, and the point was the constitutional amendment sponsored by the Senator from Florida—and now by 67 cosponsors—which is the subject matter indirectly of this debate.

I think it would be well to read the entire statement of Mr. Katzenbach, because while he agrees with the Senator from New York that it may be possible to handle the problem by statute, I think it clearly shows that not only do he and the Department of Justice prefer the amendment method, but at the last of his statement he has made very clear that he is speaking directly for the President. I should like to read

his entire statement as it appears on pages 387 and 388 of the hearings:

We feel that there is little doubt that Congress may under the Constitution enact legislation to outlaw the poll tax as a condition for voting in elections for U.S. Senators and Representatives.

I call that point particularly to the attention of the distinguished Senator from New York.

However, whether Congress may enact laws to abolish the poll tax as a condition for election of Presidential electors presents a more difficult question. While we think from the recent trend in decisions that the courts would ultimately uphold such a statute, the matter is not free from doubt. In any event, as a practical matter and in view of the widespread support offered by the many sponsors of Senate Joint Resolution 58, the poll tax may possibly be laid forever to rest faster by constitutional amendment than by attempt to enact and litigate the validity of a statute. All of us know that long delays are inherent in litigations generally, and this is particularly true when important constitutional issues are at stake. Accordingly, the Justice Department supports the proposed amendment as a realistic technique which seeks the early demise of the poll tax.

There may have been some justification for the poll tax earlier in American history. You will recall that it was originally imposed not to burden but to liberalize suffrage requirements, because in the 18th and 19th centuries a poll tax was easier to meet than general taxpaying or property qualifications. At that time a serious attempt was made to recognize the qualifications of the voter rather than the property he owned. The purpose of the poll tax, however, was changed in the late 19th century in order to block and discourage the citizen's participation at the polls. Today it operates unduly to restrict the rights of national citizenship by disenfranchising thousands of white and Negro voters. It is an arbitrary condition which bears no reasonable relation to a citizen's fitness to vote. It tends to discredit us abroad.

The President is unequivocally opposed to the poll tax. He earnestly hopes that early action will be taken by the Congress on this measure, and that it will be ratified by the States without delay.

Senator KEFAUVER. I believe President Kennedy when a Senator voted for the constitutional amendment in the 86th Congress to eliminate the poll tax.

Mr. KATZENBACH. I believe that is correct.

Senator KEFAUVER. I am quite sure of that. In fact, I believe he was a cosponsor.

Mr. KATZENBACH. I am authorized on this to speak for the administration and for the President.

Madam President, it could not have been made clearer that last year when the hearings were held before the committee, on June 27, 28, and 29, 1961, the President went on record as favoring the abolition of the poll tax, and by the use of the particular method proposed. I am sure that the Senator from New York will recognize the fact that the question of doubt spelled out by the learned witness, Mr. Katzenbach, is in a different situation from the mere matter of the election of Senators and Representatives, though I disagree entirely that as to them, they could be handled in the States that now have a poll tax without a constitutional amendment being submitted and passed.

Mr. KEATING. Madam President, will the Senator yield? Would it interfere with the continuity of his statement?

Mr. HOLLAND. Not at all. I am glad to yield.

Mr. KEATING. I think it is a fair inference from Mr. Katzenbach's testimony to say that a constitutional amendment was preferred by the President. Yesterday, in appearing before the Judiciary Committee of the House, however, the Attorney General indicated a preference for the statutory approach, although he said the method was a question for Congress to decide as a matter of policy.

Certainly, he gave the impression that he supported the statutory approach, as well as the constitutional amendment, and regarded the statutory method as constitutional.

Mr. HOLLAND. Madam President, in reply I would like to say that the Attorney General did state that he thought the statutory approach could be used. However, he very clearly stated his preference and his approval of the constitutional amendment approach in the next to the last paragraph of his statement, which I shall now read into the RECORD. This statement was furnished to me this morning by the Judiciary Committee of the House of Representatives. It is on the stationery of the Department of Justice. I am told by the clerk of the committee in the House that this is the statement made by the Attorney General yesterday, as it purports to be. I read these words as follows: First I should say I freely admit that the Attorney General had earlier said that, so far as he was concerned, he thought a statute could be used, though he had somewhat the same doubts as Mr. Katzenbach, because he mentioned the fact that, as has already been mentioned by the Senator from New York, that anti-poll-tax bills were passed by the House five times but that it had not been possible to have them approved in the Senate.

Mr. EASTLAND. Madam President, will the Senator from Florida permit me to ask a question of the Senator from New York?

Mr. HOLLAND. I am happy to do so.

Mr. EASTLAND. The Senator from New York knows that the Attorney General on yesterday endorsed the bill to repeal literacy tests.

Mr. KEATING. In the House hearing?

Mr. EASTLAND. Yes.

Mr. KEATING. I understood that he endorsed the bill to establish an objective test of literacy.

Mr. EASTLAND. What is the difference as to that qualification and the poll tax?

Mr. KEATING. He indicated, as I understood his testimony, that he believed it was constitutionally possible to eliminate the poll tax as well as discriminatory literacy tests by statute.

Mr. EASTLAND. But he advocated the elimination of the literacy test by legislation, by bill, not by constitutional amendment. Would not the same reasoning apply to the poll tax?

Mr. KEATING. No, I do not believe it necessarily would——

Mr. EASTLAND. Why?

Mr. KEATING. Although I believe his position was that both could be done by statute.

Mr. EASTLAND. That is right. He took the position that both could be done by statute; that is right. That is all I said.

Mr. KEATING. That is my understanding of his testimony.

Mr. EASTLAND. That the Attorney General approved.

Mr. KEATING. The Attorney General's testimony also indicated that he approved of the constitutional amendment to deal with the poll tax.

Mr. EASTLAND. Yes, but he felt that the proper method to apply to the literacy test was the legislative method. If that is the proper method there why would it not be the proper method in connection with the poll tax?

Mr. KEATING. There is a distinction between the two situations. I favor the statutory method with regard to the poll tax, but I believe a stronger case can be made for the statutory method with regard to discriminatory literacy tests, because of the findings which have been made by the Commission on Civil Rights that literacy tests are being arbitrarily used as a means of denying the right to vote on the grounds of race in violation of the fifteenth amendment.

Mr. EASTLAND. I know of no instance. Can the Senator state an instance where the literacy test has been used to disqualify a person from voting? Can he name any person who has been so disqualified?

Mr. KEATING. The Attorney General——

Mr. EASTLAND. I am talking about the Senator's knowledge. Does he know of any? Does he know what he is talking about?

Mr. KEATING. Yes, I believe I do.

Mr. EASTLAND. Very well. What?

Mr. KEATING. There are plenty of instances cited in the reports of the Commission on Civil Rights.

Mr. EASTLAND. Who are they?

Mr. KEATING. I would respectfully refer the Senator to the reports filed by the Commission which we established to look into these problems.

Mr. EASTLAND. I ask the Senator to name them.

Mr. KEATING. The Commission's reports make it abundantly clear that literacy tests are being used to deny the right to vote to Negroes in certain States of the Union.

Mr. EASTLAND. Name one.

Mr. KEATING. The Civil Rights Commission has volumes of evidence on that, but it is entirely beside the point here.

Mr. EASTLAND. Why? A man who sits on the floor of the Senate——

Mr. KEATING. I do not propose to engage in unnecessary debate upon a subject which has no pertinency to the proposed amendment which relates to the poll tax. The Senator from Florida very kindly yielded to me, but I did not ask him to yield to me for the purpose of engaging in an extended discussion with the Senator from Mississippi about information readily available in the reports of the Commission on Civil Rights.

Mr. EASTLAND. The distinguished Senator from New York is a very intelligent man. This is the world's greatest deliberative body. When a Senator makes a statement on the floor of the Senate he should be prepared to back it up. On this question I ask the Senator to name one living human being whom a literacy test has prevented from voting. He cannot do it. That shows what is behind this whole thing—nothing.

Mr. HOLLAND. Madam President, I certainly could not agree with my distinguished friend from Mississippi that there is nothing behind this. As one who has lived in a former poll tax State, who is familiar with the conditions which prevailed there under the poll tax, which were less onerous than those now existing in Mississippi, I know that many of our citizens were precluded from voting. I have seen at the polls good ladies come in, expecting to vote, and finding that either their husbands had forgotten to pay their poll taxes, or that they themselves had forgotten to pay them.

I have seen literally dozens of people turned away from the voting booth in the precinct where my wife and I vote in those far-away days prior to 1937, when we abolished the poll tax. I do not pretend to be able to name the persons to whom this experience has accrued in the State of Mississippi, because I do not have the pleasure of knowing many people there.

Mr. EASTLAND. That is correct.

Mr. HOLLAND. Or in Alabama. However, I am quite prepared to say that when courts have found in some cases that that has been done, and when I know that that was the experience in my State, to such a degree that it impressed itself on our legislature to where I joined, as a member of the State Senate at that time, in outlawing the poll tax, because I thought it was operating in an extremely offensive and unwise way, I could not agree that I do not know anyone who was barred from voting by the poll tax.

Mr. EASTLAND. I deny that. The Senator has described horrible conditions that he says existed in the State of Florida. I deny categorically that any such thing has happened in the State of Mississippi. I defy anyone on the floor of the Senate to name anyone to whom it has happened. Now the Senator says the courts have so found. No court in Mississippi has so found.

Mr. HOLLAND. Courts in Louisiana have so found.

Mr. EASTLAND. Louisiana has no poll tax.

Mr. HOLLAND. I am referring to the literacy test. That is the subject to which the Senator was addressing himself.

Now, Madam President, if I may, I will proceed to read into the RECORD this quotation, which is the closing endorsement by the Attorney General yesterday, when he testified before the similar committee in the House of Representatives to that which is headed so ably by the distinguished Senator from Mississippi in the Senate. Here are the words of the Attorney General, after having stated that he thought a statute could do the job:

> Nevertheless, a constitutional amendment is a realistic and commendable path to the same goal. There should be little doubt of the speedy ratification of such an amendment, since 45 of our 50 States already do not have such useless legislation. I therefore endorse this method of eliminating the poll tax as a condition for voting in elections for Federal offices.

I do not see how anyone hearing these words, or seeing them in the printed record can doubt what the opinion of the Attorney General is and what he has endorsed, because he is endorsing the constitutional method, which we are intending to use here.

Mr. EASTLAND. He has endorsed the constitutional method. The point we have made here is that his reasoning would apply also to a bill.

Mr. HOLLAND. The Senator may read that into the statement of the Attorney General, if he wishes. I could not find any endorsement in there at all of the statutory method, though I did find a strong statement to the effect that he thought that that could have been used, but he endorses the constitutional method approach.

Let us see what the President of the United States himself thinks about this matter.

On March 6 of this year, I received from the President of the United States the following letter, which was delivered to me by one of his assistants:

> THE WHITE HOUSE,
> *Washington, D.C., March 6, 1962.*
>
> Hon. SPESSARD HOLLAND,
> *U.S. Senate,*
> *Washington, D.C.*
>
> DEAR SENATOR HOLLAND: I share your conviction that the right to vote in Federal elections should not be denied or abridged because of failure to pay a poll tax or to meet a property qualification. As you know, I was one of those who joined with you in cosponsoring a proposal in the 86th Congress to eliminate such restrictions.

I interpolate to say that I was very proud and happy to have the then Senator Kennedy, from the great State of Massachusetts, join with me as one of the cosponsors. I continue to read from President Kennedy's letter:

> In the current Congress, I notice that you have introduced this proposal again. I assure you of my continued support for the principles set forth in that legislation.
>
> Adoption of this proposal would constitute an important contribution to good government. It would encourage wider voter participation in the elections for President, Vice President, Members of the U.S. Senate, and Members of the House of Representatives. Participation is inevitably accompanied by a strengthened sense of civic responsibility. I recall your having said many times that the abolition of poll taxes in Florida contributed to sound government in your State.
>
> It was a source of regret that, although this measure passed the Senate by the overwhelming vote of 70 to 18 early in 1960, it failed to be enacted. I understand that the failure of the House to act was due largely to complicated factors unconnected with the merits of the proposal. This year, a new opportunity to enact this amendment is presented.
>
> I hope it will be considered and approved by the Congress during this session and submitted to the States for ratification.
>
> Sincerely,
>
> JOHN F. KENNEDY.

Madam President, I do not see how the President could have more completely stated his approval of this method of approach and his approval of this particular amendment, of which he had been a cosponsor, and I am honored that he recited that fact in his letter.

I do not think the President of the United States has the right, nor do I think he has tried, to tell any Senator or Member of the House how he should vote; but I think the President has the right, and it is his duty constitutionally, on matters of grave import, to advise Congress on the state of the Nation; as to how he believes the Nation may be better served under our laws. He has certainly done that in the course of this letter, and I am very happy that he has seen fit to do so.

One word more about the speech of the distinguished Senator from Alabama [Mr. HILL], who is now in the Chamber. In his earlier absence, I complimented him as highly as I could compliment anyone for the scholarly way in which he dealt with the subject of the constitutional history of the States of the Nation in his long and exceedingly interesting and enjoyable address yesterday. He saved me the necessity of going into that subject, because certainly a part of our case on the constitutional amendment is to show the history that lies back of it. I compliment him again on the thoroughness of his research. I comment, however, that nine-tenths of his speech, or perhaps more, was spent on that feature of this question which has nothing at all to do with this case, except that he firmly established what I would have otherwise had to establish, namely, that this is a constitutional question and that it can be dealt with properly only by a constitutional amendment. So I thank the distinguished Senator from Alabama for that.

The Senator from Alabama related at some length the limitations and restrictions which existed in the first 14 States—that is, the Original Thirteen and also Vermont, which had come into the Union before the approval of the Constitution; but he did not see fit to say, which he could truthfully have said, that every one of those restrictions and limitations has long since been removed by the States themselves; and that this is also true of their restrictions and limitations on the right of suffrage, which have appeared not only in the constitutions of the States admitted shortly after the formation of our country, but oftentimes in the constitutions or laws of the States which are relatively new in their existence.

The point I am making is this: I listened in vain to hear, although I had hoped to hear it from the eloquent lips of the distinguished Senator from Alabama, who speaks with greater eloquence and command of our common tongue than I, that all the other 45 States, except those 5 in which the poll tax now

exists, have long since done away with those restrictions and limitations upon the right of suffrage. The poll tax did not exist originally in the grand old Commonwealth of Virginia. The only one of the original States that had the poll tax as a condition for voting was New Hampshire, which repealed it a long time ago; but Virginia is the only State of the original group which still has a poll tax that has anything to do with voting, and that tax was approved by the grand old Commonwealth not then, but in relatively modern times.

I should like to dwell for a minute—and I appreciate the courtesy of the Senator from Mississippi in yielding to me—upon the reason why I think it is unsound for these two distinguished Senators to say that the Senator from Florida or, for that matter, the other 67 cosponsors of the amendment are meddling with the affairs of the great States of Mississippi and Alabama, both of which I love—and I do not have to tell that to the Senators from those States. I love their Senators also.

I think that when one looks at the record, one must see that a national question is involved. Why? Because the electors who name the President; the Senators; and the Members of the House—but I dwell particularly on the electors—are elected under that system by such scanty percentages of the people of their States as to give rise to the question what would have happened had there been actual participation in the election by a much greater number of voters.

Let us consider this question for a moment. I have before me not only the list appearing in the records of the Subcommittee on Constitutional Amendments of the Committee on the Judiciary, at page 475, but also the statistics of the presidential and congressional election of November 8, 1960, published, apparently, as a House document. At least, it was prepared under the direction of Ralph R. Roberts, Clerk of the House of Representatives; I assume it is a House document. It is a public print. Clearly those two records show what happened in that particular election.

First, it is shown that the two fine States of Alabama and Mississippi—I make no attack upon them; I am simply talking about something which I believe is of concern, and proper concern, to all the people of the United States—appear at the very end of the list of 50 States, from the standpoint of the percentage of their civilian population of voting age who participated in that election.

The State of Mississippi is shown by these data to have participated in the election to the extent of 25.63 percent of the qualified electors or those who were of qualified age, or just a tiny bit over one-fourth of them.

The good State of Alabama, according to this list, is right at the 31-percent mark. The list shows 30.9 percent, but my able assistant, who has figured it, reports to me that it really should be 31 percent—but there is not enough difference to comment on it—of the citizens of qualified age in the good State of Alabama who participated in that election.

What happened in that election? In the case of the 1960 Democratic primary in the State of Mississippi—and I may say, before I go further, that the Senators from Alabama and Mississippi were both mistaken in their statements on the floor yesterday that the primary is the place where the larger participation in voting takes place in their States. I am sure they were thinking of earlier years, as to which their statements would have been true.

Many times that has been true, but in neither State was it true in 1960.

Mr. EASTLAND. Madam President, will the Senator from Florida yield for a question?

Mr. HOLLAND. I yield.

Mr. EASTLAND. Of course the Senator from Florida knows that many voters do not turn out for a primary election when the candidates in the primary election do not have opposition. Is that not true?

Mr. HOLLAND. They do not turn out to the same degree. I have noticed that in Alabama there was very strong opposition in various races—for instance, in the election for the chairmanship of the public utilities commission.

Mr. EASTLAND. But to be fair—and I know the Senator from Florida wants to be fair——

Mr. HOLLAND. I certainly will be fair.

Mr. EASTLAND. I know the Senator from Florida will be fair; and the Senator from Florida knows, does he not, that it takes the election of county officials to get out large numbers of voters in Alabama, Mississippi, and other States.

Mr. HOLLAND. That certainly promotes a larger turnout.

Mr. EASTLAND. Of course it does.

But last year in Mississippi there were no contests for election to be county officials.

Mr. HOLLAND. Let me say to my distinguished friend that the only reason why I mentioned this point was that in his closing argument on yesterday——

Mr. EASTLAND. But there is no point——

Mr. HOLLAND. In his speech at that time the Senator from Mississippi said the primary is the place where the real votes are cast.

Mr. EASTLAND. Does the Senator from Florida deny that?

Mr. HOLLAND. It was not true in 1960.

Mr. EASTLAND. But in 1960 there was no contest in the primary. However, the Senator from Florida has said that it takes a contest to get out large numbers of voters.

Mr. HOLLAND. But in the general election——

Mr. EASTLAND. But the Senator from Florida was making his point in regard to the primary. He knows that nothing can be more deceiving than a situation in which one does not know the facts; and in this case the Senator from Florida does not know the facts.

Mr. HOLLAND. Well, I know that in the 1960 Alabama primary there was a contest over the question of naming the presidential-elector candidates, and that the contest in that State was close; and the slate of candidates, 11 in number, was divided—6 being independent electors, unpledged; and 5 being what I would call bona fide Democratic electors.

Mr. HILL. Madam President, will the Senator from Florida yield to me?

Mr. HOLLAND. I yield.

Mr. HILL. The Senator from Florida will recall that in that primary there was no race for election to be Governor, and for all practical purposes and effects there was no race for election to the U.S. Senate, and there was no race for election to be sheriff, and there was no race for election to be probate judge, and there was no race for election to be county commissioner—there were no races of that sort—the sort that would draw out large numbers of the electorate.

Mr. HOLLAND. Of course the Senator from Alabama knows that his distinguished junior colleague ran for nomination that year and had a very bitter campaign; but he won by a very large vote.

Mr. HILL. The Senator from Florida is entirely wrong. My junior colleague did not have a bitter campaign at all. He did not make a single speech in that connection; he did not go to the State to campaign. But, as the Senator from Florida has said, my junior colleague was overwhelmingly renominated. But certainly he had no campaign at all. He did not have to campaign and he did not have to enter into a campaign, and therefore he did not enter into one; he did not make a single speech or make a single trip there; he made no campaign at all.

Mr. HOLLAND. Madam President, I hope the distinguished Senator from Alabama will permit me to come to my point.

Mr. HILL. I simply wish to point out that fact.

Mr. HOLLAND. My point is that in the final general election there was a strong race, in Alabama. There were three tickets: a Republican ticket, an unpledged Democratic ticket, as to six electors; and a pledged Democratic ticket, as to five electors. Notwithstanding that, the voter participation was so small as to be what I have already mentioned—namely, roughly 31 percent of the total number of the civilian population of voting age.

Mr. HILL. Madam President, will the Senator from Florida yield again to me?

Mr. HOLLAND. I yield.

Mr. HILL. There was no contest between the six unpledged candidates for elector and the five candidates who were pledged as elector candidates; there was no contest between the six and the five. There was no campaign and there was no fight between the six, on the one hand, and the five, on the other hand. The 6 and the 5 together made the 11 elector candidates—the candidates for the 11 electors to which Alabama was entitled.

Mr. HOLLAND. Madam President, I have before me the statistics in connection with that election, as printed in a House document. It shows rather conclusively that the number of citizens who voted for the prevailing elector candidates was approximately 10 percent of the total number of citizens in that State of qualified voting age.

And with reference to the State of Mississippi, the figures for Mississippi show that out of a total population of 1,171,000 aged 21 or over in that State, less than 10 percent, or 116,248 of those citizens were the ones who determined that there was to be elected an uninstructed group of electors, which later cast their votes for a very good American who I think was one of the best men qualified to run for election as President, but who was not running for election as President—I refer to HARRY BYRD, of Virginia.

Mr. EASTLAND. But let the Senator from Florida be perfectly fair; he should state the number of votes for the other list. He should give all the statistics at the same time. However, he has given only one-third.

Mr. HOLLAND. I shall be glad to do so: 108,000 were for the regular Democratic slate, 116,000—or 8,000 more—were for the unpledged slate; and 73,000 were for the Republican slate—or a total of 297,000 voters out of the total of 1,171,000—which I have already stated is just a shade over one-fourth of the mature, adult citizens of that State. And let me say that the 116,000 were a little less than 10 percent of the total number of such citizens in the State. And, Madam President, if the people in every State do not have a stake in that kind of situation, then I do not know what I am talking about.

Mr. EASTLAND. Madam President, will the Senator from Florida yield again to me?

Mr. HOLLAND. I yield.

Mr. EASTLAND. The Senator from Florida has already stated that it took an election for county officials and State officials to get out a large vote. The Senator from Florida said that was the case in Mississippi and in Alabama and in other States.

But I point out that last year in the State of Mississippi and in the State of Alabama there were no elections for county officials and there were no State official tickets. But the Senator from Florida has admitted that it took that to get out a large number of votes.

Mr. HOLLAND. Madam President, what I stated—I will not call it admitting—was that of course a race for election to be county officials brings out a large vote. But I wish to point out that the general election last year in Mississippi was not a velvet glove affair. I distinctly remember—and it is to the credit of the senior Senator from Mississippi [Mr. EASTLAND] and to the credit of his distinguished junior colleague [Mr. STENNIS]—that both of them were out fighting at every crossroad and corner where they could be heard, fighting for the regular Democratic electors, while at the same time, Madam President, the Governor of that State and certain Members of the House of Representatives from that State were out fighting for the unpledged elector candidates; and instead of its being just a milktoast affair it was a hard fought and very actively fought election; and I am sure the Senator from Mississippi would state that he exerted himself to the utmost of his capacity—and everyone knows his vote-getting capacity and that of his distinguished colleague and also that of his distinguished Governor, who certainly is a very thrilling speaker and a very fine campaigner—they were out working on opposite sides. If there could have been anything to get the attention of his citizens, it was that which was taking place in that race.

I make no reflection on anyone. I know they were doing exactly what they thought was right. I know the Senator from Mississippi who is here in the Senate well enough to know he was fighting for a cause he believed in. The point I am making is that the result of all that was that the full electoral vote of that State was dominated by a little over 116,000, out of a total of 1,171,000 that could have qualified to vote if they had been permitted to qualify under the laws of the State.

Mr. EASTLAND. Again I say there is nothing as deceiving as figures when one does not know the facts. The distinguished Senator has stated it takes the election of county and State officials to get out the vote. One can scream all he wants to, but there has to be that kind of election to get the vote out, and we had no county official election in Mississippi. In addition, we have no Republican organization in the State.

Mr. HOLLAND. The sole reason for bringing up this point is that it will result in giving credit to the Senator. The Senator from Mississippi and the Senator from Alabama have fought for the Democratic cause. The results of that election show very clearly that the other States have a right to be interested in this kind of system, which allows participation of such a limited number of the qualified people.

I do not like to compare States but in that same election, in my State, where nothing like the same degree of campaigning took place the vote was 1,540,000. We are a larger State, of course——

Mr. EASTLAND. How did the Senator's State vote?

Mr. HOLLAND. Our State voted for the Republican nominee.

Mr. EASTLAND. The Senator's State voted for Mr. Nixon.

Mr. HOLLAND. Yes. The Senator's State went for unpledged electors.

Mr. EASTLAND. That is true, but I was fighting for the Democratic ticket.

Mr. HOLLAND. I compliment the Senator. I am not criticizing him for it.

Mr. EASTLAND. So was my colleague. But I would not attempt to pass judgment on the State of Florida, which the Senator has done toward my State and the State of Alabama, when the Senator from Florida knows no more about conditions in those States than the man in the moon. We get back to the proposition that it takes local elections to get out the vote.

Mr. HOLLAND. The only reason why I probe into this tender wound is the fact that I want to state clearly for the record why 68 Senators have thought it to be a matter of public interest, of Federal interest, of the interest of other States in trying to bring about a more wholesome condition in which there will be a larger participation in voting in the 5 States which still have the poll tax requirement.

Mr. FULBRIGHT. Madam President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. FULBRIGHT. From what the Senator has said happened in his own State, does that lead to the conclusion that the more votes there are, the wiser the decision? It seems to me that is not so, from the results in Florida. There may be something to be said for a smaller electorate.

Mr. HOLLAND. Day before yesterday the junior Senator from Mississippi stated that in his opinion the qualifications for voting should be further restricted, instead of enlarged.

Mr. EASTLAND. Why, now.

Mr. HOLLAND. It is in the RECORD. I point out that that philosophy runs upstream, definitely, against the experience of our whole country and the ambition of our whole country to enlarge voting participation.

Mr. FULBRIGHT. Will the Senator yield further?

Mr. HOLLAND. I yield.

Mr. FULBRIGHT. I think that is debatable, in view of the election record made by the people both in Florida and nationally.

Mr. HOLLAND. The Senator is entitled to his opinion. Incidentally, when the Senator from Arkansas was not on the floor, I called attention to the fact that the poll tax States were the ones that had lost population. In the case of his own State, it has gone down to four Representatives. The State of Florida has gone up to 12. When I came to the Senate, our States had the same population.

Mr. FULBRIGHT. I will say to the Senator in reply that it is the quality we are more interested in than the quantity, and in the quality of our States, I think ours has gone up.

Mr. HOLLAND. Certainly ours has gone up, and it has gone up, in part, because of the very fine people who have come from Arkansas, Mississippi, and Alabama, and have swollen our population; and we are grateful to them.

Mr. FULBRIGHT. I think the rise in quality in Arkansas is due to this exodus, because the lowest paid and the most undiscriminating are the ones who leave.

Mr. HOLLAND. I thank the Senator for that observation.

I would state, in closing these brief remarks, I think it is established that other States of the Union have an interest in improving an electoral process which is not bringing, and which cannot be sure of bringing, a representative expression from the States. So far as the Senator from Florida is concerned, from his own experience in this field in living in a State which had poll taxes, and then knocked out poll taxes, and then saw participation in voting jump up and up and up, largely because of that—I am

talking about percentage of voting—he knows it does encourage participation. It gives citizens more will to get into elections and I think tends to bring about cleaner government, in the main.

Mr. FULBRIGHT. Will the Senator yield further?

Mr. HOLLAND. I yield.

Mr. FULBRIGHT. Do I draw the right conclusion from his statement that thereby he believes the quality of the government of the State and the representation of the State is superior to those whose voters do not participate in the same percentage? Does the Senator see any connection between the enlarged participation and the quality of the representation of the State?

Mr. HOLLAND. The point the Senator from Florida has made, and the only point he has made, is this. It is not to point any finger of criticism at any State, but simply to point out that it is established, as was stated yesterday, that it is the business of other States, because the States have an interest in the electoral results of other States in seeing that there is a representative expression by those States. That is the only point the Senator from Florida wishes to make.

Mr. FULBRIGHT. I do not quite follow the Senator in his point about the quality of our government, and that goes not only to the quality of its participation but to that of its representatives, whether they be local officials, Governors, Representatives, or Senators. If the Senator is trying to make the point that, because there is a large participation and more people vote, thereby there is a higher quality of Representatives and Senators and Governors, I would like to see the Senator demonstrate it, because I do not follow that point, and I do not believe it. Why else would the Senator have an interest in what we do?

Mr. HOLLAND. In my concluding remarks, I say, regardless of the views of the Senator from Arkansas, that the Senator from Florida has great confidence in the verdict of the people.

What I am trying to do is get the people to give a verdict. Obviously, where only a small percentage of the people are giving the verdict, the Senator from Florida thinks the whole Nation has an interest, and in these 5 States which are trying to swim upstream against the heavy current of expression of the other 45 States, that people should be encouraged and allowed to vote, without putting obstacles in the way, as to whether they can make the payment, or laying down a certain means of collection, or whether they will or will not be intimidated. The Senator from Florida believes in the expression of the people of each State. As a State senator, he voted to give his people full expression, and he expects to vote the same way here.

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. HOLLAND. Madam President, I ask unanimous consent that further proceedings under the quorum call may be dispensed with.

Mr. EASTLAND. Wait a minute, please.

Madam President, I ask unanimous consent to yield to the distinguished Senator from Arkansas——

The PRESIDING OFFICER. Without objection, further proceedings under the quorum call will be dispensed with.

Mr. HOLLAND. Madam President, it is my understanding that——

Mr. EASTLAND. Wait a minute.

Mr. HOLLAND. The Senator from Mississippi has the floor. I certainly gladly agree that he may yield, with the full right of retaining the floor, to any Senator to whom he wishes to yield.

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

Mr. EASTLAND. Madam President, I ask unanimous consent that I may retain the floor and may yield to the Senator from Arkansas [Mr. FULBRIGHT], and that when I resume speaking following the speech of the Senator from Arkansas it not be counted as another speech on the pending motion.

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

Mr. FULBRIGHT. Madam President, there is little, if anything, new that can be said on the poll tax issue.

We have been up and down the hill on this subject so many times that our discussions are no longer a debate, but a ritual. As Senators will recall, we considered this same proposed amendment in 1960, another election year, and it passed the Senate by an overwhelming vote of 72 to 16. The 65 sponsors of the current amendment include some of the most able and persuasive Members of this body. Although support for the amendment is powerful, it is not overwhelming, and I hope that those of us who oppose it will be able to convince some of the supporters on the merits of our case.

The constitutional authority for the States to require payment of a poll tax as a qualification for voting is well established. The Supreme Court has upheld this right of the States in several cases. I realize that there are many Members of this body who believe the poll tax can be eliminated by statute. Undoubtedly, a move will be made to attempt this approach before this debate is over.

In my opinion, such a statute would be unconstitutional on its face. If the poll tax is to be eliminated on other than a State-by-State basis a constitutional amendment is the correct method. However, I feel dutybound to follow the wishes of the citizens of Arkansas on this proposal, who have in the last 25 years twice rejected attempts to abolish the State poll tax, as required by our constitution.

Our poll tax is only $1 per year and it is not cumulative. Members of the Armed Forces are not required to pay the tax, and those who become 21 after the deadline for paying the tax can vote in the elections during the year covered by the tax. Our poll tax requirements are quite liberal. There are no restrictions for reason of race or color in the application of the tax.

I might also point out that we do not have a registration law in Arkansas and the list of persons who have paid their poll tax serves as a registration list for the election officials. Some form of registration is obviously required, and ours is well established, efficient, and reliable.

Arkansas is a relatively underdeveloped State. We do not have the tax base to support a school system comparable to those in the more industrialized States.

Our people are making great sacrifices in an attempt to build up our school system, and in fact make a far greater effort in relation to ability to pay than the national average. Revenue from the poll tax is devoted exclusively to support of the public schools, and if the tax is abolished by passage of this proposed amendment our already underfinanced school system will suffer. Last year $575,769 in poll tax revenues were collected for our school system. If the Congress would pass a realistic Federal aid to education bill along the lines approved in the Senate last year, the loss of this revenue would not be such a significant factor in my consideration of this issue. However, the possibility of such a bill getting through the House this session is, to put it mildly, remote. Arkansas is in need of more funds for its public schools rather than less, as would be the case if our poll tax is abolished.

It is ironic that although the Congress refuses to enact a Federal-aid-to-education bill, on the other hand it seems eager to deprive a State—in this case my State—of this means of raising revenue from its own people for its schools.

There has been no intimation that the poll tax, or any other device, is used in Arkansas to prohibit Negroes from voting. In fact, the Civil Rights Commission in its recent report on voting reported that there was no racial discrimination in the conduct of elections in my State. The report stated:

> The absence of complaints to the Commission, actions by the Department of Justice, private litigation, or other indications of discrimination have led the Commission to conclude that, with the possible exception of a deterrent effect of the poll tax—it does not appear generally to be discriminatory upon the basis of race or color—Negroes now appear to encounter no significant racially motivated impediments to voting in 4 of the 12 Southern States: Arkansas, Oklahoma, Texas, and Virginia.

I think it is significant that three of the five States which still require a poll tax as a prerequisite to voting were specifically singled out by the Commission. There is nothing in the entire report to indicate that the poll tax is used in the other two poll tax States to discriminate against potential Negro voters. If the Civil Rights Commission was unable to find any evidence of discrimination due to existence of a poll tax requirement I am sure that none exists. Last year 68,970 Negroes in Arkansas qualified to vote by paying the poll tax. Nothing prevented this number from being substantially higher other than failure to pay the small sum of $1 per person for

the privilege of exercising the highest duty of citizenship.

I suppose if this were called a registration fee it might well be considered acceptable even by those who are most fanatically devoted to the proposed amendment.

The citizens of Arkansas are perfectly capable of determining whether they wish to continue to require payment of a poll tax as a qualification for voting. In 1938 they decided by a vote of almost 2 to 1 to retain the poll tax. Again in 1956 a proposal to abolish this tax was on the ballot in the general election, and it was defeated by almost 50,000 votes. As far as I am concerned the people of Arkansas have spoken on this issue and I, as their representative, support their position.

It is inconceivable that a $1 tax is such an overwhelming obstacle that it discourages interested citizens of any color or race from qualifying to vote. This amount would not even keep a smoker in cigarettes for a week, and is infinitesimal when compared to the amounts exacted from individuals by the Federal, State, and local governments in other taxes.

The task of being a responsible citizen in a democracy has never been easy. In this complex age the task is greater than ever and the privilege of voting cannot be taken lightly. If we are to make our Government work as it should, every citizen must give long and careful consideration in exercising his privileges of franchise. Some time ago I read a statement by a very learned man to the effect that if he exercised the privilege of voting as carefully as a citizen in a democracy should, he would spend all of his time weighing the issues and studying the candidates before casting his ballot. Surely, the payment of a dollar poll tax, which Arkansas requires, is a small price to pay for the privilege of being a more responsible citizen. It is inconceivable to me that the caliber of our public officials, and the workings of our governmental system in general, could in any way be improved by the casting of a vote by a person who does not care enough about his Government to pay a $1 poll tax, or as one could correctly call it, registration fee.

This subject has powerful political and emotional overtones and it would be unwise for the Congress to tamper with the Constitution in such an atmosphere. The issues involved here were well stated by Robert G. Storey, former dean of Southern Methodist University Law School, who is Vice Chairman of the Civil Rights Commission. In the recent Commission report on voting he said:

> Proposals to alter longstanding Federal-State relationships such as that incorporated in the Federal Constitution, declaring that the qualifications of electors shall be left to the several States, should not be made unless there is no alternative method to correct an existing evil. Such is not the case today.
>
> The Federal Government has sufficient authority under the Constitution and the existing framework of laws to enable it effectively to deal with denials of the right to vote by reason of race, color, religion, and national origin.

By bringing up this proposal a Pandora's box, filled with every conceivable type of so-called civil rights legislation, will be opened. The Congress has much urgent business to transact this session, and the committees are working on many bills of far-reaching importance which may be delayed indefinitely if we get bogged down in another extended debate over legislation in this field.

This issue, if it were ever an important one, has, because of developments in other fields and because of recent legislation regarding the power of the Attorney General, become obsolete. It is a puny, trifling issue to occupy the time and attention of this body. No doubt in some districts it may still be good for a few votes for its advocates, but as a matter of real importance to the effectiveness of our democracy, it is an illusion and unimportant.

If the poll tax is to be abolished the States should do it. I urge that the proposed amendment be defeated.

Mr. EASTLAND. Madam President, the back-door avenues that are employed in presenting civil rights measures to the Senate are abhorrent to orderly legislative processes. We went through this ordeal in 1957 when a House-passed bill was taken from the table and presented to the Senate without referral to a Senate committee. In 1960 that famous school district in Missouri, which is even today still with us, was the vehicle for the abortive attempt to write a civil rights bill on the floor of the Senate. At the beginning of each Congress for the past 8 years we have been confronted with the attempt to deny that this Senate is a continuing body and to have rule XXII changed or obliterated without referral of the matter in controversy to the proper committee of the Senate for its study and report. It is unfair to say that the Senate Judiciary Committee is the sole committee to which civil rights proposals are referred, for many of them even now pending are not within the confines of this committee, but are before Rules, Labor, and Public Welfare, and elsewhere. When the distinguished majority leader discussed on the floor on January 30, 1962, his bill, S. 2750, proposing to protect the right to vote in Federal elections free from arbitrary determination by literacy tests or other means, he indicated to the Senate that, regardless of whether the committee to which this bill had been referred reported or not, it was his intention to undertake some kinds of action on the proposal in the period between 60 and 90 days.

A study of the long colloquies that took place during the course of this debate in regard to the referral of this proposed bill would indicate that it was the intention of both the majority and minority leaders to have civil rights debated as a package when the move was made to take up S. 2750 on the floor of the Senate. It now appears that every time the workload of the Senate slows down a little bit, the bone of civil rights would be flung into the pit of the Senate, so that time can be again consumed by making Southern States the whipping boy of proposed punitive actions, whether they be by legislative proposals or constitutional amendments. This country is today confronted with many grave and serious problems far reaching in nature. Many observers deeply and sincerely feel that 1962 is a year that will mark a milestone and a developing point in the history of mankind. The nature of these problems demands the greatest possible degree of bipartisan consideration. In many respects the future course of the United States for generations to come is wrapped up in the decisions that must be made in regard to the President's proposed trade development plan. On such an issue as this, there is a great diversity of ideas and interest.

Bitter family and internal squabbles such as that in which we are now engaged cannot help but hurt in resolving these greater and more fundamental problems with which we are confronted. The mere fact that the legislative calendar is as bare as Mother Hubbard's cupboard does not mean that Members of this body cannot most profitably apply their time to the consideration of the issues which must be faced. No good purpose can be served in again making a handful of people—five States—containing less than 12 percent of the population of the United States, the subjects and victims of a proposed constitutional amendment that is unwise, unsound, unreasonable, and contrary to the historic practices and procedures that have existed in this country since the Colonies were first established on the coast of the Atlantic seaboard.

I submit that the point of order to be made against the Holland amendment in the nature of a substitute is well founded. It is no small matter when the framework of the U.S. Constitution is bent and torn to accommodate a transitory purpose, no matter how worthwhile the proponents of that purpose deem the goal they seek to achieve may be. Since human societies were first organized, it became evident that they could not exist as communities without observing the rules and precedents, the mores and the folkways that made living together possible. It is now proposed, in order to lay this intended constitutional amendment before the Senate, to violate not only rules, precedents, and procedures of the Senate and House of Representatives, but to shunt aside those sections of the U.S. Constitution which provide specifically for the manner and means by which congressional bills are to be processed and the manner and means by which congressional resolutions are to be processed. The point of order, when made, should be upheld.

Madam President, I am unalterably opposed to the attempt being made here on the floor today to secure enactment of a constitutional amendment which would abolish the payment of poll taxes as a prerequisite for voting.

Legislation to abolish payment of a poll tax has been kicking around the Congress for the last 25 years, and during this period of congressional debate a number of States, through their own initiative, have proceeded by State action to repeal the poll tax requirement.

I venture to say that if this same question is discussed and discussed in the Halls of Congress for the next several years, State action will undoubtedly be taken in the same direction being attempted here today by way of the constitutional amendment route.

All right-thinking Members of the Senate must realize that State action, determination by the States themselves, is the preferable route to take.

I do not question the sincerity of those who sponsor a constitutional amendment to abolish the poll tax requirement. However, I do very seriously question the wisdom and judgment of the proponents in addressing themselves to this poll tax issue when there are only five States today that require the payment of a poll tax as a prerequisite for voting.

In my judgment, the Congress of the United States, particularly at this time, could devote itself to more constructive legislation directed toward the welfare of the United States as a whole rather than directing its efforts, time, and energies toward a question having to do with only 5 States out of our Union of 50 States.

This question has been before the Congress year in and year out over the last quarter century. We all remember the great hullabaloo raised by some in past years to secure legislation to abolish the poll tax by way of statute rather than by constitutional amendment. I consistently took the position during those debates that this issue could not be resolved simply by legislation; that if it were to be accomplished, the only constitutional way is by a constitutional amendment.

However, I do challenge the wisdom of this approach, in view of the fact that the States themselves under the initiative of their own State legislatures, have repealed the poll tax requirement, and if the remaining five States are left to themselves, their respective State legislatures will take care of the situation.

Mr. HILL. Madam President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. HILL. Does not the Senator think that there is a good possibility that if there were not all this agitation for the Federal Government to come in and interfere with the States and meddle in the local affairs of the States, and if the States were left alone to proceed in their own calm, cool, deliberate, and wise way, some of these poll taxes would have been abolished by the States which still have them; but it is this agitation by outsiders, who have nothing to do with the States and the affairs of the States, but who continue their agitation, which causes people in the States which have poll taxes to be more resolute in their determination to run their own affairs and to not let some outsiders come in and tell them what they should do about poll taxes or about any other matter concerning the affairs of the people of the State?

Mr. EASTLAND. The distinguished Senator from Alabama is correct. People resent being dictated to by the Federal Government, and they resent being kicked around. That is what this attempt is. It is an attempt to kick around the people in the various States and impose on those States. It is an attempt by other States and pressure groups primarily within those States to impose their will on the people of other States. Of course the people in the States aimed at resent it. In my judgment that is the reason why they have stood fast and retained the payment of poll taxes as a qualification for electors.

I well recall that the chief sponsor of this resolution, the distinguished Senator from Florida [Mr. HOLLAND], in testifying before a subcommittee of the Committee on the Judiciary on a poll tax proposal in the 83d Congress, stated:

> I would like to see the abolition of poll taxes as a prerequisite for voting accomplished as speedily as possible in the five States in which the poll tax requirement still exists, and I would prefer to see that accomplished as a result of action taken by the States themselves.

That is what the distinguished Senator from Florida, the chief proponent of the joint resolution, had to say, that he would prefer to see the action taken by the States themselves. However, he has changed his mind since that time.

I heartily concur in the thought of the distinguished senior Senator from Florida that this should be done by the States themselves. That is the proper way to accomplish this purpose. Let the States themselves handle the poll tax provision. The States have been doing it. Why not let them continue, rather than by way of a constitutional amendment.

The question of the payment of the poll tax has now become such a small one in terms of the area affected that I do not believe that Congress is justified in submitting an amendment to the Federal Constitution.

The poll tax requirement as a qualification remains only in Alabama, Arkansas, Mississippi, Texas, and Virginia. I say, let these five States take action themselves, rather than taking the time of the Congress and the time of the State legislatures of the other 45 States to discuss and debate the question of ratifying such an amendment.

We all know that the payment of a poll tax as a qualification for voting is as old as the United States itself. The matter of the qualification of electors in the several States to vote in the elections of Federal officials is governed first by section 2 of article I incorporated and drafted by the Constitutional Convention of 1787, which provides:

> The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

That provision was included in our original Constitution, and remains operative today, spelling out with great clarity that the House of Representatives shall be chosen every second year in the States by the people of those States and that the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

It is crystal clear that that provision means that each State is specifically allowed to retain the power to prescribe the qualifications of the electors of the most numerous branch of its State legislature and the Federal Constitution simply prescribes those same qualifications as the qualifications which shall be applicable to those who are allowed to participate in the election of Federal officials.

In 1912, the Congress of the United States submitted to the various States the 17th amendment, to provide for the direct election of Members of the U.S. Senate. Prior to the adoption of the 17th amendment, U.S. Senators had been elected under the preceding provision of the original Constitution, providing that the legislatures of the several States elected U.S. Senators. The first paragraph of the 17th amendment states:

> The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for 6 years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

Thus, the qualifications clause of the 17th amendment for the election of Senators is the same as the qualifications clause for the election of Representatives. In other words, this means that the States are to determine the qualifications that will apply in elections for Representatives and Senators.

During the course of my remarks in the U.S. Senate on September 14, 1959, addressing myself to this very section of the Constitution, the senior Senator from Georgia [Mr. RUSSELL] observed:

> I point out to the distinguished Senator from Mississippi that that is the only language in the Constitution of the United States which appears in two places in identically the same words. It appears, where the Senator has stated, in section 2 of article I; and in the 17th amendment, providing for the popular election of Senators, the identical language appears again.
>
> There are those who like to contend that the 15th amendment somehow was a restriction upon section 2 of article I of the Constitution. That, of course, cannot be true since the 17th amendment, which was ratified some years after the 15th amendment, repeated the earlier language of the Founding Fathers in article I and is the latest expressed of the will of the people in the writing of their Constitution.

LITERACY TESTS AND THE CONSTITUTION

Mr. President, I ask unanimous consent that I may yield to the distinguished senior Senator from North Carolina [Mr. ERVIN] with the understanding that I do not lose my right to the floor, that I will regain the floor at the conclusion of his remarks, and that my yielding to the Senator from North Carolina does not count as a speech on the pending motion.

The PRESIDING OFFICER (Mr. HICKEY in the chair). Without objection, it is so ordered.

Mr. ERVIN. Mr. President, on January 30, 1962, after considerable discussion, S. 2750 was referred to the Committee on the Judiciary. This bill, which would take from the various States their constitutional right and duty to set qualifications for their voters, is now pending before the Subcommittee on

Constitutional Rights, of which I am chairman. This bill is similar to S. 480 which also has been referred to the subcommittee.

The subcommittee will give these two bills its complete and impartial attention. Opinions on all sides of the question are being sought, and each of these opinions will be given judicious consideration. I have requested the attorneys general in all 50 States and the constitutional law professors of every law school in the country to give the subcommittee the benefits of their thinking on the various questions raised by these bills. On March 20, we shall begin hearings, which should produce for the Senate a compilation of testimony of outstanding authorities on constitutional law and thereby provide the Senate an objective appraisal of this legislation.

On March 20, 21, and 22, the subcommittee will hear testimony from Members of Congress, the Attorney General of the United States, and State and Federal officials. On March 27, 28, and 29, testimony will be received from private individuals and organizations. Among the organizations scheduled to testify are the following: American Jewish Congress, the American Civil Liberties Union, Americans for Democratic Action, the National Association for the Advancement of Colored People, AFL–CIO, and the Brotherhood of Electrical Workers.

Mr. President, on January 11, 1962, the President of the United States in his state of the Union message said that his administration had proved as never before "how much could be done through full use of executive powers—through the enforcement of laws already passed by the Congress—through persuasion, negotiation, and litigation, to secure the constitutional rights of all," including specifically the right to vote. The President then went on to advocate abolishing literacy tests. In 1960, the Democratic and Republican platforms advocated essentially the same thing. But nowhere in these recommendations of the President or of the great conventions was it suggested that literacy tests for voting can be eliminated by legislation as proposed by these bills. Rather, it has been consistently maintained that such measures are solely within the purview of the States. And only by constitutional amendment had it previously ever been proposed that the Federal Government be given jurisdiction over voter qualifications.

An examination of the text of these bills shows that this attempt to alter the Constitution actually originated within the Civil Rights Commission last year. In its 1961 report on voting, at pages 139 to 141, the Commission recommended—

> That Congress enact legislation providing that, in all elections in which under State law a "literacy" test, an "understanding" or "interpretation" test, or an "educational" test is administered to determine the qualifications of electors, it shall be sufficient for qualifications that the elector have completed at least six grades of formal education.

It is interesting to note that this recommendation is in opposition to the position taken by the Commission in its 1959 report in which it recommended that the Constitution be amended to accomplish the same stated objectives of these bills. Although I agree with the three dissenting members who indicated in the 1959 report that they felt that such an amendment is undesirable, nevertheless, if the great majority of the people feel that the amendment is necessary, then a constitutional amendment would be the legal and appropriate way to secure their wish and the only constitutional means of doing so.

I do not know what precipitated the Commission's remarkable turnabout from the 1959 recommendation of a constitutional amendment to the 1961 recommendation of a bill such as S. 2750; but I can assure the Senate that the requirements of the Constitution are the same today as they were in 1959. The very first article of the Constitution, which gives to the States the right and duty to prescribe the qualifications of voters, has not disappeared. It has not been repealed; and its meaning is as clear today as it was 172 years ago.

Article I, section 2, of the Constitution, states very clearly that in choosing Representatives in Congress:

> The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

Similarly, amendment 17 adopts the same method of setting qualifications for voters in the popular election of Senators.

The qualifications of voters are fixed and enumerated in the Constitution or laws of each sovereign State; and, for purposes of determining who is entitled to vote in each State for U.S. Representatives and Senators, the Federal Constitution simply adopts such qualifications as the State has fixed for voting for members of that State's legislature.

Also, under the Constitution, the President and Vice President are elected by presidential and vice presidential electors who must be chosen in each State in such manner as the legislature thereof may direct.

In arriving at the article I, section 2, method of disposing of the question of the right to vote for Congressmen, there was a three-way contest in the Federal Convention of 1787. One group wanted a uniform qualification for electors, to be prescribed by the Constitution itself; a second group of delegates advocated that the power to prescribe qualifications be vested in Congress; and still a third group wished the Constitution to adopt the qualifications that the respective States prescribed for their own people. It was the last group which prevailed, and after 2 days of active debate, the delegates left the Constitution in this respect, as it now stands in section 2 of article I.

Probably no other provision written into the original Constitution received a greater approbation from the States ratifying the compact. Certainly, no other provision has been more zealously guarded or highly respected by the courts. Likewise, no other provision of the Constitution can be so read as to render the wording of the qualification clause meaningless.

Probably the most decisive blow to the opponents of the power of the States to fix literacy standards for voters occurred in 1915 in the Supreme Court decision on Oklahoma's literacy law. This was the famous Guinn case, which was brought by the NAACP. The Supreme Court held that the 15th amendment does not destroy the rights vested in the States by article I. The Court said:

> Beyond doubt the amendment does not take away from the State governments in a general sense the power over suffrage which has belonged to those governments from the beginning and without the possession of which power the whole fabric upon which the division of State and National authority under the Constitution and the organization of both governments rest would be without support and both the authority of the Nation and the State would fall to the ground. In fact, the very command of the amendment recognizes the possession of the general power by the State, since the amendment seeks to regulate its exercise as to the particular subject with which it deals.

In 1959, the Guinn case was enfused with a new vitality by the unanimous decision of the U.S. Supreme Court in Lassiter against Northampton County Board of Education, which declared that States can constitutionally impose literacy tests on "all voters irrespective of race or color." The Court pointed out that here is a wide scope for the State's jurisdiction to determine the qualification of voters. Speaking through Mr. Justice Douglas, the Court—whose membership to date has not changed—in one of its rare unanimous decisions concerning civil rights, said:

> Literacy and illiteracy are neutral on race, color, and sex.

The Court further stated:

> We come then to the question whether a State may consistently with the 14th and 17th amendments apply a literacy test to all voters irrespective of race or color. The Court in *Guinn* v. *United States*, supra, at 366, disposed of the question in a few words, "No time need be spent on the question of the validity of the literacy test considered alone since as we have seen its establishment was but the exercise by the State of a lawful power vested in it not subject to our supervision, and indeed, its validity is admitted."
>
> The States have long been held to have broad powers to determine the conditions under which the right of suffrage may be exercised, *Pope* v. *Williams*, 193 U.S. 621, 633; *Mason* v. *Missouri*, 179 U.S. 328, 335, absent of course the discrimination which the Constitution condemns. Article I, section 2 of the Constitution in its provision for the election of Members of the House of Representatives and the 17th amendment in its provision for the election of the Senators provide that officials will be chosen "by the people." Each provision goes on to state that "the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature." So while the right of suffrage is established and guaranteed by the Constitution (*Ex parte Yarborough*, 110 U.S. 651, 663–665; *Smith* v. *Allwright*, 321 U.S. 649, 661–662) it is subject to the imposition of State standards which are not discriminatory and which do not contravene any restriction that Congress, acting pursuant to its constitutional powers, has imposed.

Earlier during a stay of execution in the case, a three-man Federal court, headed by Chief Judge Parker of the Fourth Circuit Court of Appeals, had declared:

It is further argued that, if the section be held void, the State has the right to prescribe an educational qualification for suffrage in the exercise of its sovereign power as a State, since the provisions of a State constitution are limitations upon and not grants of power (11 Am. Jur., p. 619). Attention is called to the fact that 19 States of the Union, only 7 of which are Southern States, prescribe educational qualifications for suffrage which are uniformly upheld and that the Supreme Court has approved them, saying in *Guinn* v. *United States, supra*, 238 U.S. at page 360, 35 S. Ct. at page 929:

"No question is raised by the Government concerning the validity of the literacy test provided for in the amendment under consideration as an independent standard since the conclusion is plain that that test rests on the exercise of State judgment and therefore cannot be here assailed either by disregarding the State's power to judge on the subject or by testing its motive in enacting the provision."

Back in 1904, the Supreme Court gave us eloquent advice on the broad subject of qualification of voters in the case of Pope against Williams, where the Court said, and I quote:

The privilege to vote is not given by the Federal Constitution or any of its amendments. It is not a privilege springing from citizenship of the United States. It may not be refused on account of race, color or previous condition of servitude, but it does not follow from mere citizenship of the United States. In other words, the privilege to vote in a State is within the jurisdiction of the State itself, to be exercised as the State may direct, and upon such terms as it may deem proper, provided, of course, no discrimination is made between individuals in violation of the Federal Constitution * * * a State, so far as the Federal Constitution is concerned might provide by its own constitution and laws that none but native-born citizens should be permitted to vote as the Federal Constitution does not confer the right of suffrage upon any one, and the conditions under which that right is to be exercised are matters for the States alone to prescribe.

Mr. President, these bills unconstitutionally encroach upon the right of States to decide what the qualifications of voters shall be by prohibiting all tests to determine literacy, no matter how reasonable those tests might be for those who say they have completed a bare 6 years of schooling. But the bill does not stop here. It compounds the unconstitutionality by, in effect, setting up the new standard of a sixth grade education as positive proof of literacy.

This legislation is unconstitutional on its face, Mr. President.

This is the position of the Washington Post, certainly no bastion of constitutional conservatism, which agreed in an editorial on January 29, 1962, that S. 2750 is unconstitutional.

My opposition to these measures is predicated on over 40 years of study of the Constitution. During this period I was judge in courts of North Carolina for approximately 15 years and 6 years of this time was spent on the bench of the State's highest tribunal. During my tenure as a jurist and as a Senator, I have endeavored consistently to be objective regardless of any personal predilection. The Subcommittee on Constitutional Rights will give both proponents and opponents of these measures an adequate opportunity to be heard, and we shall weigh carefully the views submitted to us. I shall, and I hope each of my colleagues in the Senate will, strive to avoid any personal proclivities in considering these measures. The Constitution of the United States is too precious a document to permit its being vitiated. At no time during our history has an attempt been made to take from the States the responsibility which the Constitution gives them regarding voter qualifications. If the Senate should feel that there is merit in these proposals, then let it move in accordance with the law of the land—in providing for it—and this can only be done by amending the Constitution and not by such legislation as has been introduced.

Mr. EASTLAND. Mr. President, I ask unanimous consent that at the conclusion of the remarks of the distinguished Senator from North Carolina [Mr. ERVIN], the Senator from Idaho [Mr. DWORSHAK] be recognized; that it be understood that I shall not thereby lose my right to the floor, and that I shall regain the floor immediately thereafter, and that my yielding to the Senator from Idaho not be counted as a speech on the pending motion.

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

Mr. EASTLAND. Mr. President, I desire to congratulate the people of North Carolina on the very fine and sound judgment they have used in deciding to return to the Senate, without opposition, their distinguished senior Senator [Mr. ERVIN].

Mr. ERVIN. I thank the Senator from Mississippi. I still have opposition—opposition by Republicans, in the fall—but none from Democrats in the springtime.

Mr. EASTLAND. In other words, the Senator from North Carolina has an opponent, but does not have opposition. Under those circumstances, I am entirely in favor of having Republicans run for election in North Carolina. [Laughter.]

Mr. ERVIN. Mr. President, I am certainly deeply grateful to the North Carolina Democrats for permitting me to be nominated without opposition in the Democratic primary.

Mr. HILL. Mr. President, will the Senator from North Carolina yield to me?

Mr. ERVIN. I am glad to yield to the distinguished Senator from Alabama.

Mr. HILL. Let me say that I have always been proud of the fact that my paternal grandfather and my paternal grandmother were North Carolinians, and I have often realized that no part of my heritage has contributed more or been more important to me than the inspiration and the dedication which have stemmed from that fact.

So I wish to extend the heartiest congratulations to the people of North Carolina. Once again they have shown their wisdom, perception, fine judgment, and devotion to our country by the fact that the distinguished Senator from North Carolina [Mr. ERVIN] will be nominated in the Democratic primary without any opposition; and of course we know that means he will be reelected to this body, for another term.

Mr. ERVIN. Mr. President, I am deeply grateful to the able and distinguished senior Senator from Alabama [Mr. HILL] for his kind remarks; and I am certain that his grandparents were among the great number of fine North Carolinians who helped materially to raise the standards of Alabama to those of North Carolina when they removed from North Carolina to Alabama.

THE ADMINISTRATION'S SUGAR PROPOSAL—A BLOW TO THE DOMESTIC SUGARBEET INDUSTRY

Mr. EASTLAND. Mr. President, I ask unanimous consent that I may yield to the Senator from Utah [Mr. BENNETT], provided I do not lose my right to the floor, and with the understanding that I will regain the floor at the conclusion of his remarks, and that in yielding the floor it does not count as a speech on this question.

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

Mr. BENNETT. Mr. President, on June 30, 1962, only a little more than 100 days from now, the Sugar Act of 1948, as amended, will expire. This legislation is vital to every sugarbeet and sugarcane producer in the United States; yet, as has happened all too often with the sugar bill, it is apparent that we will again not get the bill on the floor of the Senate until the last few days or the last few hours before the bill expires.

It is imperative that we do some thinking about this bill in advance, and I believe the attention of every Senator should be called to the facts concerning the administration's current proposal contained in a tentative nine-point program presented for discussion to a group of sugar industry representatives last week. I am amazed, however, at some of the provisions of this tentative proposal.

The one incredible fact about this plan, in my opinion, is the fact that it would force a 10-percent reduction in domestic sugarbeet acreage next year. This would not be because of any surplus production. Sugar is not a surplus crop, since we produce only half of what we use.

There is insistent questioning from farmers in many States as to why they cannot participate in the sugar market. They are being asked to curtail their acreage drastically in surplus crops, but at the same time they are being told that the acreage of a crop not in surplus is to be cut back.

The basic sugar quota in the administration's proposal would be some 50,000 tons less than the beet sugar industry marketed last year. The proposed basic beet sugar quota for this year would be 200,000 tons less than estimated beet sugar production this year at normal yields of sugar per acre. The Government's tentative proposal, in fact, would inevitably require at least a 10-percent reduction in sugarbeet acreage next year.

I am sure that my distinguished colleagues from Louisiana and Florida are aware that the administration's discussion proposal also includes basic quota and growth provisions which would seriously curtail the forward program of growth now underway in the mainland cane sugar producing areas. I am sure they, also, would be chagrined if the administration's final program would include the provisions the discussion draft now contains for the mainland cane sugar producers.

The administration's tentative program would also write down the quotas for our domestic offshore producing areas, Hawaii and Puerto Rico. It does not recognize, in basic quotas, the genuine production potential of those great areas—where the sugar industry means so much to the economy.

I cannot understand, Mr. President, the administration's apparent downgrading of the domestic sugar producing industry.

Nor does the administration's current proposal recognize the importance of the American cane sugar refining industry. The proposal would provide for importation of 357,000 tons of fully refined sugar annually which were eliminated from our market with the elimination of the Cuban quota. Reinstating foreign imports of this amount of fully refined sugar would seriously affect the operations of the American refiners of raw sugar, with little or no benefit to the foreign producers of the sugar. Foreign refined sugar imports are also a disturbing market influence which detrimentally affects domestic producers as well as the domestic refiners.

I cannot understand, I repeat, the administration's apparent disregard of the domestic sugar industry—refiners as well as producers.

One other point which should be emphasized about the administration proposal is the so-called import fee provision. Stated in its simplest terms, this is an effort by the President to get personal and complete control over sugar imports and sugar production.

Congress has established the program for sugar in the past, and it has worked well. This is no time to change this pattern for a system of import fees, which would give the President complete control over the entire sugar producing industry.

I do not intend to go into detail on other phases of the administration's discussion draft, because I know it is not final, and I am hopeful that the final program to be presented to the Congress will be much more realistic.

I do, however, wish to stress as strongly as I possibly can the urgency of early submission of a realistic program on sugar, and early passage of a satisfactory long-range sugar law. The entire industry is hampered by a law that expires in midyear. It is impossible for the industry now to program its 1962 sales beyond June 30, because its marketing quotas are necessarily limited to the period of the present law, and it does not know what kind of law will govern its marketing beyond that date.

Marketing allotments have been imposed on the individual beet sugar companies because there is much more sugar available than the industry is permitted to sell during this period.

As we know, the Sugar Act includes a small tax levied on the processors and refiners of sugar, and so the legislation must originate in the other body. Last August, we were told by administration leaders that it would be impossible to consider sugar in that session, but that it would have a high priority after the Congress reconvened this year. An adminstration leader in Congress said—and these are his words:

> Sugar legislation will be given preferred treatment when the Congress returns in January.

In a letter made public on the 3d of August 1961, the Secretary of Agriculture gave as one of his reasons for not recommending sugar legislation last year, unresolved issues within the domestic sugar industry. Mr. President, that reason for delay was removed in January, when all the segments of the domestic sugar producing and refining industry, both sugarbeet and sugarcane, did resolve their remaining issues and did unite on a balanced legislative program. The administration was immediately informed of this agreement.

I assume the Secretary of Agriculture has seen this proposal, but for his information, in case he has not, I ask permission to insert, at the end of my remarks, an outline of the industry legislative proposal.

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

(See exhibit 1.)

Mr. BENNETT. Senators will notice that this proposal is endorsed by the American sugarbeet industry, the mainland sugarcane industry, the U.S. cane sugar refining industry, the Hawaiian sugar industry, and the Puerto Rican sugar industry.

In short, Mr. President, the proposal is endorsed by the entire domestic sugar producing and refining industry. All the differences, all the issues to which the Secretary of Agriculture referred last August, have been resolved since January.

Ever since we took the necessary step of barring Castro sugar from the American market, the domestic industry has labored under the handicap of a series of short-term extensions of the Sugar Act. It is high time we—the administration and the Congress—faced up to the situation and enacted a realistic long-range Sugar Act.

The uncertainties which have attended the series of short-term extensions of the Sugar Act have plagued the entire domestic sugar industry, not the beet sugar industry alone. The cane sugar refiners, for example, are equally hampered in their operations. The largest of those refiners, the American Sugar Refining Co., in its annual report issued last month, said:

> The outlook for 1962 remains unsettled. The temporary extension of the Sugar Act expires June 30, 1962. Although short-term legislation was a necessary expedient following the cutoff of supplies of raw sugar from Cuba, the entire sugar industry needs equitable long-term legislation to remove the uncertainties that have been hampering operations.

Mr. President, this underscores the urgency of congressional action on long-range sugar legislation at the earliest possible time. I am indeed hopeful that an administration recommendation will come to the Congress soon, and that it will realistically recognize the place the domestic sugar industry should have in our sugar market.

EXHIBIT 1

SUGAR LEGISLATIVE PROGRAM OF AMERICAN SUGARBEET INDUSTRY, MAINLAND SUGAR CANE INDUSTRY, U.S. CANE SUGAR REFINING INDUSTRY, HAWAIIAN SUGAR INDUSTRY, AND PUERTO RICAN SUGAR INDUSTRY

1. Term: The new law would be a 5-year act extending from January 1, 1962, through December 31, 1966.

2. Basic quotas: New basic quotas for domestic areas would be established at a consumption estimate level of 9,700,000 tons. These would be as follows:

Beet area	2,665,000
Mainland cane area	900,000
Hawaii	1,150,000
Puerto Rico	1,200,000
Virgin Islands	15,000

3. Growth: Growth (decrease) over (under) the 9,700,000 level of consumption requirements (consumption estimate minus unallocated amounts and deficits in allocated amounts under sec. 408) would be divided 67½ percent to domestic continental areas and 32½ percent to foreign areas. The 67½ percent would be shared 75 percent by the domestic beet sugar area and 25 percent by the mainland cane sugar area. If in any year, Hawaii, Puerto Rico, or Virgin Islands produces more than its basic quota, it may in the following year, upon request, have such quota increased by the amount of such excess: Provided that in no event shall such quota exceed the basic quota (plus growth) under the law before amendment, all such increases being charged to the foreign total. Hawaii's and Puerto Rico's direct-consumption limitations would be 0.342 percent and 1.5 percent, respectively, of the consumption requirements in lieu of the provisions relating thereto in the present act.

4. New beet growers: A special reserve of up to 20,000 acres, out of the total acreage required to produce the beet quota, would be available each year for the expansion of the industry.

5. Domestic deficits: All domestic deficits would go to foreign areas, with the exception that the excess of Hawaiian deficit over 350,000 tons would go to the beet area.

6. Direct consumption sugar: All foreign sugar would be imported in raw form. The Philippines would be given the option of a larger raw sugar quota in place of their quotas under existing law and the treaty between the United States and the Philippines.

7. Personal history: The law would assure continued use of personal history as a basis for allocating proportionate shares in those sections of the beet area in which personal history now is a basis. No change would be made in those areas in which land history is now the basis for allocating proportionate shares.

8. Liquid sugar quotas: All such quotas would be eliminated except provision would be made to permit continued entry of normal quantities of Barbados type molasses.

9. Nontransferability of quotas: Foreign countries assigned quotas under the act could fill such quotas only with sugar they produce. No net importing country would be eligible for a quota.

10. Sugar containing products: The Secretary would be given authority to limit importation of sugar containing products when such importation would be contrary to the intent of the act.

11. Foreign supplies: Price incentives would be maintained in the act to insure that foreign sugar will be available to the U.S. market in the quantities needed at the times required.

THE ALEXANDER HAMILTON NATIONAL MONUMENT — AMENDMENT TO THE CONSTITUTION DEALING WITH POLL TAXES

The Senate resumed the consideration of the motion of the Senator from Montana [Mr. MANSFIELD] to proceed to the consideration of the joint resolution (S.J. Res. 29) providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument.

Mr. EASTLAND. Mr. President——

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. HOLLAND. Mr. President, will the Senator yield? Does the Senator wish to have a quorum call before he begins his speech?

Mr. EASTLAND. No.

Mr. President, thus the distinguished senior Senator from Georgia was affirming the principle that has existed for over a hundred and fifty years, that our Founding Fathers intended and contemplated that it should be the States themselves who have the power to determine the qualifications of their own electors.

The question of whether the States or the Federal Government should determine the qualifications of electors of Representatives was thoroughly debated by the delegates at the Constitutional Convention of 1787. On August 6, 1787, Mr. Gouverneur Morris moved to strike from article IV, section 1, of the existing draft—which became article I, section 2, in the final draft—the words:

> The qualifications of the electors shall be the same, from time to time, as those of the electors, in the several States, of the most numerous branch of their own legislatures.

Gouverneur Morris' purpose was "in order that some other provision might be substituted which would restrain the right of suffrage to freeholders." The motion to strike was defeated.

Gouverneur Morris argued that another objection against the clause, as it stood, was that it made the qualifications of the electors of the National Legislature depend upon the will of the States, which he thought not proper.

Colonel Mason opposed the striking of the sentence, stating:

> A power to alter the qualifications would be a dangerous power in the hands of the Federal legislature.

Mr. Ellsworth argued that he thought "the qualifications on the most proper footing. The right of suffrage was a tender point, and strongly guarded by most of the State constitutions"—5 Elliott's Debates on the Federal Constitution, 285 et seq.

The debates in the Constitutional Convention reveal very clearly that it was the intention of the framers of the Constitution that the States should prescribe the qualifications of electors of Representatives in Congress by section 2 of article I. As Hamilton pointed out in the Federalist, this constitutional provision conformed to the "standard," meaning voting qualifications, established or to be established by the States—the Federalist, No. 52.

The qualifications prescribed by the State constitutions in force in 1787 and which were carried over into the Federal Constitution, demonstrate that the words "qualifications" and "qualified" were directly related to requirements for voting. Thus, each of the original States carried in their respective constitutions fixed qualifications for determining eligibility for the franchise of voting.

Thus, the constitutions of the original States, at the time those States entered the Union, contained either a poll tax requirement or property ownership or taxpaying requirements, and that the words "qualified" and "qualifications" were used in referring to those conditions. Furthermore, that these conditions had to be complied with before a person became eligible to vote. Not all citizens could vote—only those who qualified by meeting requirements specifically set out in the State constitutions. This historical fact was commented upon by Mr. Chief Justice White, speaking for the Supreme Court in *Minor* v. *Happersett* (21 Wall 162) of the qualifications requisite for voting in the various States at the time the Federal Constitution was adopted, who said:

> When the Federal Constitution was adopted all the States, with the exception of Rhode Island and Connecticut, had constitutions of their own. These two continued to act under their Charters from the Crown. Upon an examination of those constitutions we find that in no State were all citizens permitted to vote. Each State determined for itself who should have that power. In this condition of the law in respect to suffrage in the several States it cannot for a moment be doubted that if it had been intended to make all citizens of the U.S. voters, the framers of the Constitution would not have left it to implication. So important a change in the condition of citizenship as it actually existed, if intended, would have been expressly declared.

It is clear that the framers of our Constitution merely carried over into our Constitution of 1789, in section 2 of article I, that the word "qualifications" included requirements for the payment of a poll tax or the payment of a property tax and the ownership of property where such requirements exist under State law.

As a matter of fact, the ownership of property as an indicia for voting was carried over from colonial days on up to the year 1933 by the State of Pennsylvania. Thus, while there are only five States remaining today having the requirement of the payment of a poll tax, since the inception of our Union of States these States at one time or another had in their laws provisions similar to the poll tax provision.

It is still a qualification for voting in municipal and town elections in the State of Vermont.

During the last 150 years one after another of our sovereign States, by the actions of their own State legislatures, have repealed the poll tax provision, so that only five States are left. If it has taken 150 years for the majority of these States to repeal their poll tax provision, is there any great haste, or is there any reason to believe that the five remaining States should not be permitted through their own legislative process to repeal this prohibition, rather than directing the passage of a constitutional amendment specifically at them.

I submit, Mr. President, that wisdom requires that the Congress abstain from this field of legislation, and leave the matter to the action of the State legislatures of these five States.

Mr. President, it is well settled that it is the right of the States alone to determine the qualifications of its voters, and that principle, as I set out earlier in these remarks, was carried over from the charters of the Colonies into the State constitutions of the original States and was incorporated into our Constitution by the drafters of that document.

That same principle has been stated so many times in this deliberative body that I presumed it to be without question. Nevertheless we are faced here again with the task of reestablishing that traditional concept.

During the debates in Congress on the 17th amendment, providing for the direct election of U.S. Senators by the people rather than being selected by the State legislatures, the principle was enunciated time and time again that the States alone are to determine the qualifications of the voters.

During the course of that floor debate it was repeatedly stated and agreed that it is the States alone who are to determine the qualifications of their voters. It is the State who, in the first instance, says who can and who cannot vote, and then after the State determination, the Federal Government guarantees to those whose status has been determined by the States, the right to exercise that franchise. In other words, the Federal Government was not to interfere with any qualifications which the State fixes with reference to the voters.

But what is being attempted here today? The Congress is interfering with a qualification of a voter that has been fixed by the State and has long been observed by the State, that a voter to be qualified must have paid a poll tax.

During the course of the debate on H.R. 1024, a bill providing for the elimination of the poll tax on election of Federal officers, the then senior Senator from Florida, Mr. Andrews, made some interesting remarks on the floor of the Senate November 21, 1942, which are as pertinent today as they were on that day in 1942, and I wish to quote some of Judge Andrews' remarks at this time:

> If any citizen desires to know who are qualified to vote for Representatives and Senators in his State, all he has to do is to look at the constitution of his State and the statutes of his State, and he will find the answer. He will not find it anywhere else.
>
> The paying of a poll tax is inconsequential so far as the mere qualifying of electors in

the States to vote is concerned. The amount is not excessive; in fact, in many States it is only $1 a year. The requirement for the payment of a poll tax has been in vogue in most of the States comprising the Union for many years; in fact, before the Constitution there was a poll-tax requirement in the Colonies. In 32 States of the Union there is now levied a poll tax, but it so happens that in only 7 or 8 States of the Union the prepayment remains a qualification for registration and participation in elections at the polls.

The registration books constitute an honor roll of citizenship; indeed, they evidence the fact that a man or a woman is a member of the great body of interested and responsible citizenship of the United States and thus entitled as a citizen of the United States to express his or her views and wishes at the polls.

Some States have abolished the poll tax as a prerequisite to voting. It happens that my own State of Florida is one of the States which has entirely abolished the poll tax. In 1937 an act was passed by the Florida Legislature repealing the law providing for the payment of a poll tax as a qualification for registration and voting. The next regular session of the legislature in 1939, eliminated all poll taxes entirely.

There were a great number of people who felt that the poll tax should not be repealed because the proceeds, though small, went directly to public education. Originally the poll tax was not levied for public-school purposes. Three-quarters of a century ago the poll tax was collected from persons who did not put in a prescribed number of days work on the public roads.

Since that time, however, public education has been developed and expanded, and the public-school system has become so necessary for the education of our people that, by statute, the proceeds from the poll tax have been devoted to the support of public schools. The repeal of the poll tax in Florida did not have any effect whatsoever on the casting of ballots so far as race, color, or previous condition of servitude were or are concerned.

The registration of voters regardless of race, creed, or party affiliations was greatly increased; but, so far as I am advised, there was no increase whatsoever in the vote cast by our colored people; yet there has been created all over the United States a feeling that if the pending bill could be passed it would have a profound effect upon the number of votes cast by the colored people. What has happened in the State of Florida is sufficient to show that no such result would be brought about. All may vote who are qualified and register in the poll books. There are infinitely more poor white people who probably did not vote by reason of the poll tax than colored.

I was in favor of the abolition of the poll tax in my State not only for the reason I have stated but for another reason. The poll tax requirement for voting afforded designing politicians an opportunity, by collaboration with the heads of great organizations, to provide means whereby people who do not feel able to pay their poll tax had it paid for them, on condition they agree to vote a certain ticket. Such things perhaps have occurred all over the United States.

The question may be asked, Why should a person who believes as I believe, that it was wise to abolish the poll tax in Florida, oppose the pending bill? I have just read from the Constitution of the United States which provides, in clear terms, that the power to provide qualifications for voters was and is a power retained by the States. If the Congress can pass a law doing away with the qualifications now so provided in certain States, it could go further and pass a law providing that there shall not even be registration, which is now the prima facie evidence that one is entitled to vote. If such an attempt had been made during the Constitutional Convention, or during the time the Bill of Rights was under discussion, it would have failed.

In other words, this matter should be left in the hands of the several States, to be decided by the States themselves, instead of the States being coerced by groups in other States.

As Judge Andrews so cogently observed in 1942, if the Congress can pass a law doing away with the voter qualifications now provided in certain States, as is here attempted by way of a constitutional amendment, it can go further and provide that there will not even be voter registration. If this path is pursued by the proponents, there will be no authority left in the States over its own voters and the inevitable result will be Federal preemption of the entire voter field.

I say that if this course is followed by the Congress, the words of Chief Justice Fuller in *McPherson* v. *Blacker* (146 U.S. 1), at page 36, no longer will have meaning. Chief Justice Fuller said:

> The right to vote protected or secured by the Constitution is, and only is, the right to vote as established by the laws and constitution of each State.

If we deprive the States of the power to determine the qualifications of its voters, the right to vote will be only that right conferred by the Federal Government. The States will have nothing to say about its own voters.

Mr. President, if Congress should adopt the resolution, we will be on the high road of the federalization of the qualifications of electors and the Federal control of elections, and we will preempt the whole field to the National Government. That will be one of the gravest steps in the 20th century toward the federalization of the United States, to the destruction of our dual system of government, to the destruction of our States, and to the concentration of all power and all authority in Washington. That is, fundamentally, what the issue is all about. It is a fight against stateism. It is a fight against the destruction of the dual system of government. It is the fight to retain the powers unimpaired of the 50 sovereign States, and the liberties of the American people. The liberties of the people at the cross roads and at the creek banks of this country are protected through their State government.

In Germany, when Hitler rose to power, he had designs upon a dictatorship. However, before he could crush the liberties of the German people, he had to federalize the German Government and destroy the powers of the States which compose that Government.

Mr. President, in the 83d Congress there was before the Senate, Senate Joint Resolution 53, proposing an amendment to the Constitution of the United States to grant to citizens of the United States who have attained the age of 18 the right to vote. On May 21, 1954, after debate, the Senate rejected that proposed constitutional amendment. It was the considered judgment of the Senate on that day that the power of the States to determine the age at which its citizens may vote is a qualification which should be retained by the States themselves. I believe that the arguments made on the floor of the Senate in the 83d Congress by those opposing a constitutional amendment which would lower the voting age to 18 are equally applicable here today in opposing this constitutional proposal to outlaw the poll tax. It was stated on the floor of the Senate in the debate on the constitutional amendment lowering the voting age to 18 that the States themselves should determine the qualifications of their own voters; that if a constitutional amendment were adopted lowering the voting age to 18 and taking that power from the States—this was 1954—then there would be other attempts by way of constitutional amendments to take other powers concerning voters from the States. The end result of this would be to lodge all power and control over voting requirements in the Central Government rather than in the States where the Constitution properly determined they should be.

Mr. President, that is a great safeguard of a free people, namely the power, through their State government, to say who can vote, to fix the qualifications of the voters.

The Senate in 1954 rejected the reasons for a constitutional amendment to lower the voting age, because it would place us on the highroad to destruction of what is fundamental in our system, the power of the people through their State governments to determine the qualifications of their electors.

During that debate on the 18-year-old amendment, Members of this body echoed and reechoed the statement that the Federal Government should not invade the States and say to those people, "We are going to tell you what to do and we will deny to you the right to legislate in this vital field of maintaining and operating the elective process and deciding the qualifications of your electors."

I appeal to the Senate that it show as much wisdom today as the Founding Fathers showed when they wrote the Constitution of the United States, and as the membership of this great body has shown throughout the entire history of this Republic, when it has protected and preserved the rights of the States to define the qualifications of those who participate in elections.

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

Mr. EASTLAND. I yield.

Mr. STENNIS. I appreciate the Senator's yielding to me. I have not had an opportunity to hear all of his address today, because of the pressure of other matters. However, I have heard enough in the last 40 minutes to find good, solid reasoning in what the Senator has said. I wish to refer the Senator to the matter of the franchise of voting, and to ask him what his ideas are with reference to the situation in the Constitutional Convention. Was it not one of the basic, fundamental foundations that the delegates were finally able to get together on, and made the Constitution possible, that they would nail down in clear, unmistakable language that this matter of the voting franchise would be left to each individual State?

Mr. EASTLAND. The Senator is correct. First there was the qualification in the Colonies. When the Colonies won their independence, they were sovereign States, and they set their own voting qualifications. They put into the Constitution words to retain those qualifications, to retain that power within the States, to fix the qualifications of electors, as the very basic factor in our system of government.

Mr. STENNIS. Does not the Senator believe, as a student of the Constitutional Convention and of the other major parts of American history, as well, that had it not been for that basic agreement, and had it not been for that clear language nailing it down unmistakably, there would not have been an agreement with reference to the Constitution that had the validity and the substance in it which was necessary to form an effective government?

Mr. EASTLAND. There would have been no Constitution unless that right had been preserved to the individual States.

Mr. STENNIS. Is not that conclusion recognized by all scholars and historians of our Government?

Mr. EASTLAND. It is recognized throughout all the debates and is so stated in the debates. Gouverneur Morris offered an amendment relating to Federal qualifications, and his amendment was defeated. Delegate after delegate said that they could proceed to write the Constitution and support it only on the basis that the States would fix the qualifications of their electors. Congress has maintained and preserved that right since the founding of the Republic, and that right is inherent to our liberty.

Mr. STENNIS. Moving forward considerably more than 100 years beyond the Constitutional Convention to the adoption of the amendment which permits women to vote—the adoption of that amendment being the result of more than 100 years of experience in the growth and development of our Nation, which was an experiment, to a degree, when it was started—the woman suffrage amendment provided, in the first place, for the creation of a new group or the granting of a new right, rather than merely passing upon the qualifications of voters, was it not? In other words, a new group altogether were encompassed in this field.

Mr. EASTLAND. That is correct. The franchise to vote was granted to women based upon the same voting qualifications that existed for men.

Mr. STENNIS. That is the point. It was the creation of a new right for a new group; but when it came to the qualifications, the selfsame rule was applied.

Mr. EASTLAND. That is correct.

Mr. STENNIS. And in the same language. Is that not true?

Mr. EASTLAND. That is correct.

Mr. STENNIS. That shows that after more than a century, the language of the Constitution had worn well, was found to have been sound and solid, and was considered as essential as when the Constitution was adopted.

Mr. EASTLAND. That is correct. Consider the 17th amendment, which provides for the popular election of U.S. Senators. There the same language is preserved, namely, that the States shall have the power to fix the qualifications requisite for the election of Senators.

Mr. STENNIS. The 17th amendment applied to the election of a particular office, not the qualifications of electors. But as to electors who would be qualified, the selfsame language again, was brought forward, and that principle was approved again in the light of experience.

Mr. EASTLAND. That is correct.

Mr. STENNIS. That amendment actually preceded the woman suffrage amendment. Even though the present proposal for a constitutional amendment with reference to the poll tax is constitutionally sound as to method, the invasion of the principle will violate the letter and the spirit of the original concept as found in the Constitution, will it not?

Mr. EASTLAND. I agree with the distinguished Senator. The proposal before the Senate is constitutionally sound as to method, but it is an attack upon the ideals and principles upon which the Government was founded.

Mr. STENNIS. In effect, it is the coercion of a State against its will on the sacred ground of voting privilege.

Mr. EASTLAND. The distinguished Senator is eminently correct. The idea of the coercion of a sovereign State by other States is abhorrent to the American system of government.

Mr. STENNIS. Again the Senator from Mississippi has well stated the objection to the proposal. I thank the Senator for yielding to me.

Mr. EASTLAND. I thank my colleague from Mississippi.

Mr. President, the debate in the Senate on the constitutional amendment lowering the voting age to 18 restated principles which are equally applicable in this debate here today. It was the feeling of a majority in the Senate at that time that that amendment should not be passed, for it would place some States in a position if they wanted at some other time to change the voting age from 18 to 19, or 20, if they so found it necessary, they could not do it in the face of a constitutional amendment once passed; and while that lowered age worked well in one State, other States should not be coerced to follow that very same policy, for it might have the opposite effect. In other words, it was tantamount to putting the voters of a State in a straitjacket.

The Constitution provides that the States are to prescribe the qualifications of electors of the most numerous house of the respective legislatures, and within those qualifications is the qualification of age of the voter. In the nature of suffrage there must be the age qualification, and the States by their own constitutions prescribe the age at which a voter is eligible to vote. By constitutional amendment, Congress attempted to limit the power of a State to determine at what age its voters may vote. That attempt was defeated on the floor of the U.S. Senate on May 21, 1954. Another qualification that the States have imposed in the past and which is now observed as a requirement by only five States is the payment of a poll tax as a prerequisite for voting. Here today, is an attempt to limit the power of the States in that area. If that proves successful, then what can be done next? A residence requirement is common and perhaps universal, but the time of residence varies greatly in the different States, and each State, within its own constitution, prescribes a residence requirement as a voting qualification. It follows that there can be next on the horizon a constitutional amendment taking from the States the power to determine the residence requirement for its own electors.

Registration of voters is a commonplace and proper qualification. The several States, by their constitutions, establish registration requirements. Possibly within the near future attempts will be made via the constitutional amendment route to take away the power of the State to determine registration requirements for its voters.

A number of the States have literacy and educational tests as a proper qualification for a voter. A constitutional amendment could be proposed to take that power from the States.

The end result will be, if this action is successful here now, to limit the power of the States to determine its qualifications by way of a poll tax requirement, that all of the other voter qualifications followed by the States today will be taken from them and lodged in the central government.

I say that it is possible that there are those who feel that the States should have no power at all over the qualifications of its own electorate, and if they keep on in their efforts, there will be no State power over the electorate, but everything will be in the hands of the Federal Government. In my judgment, the adoption of this amendment will be but a step in the direction of concentrating all power in the Federal Government over State electors, and if successful in approving this constitutional amendment, those steps will inevitably follow.

Mr. President, the impression has been created that those who oppose legislation to repeal the poll tax are trying to preserve poll taxes as such. Our opposition to this measure is predicated on the basis that any action by way of repeal should come from these States themselves rather than by action of the Federal Government. In opposing the favorable consideration of this amendment, we stand on the principle that fixing qualifications for voting shall continue to be the right of the States and should not be taken over by the Federal Government.

Past history reveals that the poll tax has been, is being, and can be ended by action of the States themselves, thereby making it unnecessary for action by the Federal Government in this field. It is our strong feeling that those who demand action by the Federal Government by way of the constitutional

amendment route indirectly give aid and comfort to those who try to break down our American system of government by taking from the States functions that they should and always have exercised under our constitutional form of government. If efforts are successful in this instance to whittle away part of the sovereignty of the States, it can be accomplished in other fields, and eventually there will be little left of the States as governmental entities.

Over 150 years ago the framers of our Constitution debated at great length in the Constitutional Convention this question of the qualification of electors. After full and unlimited debate, the collective judgment of that great Convention was that the qualifications requisite for Members of the House of Representatives should be the same as those requisite of electors of the most numerous branch of the State legislature. There were in the Convention some who wanted to place in the National Government the power of determining the qualifications. However, the members of the Convention determined that the right of fixing the qualifications should be within the power of the States; and so that power has remained with the States for over 150 years. Today, because five States have on their statute books a qualification pursuant to their own constitutions, some Members are proposing that this Congress reverse the action taken in 1787 by the framers of our Constitution.

Mr. President, I ask unanimous consent that at this time I may yield to the Senator from Vermont [Mr. AIKEN]; that in yielding for that purpose, I shall not lose my right to the floor; that at the conclusion of his remarks, I shall regain the floor; and that my yielding for this purpose is not to be counted as a speech by me on the pending motion.

The PRESIDING OFFICER (Mr. PELL in the chair). Without objection, it is so ordered.

AMENDMENT TO UNITED NATIONS BOND ISSUE BILL

Mr. AIKEN. I thank the Senator from Mississippi.

Mr. President, on behalf of the Senator from Iowa [Mr. HICKENLOOPER], the Senator from Kentucky [Mr. MORTON], and myself, I submit amendments to Senate bill 2768, the so-called United Nations bond issue bill.

The PRESIDING OFFICER. The amendments will be received and printed, and will lie on the table.

THE ALEXANDER HAMILTON NATIONAL MONUMENT — AMENDMENT TO THE CONSTITUTION DEALING WITH POLL TAXES

The Senate resumed the consideration of the motion of the Senator from Montana [Mr. MANSFIELD] to proceed to the consideration of the joint resolution (S.J. Res. 29) providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument.

Mr. EASTLAND. Mr. President, I believe the Senate of the United States would strike a mortal blow at the sovereignty of our individual States if it limited the power of the States to determine the qualifications of its voters.

In the 77th Congress, the Committee on the Judiciary had under consideration Senate bill 1280, concerning the qualifications of voters or electors within the meaning of section 2, article I of the Constitution, and making unlawful the requirement for the payment of a poll tax as a prerequisite to voting. A subcommittee of the Committee on the Judiciary submitted to the full committee an adverse report on this proposal. The adverse report of the subcommittee contained a statement which bears repeating at this point. In its report the subcommittee stated:

> It is acknowledged by the proponents of this bill that Congress has no power to fix or alter the qualifications of voters for State office and so they propose only to abolish the poll tax for election of Federal officials. To do this, they must deny that a poll tax is a qualification. Otherwise, they would be forced to admit an attempt to disregard section 2 of article I. This they cannot do without conceding the unconstitutional character of the bill. So they adopt the ingenious ruse of declaring in the first section of the measure that the poll tax requirement is not a qualification of voters but an interference with the manner of holding a Federal election and as such subject to regulation by Congress under section 4, article I. Here, however, they are met by the historic fact that when the Constitution was adopted all of the original States had property or tax qualifications for voters.
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> The framers of the Constitution knew, for example, that the actual payment of a State or county tax was a voting qualification in Pennsylvania when the instrument was drawn and that the other States had similar provisions. The framers accepted these qualifications whatever they might have been in all of the States by the language of section 2 of article I and nowhere did they give Congress the power to alter them. They did give Congress the power to alter State regulations governing the times and manner of choosing Senators and Representatives as well as the places of choosing Representatives, but no such supervisory power over voting qualifications was granted. Certainly such power cannot be implied by contending that although the Constitution makers, who were perfectly familiar with property qualifications, did not have them in mind when writing section 2 of article I which deals with qualifications, but did intend to give Congress power to change them, when they wrote section 4 of article I which deals with the manner of holding elections.
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> It would be difficult to imagine any language more clear than the first clause of section 2, article I:
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> "The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature."
>
> If Congress by law should undertake to provide, as the proponents of this bill urge Congress to do, qualifications for the electors of Members of the National House of Representatives other than and different from those "requisite for electors of the most numerous branch of the State legislature" in any State, it would be acting in direct contravention of the mandate of the Constitution that they should be the same.

It should be noted that the chairman of the subcommittee considering the proposal at that time was the then distinguished Senator from Wyoming, Mr. O'Mahoney, one of the leading constitutional lawyers of all time.

That subcommittee, in considering Senate bill 1280, also stated:

> It is better to await the wise action of the remaining States than by a strained construction of the Constitution to apply by statute the power of the Central Government to force upon any State a particular course of action in a field which the Constitution left to the States.

During the course of the same debate on Senate bill 1280, one of the greatest legal arguments ever made on the Senate floor was delivered by the Honorable Joseph C. O'Mahoney, who has long been recognized as one of the leading constitutional lawyers in this body. Senator O'Mahoney said:

> We now come to the question whether or not the pending bill represents a constitutional attempt to exercise constitutional congressional power. To me the answer to the question is so clear that I wonder how it can be debatable. At the very outset of the hearing on the pending bill I propounded the constitutional questions and asked the advocates of the bill to present arguments in support of their contention that the power to fix the qualifications of voters resides in a majority of Congress rather than in the States. The answer to that question has been merely the ingenious and clever stringing together of words, phrases, and emotional appeals by special pleaders who found themselves confronted by language and history which no person can misunderstand.
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> Bear in mind the fact that the framers of the Constitution clearly intended to make the States equal, and that they were careful to preserve in the States those powers which were not delegated to the Federal Government. We are confronted with the question of what they did about determining who should be the electors and who should fix the qualifications of the electors.
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> Let it be remembered that the men who sat in the Constitutional Convention and drew this instrument, which everyone recognizes as one of the most remarkable instruments ever drafted, did not provide for popular election of Senators. They provided that Senators should be elected by the State legislatures; and of course they neither exercised any jurisdiction, nor attempted to exercise any jurisdiction, over the qualifications of members of the legislatures. Their decision was that so far as the Members of the Senate were concerned, the selection should be made by whomever the people of the several States might choose to send to the State legislatures.
>
> Even in the matter of the election of the President, they erected a barrier between the people and the Chief Executive by creating the electoral college. The idea was that a group of wise men should be chosen as electors by the several States—chosen independently in the several States; let us not forget that—that such electors should meet in their own States, that they should not come together in any general body to debate, but that, meeting separately in their several States, they, in the exercise of their judgment, should choose the President. The genius of the people of America for self-government was so great, however, that though we have never changed the electoral college, the electors now, as a matter of course, vote for the candidates chosen by the parties by whom they in turn are nominated.

Of course, it may be pointed out here with respect to the election of Senators that the 17th amendment made no change in the fundamental concept of the independence of the States of the right of the States to determine the qualifications of the voters.

Bearing in mind that Senators as Federal officials were not to be elected by the people, and that the President was not to be elected by the people, we find the explanation of section 2 of article I, which is the only provision in the Constitution dealing with voters' qualifications. It has already been read during the course of this debate; but for the sake of the continuity of my argument let me read it again:

"The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature."

What is the answer? One of the principal advocates of the bill before us, in an article which he prepared for a law journal, acknowledged that for years it was generally assumed that the sole power to fix the qualifications requisite for electors for the House of Representatives resided in the States; and he said there never was any thought otherwise until some bright mind conceived the idea of separating the qualifications requisite for electors of Federal officials from those requisite for electors of State officials, and of arguing that a poll-tax requirement is not a qualification, but merely an interference with the manner of holding an election, because section 4 of the first article provides:

"The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators."

Mr. President, I ask unanimous consent to suggest the absence of a quorum, provided I do not lose my right to the floor, provided I retain my right to the floor at the conclusion of the quorum call, and provided that it does not count as a speech on the pending motion.

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

Mr. HOLLAND. I have no objection, Mr. President.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HOLLAND. 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. GRUENING. Mr. President, will the Senator yield?

Mr. EASTLAND. Mr. President, I ask unanimous consent that I may yield to the distinguished Senator from Alaska under the same conditions upon which I have heretofore requested unanimous consent to yield to other Senators.

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

GOLD IS A WEAPON—LET US ARM

Mr. GRUENING. Mr. President, the New York Times today tells us in a news story appearing on page 43 that the gold supply in the United States has shrunk to $16,710 million. This is the lowest our gold reserves have fallen since 1938. They have been falling steadily for two decades. The Times does not report that the Senate Interior Subcommittee on Minerals, Materials, and Fuels yesterday started hearings to determine why this Nation's gold reserves are steadily eroding.

The American people may well ask why no positive steps have been taken or apparently contemplated by our Federal authorities to bolster the gold-mining industry so that the gold miners of this Nation may get back to work producing the metal upon which our economy, and the world's economy is based.

Other nations are not so dilatory. The Soviet Union is hard at work mining gold. One expert appearing before the Senate subcommittee Thursday testified to his belief that the U.S.S.R. was mining between 10 and 17 million ounces of gold a year.

The United States is mining only 1.5 million ounces a year.

The United States is selling to manufacturers in this country 3 million ounces of gold a year which will later be resold to consumers who wish to buy bracelets, rings, or other items.

Think of it, Mr. President, as we bemoan the outflow of gold, we sell more domestically than we mine. This is preposterous. Moreover, it is perilous unless we do something about it.

Now, no one is more concerned than I about our imbalance of payments, as, I am sure, are all of my colleagues.

But, Mr. President, I must regretfully report that the New York Times carried no story about the Interior subcommittee hearing of yesterday. I think this also is of concern. Nor did the Washington Post.

I ask unanimous consent that the Times story on the decline of our gold reserves appear in the RECORD at the close of my remarks.

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

(See exhibit 1.)

Mr. GRUENING. Mr. President, I do not want the hardworking and capable reporters of the New York Times to think that I am concerned only about the omission of the subcommittee hearing story from the news columns of their paper. A story did appear in another national newspaper—though it purports to be a news story it was in fact an editorial—both in headlines and text.

This morning's Wall Street Journal, Friday, March 16, 1962, carries its account on page 13, an appropriate page considering its slant. Here is what the headline tells the reader: "Senate Unit Airs Gold Incentive Payments; But Plan Is Doomed."

Doomed? Come now, there has been only 1 day of hearings, the plan has not yet been discussed by the members of the subcommittee. The assumption of the headline writer, of course, is that the legislation will not pass in the face of administration opposition.

Then the subhead of the story tells us: "Bill's Sponsor Notes Rise in Cost of Output; Western-Dominated Panel Sympathetic to Measure."

Rise in cost of output? Of course—ever since 1934.

Has any other industry been so "cabined, cribbed, confined" by Government repression?

Has any other industry been forced to pay 1962 prices to operate and then by law compelled to receive only the 1934 price payments for its labor?

Of course not.

The first paragraph of the Wall Street Journal story editorializes:

WASHINGTON.—Gold producers seeking Federal subsidies got plenty of sympathy from a Senate Interior Subcommittee, but their plans still stand no chance of gaining congressional passage.

The western-dominated Senate panel heard testimony from mining interests backing a bill to provide incentive payments of up to $35 an ounce for the production of gold, in addition to the $35 the Government already pays to acquire gold.

I ask unanimous consent that the full text of the Wall Street Journal story appear in the RECORD at the close of my remarks.

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

(See exhibit 2.)

Mr. GRUENING. Mr. President, I ask, did the writer of the story know that gold miners do not have the advantage of a free market in which they may sell their product? They are required to sell their product, the gold they mine, to the Government. They are—in this allegedly free enterprise system of ours—forced to sell it at the same price fixed by the Government 28 years ago.

Yes, the Government pays only $35 an ounce for the production of gold, just as the news stories tell the reader. But they do not say why. It is about time someone came to the defense and rescue of an industry which has ample cause to complain.

The gold mining industry has too long been silent.

I hope the great press of this Nation will look further into this national problem, and delve further into the mystery of what forces, through the years, have sought to repress the gold mining industry. Gold is the backbone of our fiscal security, of our national economy, not just the metal mined in the few mines which are left in operation.

Mr. President, a national industry is dying. We cannot afford to let this happen. If we are to keep ahead of the sinister forces which have promised to "bury" us, we had better get busy and start pumping some lifeblood into the industry which can help keep us strong.

Imagine—we mine less gold in a year than we sell to make bracelets in this country. Is it not about time we corrected this deplorable situation? Why do we sell gold to manufacturers at the controlled price of $35 per ounce so that the manufacturers can make any profit they see fit?

The bill, Senate Joint Resolution 44, on which the first day's hearing was held, was introduced in February 1961. It was sponsored by the Senator from California [Mr. ENGLE] than whom no Member of Congress is more knowledgeable both on the mining and economic

aspects of gold. Chairman of the Interior and Insular Affairs Committee of the House before his election to the Senate and previously chairman of the House Subcommittee on Minerals and Mining, he has previously and repeatedly fought for an understanding of what has now become a grave problem. Senate Joint Resolution 44 was cosponsored by the senior Senator from California [Mr. KUCHEL], the Senator from South Dakota [Mr. CASE], and the Senator from Idaho [Mr. CHURCH], and by me. It has bipartisan support—and indeed there is no element of partisanship either in the support of this approach or in the fact that both Republican and Democratic Secretaries of the Treasury, who make their administration's policies, have opposed the simple formula of paying an adequate subsidy for each ounce of gold mined.

Senate Joint Resolution 44—a tentative approach and not necessarily the final and optimum solution—proposes not to exceed a $35 an ounce subsidy for each ounce of gold mined.

The proposal does not increase the price of gold.

Yesterday's hearing marked the start of Senate action to help a vital industry and I am hopeful that as the subcommittee, ably chaired by the Senator from Colorado [Mr. CARROLL], looks into the problems plaguing the industry, there will be positive action by the Congress. There had better be.

One of the witnesses to appear before the subcommittee was my good friend and able colleague from Alaska [Mr. BARTLETT]. BOB BARTLETT was a gold miner. For 18 years in the Congress he has watched diligently over Alaska's interests. He spoke eloquently before the subcommittee and told us:

I would say that even if the production were to be quadrupled under this bill that actually the taxpayers are not going to lose any money because in the lifetime of many in this room the price of gold will be $70 or more per ounce. I think it is inevitable.

Later Senator BARTLETT pointed out the deplorable condition of the mining industry in Alaska where production has declined from $26,493,740 in 1940 to $3,972,900 in 1961.

Here, in this land of free enterprise—

Said he—

in this land of competition, here is the only industry to the best of my knowledge, where the Government says your ceiling price established in 1933 must prevail. You sell to the Government. You can't sell elsewhere. We won't give you more than $35 an ounce, but you are going to pay all your production costs according to the ordinary standards for every other industry prevailing in 1962. I have never heard of the American Government acting similarly in any other instance and it is unfair, it is wrong and it ought not be tolerated. Merely because there are so few gold miners, merely because the gold mining industry doesn't have a lot of effective lobbyists, merely because the voice of the industry and the miners can't be heard effectively is no sound reason in this country why justice cannot be served, and justice will never be served, I suggest, so long as the Government says, we will give you no more for your product than we did in the days of long ago, during the days of the great depression, and you pay wages and materials according to present-day standards. Aside from everything else there is something terribly basically wrong with that.

Senator BARTLETT summed up the problem admirably. There certainly is something basically wrong. What is behind this inability of the Government to act?

The testimony of Congressman RALPH RIVERS, who has been sponsoring similar legislation in the House, carried with it likewise the effectiveness of long, close experience with gold mining problems.

The agency reports on Senate Joint Resolution 44 are all in opposition to this remedial legislation. I ask unanimous consent that these agency reports be printed in the RECORD at this point of my remarks.

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

TREASURY DEPARTMENT,
Washington, D.C., May 8, 1961.

Hon. CLINTON P. ANDERSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Washington, D.C.

MY DEAR MR. CHAIRMAN: Reference is made to your letter of February 7, 1961, asking for the views of this Department on Senate Joint Resolution 44, to encourage the discovery, development, and production of domestic gold.

The proposed legislation would provide for incentive payments to domestic gold producers in amounts not exceeding $35 per fine troy ounce. The amounts and terms of such payments would be determined by the Secretary of the Interior. The authority would terminate after 5 years and no payments could be made during any period that U.S. gold reserves equaled or exceeded $23 billion.

The Treasury Department does not believe that the institution of a system of incentive payments to gold producers would represent a desirable approach to the basic problem of our balance of payments. The enactment of a measure providing for such payments would be definitely harmful by encouraging uncertainty and speculation with regard to future gold prices.

Accordingly, the Treasury is opposed to the enactment of Senate Joint Resolution 44.

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

Very truly yours,

JOHN M. LEDDY.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., May 11, 1961.

Hon. CLINTON P. ANDERSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Washington, D.C.

DEAR SENATOR ANDERSON: Your committee has requested a report on Senate Joint Resolution 44, to encourage the discovery, development, and production of domestic gold.

This joint resolution directs the Secretary of the Interior to make incentive payments up to $35 an ounce to domestic producers of gold. The amount of the incentive payments would be determined by the Secretary. The authority to make the payments would terminate in 5 years, or earlier if the gold reserves of the U.S. Government equal $23 billion.

The executive branch is opposed to the enactment of any legislation that would establish or imply a second price for gold, different from the $35 per ounce price now in effect.

As a technical matter, the Department of Interior recognizes that enactment of the joint resolution would provide an incentive for reopening many mines which cannot now operate profitably and might assist in keeping in production some mines now on the margin. It would provide additional revenues to the profitable mines and for the producers of gold as a byproduct in the mining of base metals, the principal sources of our present gold production.

With an incentive of $35 an ounce, gold production might be doubled, but at this doubled rate it would take about 42 years to replace from domestic sources the monetary gold reserve loss since 1957. It can be seen therefore that one of the objectives of this resolution, to augment the gold reserves of the United States, would not be accomplished in an appreciable way.

The payment of incentives of the sort proposed by the resolution would result in a situation that gold costing the Government $70 an ounce would be offered at $35 an ounce to foreign monetary authorities and American industrial users of gold. Enactment of legislation providing for payment of a subsidy of this sort could lead to uncertainty about the U.S. price of gold and the stability of the dollar in world markets, and so could result in an increased drain on U.S. gold reserves.

Although the Department of the Interior recognizes that the resolution would be beneficial to gold miners, the executive branch has concluded, in view of the paramount national interest in the monetary function of gold, that the enactment of this legislation would not be desirable.

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,

JOHN M. KELLY,
Assistant Secretary of the Interior.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., May 8, 1961.

Hon. CLINTON P. ANDERSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Washington, D.C.

MY DEAR MR. CHAIRMAN: This is in reply to your letter of February 7, 1961, inviting the Bureau of the Budget to comment on Senate Joint Resolution 44, "to encourage the discovery, development, and production of domestic gold."

The resolution provides for incentive payments over a 5-year period of up to $35 per ounce on sales to the United States of domestically mined gold so long as the gold reserves of the U.S. Government are less than $23 billion.

The Treasury and State Departments, in separate reports they are making to your committee, recommend against the enactment of Senate Joint Resolution 44 because of the uncertainty and speculation with regard to future gold prices which would result in foreign countries, where the legislation might be regarded as leading toward a modification of the U.S. monetary system. The bill is regarded as an undesirable approach to the basic problem of our balance of payments.

The Department of the Interior, in the report it is making to your committee, indicates that domestic production could not be sufficiently expanded in the next few years to appreciably affect our reserve position in gold.

In these circumstances, the Bureau of the Budget recommends that this measure not be enacted.

Sincerely yours,

PHILLIP S. HUGHES,
Assistant Director for Legislative Reference.

MAY 11, 1961.

HON. CLINTON P. ANDERSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate

DEAR MR. CHAIRMAN: Your letter of February 7, 1961, requested a report from the Department on Senate Joint Resolution 44, "To encourage the discovery, development, and production of domestic gold." The resolution would provide for incentive payments during a 5-year period of not exceeding $35 an ounce to domestic gold producers on conditions determined by the Secretary of the Interior except that no payments could be made during any period that the gold reserves of the United States equaled or exceeded $23 billion. The resolution states that it shall not be construed to repeal, supersede, or modify existing provisions of law relating to the monetary system of the United States.

While the Department has some doubts about the economic desirability of U.S. Government subsidies for gold production, its comment is limited to the international aspects of the proposal. The Department believes that the enactment of this resolution would be likely to be misunderstood in foreign countries where it might be regarded as a modification of the existing U.S. monetary system. The President and other Government spokesmen have made clear the intention of the United States to maintain the value of the dollar. An action interpreted abroad as a modification of this firmly stated policy could lead to renewed uncertainty about U.S. intentions with consequent speculation against the dollar and conversion of dollar assets into gold, resulting in an increased drain on U.S. gold reserves. The Department does not believe that incentive payments to domestic gold producers would be a desirable method of trying to solve the balance-of-payments problem.

The Bureau of the Budget advises that, from the standpoint of the administration's program, there is no objection to the presentation of this report for the consideration of the committee.

Sincerely yours,

BROOKS HAYS,
Assistant Secretary
(For the Secretary of State).

Mr. GRUENING. Mr. President, each department in its own way has said "No." I will say that the Interior Department is apparently a reluctant bride. The Interior Department admits that mining is a fine thing, but then says it would require 42 years to double present production.

Considering the fact that a few gold mines are still operating this may be so. Present production has become negligible. The point is, however, that there is a crying need for gold mines that have succumbed to be put back into operation. It can be done only if the unjustly throttling restriction on gold mining be removed in one way or another. Senate Joint Resolution 44 points to one way, though maybe not the only way.

The Interior Department also says it is "opposed to the enactment of any legislation that would establish or imply a second price for gold, different from the $35 per ounce now in effect."

The Interior Department should read Senate Joint Resolution 44. Nothing in it changes the price of gold.

Obviously, the negative report from the Treasury Department from which all other departmental opposition stems presents the big stumbling block.

What does Treasury say? Let me quote the report:

> The Treasury Department does not believe that the institution of a system of incentive payments to gold producers would represent a desirable approach to the basic problem of our balance of payments. The enactment of a measure providing for such payments would be definitely harmful by encouraging uncertainty and speculation with regard to future gold prices. Accordingly the Treasury is opposed to the enactment of Senate Joint Resolution 44.

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

Mr. GRUENING. I yield with pleasure to my good friend from Idaho.

Mr. CHURCH. First of all I commend the distinguished Senator from Alaska for the speech he is making, in which he gives emphasis to the importance of gold to the economy of the United States and to the many serious problems that will confront us if we permit our gold supply to dwindle away. I was particularly interested in the comment of the Treasury, basing its opposition to the joint resolution which we both cosponsor, on the ground that it would not contribute to the solution of our balance-of-payments problem.

I ask the Senator from Alaska this question: What relationship does the joint resolution have to the balance-of-payments problem? It is not proposed as a solution to the balance-of-payments problem, which results from the fact that we are simply paying out more dollars overseas than we are receiving back from exports of American commodities.

Clearly the joint resolution is not addressed to the balance-of-payments problem, which can be rectified only by increasing American exports.

Mr. GRUENING. That is correct.

Mr. CHURCH. Now, as a result of the deficit in our balance-of-payments position over the past few years, the gold supply in the Treasury has fallen well below the point where it would be sufficient to meet the total outstanding short-term credits against us, and, at the same time, cover the 25 percent gold reserve which the law requires the Treasury to hold as backing for the paper currency.

Mr. GRUENING. Again the Senator from Idaho is correct.

Mr. CHURCH. So the problem is one of increasing our gold reserves in the Treasury, to make certain we have a sufficient amount of gold there to meet any call on these short-term credits, and also to have enough extra gold to satisfy the statutory requirement for the backing of our currency. This can only be done by increasing the production of domestic gold.

Mr. GRUENING. Yes.

Mr. CHURCH. The purpose of the resolution which both of us support is to increase domestic gold production in order that the Treasury can meet its obligations. Therefore the basis of the Treasury's opposition to the joint resolution is entirely irrelevant to the objective sought to be served by the resolution.

Mr. GRUENING. It is not only irrelevant, but it is not at all apposite to the legislation we are sponsoring. I must confess that I was profoundly shocked when I read the report of the three agencies reporting on the bill. I thought they would advance some substantial, cogent, logical reasons for their opposition. Of course the leader of the opposition is the Treasury Department, and the other agencies follow that Department. Its entire opposition is contained in two sentences:

> The Treasury Department does not believe that the institution of a system of incentive payments to gold producers would present a desirable approach to the basic problem of our balance of payments.

The Senator from Idaho has just shown how completely unrelated that is. There is one more sentence—and in this is the entire burden of the argument of the Treasury:

> The enactment of a measure providing for such payments would be definitely harmful by encouraging uncertainty in speculation with regard to future gold prices.

I wonder whether the Senator from Idaho could tell me how that comment constitutes a valid argument of the Treasury against this measure.

Mr. CHURCH. The Treasury Department has not made a case against the resolution. It has failed to present arguments to sustain its position. I am hopeful that the hearings we have recently conducted in the Committee on Interior and Insular Affairs will result in some action to augment our depleting Treasury gold reserves by providing some incentive to open the gold mines, and increase the production of gold in such States as Alaska, Idaho, Nevada, and California, which over the years have produced much gold and now cannot do so simply because the price of gold is still pegged at $35 an ounce, and has been pegged at that figure since 1934, although the cost of mining, the cost of labor, and the cost of equipment has gone up, along with the cost of living, over these many years.

So, unless we provide some special incentive, the gold mines will remain closed; and our reserves of gold will continue to taper off at Fort Knox. I think we must face up to this situation and provide some kind of incentive which will open the gold mines again.

Mr. GRUENING. Does the Senator from Idaho, from his knowledge of American history, long past and recent, know of any similar example where the Government arbitrarily fixes the price of a commodity, restricts its sale under circumstances not of the industry's choosing, and keeps it there for 28 years, while all costs are going up, and this under a supposed free enterprise economy?

Mr. CHURCH. I know of no other example. I think there is none in the economy. The only excuse that has been given for this treatment of gold has been the fear that any change in the pegged price of gold would have the effect of devaluing the dollar. However, as the Senator from Alaska knows, the resolution which he and I are cosponsoring in

support of the able junior Senator from California [Mr. ENGLE], who originally introduced it, has nothing whatever to do with the price of gold. It does not tamper with that price, which would remain fixed at $35 an ounce. The resolution would merely provide an incentive payment on production, which could vary from mine to mine within the limits set by the resolution, but could in no case exceed $35 an ounce. It would not affect the fixed price of gold or the established value of the dollar with respect to gold. Therefore, the resolution is not vulnerable to the objection that it would have the effect of devaluing the dollar.

Mr. GRUENING. I suspect the reasoning behind the opposition is the result of a state of mental confusion, in which a feeling exists that in some way the price of gold would be raised, with whatever dire consequences might be attributable to that. This plays a part in the adverse decisions—as in the Interior Department report—although as the Senator from Idaho points out, and as I have pointed out, the resolution in no wise would raise or change the price of gold.

I wonder if he had not been struck by the fact that in the State of Idaho, where there are both mining and agriculture, there is a total contrast between the policies of this administration and of past administrations in subsidizing agriculture and in the failure to do so in the case of a commodity as necessary as gold.

Mr. CHURCH. I think the reason is, as the Senator from Alaska has well pointed out, that gold has been the forgotten commodity, the commodity left behind since 1933. I know of no other instance in which other commodities so important to the Nation at large have been so treated.

Those who fear that the resolution which the Committee on Interior and Insular Affairs has had under consideration would affect the value of the dollar ought to have their attention called to the situation in Canada, where an incentive plan relating to gold has been in operation for years. So far as I know, that plan has no effect on the value, stability, or integrity of Canadian currency in the world market. I think this very fact indicates that the kind of resolution we have been discussing would not affect the value of the dollar, or its integrity in the marketplaces of the world, but would have, rather, the beneficial effect of providing the incentive now necessary to open the gold mines and bring additional supplies of needed gold into the Federal Treasury.

I again commend the Senator from Alaska for the splendid speech he is making. I am hopeful it will effect some action in the right direction.

Mr. GRUENING. Mr. President, to point up the contrast between what happened in the important field of agriculture and what has not happened in the field of gold, there have been through both administrations—for this is a nonpartisan issue—programs on which the Government has spent a lot of money to support agricultural product prices which have fallen below a certain point. In consequence of this program, the Government has accumulated vast surpluses which are stored at tremendous expense to the Nation. Some of these products are perishable.

But there would be no cost involved in storing gold, except the custodial costs at Fort Knox. Gold is a commodity which not only is not perishable, but will increase in value.

Does not the Senator from Idaho agree that this is a startling contrast in performance, one with a complete lack of logic?

Mr. CHURCH. I do, indeed, since the accumulation of gold reserves in many ways increases the weatlh of the Nation and also lends confidence to the dollar itself. Therefore, nothing is to be lost by increasing our gold reserves at Fort Knox. There is no detrimental effect from having enough gold. But there are serious dangers in letting our gold supply fall below the level which is necessary to redeem short-term credits and maintain the required statutory backing for the paper currency.

I must say we are adding still another burden to the fast depleting supply of gold at Fort Knox as the Treasury implements its announced policy on silver, because when the Treasury calls in $5 and $10 silver certificates and replaces them with Federal Reserve notes, the amount of currency to be backed by our depleting gold reserves will be increased, thus enlarging the burden upon our gold reserves, as we take the former silver backing and turn it to coinage uses.

For these several reasons, we ought to be concerned about the need for building up our gold reserves. This cannot be done without the kind of incentive payment which the economic facts of life make necessary if gold is again to be taken out of the mountains of the West. Therefore, I again stress the national interest to be served by the adoption of the kind of resolution to which the Senator from Alaska is addressing his remarks today.

Mr. GRUENING. There are really two barrels to this legislation. Even if we did not have the serious and dangerous situation of the depletion of our gold reserves; if this were merely the case of an important industry which has suffered unjust throttling and discrimination, such as no other industry has suffered—even if that were the only reason—the action proposed by the resolution would be justified on the basis of what the Government does for agriculture. But in addition, there is a great national reason for not letting our gold supply sink steadily, as it has been and as it continues to do.

I have placed in the RECORD today a news story published in the New York Times this morning, which shows again that our gold reserve has dropped to the lowest level since 1938.

The situation is really serious; and I am hopeful that the subcommittee will resume its hearings, will question the authors of these adverse reports, and will find out the real reasons behind their objections, because certainly in the reasoning given the subcommittee there is little that makes any sense.

Mr. CHURCH. I agree wholeheartedly with the Senator from Alaska.

Mr. GRUENING. Mr. President, a moment ago I stated that in the report it is said:

> The Treasury Department does not believe that the institution of a system of incentive payments to gold producers would represent a desirable approach to the basic problem of our balance of payments. The enactment of a measure providing for such payments would be definitely harmful by encouraging uncertainty and speculation with regard to future gold prices. Accordingly, the Treasury is opposed to the enactment of Senate Joint Resolution 44.

Uncertainty?

Mr. President, what could be more uncertain at this moment than our precarious position as the Nation's gold pours out almost daily?

I am convinced the Treasury Department is wrong in saying "No," and that its reasoning has little or no merit.

I think foreign governments are able to know a subsidy for a subsidy. I see no reason to get this uncomplicated matter of helping the mining industry and increasing domestic gold production all confused with balance of payments and foreign policy and such.

Gold is the backbone of our financial stability and, to a large degree, of our economy.

The Department of State, in its negative report, "believes that the enactment of this resolution would be likely to be misunderstood in foreign countries where it might be regarded as a modification of the existing U.S. monetary system."

Misunderstood?

Mr. President, what would be better understood than this Nation's decisive action to make more firm its economic position? I find the Department of State's reasoning as vague and nebulous as that of the Treasury Department.

Our world image is based on our financial and economic strength. We can make that image as strong and as positive as we like by taking simple action to support the gold-mining industry and to build up our gold reserves.

We have, however, helped the gold and other mining industries of other nations.

Mr. President, I should like to insert in the RECORD, and I ask that it be printed at the conclusion of my remarks, a compilation of the funds we have spent overseas since 1955 to help other nations build up their mining and related industries. It totals the staggering figure of $42,203,909.

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

(See exhibit 3.)

Mr. GRUENING. Mr. President, while we are being called upon to vote billions in U.S. funds annually for foreign aid, the executive departments are adopting a penny wise, pound foolish attitude toward the development of a basic industry vital to the economic stability of the United States. Shortly we shall be called upon to vote to buy $100 million worth of United Nations bonds. Where, may I ask those in the executive departments responsible for these adverse reports on Senate Joint Resolution 44, is the money to come from if the flow of

gold into our Treasury is stopped? What will it profit the United States to buy these United Nations bonds if the flow of gold out of the Treasury continues?

Have we lost all perspective?

Why do not the Nation's newspapers explore the realities of this very grim situation?

In my testimony before the subcommittee, I have suggested that we consider a stabilization operation which would work as follows:

The U.S. Treasury would offer incentive payments for each ounce of newly mined domestic gold. That gold would be set to one side. It would be sold for $35 a troy ounce on the free world market if individual hoarders or one or more nations attempted to increase the world price of gold.

We would, in essence, issue a world declaration stating that this newly mined domestic gold is earmarked to keep the market firm and out of the hands of speculators. I understand this type of stabilization worked successfully in 1934 and 1960. We could, if we care to make this comparison, tell any speculator: "Try to break the world market, and we will break you."

Sometimes it may be necessary to play rough. This might be such a time. We can keep the gold market level, if we use or heads.

Finally, let me point out that gold is not a perishable commodity. We could store it from year to year with no fear that it would spoil. Unfortunately, this is not so with our farm surplus on which we pay close to a million dollars each day in storage charges.

I ask unanimous consent that the full text of my testimony before the Interior Subcommittee on Minerals, Materials, and Fuels be printed in the RECORD at the close of my remarks.

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

(See exhibit 4.)

Mr. GRUENING. Mr. President, I hope my comments today have opened a door too long shut. As our gold reserves continue to drop, we must stop evading the issue. The gold mining industry holds the answer. Let us not ignore that answer.

Gold is a weapon. Let us arm.

EXHIBIT 1

[From the New York Times, Mar. 16, 1962]

U.S. GOLD STOCK CONTINUES DROP—$20 MILLION SLIDE IN WEEK IS FIFTH OF 1962—YEAR'S LOSS AT $180 MILLION—QUICKENING DISCERNED—WHILE DECLINE IN 1961 PERIOD WAS LARGER, REVERSAL OF TREND BEGAN BY MARCH

(By Edward T. O'Toole)

The U.S. Treasury gold stock sustained another loss last week, the fifth in the 10 weeks of 1962. The most recent decline, covering the week ended Wednesday, amounted to $20 million, the Federal Reserve Bank of New York reported yesterday.

Total gold loss this year now stands at $180 million, bringing the U.S. monetary gold supply down to $16,710 million.

International monetary experts were discussing yesterday the apparent quickening of gold erosion in recent weeks compared with that of a year ago.

While the total loss during the corresponding period of 1961—that is, from January 1 through the second week in March—amounted to $381 million, the drainage took place during January and February.

REVERSAL OF 1961 RECALLED

In January 1961 gold outflow totaled $324 million; in February, there was a further loss of $68 million. But in March, the tide began to turn.

During the first 2 weeks of March, there was a return flow of gold amounting to $11 million. This was the first gain in gold by the United States since August 1959.

But during the first 2 weeks of March 1962, the drainage over the first 8 weeks of the year has continued. In the week ending March 7, the loss was $60 million.

The recovery of gold that began in March 1961, continued during April, May, and June. In all, $191 million was added to the U.S. supply during this period.

However, the erosion in the gold store resumed in July and continued during the year, resulting in a net outflow of $878 million.

Gold is lost by the United States when foreign central banks or official agencies exchange dollars for it. U.S. dollars are accumulated abroad when the total outflow of funds from this country exceeds the total inflow of funds. This gives rise to a balance-of-payments deficit—a chronic condition in the U.S. international economic relationships for more than a decade.

At the end of 1951, U.S. Treasury gold totaled $22,695 million; as of December 31, 1961, the total was $16,890 million.

While Treasury and Federal Reserve officials have been reluctant to speculate publicly on the net change in gold expected for 1962 as a whole, none has stated that expectations are for less of a gold loss in 1962 than last year.

"If the rest of the year pans out like the first 10 weeks, then the loss could approach $1 billion," one foreign exchange specialist said yesterday. "But who knows what will happen between now and Christmas?"

One thing that is likely to happen is some prepayment of debt owed to the United States by one or more foreign countries. This happened during the first half of 1961 and could happen again this year.

West Germany prepaid more than $500 million in 1961. This worked in favor of the U.S. international payments position and thus helped to block some gold outflow.

One country that has been mentioned as a likely prepayment candidate for 1962 has been France, which had a balance-of-payments surplus in 1961.

EXHIBIT 2

[From the Wall Street Journal, Mar. 16, 1962]

SENATE UNIT AIRS GOLD INCENTIVE PAYMENTS; BUT PLAN IS DOOMED—BILL'S SPONSOR NOTES RISE IN COST OF OUTPUT; WESTERN-DOMINATED PANEL SYMPATHETIC TO MEASURE

WASHINGTON.—Gold producers seeking Federal subsidies got plenty of sympathy from a Senate Interior subcommittee, but their plans still stand no chance of gaining congressional passage.

The western-dominated Senate panel heard testimony from mining interests backing a bill to provide incentive payments of up to $35 an ounce for the production of gold, in addition to the $35 the Government already pays to acquire gold.

The hearing was largely a forum for airing mining industry woes. The Budget Bureau, Treasury Department, Interior Department, and State Department are on record against the legislation, which is deemed to kill its chances of enactment.

The Treasury contends the measure "would be definitely harmful by encouraging uncertainty and speculation" in gold prices. Producers, however, say the bill not only would give a needed lift to their ailing industry, but by boosting Treasury gold reserves it would ease the U.S. balance of payments problem.

PRODUCTION COSTS

Senator ENGLE, Democrat, of California, chief sponsor of the bill, said the price of gold has remained constant since 1934 while almost every production cost has risen. He said that the U.S. gold reserves are critically low, and currency devaluation may be necessary, if they are not bolstered. The Treasury has consistently denied any devaluation is being considered.

The gold outflow from the United States continued in the week ended Wednesday; the net loss was $20 million worth. Total outflow since January 1, including the latest week, is $180 million, which is less than the $383 million loss in the comparable period of 1961. Last year the total decrease in U.S. gold stocks was $877 million. The latest loss left the monetary gold stock Wednesday at $16,710 million, lowest since August 30, 1939, when it was $16,638 million.

The Treasury's gold reserve currently totals $16,710 million.

Senator GRUENING, Democrat, of Alaska, contended an incentive program has worked in Canada, where the mining industry benefits from no capital gains tax, a 3½-year exemption from Federal tax for new mines, Government help in building roads to promising mining areas, and direct subsidies for gold miners.

TREASURY COMPLACENCY CHARGED

Merrill Shoup, of Colorado Springs, Colo., representing the American Mining Congress and the Colorado Mining Association, called for a return to the gold standard. Mr. Shoup, who is president of the Golden Cycle Corp. and 10 other gold mining and milling operations, also said Congress should reject suggestions that the 25-percent gold backing behind paper money be eliminated and instead start rebuilding the 25-percent reserve to 100 percent to stop further spread of inflation.

Dr. Elgin Groseclose, a Washington economist, said the Treasury should cease selling gold at $35 an ounce to fabricators of jewelry and industrial users, and require them to buy directly from the miners. He charged that the Treasury has a too reckless complacency regarding our gold stock.

EXHIBIT 3: (21) MINING AND MINERALS

Industry and mining, fiscal year 1955

	Amount
FAR EAST	
China:	
Coal exploration	$5,000
Petroleum exploration, CPC	715,000
Hard rock mining	5,000
Coal production techniques	2,000
Geological techniques	4,000
Mining engineering	2,000
Indonesia: Mining operations	32,500
Philippines:	
Nonmetallic minerals survey	28,000
Strategic minerals survey	37,000
Technical assistance to Bureau of Mines	22,000
Coal surveys	35,000
Thailand: Geological survey	52,500
Vietnam: Coal strip mining survey	7,000
NEAR EAST, AFRICA, AND SOUTH ASIA	
Afghanistan: Mineral resources and coal production	67,000
Egypt:	
Industry and mining—mining and minerals	8,000
Industry and mining—photogeology training	4,500

Industry and mining, fiscal year 1955—Con.

NEAR EAST, AFRICA, AND SOUTH ASIA—con.

	Amount
Greece:	
Technical support to mining industry	$22,624
Study of mining methods and ore dressing	34,300
India:	
Exploratory lignite excavation and development	519,600
Minerals survey and development	83,873
Iran: Mineral resources development plans	17,124
Israel:	
For petrochemistry	4,000
Economic geologists	43,600
For the appraisal and development of mineral resources	12,500
Mineral technologists	38,034
For mineral development	40,000
Mineral resources, potash and salt extraction participantship	3,000
Dead Sea brines survey	15,000
Petroleum exploration methods participantship	3,000
Liberia:	
Mining and minerals exploration	50,000
Mines and geology	20,000
Nepal: Project for mineral deposit surveys	20,000
Pakistan: Metal mining engineering	5,450
Turkey:	
Cobalt recovery processes	10,000
Zonguldak coal basin development, P–1	204,400
Oversea territories:	
United Kingdom: U.S. bituminous coal mining methods	4,000
EUROPE	
Austria: Coal mining experts	10,000
France: Iron mining experts	6,000
Spain: Coal mining study	8,640
LATIN AMERICA	
Bolivia: Geology	10,828
Brazil: U.S. Geological Survey mineral resources investigations	190,213
Chile: Geology	64,400
Colombia: Development of coal resources of Department of Cauca and the Cauca Valley	19,238
Cuba:	
Mineral analysis and development	38,000
Basic geological research	28,700
Honduras: Coal resources survey and development	7,950
Mexico: USGS—Instrument calibration technician	850
Peru:	
Advisory services, mineral resources	78,961
Advisory services, mining and metallurgy	81,905
OVERSEA TERRITORIES	
British Guiana: Mining and minerals project	10,400

Fiscal year 1956 projects

FAR EAST	Amount
Cambodia: Mineral development	$25,000
China:	
Coal mine improvement	103,000
Solid fuels and minerals exploration survey	10,182
Coal exploration	25,000
Petroleum exploration, CPC	7,000
Coal mine demonstration	100,000
Geological equipment	27,000
Indonesia: Mining operations	154,959
Korea:	
Coal mining operations and management	1,800
Development of Hambaek coalfields	550,000
Test drilling of Hambaek coalfield	500,000

Fiscal year 1956 projects—Continued

FAR EAST—continued

	Amount
Philippines:	
Nonmetallic minerals survey	$53,000
Strategic minerals survey	240,000
Technical assistance to the Bureau of Mines	29,500
Coal surveys	53,000
Thailand:	
Geological survey	45,900
Experimental metal mining operations	10,000
Minerals experimental center	30,500
NEAR EAST AND SOUTH ASIA	
Afghanistan: Mineral resources and coal production	93,000
Egypt:	
Industry and mining—mining and minerals	1,500
Minerals resources development	58,750
Greece: Technical training in the minerals field	13,720
India:	
Exploratory lignite excavation and development	9,100
Minerals survey and development	133,723
Iran: Mineral resources	2,500
Israel:	
Petrochemical research	39,000
Mineral exploration and development	105,200
Department of metallurgy (technion)	40,000
Conservation techniques in oilfield development	45,000
Jordan: Dead Sea mineral resources	51,200
Lebanon: Mineral survey	30,000
Nepal:	
Nepal American Minerals Cooperative Service	5,000
Minerals deposit surveys	74,000
Pakistan:	
Development of Makarwal collieries	502,000
Bureau of Mines and Geological Survey advisory service	53,700
Surveys of chemical and industrial potential of Sui gas	75,000
Turkey:	
Zonguldak coal basin development	661,000
Murgul copper mine expansion program	401,000
Murgul copper mine sulfuric acid sea line	100,000
AFRICA	
Liberia:	
Mining and minerals exploration demonstration and training project	20,000
Mines and geology	23,000
Oversea territories:	
Italian: Mineral survey (contract with World Mining Consultants, Inc.)	485
EUROPE	
Spain:	
Coal mining productivity study	3,840
Coal mining consultants	11,925
Lead and iron ore mining productivity study	12,800
POL laboratory equipment, 1956 fiscal year	100,000
Yugoslavia:	
Nonferrous metals and metallurgy	35,700
Fuels	12,700
LATIN AMERICA	
Bolivia: Mining survey	162,000
Brazil:	
U.S. Geological Survey mineral resources	204,500
Mineral resources development (USBM)	85,400
Chile: Geology	86,500
Colombia: Coal resources development in the Department of Cauca and in the Cauca Valley	23,000

Fiscal year 1956 projects—Continued

LATIN AMERICA—continued

	Amount
Cuba:	
Mineral analysis and development	$32,000
Basic geological research	29,900
Honduras: Industry, mining coal resources survey	29,107
Mexico:	
Minerals technology cooperation (Bureau of Mines)	38,000
Industry and mining (U.S. Geological Survey)	116,800
Peru:	
Advisory services mineral resources	98,338
Advisory services mining and metallurgy	49,390
OVERSEA TERRITORIES	
British Guiana: Mining and minerals	6,000

Industry and mining, fiscal year 1957

FAR EAST	Amount
Cambodia: Mineral development	$15,000
China:	
Coal mine improvement	782,000
Solid fuels 7 and mineral exploration survey	25,000
Petroleum exploration, China Petroleum Corp	5,000
Indonesia: Mining operations	122,000
Korea:	
Test drilling, Ham Raik coal field	139,000
Test drilling, Han Kook Geological Industrial Co	100,000
Geophysical survey and test drilling, ROK Office of Geological Survey	475,000
Mine development, monazite ore separating plant	150,000
Mine development, Dae Han coal mines	3,247,000
Geophysical survey and test drilling, Hwasun & Eunsung coal fields	136,000
Laos: Mining and minerals survey	8,000
Philippines:	
Nonmetallic minerals survey	41,000
Technical assistance to the Bureau of Mines	25,000
Coal surveys	24,000
Thailand:	
Geological survey	58,000
Minerals experimental center	22,000
Airborne geophysical survey	130,000
Vietnam: Nong Son coal exploration survey	56,000
NEAR EAST AND SOUTH ASIA	
Afghanistan: Mineral resources and coal production	875,000
Ceylon: Minerals exploration	56,000
Egypt: Mineral Resources Department	22,000
Greece: Technical training in the mineral fields	14,000
India: Minerals survey and development	113,000
Israel:	
Minerals development	78,000
Department of Metallurgy	25,000
Conservation techniques in oil field development	2,000
Nepal: Project for mineral deposits surveys	137,000
Pakistan:	
Makarwal collieries	593,000
Bureau of Mines and Geological Survey	50,000
Turkey:	
Zonguldak coal basin development	380,000
Murgul copper mine expansion program	178,000
Western lignite mines	450,000
Private mining development	500,000
Preventive maintenance adviser	20,000

Industry and mining, fiscal year 1957—Con.

	Amount
AFRICA	
Liberia: Mines and geology	$10,000
Libya:	
Minerals investigation	24,000
Minerals investigation	42,000
OVERSEA TERRITORIES	
United Kingdom: Southern Rhodesia, metallurgical chemistry	3,000
EUROPE	
Spain:	
Civil aviation (fiscal year 1957) POL laboratory equipment	90,000
Iron ore mining productivity study	6,000
Yugoslavia: Industry, mining, and minerals	138,000
LATIN AMERICA	
Bolivia: Mining survey	199,000
Brazil:	
U.S. Geological Survey mineral resources investigation (nonferrous project)	44,000
U.S. Geological Survey mineral resources investigation (ferrous project)	209,000
Mineral resources development (U.S. Bureau of Mines)	44,000
Chile: Geology	130,000
Colombia: Coal resources development in the Department of Cauca and the Cauca Valley	13,000
Cuba:	
Mineral analysis and development	18,000
Basic geological research	19,000
Honduras: Industry mining coal resources development	75,000
Mexico:	
Minerals technology cooperation (Bureau of Mines)	35,000
Industry and mining (U.S. Geological Survey)	59,000
Peru:	
Advisory services in mineral resources geology	76,000
Advisory services in mining and metallurgy	42,000

Industry and mining, fiscal year 1958

	Amount
FAR EAST	
China (Taiwan):	
Coal mine development	$689,000
Mineral development, other than coal	13,000
Indonesian Republic: Mining operations	154,000
Korea:	
Coal mine development	245,000
Development metals and minerals mining	630,000
Mining and geological training	79,000
Philippines:	
Nonmetallic minerals survey	52,000
Strategic minerals survey	397,000
Technical assistance to the Bureau of Mines	25,000
Thailand: Mining development	52,000
Vietnam: Nong Son coal exploration survey	12,000
NEAR EAST AND SOUTH ASIA	
Afghanistan: Mineral resources and coal production	164,000
Ceylon: Minerals exploration	14,000
India:	
Exploratory lignite excavation and development	18,000
Geological survey, India	279,000
Oil and gas commission	41,000
Assistance to coal industry	10,000
Israel:	
Minerals exploration and development	82,000
Conservation techniques in oil field development	6,000
Nepal: Project for mineral deposit surveys	130,000

Industry and mining, fiscal year 1958—Con.

	Amount
NEAR EAST AND SOUTH ASIA—continued	
Pakistan: Geological Survey advisory service	$246,000
Turkey:	
Zonguldak coal basin development	62,000
Preventive maintenance adviser	20,000
AFRICA	
Ghana: Geological training project	8,000
Libya: Minerals investigation	66,000
OVERSEA TERRITORIES	
United Kingdom: Increasing productivity of Wolfram mining industry	15,000
EUROPE	
Spain:	
Civil aviation POL laboratory equipment	12,000
Copper mining productivity study	11,000
Yugoslavia:	
Mining and minerals (coal mining, coke, and coke by-products)	308,000
Mining and minerals (nonmetallic minerals, asbestos)	33,000
Mining and minerals (cement production)	20,000
Mining and minerals (industrial and household ceramics)	3,000
Mining and minerals (nonmetallic minerals, chromium)	33,000
Technical inquiry service support (technical literature and film program)	10,000
LATIN AMERICA	
Argentina: Geology and mining training	24,000
Bolivia: Mining industry improvement program	120,000
Brazil: Geological education project	23,000
U.S. Geological Survey mineral resources investigations (nonferrous project)	62,000
U.S. Geological Survey mineral resources investigations (ferrous project)	246,000
Mineral resources development (USBM)	28,000
Chile: Geology	217,000
Colombia:	
Coal resources development in the Department of Cauca and the Cauca Valley	25,000
Cuba:	
Mineral analysis and development	21,000
Basic geological research	6,000
Honduras: Coal resources development	13,000
Mexico:	
Minerals technology cooperation (Bureau of Mines)	38,000
Geological Survey	19,000
Peru:	
Advisory services, mineral resources	66,000
Advisory services, mining and metallurgy	60,000
OVERSEA TERRITORIES	
British Guiana: Training in prospecting for minerals	2,000

Fiscal year 1959 projects

	Amount
FAR EAST	
China:	
Coal mine development	$966,000
Mineral development	27,000
Indonesia: Mining operations	162,000
Korea:	
Coal mine development	963,000
Development metals and minerals mining (other than coal)	1,249,000
Mining and geological training	29,000
Laos: Mining and mineral survey	215,000

Fiscal year 1959 projects—Continued

	Amount
FAR EAST—continued	
Philippines:	
Nonmetallic mineral survey	$29,000
Strategic minerals survey	228,000
Technical assistance to the Bureau of Mines	38,000
Thailand:	
Mining development	48,000
Airborne geophysical survey	30,000
Vietnam: Nong-Son coal mine development	1,630,000
NEAR EAST AND SOUTH ASIA	
Afghanistan: Mineral resources and coal production	82,000
Ceylon: Minerals exploration	17,000
India:	
Exploratory lignite excavation and development	8,000
Geological survey in India	137,000
Oil and gas commission	12,000
Assistance to coal industry	27,000
Israel:	
Minerals exploration and development	78,000
Conservation techniques in oilfield development	6,000
Nepal: Mineral resources development	148,000
Pakistan: Geological survey advisory service	164,000
Turkey:	
Undersea coal mining operations	3,000
Institute of applied geology	5,000
AFRICA	
Ghana:	
Geological survey project	168,000
Industrial education project	11,000
Libya: Minerals investigation	74,000
EUROPE	
Spain:	
POL laboratory	2,000
USGC School of Photogeology	4,000
Oil exploration and production study	8,000
Yugoslavia:	
Mining and minerals (coal mining, coke, and coke by-products)	266,000
Mining and minerals (nonmetallic minerals—asbestos)	72,000
Mining and minerals (cement production)	81,000
Mining and minerals (nonmetallic), chromium	18,000
LATIN AMERICA	
Argentina: Geology and mining training	26,000
Bolivia: Increasing and diversifying mining production (supervised mining credit program)	127,000
Brazil:	
Geological education project	120,000
U.S. geological survey mineral resources investigations	93,000
U.S. geological survey mineral resources investigations	198,000
Mineral resources development	31,000
Chile: Geology	274,000
Colombia: Coal resources development in the department of Cauca and the Cauca Valley	19,000
Cuba: Mineral analysis and development	24,000
Honduras: Coal resources survey	18,000
Mexico:	
Minerals technology cooperation	44,000
Geological survey	37,000
Peru:	
Advisory services, mineral resources	71,000
Advisory services, mining and metallurgy	54,000

Fiscal year 1959 projects—Continued

OVERSEA TERRITORIES

	Amount
British Guiana: Phototraining	$2,000
The West Indies and East Caribbean: Preliminary survey—pumice and pozzuolanic earth deposits	4,000

Industry and mining, fiscal year 1960

FAR EAST

	Amount
China (Republic of):	
Coal mine development	$16,000
Mineral development—other than coal	623,000
Indonesia: Minerals advisory services	237,000
Korea:	
Development of coal mines—diamond drilling	1,330,000
Metal and minerals development (other than coal)	1,400,000
Mining and geological training	92,000
Laos: Mining and mineral survey	42,000
Philippines:	
Nonmetallic minerals survey	28,000
Strategic minerals survey	159,000
Bureau of Mines administration improvement	43,000
Thailand: Mining development	86,000
Vietnam: Nong-Son coal mine development	33,000

NEAR EAST AND SOUTH ASIA

Afghanistan:	
Mineral resources and coal production	163,000
Mineral resources and coal production—reobligation	16,000
Ceylon:	
Minerals exploration	22,000
Minerals exploration—reobligation	2,000
India:	
Geological survey of India	124,000
Oil and gas commission	33,000
Assistance to coal industry	30,000
Israel:	
Minerals exploration and development	81,000
Conservation techniques in oilfield development	38,000
Nepal: Mineral resources development	44,000
Pakistan: Bureau of Mines and Geological Survey advisory	143,000
Turkey:	
Preventive maintenance adviser	1,000
Institute of applied geology	20,000
Central Treaty Organization: CENTO regional mineral meetings	7,000

AFRICA

Libya: Minerals investigation	99,000

EUROPE

Spain: POL Laboratory	1,000
Yugoslavia:	
Coal production and utilization	257,000
Mining and minerals (cement production)	135,000
Industrial information service	48,000
Technical inquiry service support	5,000
Minerals development	55,000
Minerals development—reobligation	9,000

LATIN AMERICA

Argentina: Geology and mining training	103,000
Bolivia:	
Minerals survey	25,000
Minerals management and production study	25,000

Industry and mining, fiscal year 1960—Con.

LATIN AMERICA—continued

	Amount
Brazil:	
Geological education project	$145,000
U.S. Geological Survey mineral resources — investigations, nonferrous project	87,000
U.S. Geological Survey resources investigations—ferrous project	201,000
Colombia: Coal resources development	17,000
Cuba: Minerals analysis and development	1,000
Honduras: Coal resources survey	13,000
Mexico:	
Minerals technology cooperation	34,000
Geological survey	49,000
Peru:	
Advisory services, mineral resources	14,000
Advisory services, mining and metallurgy	53,000

Industry and mining, fiscal year 1961

FAR EAST

	Amount
China, Republic of: Mineral development—other than coal	$41,000
Indonesia: Minerals advisory services	193,000
Korea:	
Development of coal mines—diamond drilling	471,000
Metal and minerals development—other than coal	275,000
Laos: Mining and mineral survey	30,000
Philippines: Mineral development	156,000
Thailand: Mining development	195,000
Vietnam: Nong-Son coal mine development	30,000

NEAR EAST AND SOUTH ASIA

Afghanistan: Mineral resources and coal production	472,000
Ceylon: Minerals exploration	18,000
India:	
Geological survey of India	44,000
Oil and gas commission	26,000
Assistance to coal industry	326,000
Israel:	
Minerals exploration and development	39,000
Conservation techniques in oil field development	6,000
Pakistan: Bureau of Mines and geological survey—advisory	441,000
Turkey: Institute of applied geology	29,000
Central Treaty Organization: CENTO regional mineral meetings	14,000

AFRICA

Libya: Minerals investigation	60,000
Malagasy Republic: Minerals survey	13,000
Uganda: Increase productivity of Wolfram mining industry	1,000

LATIN AMERICA

Argentina: Geology and mining training	21,000
Bolivia: minerals survey	131,000
Brazil:	
Geological education	139,000
U.S. Geological Survey mineral resources investigation (nonferrous project)	230,000
U.S. Geological Survey mineral resources investigation (ferrous project)	167,000
Chile: Geology	277,000
Mexico:	
Minerals technology cooperation	50,000
Geological survey	77,000
Peru: Advisory services, mining and metallurgy	17,000

EUROPE

Yugoslavia:	
Coal—production and utilization	45,000
Minerals development	390,000
Geological institute	47,000

EXHIBIT 4

STATEMENT BY SENATOR ERNEST GRUENING ON BEHALF OF SENATE JOINT RESOLUTION 44, MARCH 15, 1962, BEFORE THE SENATE INTERIOR SUBCOMMITTEE ON MINERALS, MATERIALS, AND FUELS OF THE SENATE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. Chairman, slightly more than 1 month ago in a speech on the floor of the Senate I discussed the effectiveness of our national measures to stop the outflow of gold. I suggested that it was time to subsidize the Nation's gold mines in the public interest. I repeat that suggestion today, and I urge the enactment of legislation which will help increase our gold bullion reserves and assist a national industry in trouble.

It is a privilege for me to appear before the Subcommittee on Minerals, Materials, and Fuels to urge consideration of Senate Joint Resolution 44 which I believe would provide part of the answer to the perplexing problem of halting the drop in the gold supply of the United States.

President Kennedy in his state of the Union message on January 11, 1962, discussed our balance of payments. As he outlined U.S. efforts to safeguard the dollar, the President expressed his belief that "confidence in the dollar has been restored.

"We did not—and could not—achieve these gains through import restrictions, troop withdrawals, exchange controls, dollar devaluations, or choking off domestic recovery.

"We acted not in panic but in perspective. But the problem is not yet solved."

The President is right. The problem is not solved and there is an urgent need to assist in the domestic recovery of the gold mining industry.

Our gold supply is running out.

The March 5, 1962, figure is nearly $500,000 below that of a month earlier.

The March 8, 1962, figure is $60 million below the February 5, 1962, figure. But let me cite some yearly figures.

The highest our gold bullion reserve figure has ever been came on the day of August 26, 1949. The reserve was $24,613,983,166.66. The reserve has gone down ever since. I will cite specific amounts for 1960, 1961, and 1962, as given to me by the U.S. Treasury Department's Office of Domestic Gold and Silver Operations:

Gold bullion on deposit:	
Jan. 31, 1960	$19,143,560,721.00
Feb. 3, 1961	17,436,295,334.22
Feb. 5, 1962	16,790,080,826.75
Mar. 5, 1962	16,789,592,877.47
Mar. 8, 1962	16,729,503,830.71

From figures such as these we may see clearly that the problem has not been solved.

I think that part of this problem arises because the price of gold has remained at $35 per troy ounce since 1934. This constancy has not helped the Nation's gold industry meet constantly increasing production prices. And this constancy prompted Mr. Alvin Kaufman, mineral economist of the Bureau of Mines, to express the following opinion in the December 1961 issue of Mining Engineering:

"The decline in gold output resulted from a lack of incentive to produce because of rising costs and the fixed price of $35 per ounce, as well as from a decline in reserves."

It so happens that gold is about the only mineral which is conserved after being extracted. All other metals find their way into industry and to a considerable extent their extraction however necessary to the uses of modern civilization and technology constitute a depletion. Not so with gold. Indeed we have gold more certainly and more securely once mined from our subsoil and placed in our reserve. In short, gold extraction is—uniquely among all minerals

and subsoil resources—gold conservation, with all its beneficent strengthening of the United States financially, economically, and psychologically.

Secretary Udall in presenting the 1963 Interior Department budget called for $27 million for conservation and development of mineral resources. How better could this and an additional sum be used than for the extraction of gold. In addition he seeks $14,786,000 to maintain a strong national supply base.

Earlier in this session of Congress I joined as a cosponsor of Senate Joint Resolution 44, which was introduced by Senator ENGLE. This legislation encourages the discovery, development, and production of domestic gold through an incentive payment program for newly mined gold.

The resolution proposes the payment of incentive payments not exceeding $35 per ounce of new gold. I am not certain that this is a sufficient amount, but I do know that mining officials agree that an increase in the price of gold would greatly stimulate State economy so I am glad to have this opportunity to support legislation which would stabilize our national gold mining industry.

Senate Joint Resolution 44 further proposes that there be no payment during any period in which the gold reserves of the U.S. Government equal or exceed $23 billion. That maximum is far above our current gold bullion on deposit which was $16,789,592,877.47 on March 5, 1962.

The resolution would terminate the incentive program 5 years after date of approval. I believe that might not be sufficient time and I urge the subcommittee to consider a more flexible wording. There need be no expiration date fixed at this time.

Mr. Chairman, I am interested in gold mine production figures which appear in the Minerals Yearbook. What was it, for example, which kept Canadian gold production at a plus-4-million-ounce figure while U.S. production dropped from an average of 1,905,511 to 1.5 million (estimated) in 1961?

I looked into the matter. I learned that Canada offers a number of incentives to help its mining industry. Among them are such helps as (1) no capital gains tax; (2) exemption from Federal taxes for the first 3½ years of production for new mines; (3) realistic program of road assistance to promising areas and properties; (4) cheaper mining costs; and (5) a subsidy to gold miners.

Most important in regard to gold mining, of course, is the assistance offered to Canadian gold miners in actual subsidy payments offered per ounce under the Emergency Gold Mining Assistance Act.

So I reply in answer to those persons who cry that a subsidy would upset the U.S. balance of payments that a subsidy has not ruined Canadian economy but on the contrary seems rather to have helped the gold mining industry and the nation's economy.

The Emergency Gold Mining Assistance Act was enacted in 1948 for a period of 3 years and it has been extended.

According to figures supplied by the Canadian Department of Mines and Technical Surveys:

"The amount of money paid to gold mines to March 31, 1961, for the years 1948 to 1960, inclusive, under the provisions of the Emergency Gold Mining Assistance Act, is $144,166,822.96 on a production during these years of 38,578,245.244 ounces."

Similar U.S. production during these years was 24,579,000 ounces. Thus Canadian production is nearly 14 million ounces more than the United States in the 12-year period.

Obviously, Mr. Chairman, an incentive program works.

Under the Canadian formula used today the rate of assistance factor was determined by taking two-thirds of the amount by which the cost per ounce exceeds $26.50, with a maximum rate of $12.33 per ounce. The number of assistance ounces was two-thirds of the total gold produced and sold to the Royal Canadian Mint.

It would be easier, I believe, to administer an assistance plan were it based on a flat rate per ounce of new production.

Our good friends, the Canadians, have met their problems realistically and without shaking repercussions. I see no reason why we may not be equally capable.

The Anchorage Daily News, of February 20, 1962, carried an excellent editorial applauding the fact that Senate Joint Resolution 44 had not been shoved aside. It points out that the legislation "overcomes the objections of the economists who fear to turn our gold market open to the world in Alaska" and that it "* * * would mean a resurgency into the hills and creeks by hundreds of prospectors which Commissioner Phil Holdsworth has said will result not only in discovery of gold deposits but will turn up other valuable metals as well.

"Subsidies, we know, are nothing new for our Government. Why should it not make as much sense to subsidize gold miners (and at far less cost) as to subsidize the farming industry?"

In the case of gold there would be no billion dollar annual storage charge, in fact there would be no storage costs. Gold does not perish and it does increase in value.

I ask that the full text of the editorial be reprinted in the text following my remarks.

I have talked to many experts. They, too, are worried about our gold supply. One of them thought the Federal Government should consider a stabilization operation. Very simply such an operation would work as follows:

The U.S. Treasury would offer incentive payments for each ounce of new domestic gold mined. That gold would be set to one side. It would be sold for $35 a troy ounce on the free world market if individual hoarders or one or more nations attempted to increase the world price of gold.

We would, in essence, issue a world declaration stating that this newly-mined domestic gold is earmarked to keep the market firm and out of the hands of speculators. I understand this type of stabilization worked successfully in 1934 and 1960. We could, if you care to make this comparison, tell any speculator: "Try to break the world market and we'll break you."

Sometimes it may be necessary to play rough. This might be such a time.

I support the resolution, although I feel it can be improved by amendment, not only because it will restore a great national industry which is active in the State of Alaska but because it will go a long way toward correcting our balance-of-payments deficiency.

With me to testify is Mr. James Williams, of Juneau, Alaska, director of the Division of Mines and Minerals of the Department of Natural Resources, State of Alaska. Mr. Williams can report on the condition of the mining industry in Alaska and I know he can suggest ways in which that tragic situation might be improved.

We also have present today Mr. James K. Crowdy, president of the New York-Alaska Gold Dredging Co. Mr. Crowdy is an experienced miner both in Alaska and elsewhere.

In closing, Mr. Chairman, I appreciate this opportunity to discuss legislation which means so much to the economic well-being of our Nation.

I should like to complete my testimony by placing in the hearing record a history of gold production in our Nation from 1792 through 1956 as compiled by the U.S. Bureau of Mines. (Chart not printed in RECORD.)

Total U.S. gold stocks on hand from 1957 through 1961 have been supplied through the Office of Domestic Gold and Silver Operations of the Department of Treasury:

	Amount
Dec. 31, 1957	$22,857,000,000
Dec. 31, 1958	20,582,000,000
Dec. 31, 1959	19,507,000,000
Dec. 31, 1960	17,804,000,000
Dec. 31, 1961	16,947,000,000
Mar. 8, 1962	16,729,503,830

Mr. MOSS. Mr. President, will the Senator from Alaska yield?

Mr. GRUENING. I yield with pleasure to my distinguished friend, the Senator from Utah.

Mr. MOSS. Is it not true that since 1934 we have frozen both the price of gold and the market for gold?

Mr. GRUENING. That is correct.

Mr. MOSS. And that no effort has been made to adjust to changing situations in either the local economy or the world economy?

Mr. GRUENING. That is correct. It is a sad story, but it is true.

Mr. MOSS. So, with gold remaining as the basis of our currency, we now have cut off our own source of supply, by reason of keeping the price of gold depressed; is not that true?

Mr. GRUENING. That is correct.

Mr. MOSS. I understand that, possibly with only one exception, the only new gold which today comes into the Treasury comes as a byproduct from the refining of baser metals.

Mr. GRUENING. That is correct. I understand that occurs in Utah.

Mr. MOSS. That is correct; in Utah, all the gold now produced is produced as a byproduct in connection with the mining and refining of other metals. So at this time we are not mining gold and are not obtaining any gold, except for a little trickle of gold which is obtained as a byproduct.

Mr. GRUENING. And certainly that small amount of gold is not sufficient to keep our gold reserves from sagging steadily, as they now are doing.

Mr. MOSS. Yes. But if the mining of gold in the United States were resumed, we could expect a great increase in the amount of gold which would come into our Treasury, could we not?

Mr. GRUENING. We certainly could. If the Congress were to enact either Senate Joint Resolution 44 or some modification of it—for, after all, I do not contend that its provisions are the optimum ones. To give my personal view, I should like to see its terms improved somewhat, and a larger subsidy than Senate Joint Resolution 44 provides, so as to insure greatly increased gold production. We could thereby certainly build up our reserves of gold. And surely, Mr. President, increased reserves of gold in our Treasury would serve as a weapon of great importance to us. After all, we are reliably informed that the Russians are using gold as a weapon of that sort, and are mining between 15 million and 17 million ounces of gold each year—approximately 10 times as much as we are mining annually. So the Russians are using gold as an essential instrument in the cold war.

Mr. MOSS. Mr. President, I certainly commend the Senator from Alaska for his great interest in this matter and for his intention to have further

committee hearings held on this subject. Do I correctly understand that it is his intention to have the hearings reopened?

Mr. GRUENING. Yes, and particularly so that we may cross-examine the objectors who have filed the adverse reports, which do not seem to make sense under the circumstances.

Mr. MOSS. Mr. President, I thank the Senator from Alaska very much for his most important interest in these vital developments in the field of gold production.

Mr. GRUENING. I appreciate the support of the Senator from Utah.

Mr. President, I now yield to the distinguished Senator from Wisconsin, with the understanding that I do not lose my right to the floor, and that his remarks will appear elsewhere in the RECORD.

DAIRY PRICE SUPPORTS, 1962

Mr. PROXMIRE. Mr. President, I thank the distinguished Senator from Alaska. I am grateful to him for yielding to me.

Mr. President, nothing is more important to the Wisconsin farmer than what happens to the price of milk and the price of dairy products. The fact is that the Committee on Agriculture and Forestry is now considering legislation seriously affecting price supports for dairy products. A few hours ago, the Subcommittee on Agricultural Production, Marketing, and Stabilization of Prices of the Committee on Agriculture and Forestry voted to report to the full committee for its consideration, without recommendation, a resolution recommended by the President and the Secretary of Agriculture.

This resolution would have maintained price supports for dairy products at their current level for the remainder of 1962. If the resolution is not agreed to, the Secretary has indicated that he will be compelled, by his interpretation of the law, to reduce price supports for dairy products by 10 percent.

I earnestly hope that the Committee on Agriculture and Forestry will give this proposal its most earnest and careful consideration. It will be extremely beneficial to the farmers of my State and of many other States. The case for this resolution has been strongly made for this resolution before the subcommittee, and the reason why I am speaking on the subject today is that it is so important to my State.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the testimony given before the Subcommittee on Agricultural Production, Marketing, and Stabilization of Prices of the Committee on Agriculture and Forestry on March 1, 1962.

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

DAIRY PRICE SUPPORTS, 1962
(Thursday, March 1, 1962)
U.S. SENATE, SUBCOMMITTEE ON AGRICULTURAL PRODUCTION, MARKETING, AND STABILIZATION OF PRICES OF THE COMMITTEE ON AGRICULTURE AND FORESTRY,
Washington, D.C.

The subcommittee met, pursuant to call, at 10:05 a.m., in room 324, Old Senate Office Building, Washington, D.C., Senator WILLIAM PROXMIRE presiding.

Present: Senators PROXMIRE, HOLLAND, TALMADGE, JORDAN, and MUNDT.

Also present: Senator BOGGS.

Senator PROXMIRE. The Subcommittee on Agricultural Production, Marketing, and Stabilization of Prices will come to order. Senate Joint Resolution 150 and the favorable report from the Department of Agriculture will be made a part of the record at this point.

(S.J. Res. 150 and the report are as follows:)

"[S.J. Res. 150, 87th Cong., 2d sess.]

"Joint resolution to continue for an additional nine months the current support prices for milk and butterfat

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 201(c) of the Agricultural Act of 1949, as amended, is amended by adding immediately following the first sentence thereof the following: 'Notwithstanding the foregoing provisions, for the period beginning April 1, 1962, and ending December 31, 1962, the price of milk for manufacturing purposes and the price of butterfat shall be supported at $3.40 per hundredweight and 60.4 cents per pound, respectively.' "

DEPARTMENT OF AGRICULTURE,
Washington, D.C., February 9, 1962.

Hon. ALLEN J. ELLENDER,
Chairman, Committee on Agriculture and Forestry, U.S. Senate

DEAR MR. CHAIRMAN: This replies to your request of February 1 for a report on Senate Joint Resolution 150, a joint resolution to continue for an additional 9 months the current support prices for milk and butterfat.

Senate Joint Resolution 150 would amend section 201(c) of the Agricultural Act of 1949, as amended, by adding immediately following the first sentence thereof the following: "Notwithstanding the foregoing provisions, for the period beginning April 1, 1962, and ending December 31, 1962, the price of milk for manufacturing purposes and the price of butterfat shall be supported at $3.40 per hundredweight and 60.4 cents per pound, respectively.

The Department of Agriculture strongly recommends the immediate enactment of the resolution.

Such a resolution was recommended by the President in his message to the Congress on January 31 in order to prevent disruption of markets and grave impairment of the incomes of milk producers while the new legislation recommended by him is being considered and implemented. The new legislation would maintain the income of dairy farmers under a supply management program and would reduce budgetary expenditures for dairy price supports.

The reasons for recommending the new legislation are set forth in the President's message and the proposed legislation is contained in the Food and Agriculture Act of 1962 (S. 2786) introduced on February 2. The Department will testify on this bill when hearings are held on it. Therefore, this report is confined to the urgency of immediate enactment of Senate Joint Resolution 150.

In his message, the President pointed out that, under the present law, the Secretary of Agriculture is not authorized to set the price support rate for milk above 75 percent of parity unless he determines it to be "necessary in order to assure an adequate supply," and that, under this law, in the present supply situation, the reduced support price must be announced for the marketing year beginning next April 1.

Milk production in December 1961 was at a record rate for that month and 2.6 percent greater than a year earlier. The prospects are for a further increase in production in 1962. As yet there are no indications of significant improvement in the consumption of milk and its products in commercial outlets which decreased in 1961.

If the support prices are reduced to 75 percent of parity, there is no question but what market prices will decline and returns to producers will decrease. This will seriously impair the incomes of dairy farmers from sales of milk products which constitute one of our most important sources of food nutrients and are a major source of cash farm income.

The resulting decrease in dairy farmers' cash income probably would be between $250 and $300 million—two or three times the likely decrease in program expenditure.

A temporary decrease in support level also would disrupt the normal seasonal storage and marketing of dairy products. Substantial quantities of dairy products normally are stored commercially during the spring and summer months of seasonally large production, and are moved into the consumer markets along with the lighter production during the winter. It also should be noted that the industry normally carries a large inventory of cheese for proper curing and aging.

We recommend immediate passage of the resolution in order to remove the uncertainty as to the support level after April 1. This also would prevent larger sales to CCC from industry inventories before March 31 than will be the case if the resolution is enacted promptly.

The Bureau of the Budget advises that there is no objection to the presentation of this report and that enactment of the proposal would be in accord with the President's program.

Sincerely yours,
ORVILLE L. FREEMAN, *Secretary.*

Senator PROXMIRE. Our first witness this morning is Mr. Don S. Anderson, Director, Livestock, Dairy, and Poultry Division, ASCS, U.S. Department of Agriculture.

Mr. Anderson, we are happy to have you. I see that you have a very short statement. Why don't you go ahead with the statement.

Is there anybody you would like to have with you at the table?

Mr. ANDERSON. I have with me my Deputy Director, Mr. Harlan Emery.

Senator PROXMIRE. Please come up.

Mr. ANDERSON. And also Mr. Feddersen, who is Deputy Director of the Milk Marketing Orders Division, and Mr. Anthony Rojko, Economic Research Service.

Senator PROXMIRE. I wish you would sit up here also, you two gentlemen.

STATEMENT OF DON S. ANDERSON, DIRECTOR, LIVESTOCK, DAIRY, AND POULTRY DIVISION, AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE, U.S. DEPARTMENT OF AGRICULTURE

Mr. ANDERSON. Senate Joint Resolution 150 would amend section 201(c) of the Agricultural Act of 1949, as amended, in order to extend through December 1962 the current support prices of $3.40 a hundredweight for milk and 60.4 cents a pound for butterfat in farm-separated cream.

The Department of Agriculture strongly recommends the immediate enactment of the resolution. Such a resolution was recommended by the President in his message to the Congress on January 31 in order to prevent disruption of markets and grave impairment of the incomes of milk producers while the new legislation recommended by him is being considered and implemented. The new legislation would maintain the income of dairy farmers under a supply-management program and would reduce budgetary expenditures for dairy price supports.

The reasons for recommending the new legislation are set forth in the President's message and the proposed legislation is contained in the Food and Agricultural Act of 1962 (S. 2786) introduced on January 31. The Department has testified on this bill

at the hearings on it. Therefore, this statement is confined to the urgency of immediate enactment of Senate Joint Resolution 150.

In his message the President pointed out that, under the present law, the Secretary of Agriculture is not authorized to set the price support rate for milk above 75 percent of parity unless he determines it to be "necessary in order to assure an adequate supply," and that, under this law, in the present supply situation, the reduced support price must be announced for the marketing year beginning next April 1.

Total milk production in 1961 was 2.2 percent larger than a year earlier. This was slightly more than the percentage increase in population. Meanwhile total consumption of milk and its products declined. Price support purchases increased.

Milk production in January 1962 was at a record rate for that month and 2.6 percent greater than a year earlier. The prospects are for a further increase in production in 1962. As yet there are no indications of a significant improvement in the consumption of milk and its products in commercial outlets which decreased in 1961.

If the support prices are reduced to 75 percent of parity, there is no question but what market prices will decline and returns to producers will decrease. This will seriously impair the incomes of dairy farmers from sales of milk products which are one of our most important sources of food nutrients and are a major source of cash farm income.

The resulting decrease in dairy farmers' cash income probably would be between $250 and $300 million—two or three times the likely decrease in program expenditure.

A temporary decrease in support level also would disrupt the normal seasonal storage and marketing of dairy products. Substantial quantities of dairy products normally are stored commercially during the spring and summer months of seasonally large production, and are moved into the consumer markets along with the lighter production during the winter. It also should be noted that the industry normally carried a large inventory of cheese for proper curing and aging.

The Department recommends immediate passage of the resolution in order to remove the uncertainty as to the support level after April 1. This also would prevent larger sales to CCC from industry inventories before March 31 than will be the case if the resolution is enacted promptly.

Enactment of the resolution is important even if Congress enacts the Food and Agriculture Act this month, because of the time that would be required to implement the new dairy program.

Senator PROXMIRE. Now, Mr. Anderson, as I understand it, the reasons why you recommend that the price support remain at its present level through December 31 of this year, No. 1, is to maintain farm income.

Mr. ANDERSON. Our main interest is in dairy farmers. That is right, sir.

Senator PROXMIRE In doing this you recognize that would be an increased cost to the Government of perhaps $100 million. Is that about right, sir?

Mr. ANDERSON. That is right.

Senator PROXMIRE. Has that cost estimate been changed as a result of the increased milk production from January 1960 to over January 1961, which as you point out here was more than 2½ percent greater?

Mr. ANDERSON. I think, Harlan, when we made that estimate we were anticipating an increase in milk production.

STATEMENT OF HARLAN J. EMERY, CHIEF, DAIRY BRANCH, LIVESTOCK, DAIRY, AND POULTRY DIVISION, ASCS, U.S. DEPARTMENT OF AGRICULTURE

Mr. EMERY. Production in December was up about the same amount as a year earlier.

Senator PROXMIRE. Now, opponents of this proposal have argued that if the price support is maintained at its present level it will do two things. No. 1, they say it will encourage the farmer to produce more or to continue increasing production, that if you lower price supports down to 75 percent of parity, you will get a reduction in production. What is your position on this?

Mr. ANDERSON. Well, our general position, sir, would be that higher prices do have some limited effect on maintaining production. It would not be large, we think, and we can't imagine a decrease in price having any substantial effect on reducing farm production immediately.

Senator PROXMIRE. Now, is that statement made on the basis of any analysis of what has happened in the past when you have had lower or higher price supports?

Mr. ANDERSON. No. It is made mostly on the knowledge, sir, that farmers do not have satisfactory alternatives to turn to at the moment.

Senator PROXMIRE. Well, let's look at it both ways. In the first place, what farmers tell me when I talk to them about this is that if their price is lower, the individual farmer unless he goes out of business, and I want to cover that in a minute, the individual farmer does not produce less. Obviously if his price is down, as you say, he doesn't have much of an alternative. The only way he could maintain his gross income is to produce more, isn't that right? In other words, if a farmer has fixed costs, he has to pay his interest, he has to pay his taxes, he has to earn enough to buy the necessities of life for his family if he is to survive. If his price goes down, what does he do? Does he produce less?

Mr. ANDERSON. If his price goes down and all other prices remain the same, the tendency would be to produce somewhat less; yes, sir.

Senator PROXMIRE. Why? If he has to have this income to live——

Mr. ANDERSON. He may work harder. He may work harder. He may sacrifice his family more to do this, but generally higher prices, all other things remaining the same, would result in some moderate increase in production.

Senator PROXMIRE. Well, I would argue the other way, but I know we could argue on this all day. I call your attention to the statistics that since 1949—I have a record here of what price supports have been and what total production of milk has been and what you find is that in years in which price supports have gone down, production has gone up, and when price supports have gone up, production has gone down.

In other words, you have had this adverse or perverse kind of a situation five times—only twice have you had a consistent relationship since 1949—and the rest of the time you have had a situation in which the price support hasn't changed so that you can't make a judgment. So that I would say on the basis of the record, it is very hard to establish the position that by pushing price supports from 83 percent down to 75 percent of parity, you get a reduction in production. Experience does not indicate that.

Mr. ANDERSON. I tried to make myself clear, sir, that I did not believe that a substantial reduction of production would necessarily follow a decrease in price. I agree with you, sir, because there are many other factors. The price of beef affects what dairy farmers can do. But in the main, if everything else remained the same, and, of course, that does not, I think we would have to argue as farmers generally do argue in the Federal market, in order to get a more adequate supply, we would have to raise prices. I would have to agree with you on the statistics, sir, that statistically I cannot prove this point. If prices of beef—if prices of grain change and many other things——

Senator PROXMIRE. Take the year when we had the sharpest kind of change, 1953 to 1954. As I say, price supports dropped from $3.74 to $3.15. Yet we had a 2-billion-pound increase in milk production. This isn't just an exception. This is the rule, the general situation. If people are going to argue that the way to cut production is to reduce price supports, they just have to argue on the basis of theory and not on the basis of what has been the experience, the hard, tough experience of the farmer and the Department of Agriculture. If the statistics are valid, and I am sure they are—they come from the Department.

Mr. ANDERSON. I will not argue that. The statistics I think are correct insofar as they cover the problem. They do not cover these problems of other things that change, and I do not want to argue——

Senator PROXMIRE. I understand that.

Mr. ANDERSON. I do not want to argue, sir, that a cut in price will necessarily—a cut in support will necessarily reduce production. The Department would not take that position—I am sure of that—and it would be a cruel and hard way to cut production, but it is also hard to take a position that if everything remains the same, which it hardly ever does, that increased prices might not have a minor effect on production.

Senator PROXMIRE. Look at the situation for the dairy farmer if this bill is passed. If it is passed and price supports are dropped to 75 percent of parity, what are his alternatives? You will have a feed grain program which is going to keep him from moving into something else. His alternative is really limited. So what you are doing is you are driving his price down, giving him no real alternative to grow something else on his farm, and it seems to me to accomplish very little.

The President in his message which was delivered on January 31 made it clear in his judgment that you are not going to solve the surplus problem. You are still going to have the Government buying much more than it should. So you are not going to solve the problem for the taxpayer or for the farmer, the dairy farmer, by bringing it down to 75 percent of parity.

Mr. ANDERSON. We are in complete agreement with that. We are not going to solve the problem by dropping price supports.

Senator PROXMIRE. You had a statement?

STATEMENT OF ANTHONY J. ROJKO, HEAD, PRICE RESEARCH AND METHODS SECTION, ECONOMIC AND STATISTICAL DIVISION, ERS, U.S. DEPARTMENT OF AGRICULTURE

Mr. ROJKO. I just wanted to make one additional comment. In looking at the historical statistics you have to take into account that dairy farmers are slow to adjust, that they do not adjust immediately, and you have almost to look in terms of 3 or 4 years in order to take into account the other factors such as what happened to beef cattle and hog prices.

Senator PROXMIRE. Fine. Let's take what happened generally over the past 15 years. There has been a general tendency for price supports to go down. They are lower certainly than they were in World War II or during most of the period right after. They are lower than they were—they were a little lower in 1949 and 1950, but then they went up again in 1951 and 1952, and they are much lower than they were in that period.

You said there has got to be a gradual readjustment. Only recently it came up from $3.06 to $3.40, and yet all during this period we have had a general tendency for production to rise, so although supports have gone down over time, you have had production rising contrary to the direction of supports. Isn't that right?

Mr. ROJKO. It was not a steady rise. Production went in——

Senator PROXMIRE. You are right.

Mr. ROJKO. It went in sort of a step-like fashion in that you had the big rise which started with 1952 and then it tapered off, reached its peak in 1956, and then we had 3 years of decline, and then we again got another push starting in 1960–61. So what I am suggesting is that if you take into account adjustment, that this is where response to price comes slowly and it is the hard way of responding to getting production adjustments, but you eventually do get the adjustments if everything else is constant.

Senator PROXMIRE. Which it never is, and what we are saying is that this is a short-term situation now, isn't it? We are looking forward only to the end of this year. We are positive of this on the notion that Congress is going to do something about the fundamental law.

Mr. ROJKO. Right.

Senator PROXMIRE. So that from a short-term basis and in view of the fact that as you are testifying, this is something that takes a few years to adjust, there isn't much point if we are going to change the law in driving price supports down for the coming year.

Mr. EMERY. I think, Don, it is fairly clear that if you reduced supports to 75 percent on April 1, that we would not expect a decrease in milk production in 1962.

Mr. ANDERSON. Not in 1962. I think what the Senator has emphasized is the great contribution that farmers through their drive for greater efficiency have made to the consumers in the way of cheap food, that largely at the cost of hard work to themselves.

Senator PROXMIRE. I want to come to that next. The other argument that is made is that a little higher price support is going to mean a little more consumption—rather, a little less consumption, and as the farmer's price drops, the housewife's price will drop and she will buy more milk.

Now does that follow; first, in the first place on the basis of theory, and then on the basis of fact? Do you get higher consumption if you lower the price support from 83 percent of parity to 75 percent of parity? Would we expect this would have a significant or substantial influence on consumption?

Mr. ANDERSON. Of course, the change in retail price is a much smaller percentage than the change in farm price, and therefore the small change in farm price would have a very substantial effect on the farmer. We feel a smaller percentage change in retail price would have a very minor effect on consumption, if any, sir.

Senator PROXMIRE. Now, is it not true that even when you have had very, very sharp drops in price supports, that you have not had a significant change in the price the housewife pays at the store? At least, that has certainly been the feeling on the part of farmers throughout the country. Maybe you gentlemen have statistics which would refute that. Generally when you have had a drop, for example, the big drop is 1953–54, in price supports, to my knowledge there is no significant drop in the price the housewife had to pay even that year in the grocery store or for home deliveries. Isn't that right?

Mr. ANDERSON. Historically this is correct, sir.

Senator PROXMIRE. So that you will not have, if you drop the price support from $3.40 down to whatever it is, $3.11, I guess, you will not get a response on the part of the housewife in buying more milk. You won't get more consumption from this drop, is that correct?

Mr. ANDERSON. Well, historically, and it may be an accident, we don't know, margins have tended to increase historically and a lot of this drop in farm prices has been absorbed by wider margins.

I am not at the moment passing judgment on the wisdom or the necessity of these higher margins. I am just pointing out, as you did in connection with this, that historically this has happened and we will not expect—even if we got the full drop from $3.40, the same dollars and cents, we would not get the same percentage drop in retail prices.

Senator PROXMIRE. So if it were a drop from $3.40 to $3.06, this would be a drop of——

Mr. ANDERSON. $3.11.

Senator PROXMIRE. $3.11. This would be a drop of how much per quart? Six and a half down to a little over 6 cents? About half a cent drop? If it were reflected all the way through? And historically the situation is that it is not going to be reported through.

Mr. ANDERSON. Historically that is right.

Senator PROXMIRE. Now, on the basis of the record, you have had a fairly steady—some interruption, little change—drop in consumption and there has been no pattern that I can see in the statistics I have here from the Department of Agriculture which shows that consumption has increased when price supports have dropped or that consumption has decreased when price supports have gone up. Is this your experience, too?

Mr. ANDERSON. Yes, sir.

Senator PROXMIRE. Any difference of opinion on that?

STATEMENT OF HOWARD C. FEDDERSEN, DEPUTY DIRECTOR, MILK MARKETING ORDERS DIVISION, ASCS, U.S. DEPARTMENT OF AGRICULTURE

Mr. FEDDERSEN. I would expect that you would have some influence, of course, over time as a result of declining prices. I would say that probably immediately, because of the inelasticity of the demand on the part of the consumer for milk generally, that it wouldn't have an immediate effect. It would be reflected over time in the housewife's consumption.

Senator PROXMIRE. Well, this inelasticity factor is another factor and a mighty important one, and it is a fact. There is no question that there is a degree of inelasticity for demand for milk. If you increase the price you don't cut the consumption a great deal.

Mr. FEDDERSEN. That is correct.

Senator PROXMIRE. And isn't it also true that in terms of the general cost of living, that in terms of wages, that food is a better bargain now and milk is a better bargain now than it has been in the past? Substantially better?

Mr. FEDDERSEN. An improvement of efficiencies.

Senator PROXMIRE. I am talking about price. I am talking about the fact, for example, from the figures I have seen, that in 1929 it took 12 minutes of work in a factory on the basis of average factory wages to buy a quart of milk and today it takes 6 minutes. In 1929 people were buying 811 pounds of milk per person. Now they are buying 642.

Mr. FEDDERSEN. I think that——

Senator PROXMIRE. So although the real price in terms of work, the real price has gone down sharply, consumption has gone down, too, over time.

Mr. ANDERSON. Yes, sir. It seems to me, Senator, that what is demonstrated by those who oppose this proposition, they are saying that farmers will be assured a substantial decrease in income with no assurance of improvements in other fields, even to consumers, or in reduced production or anything like that.

One thing it seems to me we are sure of, if the Department is compelled to drop price supports, is that farmers' income will be substantially decreased.

Senator PROXMIRE. All right. Fine. I certainly concur in that.

Now I would like to go to the question that has been raised by many people. This is in part a political question and in part it is a question of fact, of legality.

The Secretary and the President have said that there is no alternative, that if the Congress does not pass this resolution, that the law will require the Secretary to reduce price supports for milk to 75 percent of parity. Now, there are those who disagree vigorously with this and say this is exactly the basis on which many Democrats criticized the Secretary of Agriculture, former Secretary of Agriculture Benson, that when he reduced price supports under this same law, which is still on the books, the 1949 Agricultural Act, that he did so because he had to do so and we criticized him at that time.

Of course, he didn't come to Congress and ask for a change in the law, a modification of the law, but nevertheless there was that criticism.

Now, looking at the language of the law, it is not crystal clear. I am wondering if you have gotten advice of the counselor of the Department of Agriculture that the Secretary in fact has no choice.

The language, as I have it here is:

"SEC. 201. (c) The price of whole milk, butterfat, and the products of such commodities, respectively, shall be supported as such level not in excess of 90 per centum not less than 75 per centum of the parity price therefor as the Secretary determines in order to assure an adequate supply."

Now, I can see why they feel the language is fairly strong and it puts them in a position where they cannot go above 75 percent of parity, but I want to button this up as clearly as I can and I want to ask you if you give as the legal basis for the Secretary's determination that he would have to drop price supports.

Mr. ANDERSON. Well, this is it, sir. To assure an adequate supply. And the evidence now is that 75 percent of parity will assure an adequate supply.

Senator PROXMIRE. Well, you can argue this a number of ways. You can argue it the way I tried to argue it here, that there is not much evidence that prices have much to do with supply. You gentlemen have indicated maybe over time they might have something to do with it. They don't have much to do with reducing consumption or recent production if you raise the price. It seems to me the Secretary is on fairly strong ground but not on completely conclusive ground if he contends that this law compels him to reduce the price support from 83 percent to 75.

Has there been an opinion by the legal counsel of the Department of Agriculture?

Mr. EMERY. I am certain the General Counsel has advised the Secretary and the Secretary has testified on that basis that he should not support over 75 percent unless he in conscience feels that over 75 percent support is necessary to get an adequate supply.

Senator PROXMIRE. Has there been a study made of the debate of the Agricultural Act of 1949 to determine the legislative history and determine if this is the firm position of Congress that price support cannot go above 75 percent if there is any prospect or any real likelihood of a surplus?

Mr. EMERY. Well, I am sure that the General Counsel has explored fully the legislative history right on this point. I am not from the General Counsel's Office and am not prepared to——

Senator PROXMIRE. It is my understanding that Secretary Benson got the Solicitor's opinion on this, that it was, however, disputed by Members of Congress at the time. But that there was a Solicitor's opinion by the previous Secretary of Agriculture.

Mr. EMERY. There may have been.

Senator PROXMIRE. Well, I would think that before the Secretary acts, certainly if the Congress fails to act, there would be the most painstaking and thorough and careful researching into this law; because this as you know is a terrible blow to the dairy

farmers, and the President recognized it as such in his January 31 farm message, especially since the President says in his message that this will accomplish nothing, that it is the wrong thing to do and he is against it, and he recommends this resolution. But we certainly don't want to be in the position of having the Department simply feel that in general they have to go along with this vague language without having the most careful legal support for what they are doing.

Will you provide such a legal interpretation for the committee? I think it would be very helpful to Congress. This is likely to be a point of dispute. I know that there are Senators who feel strongly that the Secretary can act, including Senators who are members of this committee.

Gentlemen, I want to thank you very much.

Mr. ANDERSON. Thank you very much, sir.

Senator PROXMIRE. Before the next witness is called, Senator McCarthy, a member of this committee, has a letter supporting this resolution which he has written to the chairman of the subcommittee, and without objection, this letter will be included.

(The document referred to follows:)

U.S. SENATE,
COMMITTEE ON AGRICULTURE
AND FORESTRY,
March 1, 1962.

Hon. OLIN D. JOHNSTON,
Chairman, Subcommittee on Agricultural Production, Marketing, and Stabilization of Prices, Committee on Agriculture, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: I am pleased that you are holding hearings on Senate Joint Resolution 150.

I support the resolution that price supports on milk and butter be extended for 9 additional months at the rate of $3.40 per hundredweight for milk for manufacturing purposes and at 60.4 cents per pound for butterfat.

If the Congress does not approve this temporary extension, support prices must be lowered to 75 percent of parity on April 1. This would drop the support price on milk about 30 cents per hundred and the price of butter 3 cents per pound. The price support on cheese would also be adversely affected. This action would severely cut the income of dairy farmers and at the same time might well increase the surpluses.

The dairy producers are in the midst of a most difficult problem resulting from a drop in consumption and an increase in production. The administration has recommended a dairy program. Both the Congress and the dairy farmers need time to study this bill and the alternatives proposed by various farm groups. Under these circumstances to permit a disastrous cut in income is neither equitable to dairy farmers nor will it create a climate in which to adopt sound legislation.

I appreciate your decision to hold hearings on this resolution and your consideration of its merits.

Sincerely yours,

EUGENE J. MCCARTHY.

Senator PROXMIRE. The next witness is Mr. Edwin Christianson.

We are happy to see you. You are the president of the Minnesota Farmers Union, St. Paul, Minn., representing the National Farmers Union. If you will, identify the distinguished gentleman on your right, who is a good friend of this committee and who has testified before.

STATEMENT OF EDWIN CHRISTIANSON, PRESIDENT, MINNESOTA FARMERS UNION, ST. PAUL, MINN., REPRESENTING THE NATIONAL FARMERS UNION; AND REUBEN L. JOHNSON, ASSOCIATE DIRECTOR, LEGISLATIVE SERVICES, NATIONAL FARMERS UNION

Mr. CHRISTIANSON. Mr. Chairman, it is a privilege to have the opportunity of appearing before this committee. And with me, representing the National Farmers Union this morning, is Reuben Johnson, our legislative representative here in Washington.

I have a short prepared statement, and I will go over it quite rapidly if that is all right.

Senator PROXMIRE. Very good. That is fine.

Mr. CHRISTIANSON. In our appearance here today before your committee, National Farmers Union wishes to urge favorable action on the recommendation of President John F. Kennedy for continuation of the existing dairy support level until December 31, 1962, as incorporated in Senate Joint Resolution 150.

It is important to consider President Kennedy's statement pertaining to this recommendation in his agricultural message to the Congress:

"Milk and dairy products constitute one of the most important sources of nutrients. They are also one of our most valuable farm products, bringing twice the cash income of the basic crops.

"Incomes of dairy farmers were improved by the bill passed by Congress late in 1960 to increase the support price for milk from $3.06 to $3.22 per hundred pounds and by the increase in the support price last March to $3.40 per hundred pounds for the current marketing year.

"Unfortunately, milk producers now face a serious setback. An unexpected decline in the consumption of milk during the past year, amounting to nearly 3 billion pounds, will result in Government expenditures this year of approximately $500 million to support the prices of dairy products. There is no evidence as yet that this decline in consumption will be reversed in the year ahead. Under the present law, the Secretary of Agriculture is not authorized to set the price support rate for milk above 75 percent of parity unless, 'necessary in order to assure an adequate supply.' Under this law, in the present supply situation, the reduced support price must be announced for the marketing year beginning next April 1.

"Such a reduction in milk price supports will gravely impair the incomes of milk producers. It will not, however, succeed in reducing Government expenditures to a reasonable and justifiable level.

"New legislation to correct the shortcomings of the present dairy price support laws is, therefore, urgently required, for the benefit of both farmer and taxpayer.

"While this legislation is being considered and implemented, in order to prevent disruption of markets by reduction of price supports to 75 percent of parity as required under the present law on April 1, 1962, I recommend enactment of a joint resolution authorizing the continuation of price supports on dairy products at the current level until December 31, 1962."

Our Farmers Union opinion is that there are several reasons why a reduction of price support levels on manufactured dairy products should not take place, but the principal reason, as the President pointed out, is economic in nature.

He urged action by the Congress to "prevent disruption of markets" and to avoid reduction which "will gravely impair the income of milk producers."

We respectfully call the attention of this committee to the statement made by economists of the Economic Research Service of the Department of Agriculture, as it appeared in the Dairy Situation report released Tuesday of this week, as follows:

"The current price support level of $3.40 per 100 pounds of milk is limiting a decline in the price of manufacturing milk during the first quarter of 1962. Prices after April 1 will depend on the support level to be announced before that date."

The only certainty resulting from allowing the dairy price supports to be reduced, will be a drop in gross and net income of dairy farmers—an income which is already seriously low.

According to studies of typical dairy farms made by the Farm Economics Division of the Economic Research Service of USDA, the typical hourly net earnings for operator and family labor on southeastern Minnesota dairy-hog farms is about 49 cents an hour, and a net earnings figure only a few cents per hour higher applies on typical Wisconsin dairy farms.

Senator PROXMIRE. May I interrupt at that point? This 49-cent-an-hour figure, and you say a few cents an hour higher on Wisconsin farms, that must be based on assuming a return on invested capital of 4 percent instead of 6 percent. The 6 percent is a lot less.

Mr. CHRISTIANSON. Yes.

Senator PROXMIRE. In other words, these are conservative estimates. This 49 cents per hour may well be higher than the actual return which farmers might expect. In other words——

Mr. CHRISTIANSON. Yes.

Senator PROXMIRE. If farmers allowed a 6-percent return on invested capital, their own imputed wage income would be substantially less than the 49 cents an hour.

Mr. CHRISTIANSON. Yes, sir.

Senator PROXMIRE. Thank you.

Mr. CHRISTIANSON. These same economic studies indicate that on a southeastern Minnesota dairy-hog farm it now requires a gross of some $12,000 in sales to provide $3,500 in net operator earnings, a $3,500 salary for the farm family.

Senator PROXMIRE. Stop right there. I don't want to anticipate something you are going to say, but I do want to underline the point you are making that this cut would be approximately a 10-percent cut in gross. If you go from 83 to 75, 8 points on an 83 base, a 10-percent cut in gross. This therefore is a big cut in net. The reduction in net income would be far more than 10 percent.

Mr. CHRISTIANSON. That is right.

Senator PROXMIRE. A reduction of maybe 50 percent in net. It may wipe out that income.

Mr. CHRISTIANSON. That is right.

Senator PROXMIRE. Thank you

Mr. CHRISTIANSON. In other words, the typical Minnesota dairyman is retaining only about 29 percent of his gross as net income, family salary, again an adverse economic trend.

The January parity equivalent on manufacturing milk is $4.14 per hundredweight, which indicates that a 75-percent-of-parity support level would be about $3.10. This would mean a 30-cent-per-hundredweight reduction in the support level.

According to our calculations, such a reduction of 30 cents per hundredweight would result in an income loss of perhaps $200 million or more for the Nation's dairymen, and in our own State, Minnesota, where the proportion of milk used for manufacturing purposes is high, the reduction would involve an income loss of some $22.5 million for our producers. The blend price in the Federal milk order areas would drop from 4 to 30 cents per hundredweight as a result of a reduction to 75 percent of parity in the price-support level.

In a very real sense, action taken by Congress or a failure to act will determine the level of dairy farm net income during this transitional period before a revised dairy program goes into operation.

At the same time, while a severe loss of income would take place as a result of failure of Congress to approve Senate Joint Resolution 150, no substantial advantages would result from such a course.

As President Kennedy said, the reduction in price supports would not succeed in reducing Government expenditures in a significant measure.

Maintenance of present support levels would not result in any needful increase in prices of dairy products to the consumer, while the experience of recent years shows that a reduction in price supports probably would not show up at the consumer level for some time, if at all.

Maintenance of the existing support level would be in line.

We do not believe that any significant improvement can be expected in the dairy supply and surplus situation short of the adoption of a more workable permanent dairy program.

This, in our opinion, is the only real solution. In reducing the price-support levels for the next few months, Congress would not be getting at the root of the problem.

We, therefore, urge that you give speedy approval to Senate Joint Resolution 150 and then proceed with efforts to obtain the best thinking of all interested groups on the form of an improved dairy program as part of the administration farm bill.

I have another sheet here, just documenting some of the statements, and I would ask that that be incorporated as part of the record.

Senator PROXMIRE. How long a sheet is it?

Mr. CHRISTIANSON. It is right on there.

Senator PROXMIRE. Without objection that will be placed in the record at this point. This is very concise.

(The document referred to follows:)

"A $340 SUPPORT LEVEL AIDED INCOME DID NOT CREATE PROBLEMS

"The action of the Congress in 1960 in establishing a price-support level of $3.22 on manufactured dairy products, and the action of the Kennedy administration in 1961 of administratively raising the price-support level to $3.40, resulted in a worthwhile improvement in farm income.

"Adjustments in the dairy industry are notably slow in taking place due to the fact that it takes time physically to expand dairy production.

"The upturn in production which took place in 1961 was actually triggered by conditions which prevailed in 1959 and 1960. These factors created the pressure toward expansion of production:

"1. A large supply of cheap feeds had resulted from the policy of expanding feed grain acres while lowering price-support levels. The large feed supply at low prices brought about an increase in the dairy-feed prices ratios, providing an incentive to dairy expansion.

"2. The relatively unfavorable dairy-beef price relationship discouraged the culling of dairy herds. Nearly 20 percent fewer milk cows were retired from dairy herds in 1960 and 1961 than in 1958 and 1959.

"3. The number of milk cows on farms had been declining by 1 million head a year in 1958 and 1959, but dropped less than 200,000 head in 1960 and 1961.

"4. The price of beef canners and cutters was relatively low, discouraging the sale of dairy animals on the beef market.

"5. Productivity per milk cow reached a record level of 7,200 pounds per cow in 1961.

"6. Most of the expansion of milk production in 1961 was in the areas included in the 68 Federal milk market orders. About 75 percent of the increase in volume took place on farms producing for those markets.

"Even so, the production increase in 1961 would not have become a problem had not there been an unexpected and substantial decline in milk consumption.

"Had milk consumption in 1961 grown in line with the population growth, there would have been no serious surplus problem."

Senator PROXMIRE. Now, you say the only certainty resulting from allowing the dairy price support to be reduced will be a drop in gross and net income of dairy farmers, an income which is already seriously low. There is one other certainty in all fairness, and the other certainty is the cost to the Government will be cut. I agree it won't be cut anything like the drop in the dairy farm income because the dairy farmer gets part of that income in the marketplace, but the cost will be cut.

Do you have an estimate on how much this reduction in cost to the Government would be? Would you concur in the opinion of the Department of Agriculture that it would be perhaps $100 million, whereas the drop in dairy farm income might be $300 million?

Mr. CHRISTIANSON. Well, I would concur, not having the figures available to me, except that I feel that the amount of the additional cost is quite insignificant to the benefits that would be derived through the entire economy, not only the dairy farmer, by maintaining it at this level.

Senator PROXMIRE. Mr. Christianson you are a farmer yourself?

Mr. CHRISTIANSON. I have a farm although I—my job is a full-time job now as officer of the——

Senator PROXMIRE. But you have been a farmer.

Mr. CHRISTIANSON. Yes, and I still have my farm but it is rented now.

Senator PROXMIRE. I see. Now, on the basis of your own experience, what do you do when the price support is cut? You have a dairy farm? You have had a dairy farm?

Mr. CHRISTIANSON. I have had a dairy farm.

Senator PROXMIRE. What has been your experience when the price support has been reduced in the past? Do you reduce your production?

Mr. CHRISTIANSON. No. Whenever the prices were lower in any commodity, whether it was dairy or any other commodity, we always strived to produce more in order to arrive at some sort of a comparable figure, even with lower prices.

Senator PROXMIRE. Now, when a dairy farmer under the circumstances decides that he just can't make it and sells out, does the country lose his production? His herd is bought by others, his land is bought, his implements are bought and the production goes on but you just have dairy farms which just may be a little larger?

Mr. CHRISTIANSON. That is correct.

Senator PROXMIRE. So that the actual reduction in the price the dairy farmer receives will not, except as he shifts into some other farm product—and the alternatives under the present law, the law proposed, at least, are going to be practically zero—unless he shifts into some other commodity, you are not going to get a reduction in production.

Mr. CHRISTIANSON. That is right. And historically this has been true all along and it is an established fact among the people out in the rural areas.

Senator PROXMIRE. And we also have, wouldn't you agree, the record that shows that when price supports have dropped, you have not gotten a drop in production. In fact, the years of the biggest drops in price supports, you have got substantial increases in production as a matter of record. And the long term over the years, you have had a general drop, at least in the last 10 or 15 years, in price supports, the price the farmers received, at least, and you have gotten a steady increase in production. So whether you look at it from the short-term basis or the long-term basis, there doesn't seem to be any real correlation between this drop in price supports and any reduction in production.

Mr. CHRISTIANSON. This is correct.

Senator PROXMIRE. You would conclude that this year if price supports are dropped to 75 percent of parity, we are going to still have this problem of increasing production, perhaps, or of production at about the same level.

Mr. CHRISTIANSON. This is right in our opinion.

Senator PROXMIRE. I am a little bit puzzled about one figure you give in here. You say the January parity equivalent on manufacturing milk is $4.14 per hundredweight, which indicates that a 75-percent-of-parity support level would be about $3.10. You are saying 100 percent of parity is $4.14.

Mr. CHRISTIANSON. Right.

Senator PROXMIRE. And therefore the parity level which had been lower than that a year or two ago has now gone up to $3.10 or $3.11.

Mr. CHRISTIANSON. That is right.

Senator PROXMIRE. I see. Well, Mr. Johnson, do you have anything you would like to add?

Mr. JOHNSON. I would just like to add one comment if I may, Mr. Chairman. The annual rate of increase of milk production through November of 1961 was running at about 1.6 percent over the previous year. This percentage increase is approximately the same as the percentage increase in our population growth from 1960 to 1961. And I would like to comment that this illustrates clearly to me that the unexpected decline in milk consumption is a major factor in the buildup of stocks this past year.

Senator PROXMIRE. It is not the fault of farmers producing more as much as it is of people consuming less.

On the other hand, I call your attention to two factors. One is that this drop in per capita consumption has been steady and relentless and somehow the dairy industry has either got to do a far better job, promotional job, or adjust to it. How about that?

Mr. JOHNSON. I agree with you completely but the point I want to make is that I think Secretary Freeman, acting on the best judgment that he had when he increased the price support to $3.40 last April 1, anticipated per capita consumption would remain stable throughout this period, and the fact that consumption went down and the carryover built up in my judgment does not show the faulty judgment on his part in raising the price support.

Senator PROXMIRE. How about this other factor, this more immediate factor that has just been revealed within the last 48 hours, that in February there was an increase in production of 2.6 percent over January of 1962? Would you feel that this 1 month is too brief a period to make a judgment?

Mr. JOHNSON. I would think so. I would not want to draw any conclusions as to what the annual increase would be in these figures.

Senator PROXMIRE. I see. Well, thank you, gentlemen, very, very much.

I am sorry. Senator HOLLAND may have some questions.

Senator HOLLAND, why don't you take over now? You have been here a while. I would feel better.

Senator HOLLAND. I wish you would continue to preside because I am going to have to leave very shortly.

Senator PROXMIRE. All right.

Senator HOLLAND. Mr. Christianson, milk products were not among the price supported articles under the New Deal program prior to the Second World War, were they?

Mr. CHRISTIANSON. No.

Senator HOLLAND. They were brought in as a war measure, brought into the price support structure as a war measure.

Mr. CHRISTIANSON. Yes.

Senator HOLLAND. When all of the other vegetables and perishables and the like which were brought in under the Stegall bill for the duration of the war were cut out shortly after the war, how was it that milk was left under the price support?

Mr. CHRISTIANSON. Well, I would not be qualified to say why.

Senator HOLLAND. Is there any reason that justifies the continued inclusion of milk and milk products under the price support struc-

ture that did not apply to the various perishables and other products which were brought in as a war measure during the war and discontinued within a few years after the war?

Mr. JOHNSON. Mr. Chairman—Senator HOLLAND, I would like to comment that one of the primary reasons, I think, for the continuation of price supports on milk following the war period was the fact that the Government had called upon farmers to produce. I think it was Secretary Wickard who said that food will win the war and write the peace. Industry had many benefits when they converted over from defense production during that period. I would think that the sum total of this in dollars has been much greater than the price support that was continued in order to try to help farmers over a very difficult period.

Senator HOLLAND. You remember, of course, that when the Stegall bill came to an end, that a great many perishables passed out of the price support picture. You remember, of course, that Irish potatoes, which were continued for a short period of time, themselves asked to be excluded after they found they had cost the Government nearly half a billion dollars in a limited period of time. You remember both those facts, do you not?

Mr. JOHNSON. Yes. But some of the perishables had other programs which they went to, in some cases marketing orders which have worked very effectively in some of the perishable commodities, including citrus.

Senator HOLLAND. That is true in dairies, too, isn't it? Aren't the marketing orders very helpful in the case of all the major milksheds in the country?

Senator PROXMIRE. If the Senator would yield at this point, I might point out that this is fine in the major milkshed areas but in areas such as ours, where we produce so much for manufacturing, it is murder. It is really tough.

Mr. JOHNSON. I would agree completely with that comment.

Senator HOLLAND. I recall that the Irish potato people came in and when they found they were hurting the whole agricultural program by the excessive amounts which were required to support their product, they asked for it to be stricken out. I remember that when the Secretary of Agriculture found that the egg price support structure was impairing the good will of the country toward the whole agricultural program, he himself cut that out. I have never been able to understand for any reason other than political influence why the dairy program has remained under the price support structure when it was not at all under the structure as originally designed and did not come in except as a war measure. I don't understand and if you can explain it, I would appreciate your doing so for the record.

Mr. CHRISTIANSON. Well, my observation and my knowledge of this would indicate that when the poultry and egg industry received no more protection under a price structure, the production of eggs immediately left the family farm unit and went into larger and larger hands. After the price support on potatoes was eliminated, we found that the potato industry is moving now into larger and larger operations. The family type of operation in those commodities is fast disappearing. If the dairy industry, which covers a very large group of family farmers in the Nation and which is perhaps the last typical type of family operation that we have left, I think it resolves to a question of whether we want the family farmers out there on the land and provide some protection for the dairy farmer or do we want the dairy industry to follow the route of the broiler industry and some of these industries that have already left the family farm operation.

Senator HOLLAND. Well, in the first place, as to Irish potatoes, I haven't noted at all in my own State, which is a heavy producer of early potatoes, any tendency toward getting away from the family farm. The general producer down there is a small unit. And in the case of the poultry people, we have many, many small units of egg producers and meat producers in that business also.

It seems to me that there is absolutely no provable justification for a continuation of the dairy industry in the special position which it has been kept in. It is the only one of the special industries that were brought in during the war that never has been regarded as an acceptable field for a price support, the only one that has been kept in the picture up to now. And may I say that as far as the dairy people of my own State are concerned, I haven't found the first one who wants the program to exist or wants it to continue. How is it that in other areas that does not seem to be the case? And apparently the Farmers Union in general exists in the areas where that attitude is held. Why is that so?

Mr. CHRISTIANSON. Well, in Minnesota, one of the great dairy States, the attitude there is certainly for protection of the dairy farmer. I want to say that the Farmers Union is not in the dairy business at all. We have no Farmers Union plants. We have no Farmers Union handlers at all. And still in Minnesota the farmers generally agree that they need this kind of protection.

Mr. JOHNSON. Senator, I would like to point out that in Florida, class 2 prices are going to go down 30 cents a hundredweight. Class 3 prices will go down 30 cents per hundredweight. And class 4 prices will go down 15 cents per hundredweight. And this means on the basis of blend price to farmers that there will be a reduction of about 4 cents per hundredweight overall. Those farmers——

Senator HOLLAND. Why is it not a single dairy farmer in my State has requested our delegation to support the continuation of price supports for dairies?

Mr. JOHNSON. I have no explanation for that, but I would say to you that if these prices start dropping as a result of not being able to maintain the current price support level, that you will have some unhappy dairy producers, because we have heard quite a bit already from some of our people on this and we are going to hear more from them, I am sure, if the current support level is dropped.

Senator HOLLAND. Might I make this comment, Mr. Chairman, that as to our potato people, they were one of the first groups in the Nation to insist upon the discontinuance of that, and they went from a situation of lack of prosperity at once to one of prosperity under the resumption of private enterprise methods. And every comment I have ever had from the dairy industry of my State is that they want to be back under those methods in general. They are trying out now one milkshed contract for the Miami area, but otherwise they prefer to be under the necessity of producing for the market and trying to figure how they might produce appropriately for the markets.

Senator PROXMIRE. If I could intercede at this point, I would like to say with the Senator's permission, that our dairy farmers want to produce for the markets. They want to see the Government out of it. They would like very much to see something like the marketing orders that we have for fluid milk that have been so beneficial to Florida farmers, New York farmers, and other farmers near great fluid areas.

Senator HOLLAND. We are not under that.

Senator PROXMIRE. You have marketing orders.

Senator HOLLAND. Except for the Miami area, and that is rather new.

Senator PROXMIRE. At any rate, if we could have marketing orders for manufacturing milk, if that could be worked out, wonderful. There is no dogmatic feeling on the part of this Senator or my State for this kind of program. But they do want the kind of opportunity the citrus people have had and others have had to get a fair price for what they produce. Some way in which they can market what they produce at a price that will let them survive as family farmers and continue, and I would agree with you 100 percent. I think most people would agree. The present farm program is completely unsatisfactory. It hasn't worked for the taxpayer, it hasn't worked for the farmer. It has kept his income much too low. He wants something much better, but meanwhile what do we do in the coming year?

Senator HOLLAND. The comment has been made about the citrus industry. The whole citrus industry in the country has never been under a group of marketing agreements. The Florida citrus market has had a marketing agreement for oranges only. California has had a State agreement after having tried a Federal agreement. The other areas have not resorted to that kind of machinery and I think the regional approach such as has been followed there might bring better results to the dairy industry. And I am ready to say that there hasn't been any unified regional approach so far as I can see in that very great and very necessary industry. I don't know why there hasn't been.

Has there been any effort to work out marketing agreement approaches for the dairy industry, for Minnesota, which you mentioned.

Mr. JOHNSON. Well, Senator HOLLAND, the dairy industry tends to center around large metropolitan areas. This is one of the facts I think has accounted for the lack of a regional approach to the problem. The dairy industry is a national program, too. It is very different, I think, from a crop like citrus where you have a rather small geographic area where the crop is grown. This presents a much different problem in the overall way in which you approach it. Now, we feel very strongly that marketing orders are good for milk. We support them. We believe that this approach to the problem of dairy producers should be tried. We also are very, very concerned with the future of the dairy industry in terms of protecting the interests of family producers and we do think, as Senator PROXMIRE has pointed out, that there are some needed changes in the program. We have some changes that have been offered in the bill that Senator ELLENDER has introduced which we hope will be approved by Congress.

Senator HOLLAND. You do not approve the dairy title, the dairy portion of the pending overall bill?

Mr. JOHNSON. Yes, we do support it. There is a need for some change, a further increasing bargaining power for family farm producers in the dairy business, and we feel this approach would help to solve the problem we have of producing in excess of what the market requirements are.

Senator HOLLAND. Thank you, Mr. Chairman.

Senator MUNDT. Mr. Chairman——

Senator PROXMIRE. Yes, Senator MUNDT.

Senator MUNDT. I think in response to what Senator HOLLAND has said, one of the reasons why legislation is needed now to provide adequate price supports is that at least temporarily the dairy business has sort of been the victim of a twin attack upon it, one which I think is rather serious, and that is the spreading discussions suggesting that fallout poisons milk and people are afraid to drink milk. I question very much the validity of that scare. The other one I am not so sure about because doctors disagree, and I am not a doctor, and that is that

there is a fatty content in dairy products that produces fat in the blood which is injurious to the heart. Further tests are being made on this. I don't think it has been proven either way as yet. It is something like probably you fellows have down there with your tobacco, no one knows whether it causes cancer or not.

But certainly there is not nearly as much evidence that drinking milk and eating butter contributes to heart difficulties as there is evidence that smoking cigarettes contributes to lung cancer. These things have continued to be investigated and explored. The dairy industry is presenting its side of the case. I believe that as far as the fallout poisons are concerned, we ought to be able to convince the public on good scientific grounds that this is a spurious scare. But as a bridge to tide the dairy industry over this period of uncertainty and unsettlement and concern, understandable concern on the part of the people, I think that is one reason surely which justifies for the time being passage of legislation to provide adequate price supports until these problems have been resolved. And when people again recognize the wholesome quality of butter and the nutritious value of milk, and that it is free from any deleterious impact, the advertising program and the increasing population I think are going to move toward what we would all like to see ultimately, and that is an open and free market which in itself under the law of supply and demand will provide the dairymen a substantial income. But right now they are in trouble and I think they need some legislative assistance.

Senator PROXMIRE. Could I ask you gentlemen if you can tell me the situation in the various fluid markets throughout the country, whether or not there isn't usually some formula on the price of fluid milk that gears it to the price of manufactured milk? In other words, if you are going to take this cut in manufactured milk, fluid in some areas, not all—Vermont is one of them, Boston—but in most you are going to have a cut in the fluid milk also; is that correct? Not only the blend but I mean the actual fluid price.

Mr. JOHNSON. That is correct in some areas. We have some calculations on this.

Senator PROXMIRE. Very good.

Mr. JOHNSON. We would be happy to have them made a part of our testimony, if you like. They are very brief.

Senator PROXMIRE. They are concise and limited. Very good.

(The document referred to is as follows:)

"EFFECT OF A 30-CENT REDUCTION IN PRICE SUPPORT LEVELS IN FEDERAL ORDER MARKETS, MILK MARKET ORDER DIVISIONS, ASCS, USDA

"1. Cedar Rapids, Iowa City, Des Moines, Nebraska-western Iowa, north-central Iowa, Sioux City: All prices would be reduced 30 cents per hundredweight.

"2. Black Hills, eastern South Dakota, and Sioux Falls-Mitchell, S. Dak.: All prices would be reduced 30 cents per hundredweight.

"3. Louisville-Lexington, Ohio Valley, and Paducah: All prices would be reduced 30 cents per hundredweight.

"4. Boston:

"Class I price: Down; none.

"Class II price: Down; 30 cents per hundredweight.

"Blend price to farmers: Down; 14 cents per hundredweight.

"If the New York-New Jersey recommended decision were in effect, the 10-cent lower class I price in New York would be reflected also in the unbracketed Boston class I price and the effect would be as follows:

"Class I price: Down; 10 cents per hundredweight.

"Class II price: Down; 30 cents per hundredweight.

"Blend price to farmers: Down; 19 cents per hundredweight.

"5. Wilmington:

"Class I price: Down; 20 cents per hundredweight.

"Class II price: Down; 30 cents per hundredweight.

"Blend price to farmers: Down; 21 cents per hundredweight.

"Calculations made for January–March 1962 quarter (which is at an annual level) on assumption that current supply-demand relationships will continue. New class I price levels would be written current ceiling of $2.60 over Midwest condensery price, thus no immediate effect from price tie.

"6. Southeastern Florida:

"Class I price: None.

"Class II price: Down; 30 cents per hundredweight.

"Class III price: Down; 30 cents per hundredweight.

"Class IV price: Down; 15 cents per hundredweight.

"Blend price to farmers: Down; 4 cents per hundredweight.

"This is based on 11 percent of total producer receipts used in class II and class III milk and 4 percent in class IV.

"7. Central Mississippi, Mississippi Delta, Mississippi gulf coast, and Memphis: All prices would be reduced 30 cents per hundredweight.

"8. Duluth-Superior, southern Michigan, and upstate Michigan: All prices would be reduced 30 cents per hundredweight.

"9. Cincinnati, north central Ohio, Youngstown-Warren, northeastern Ohio, Toledo, tri-State, Columbus, and Dayton-Springfield: All prices would be reduced 30 cents per hundredweight.

"10. Michigan Upper Peninsula, Muskegon, southern Michigan, and upstate Michigan: All prices would be reduced 30 cents per hundredweight.

"11. Northern Louisiana and New Orleans: All prices would be reduced 30 cents per hundredweight.

"12. Austin-Waco, north Texas, Texas Panhandle, Red River Valley: All prices would be reduced 30 cents per hundredweight.

"13. San Antonio:

"Class I price: Down; 30 cents per hundredweight.

"Class II price: Down; 30 cents per hundredweight.

"Class II–A price: Down; 17 cents per hundredweight.

"Blend price to farmers: Down; 30 cents per hundredweight.

"14. Corpus Christi:

"Class I price: Down; 30 cents per hundredweight.

"Class II price: Down; 30 cents per hundredweight.

"Class II–A price: Down; 17 cents per hundredweight.

"Blend price to farmers: Down; 30 cents per hundredweight.

"Class II–A price is based on 2 cents reduction in cheese support price. Class II–A milk is 2 percent of producer receipts.

"15. Central west Texas:

"Class I price: Down; 30 cents per hundredweight.

"Class II price: Down; 30 cents per hundredweight.

"Class II–A price: Down; 17 cents per hundredweight.

"Blend price to farmers: Down; 28 cents per hundredweight.

"Class II–A price is based on 2 cents reduction in cheese support price. Class II–A milk is 12 percent of total producer receipts.

"16. Fort Smith, central Arkansas: All prices would be reduced 30 cents per hundredweight.

"17. Washington, D.C.:

"Class I price: Down; 20 cents per hundredweight.

"Class II price: Down; 30 cents per hundredweight.

"Blend price to farmers: Down; 24 cents per hundredweight.

"These results might not be immediate on April 1, but would likely occur by May this year.

"18. North central Iowa, Des Moines, Cedar Rapids, Iowa City, Sioux City, Quad Cities, Dubuque: All prices would be reduced 30 cents per hundredweight.

"19. Southwest Kansas, Wichita, Kansas City, Neosho Valley: All prices would be reduced 30 cents per hundredweight.

"20. Ohio Valley, Paducah, Louisville, Lexington: All prices would be reduced 30 cents per hundredweight.

"21. Philadelphia:

"Class I price: Down; 20 cents per hundredweight.

"Class II price: Down; 30 cents per hundredweight.

"Blend price to farmers: Down; 23 cents per hundredweight.

"Calculations made for January–March 1962 quarter (which is at annual level) on assumption that current supply-demand relationship will continue. New class I price level would be within current 'ceiling' of $2.60 over Midwest condensery price, thus no immediate effect from price tie.

"22. Oklahoma metropolitan, Red River Valley: All prices would be reduced 30 cents per hundredweight.

"23. Inland empire, Puget Sound: All prices would be reduced 30 cents per hundredweight.

"24. Memphis, Mississippi Delta, central Mississippi, Mississippi gulf coast: All prices would be reduced 30 cents per hundredweight.

"25. Indianapolis, Fort Wayne, Ohio Valley, South Bend, La Porte, Elkhart: All prices would be reduced 30 cents per hundredweight.

"26. Chicago, Quad Cites, Dubuque, Rockford, Freeport, St. Louis, suburban St. Louis: All prices would be reduced 30 cents per hundredweight.

"27. Nebraska, western Iowa: All prices would be reduced 30 cents per hundredweight.

"28. Eastern South Dakota, Black Hills, Sioux Falls, Mitchell: All prices would be reduced 30 cents per hundredweight."

Senator PROXMIRE. The final question I have is this. Did the Farmers Union ever criticize Secretary Benson or the Solicitor's opinion that under the law he had no alternative except to reduce price supports as he did in 1954, and then at other times? I am not sure what year the Solicitor's opinion was, but it seems to me Secretary Benson based his reduction on legal advice and there were some who criticized him for it. I was one of those who criticized him for the support cut but my criticism wasn't so subtle or perceptive. I wonder if you gentlemen have gone into this. We ought to be consistent with our Secretaries of Agriculture. If we are going to criticize Secretary Benson for this, Secretary Freeman ought to be subject to the same position, it seems to me, unless we can say that Secretary Benson did not come to the Congress and Secretary Freeman did, and unless we asume that the Freeman position and Kennedy position is correct, that under the law they have no choice.

Now, do you gentlemen have a position on this? Give us any help you can.

Mr. JOHNSON. Mr. Chairman, we did criticize Secretary Benson as I recall for his reduction in price support levels. However, I point out, as you have directly pointed

out, that there is one big difference because Secretary Benson did not ask Congress to change the law and Secretary Freeman is requesting Congress to do something about it.

Not only that, but he is proposing a dairy program under which we will be able to rectify some of the shortcomings in the present program over the long run.

I think this is an entirely different situation from that that we had a few years back.

Senator PROXMIRE. You have not gone into the legal position the Department takes.

Mr. JOHNSON. We haven't made any study of the legal aspects of this at all.

Senator PROXMIRE. Any further questions?

Senator HOLLAND. Mr. Chairman——

Senator MUNDT. If we are going to discuss—if there has been no difference between the Secretaries, and in fact the President in his message, and I quote, says:

"Under the present law the Secretary of Agriculture is not authorized to set the price-support rate for milk above 75 percent of parity unless necessary in order to secure an adequate supply."

I don't think there is any argument about the law then or now. The question is, of course, whether or not a price support that is higher than the present law would justify should be continued temporarily for the reasons set out by the witnesses, and I think that is the only question before us. I don't think there is any question about the accuracy of the interpretation of the law in the President's message and by both Secretaries.

I may be inaccurate about this but if my memory serves me right, the witness' statement is wrong when he says that President Eisenhower did not come to Congress to ask us to do something about the dairy products. It seems to me that——

Senator PROXMIRE. Asking us to do something about what?

Senator MUNDT. About the dairy program. It runs in my mind, and as I say, I may be wrong, but I think it is—I think the Eisenhower administration did come to Congress to recommend that price supports be placed at $3.22 at a time when they otherwise would have fallen below that and that Congress responded and we did set the price.

Senator PROXMIRE. Are you referring to the action in 1960 when price supports were raised by Congress from $3.06 to $3.22?

Senator MUNDT. That is correct.

Senator PROXMIRE. That was my bill. I was the author of the bill, as I recall, and President Eisenhower signed that bill with the greatest reluctance. When he signed it, he indicated there were political circumstances that made it mandatory to do it, but he was not at all sure about the principle of signing. So I would say that the situation is considerably different.

Senator HOLLAND. Well, the whole purpose of my comment——

Senator MUNDT. I don't think you can say a man is against a bill when he signs it.

Senator PROXMIRE. No. I didn't want to push that too much.

Senator MUNDT. It seems to me the criticism of the witness is unjust on that point and I don't think we should inject political discussions into something that is basically an economic problem.

Senator HOLLAND. I am not doing that at all; I am just calling attention to the fact that I think both the Secretaries interpreted the law right, and I think the President's message which interprets the law the same way is completely correct in that interpretation and the question before us is a very different one from the interpretation of the present law.

Senator PROXMIRE. Thank you, sir.

Mr. CHRISTIANSON. Thank you very much.

Senator PROXMIRE. Thank you gentlemen very much for your very helpful testimony.

The next witness listed is L. Zalton Denslow, representing the National Grange. He is not present, I understand, and they will file a statement.

(The statement is as follows:)

NATIONAL GRANGE,
Washington, D.C., March 2, 1962.

Hon. ALLEN J. ELLENDER,
Chairman, Committee on Agriculture and Forestry, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: The National Grange appreciates the opportunity to express its views on Senate Joint Resolution 150, a measure to continue present dairy price supports until December 31, 1962.

There was, in our opinion, justification for these levels at the time they were established in the light of conditions which then existed in the dairy industry. While some of these conditions have altered, the fact still remains that dairy farm income remains inadequate, and any lowering of the present support levels could not but further reduce such income.

The Secretary of Agriculture has indicated that it will be necessary to reduce dairy price supports to 75 percent of parity on April 1, 1962, unless the Congress directs continuation of the present levels in order to provide time for consideration as to whether new programs can be devised or existing programs altered which will serve to better protect dairy farm income, bring supplies of milk and dairy products to consumers at reasonable prices in a better balance with demand, and to reduce Government costs.

Under these circumstances the Grange believes that it would be a mistake to disturb the present price structure and present support levels until Congress has had the time to consider and act upon proposed new dairy programs.

We therefore favor the adoption of Senate Joint Resolution 150.

Respectfully,

HERSCHEL D. NEWSOM,
Master.

Senator PROXMIRE. Our final witness this morning is Mr. John C. Lynn, who is the legislative director of the American Farm Bureau Federation.

Mr. Lynn, we are very happy to see you.

Mr. LYNN. Thank you.

STATEMENT OF JOHN C. LYNN, LEGISLATIVE DIRECTOR, AMERICAN FARM BUREAU FEDERATION

Senator PROXMIRE. I see you have a very concise statement.

Mr. LYNN. I have a very brief statement I will read, and then I will make a few supplemental comments, if I may.

The American Farm Bureau Federation is a general farm organization representing more than 1,600,000 member families. These members belong to nearly 2,700 organized county farm bureaus in 49 States and Puerto Rico.

We appreciate the opportunity to present our views regarding Senate Joint Resolution 150 as presented in the President's message and as contained in the Secretary of Agriculture's testimony in support of S. 2786. We are opposed to Senate Joint Resolution 150.

It has been stated by the President in his special message to the Congress that the extension of price supports at the current level for another year would cost approximately $500 million.

Senator PROXMIRE. You wouldn't mind if I interrupted, would you, to ask you whether or not you also recognize that the President also said in his message that if price supports are reduced to 75 percent of parity, the cost would still be $440 million?

Mr. LYNN. Yes, but we do not concur in that estimate.

Senator PROXMIRE. You don't concur in that estimate but you do concur in the $500 million?

Mr. LYNN. Yes. That is right, because we have evidence that the $500 million is true currently.

The Secretary of Agriculture has indicated that he does not have authority under current law to maintain the $3.40 per hundredweight level of price support which he established March 10, 1961, and has requested that the Congress assume the responsibility for continuing the program at the present level of support.

The statute provides the Secretary of Agriculture authority to set the rate of support on dairy products between 75 and 90 percent of parity in order to assure an adequate supply. The Secretary of Agriculture raised the price support from $3.22 per hundredweight, set by Congress, for the period ending March 31, 1961, to $3.40 per hundred pounds (about 82 percent of parity).

When the Secretary raised the price support for the current marketing year about a year ago, it should have been apparent to him that adequate supplies of dairy products would be made available without raising dairy price supports.

National production of milk had been increasing as follows: We simply indicate here that beginning in September 1960, which was the period that would indicate what was happening in the dairy production and the supply, these figures were available, of course, to the Secretary at the time he made the decision. The figures are as follows:

[Increase over same month of previous year]

Month and year:	*Percent*
1960:	
September	0.4
October	1.4
November	2.2
December	1.3
1961:	
January	.4
February	[1] 1.4

[1] Adjusted to compensate for extra day in February 1960.

Price support purchases also were up. This was especially evident in CCC acquisitions of butter and nonfat dry milk. The Secretary decided to ignore this evidence, and, instead, elected to raise dairy support prices. This was a major factor in the increase in production and downturn in consumption which followed.

Direct price support purchases (in terms of contracts to purchase) totaled as follows in recent periods, and this chart simply indicates the increase in stocks of butter, cheese, and nonfat dry milk. The figures are as follows:

[Millions of pounds]

	December		Apr. 1–Dec. 31	
	1960	1961	1960	1961
Butter	4	23	87	262
Cheese	----	18	----	124
Nonfat dry milk	81	165	589	779

The Secretary has the authority under current law to reduce the support level for the next marketing year and start in the direction of correcting the mistake of a year ago.

Passage of this resolution would do several things—all of them undesirable. It would: (1) Transfer from the Secretary of Agriculture to the Congress responsibility for the heavy buildup of CCC stocks of dairy products; (2) put the Congress on record in support of an indefensible policy; and (3) provide an open invitation for the imposition of quotas on individual dairy farmers.

We recommend that Senate Joint Resolution 150 be not approved.

Let me just add, Mr. Chairman, that I do not claim to be a dairy expert but I have been connected with agriculture now about 30 years as a practical farmer and as a county agricultural agent. If the reduction in price

supports causes farmers to increase production, it seems to me that the Secretary ought to have moved in that direction last spring if he was trying to insure an adequate supply.

Let me just say categorically that I don't think this is based on facts. Farmers do not increase their production of a commodity because the price is lower if they have any alternative sources to use their facilities.

Now, if you assume that the administration's recommendation on the farm program is going to be enacted into law, then certainly feed grain farmers and dairy farmers would be saddled with a great many controls. We do not operate under that assumption because we do not believe that the Congress of the United States is going to accept or approve these stringent supply management controls that are being recommended by this administration.

Senator PROXMIRE. Might I interrupt at that point? You see, the Congress says this is a recommendation of the President and of the Secretary of Agriculture. We have a big Democratic majority in the House and Senate and while the Senate and House may not pass this bill, there is a good chance they won't, but we are putting the dairy farmer in a very, very difficult position. If the Congress does pass this bill, then the dairy farmer doesn't have any alternative. As you say, under the controls, he cannot shift into something else. He is strapped.

Mr. LYNN. But we aren't——

Senator PROXMIRE. And he pretty much has to stay with his production. If you are going to cut his price, make him stay a dairy farmer and with no alternatives, he will do the same as the record shows he has done under circumstances before, produce more milk.

Mr. LYNN. We aren't going to have this kind of a choice. I don't think the Congress of the United States is going to approve the administration's farm proposals.

Senator PROXMIRE. There is a good chance you might be right, but this is a determination that Congress will make.

Mr. LYNN. I am willing to take this chance.

Senator PROXMIRE. You are not a dairy farmer.

Mr. LYNN. I represent a lot of them. I expect there are more dairy farmers than any other single commodity group of our 1,600,000 members.

Senator PROXMIRE. Has the Farm Bureau made any attempt to see how dairy farmers feel about cutting their milk check 10 percent?

Mr. LYNN. Sure we have. We have been out on two series of meetings.

Senator PROXMIRE. Where have you been?

Mr. LYNN. I was in Dallas Monday. We have been to Memphis, to Atlanta, to Phoenix, to Boise, to Omaha and Chicago, and to Hershey, Pa.

Senator PROXMIRE. I want to tell you that I talked to 10,000 dairy farmers in Wisconsin from February 8 to February 17, and I got a lot of opposition to the omnibus program, to the proposal of the Secretary of Agriculture and the President. There is a lot of opposition but I didn't get one single dairy farmer, not one, who said, "cut our milk check 10 percent," and I brought it up and this was a central part of what I brought up, and we got some questions on it but they are uniformly in favor of maintaining this for a year, and there were plenty of Farm Bureau people there.

Mr. LYNN. If I had asked our Farm Bureau people: "Do you want your milk check cut 10 percent for the next 12 months" they would have said "No" to that.

Senator PROXMIRE. That is what is going to happen.

Mr. LYNN. That is not the alternative.

Senator PROXMIRE. Of course it is.

Mr. LYNN. If the Congress approves this resolution, then we will continue to build up surplus stocks in Commodity Credit Corporation and it will open the door or seem to make more necessary the implementation of title IV of the current overall agricultural bill before you, which is marketing quotas on dairy products, which I think you oppose.

Senator PROXMIRE. Now——

Mr. LYNN. Do you?

Senator PROXMIRE. I have an open mind on this. What I want to do is improve farm income and if this is the only way, I will certainly consider it seriously, but at the present time as I indicate I am very skeptical of it, but now I want to ask you to give me the answer on these figures. You have taken 1 year and you have shown in this 1 year that we had this modest increase in price supports and a modest increase in production. Now, take the year 1949–50. We had a drop in price supports and an increase in production. The following year, 1950–51 we had a substantial increase in price supports, and a very substantial drop in production, a drop of about 2 billion pounds. The next year we had an increase in price supports and production stayed almost the same. In 1953–54 we had the sharpest drop we have ever had, a drop from 3.74 to 3.15 in price supports and a big increase in production.

Now, as you go over these figures, from 1949 to date, you will find that virtually every year, there are two exceptions only, in virtually every year where you had a movement one way in price supports, that is, up, production would go down, not up, and vice versa. In other words, you cannot establish on the basis of the record, you cannot establish a consistent connection here supporting your position, and on the basis of simple reasoning it is logical, why not? You talk to dairy farmers and they say, if my price goes down, I just can't do anything else. I have to produce more. You say some of them will get out of the business. Sure, but their cows don't get out of the business. Their equipment doesn't go out of business. Somebody else steps in and buys it. If they have an alternative, they can move into hogs or something else. Maybe they will do it, but as you have indicated here, because of the feed grain program—and some kind of a feed grain program is likely to continue, we are going to have—as a matter of fact, we are going to continue the present feed grain program during this year—the alternatives are extremely limited and you are just not going to get a drop in production if you lower the price support. I can't see any case that you have made, and I will say this respectfully, that you are going to get an increase in production if you maintain the present price supports.

Mr. LYNN. Mr. Chairman, if you assume that the Federal Government price support program makes the price, then you come to a different conclusion than you do if you take the position that we do, that the price support program does not make the price, and it is evident now with regard to the market price of dairy products.

Now there are many other factors other than dairy price supports that influence production of milk, and as a dairyman from Wisconsin, I am sure that you recognize that artificial insemination is now beginning to have its effect, showing its effect in increased producton. The research with regard to feeding methods——

Senator PROXMIRE. Now we are on exactly the same wavelength. There is no question. Lots of other factors are in here and they are far more important than the price. You are right. This is exactly why I argue that by this misery that you would impose on the dairy farmers——

Mr. LYNN. This is not——

Senator PROXMIRE. Of cutting the price support 10 percent, his milk check 10 percent, and his net income probably 30 or 40 percent, you are not going to accomplish anything.

Mr. LYNN. We do not agree with the figures you use.

Senator PROXMIRE. You agree that because of artificial insemination and various other factors you are going to get a far greater production and you are going to continue to get that. You are not going to get any reversal in the next 8 or 9 months by cutting price supports; isn't that right?

Mr. LYNN. I think a lot of things are taken into consideration when a farmer decides what he does in the dairy business. I think it is a known fact that farmers on anticipation of quotas—the talk that we may have milk marketing quotas—this has been a real factor in continuing to increase dairy production.

Now, we know, I think, based on the Department of Agriculture statistics that farmers have not been culling their dairy cows in 1961 and at the present time as they have historically.

Senator PROXMIRE. I agree. I think that is one of the factors, too, and one of the reasons they don't cull is because their price is low and when their price is low, what do they do?

Mr. LYNN. The price is high. That is the reason they don't cull. You start reducing the price support on this milk and farmers will begin to cull out their less productive cows, and then if this committee and this Congress will say, we aren't going to have marketing quotas on milk, as I hope you will help us get done, then I think this dairy situation will begin to settle down because it is true that farmers are building up their production on anticipation of bases.

Senator PROXMIRE. Well, now, do you favor $3.11 per hundredweight milk?

Mr. LYNN. We are in favor of the Secretary of Agriculture exercising his authority under the law, and the law says it shall not be less than 75 or more than 90, in order to insure an adequate supply.

Senator PROXMIRE. And you say under the law then you think his interpretation is correct, that he has to go down to 75 percent of parity. Would you agree with Senator Holland who says this is what he is required to do?

Mr. LYNN. Well, I am no lawyer. It would seem——

Senator PROXMIRE. Do you think he should? Under your economic situation you say it should compel him, as a matter of proper public policy, to go down to $3.11?

Mr. LYNN. Not the economic situation but the stocks of CCC.

Senator PROXMIRE. Anyway, you favor the $3.11 price?

Mr. LYNN. No. We favor the Secretary of Agriculture carrying out the law, the act of 1949, which provides a limit of 75 percent on dairy price supports and not to exceed 90 percent.

Senator PROXMIRE. In other words, you favor a 75-percent price support at the present time under the present circumstances.

Mr. LYNN. We favor the Secretary of Agriculture taking into consideration the stocks of the CCC and exercising his authority under the law in order to insure an adequate supply.

Senator PROXMIRE. You say this means that he should announce that on April 1 he will lower price supports for dairy products to 75 percent of parity?

Mr. LYNN. No, sir. I don't say that.

Senator MUNDT. Mr. Chairman——

Senator PROXMIRE. Just one minute. You feel that he should not lower price supports to 75. Don't you have that recommendation?

Mr. LYNN. We feel that he ought to, based on the figures that he has, and under the law, exercise his authority.

Senator PROXMIRE. Well, everybody thinks he should exercise his authority, but No. 1, you oppose this resolution.

Mr. LYNN. That is right.

Senator PROXMIRE. No. 2, if this resolution is not passed, you would say he should exercise authority under the law but you are telling the committee you don't know what that authority means.

Mr. LYNN. Between 75 and 90 percent of parity depending upon the supply, in order to insure that the population has an adequate supply of dairy products in 1962.

Senator PROXMIRE. Supposing the Secretary should not change the price. Supposing he maintains it at $3.40.

Mr. LYNN. Well, we think that the evidence seems to be overwhelming that he would not be complying with the law to maintain the price support at the same level. However, there are some of the same evidences that were available last year when he made a similar decision to increase the price support from $3.22 to $3.40. But I think the Secretary will use his judgment in connection with this under the law in order to assure an adequate supply.

Senator PROXMIRE. I am sure he will, but you are saying it should not be $3.40, that that is too high.

Mr. LYNN. I think the supply is——

Senator PROXMIRE. Under the interpretation that the Secretary has given and Senator HOLLAND has concurred in and the President has concurred in, unless Congress establishes this resolution, they have to establish a price of 75 percent of parity, which is $3.11. You don't agree with that?

Mr. LYNN. I don't agree with that because, if this is true, it was true also last year. Perhaps not to the same degree, and the Secretary of Agriculture, using the same provision of law, increased this price support, and I am not prepared to state——

Senator PROXMIRE. You disagreed with his judgment last year as a matter of judgment?

Mr. LYNN. We did.

Senator PROXMIRE. Now, as a matter of judgment, disregarding the law, where would you say the Secretary should set the price support? You have all the facts in front of you and you are the biggest farm organization in the country. Your recommendation is very important to us.

Mr. LYNN. We have a lot of facts, but I wouldn't want to tell the Secretary of Agriculture precisely what he had to do under the law.

Senator PROXMIRE. But it has to be below what it is now. He has to reduce it.

Mr. LYNN. I think the evidence would indicate that he should.

Senator PROXMIRE. Do you think it might be—when your president, Mr. Shuman, was here the other day, he indicated a price around $3.11, $3.14, as I recall, something in that neighborhood.

Mr. LYNN. That is when he was putting forward our recommendation.

Senator PROXMIRE. That is correct.

Mr. LYNN. Yes.

Senator PROXMIRE. You don't have any specific recommendation?

Mr. LYNN. We have not had introduced yet our specific recommendation with regard to price supports on milk and dairy products. When the smoke all clears away, we hope to get this done.

Senator PROXMIRE. Sorry, Senator MUNDT——

Senator MUNDT. I wanted to ask Mr. Lynn: Your answers to the chairman's questions are a bit ambiguous from the standpoint of putting a price tag on it; let me ask you this direct question: If we had before us a proposal to fix the price supports at $3.22, would you be here with your organization opposing that price level?

Mr. LYNN. Well, we think the Congress in 1960 should have allowed the act of 1949 and administration of that to be implemented. We did not agree with the Proxmire bill in 1960. We would, of course, have to take this up with our policymakers to see what our position would be. I don't know what our position would be——

Senator MUNDT. Do you realize a drop of 18 cents is still quite a drop and that $3.22 today is not as much as $3.22 would have been in 1960 because of the insidious processes of inflation that have continued upward. The costs of the dairy farmer have continued to expand so that even a $3.22 price level in 1962 would net the farmer substantially less than it did at the time we passed the legislation in 1960.

Senator PROXMIRE. Just at that point I would like to interject that the first two points that you give in opposition to the resolution you say it would (1) transfer from the Secretary of Agriculture to the Congress responsibility for the heavy buildup of CCC stocks of dairy products, and (2) put the Congress on record in support of an indefensible policy.

I would assume that those reasons would be against the Congress setting any price, modifying the 1949 act at all.

Mr. LYNN. We are for the act of 1949 until the Congress passes some other provisions of law.

Senator PROXMIRE. You are against any congressional resolution to modify or suspend?

Mr. LYNN. Well, if the Congress in its wisdom in order to assure an adequate supply of dairy products sees fit to lower the price support to $3.22, or whatever, I assume that you would be doing it on the basis of the act of 1949 in order to insure an adequate supply.

Senator MUNDT. It would seem to me that it would be compatible with the overall policy of the Farm Bureau which has, I believe, as one of its guidelines that you believe in legislation by law rather than decisions by men, and on this I completely agree with you, that you would be more interested in having Congress establish some reasonable price support level than to just give the Secretary of Agriculture authority to make interpretations as to where he wants to put it.

It was on that basis that I asked if you think $3.40 is too high and has contributed to some dangerous situations down the road ahead, whether you would maintain the same attitude if Congress were to go back to where it was in 1960 and say, well, we don't want to drop clear down to $3.11, $3.10. We will put it at half way house at $3.22 whether you think that would be something you would have to oppose?

Mr. LYNN. We would want to consider it, Senator MUNDT.

Senator MUNDT. Are you not ready to say now you would oppose or approve it?

Mr. LYNN. No, sir.

Senator MUNDT. I take it you would look with more favor on that than you would at $3.40.

Mr. LYNN. We believe the supply is sufficient to insure that the consumer will have adequate supplies of dairy products.

Senator MUNDT. Do you believe the income of the dairy farmer is sufficient?

Mr. LYNN. Is sufficient? No; it is not sufficient for dairy farmers or any farmer that I know of.

Senator MUNDT. We are concerned in this committee not only with the supply which may well be sufficient under the circumstances I developed a little while earlier about these new attacks upon the whole dairy industry which I think are unjustifiable in some instances and perhaps inspired by the margarine interests in others, but I think that we have got to consider also doing something about the income of the dairy farmer and, if the supply is ahead of the demand, we are up against the same problem we had with wheat and small grains and everything else. What are we going to do to help the farmer live through this valley of distress?

Mr. LYNN. I thoroughly agree with the chairman and with the Department of Agriculture witness, that if you are seriously considering the passage of this omnibus bill which will put a ceiling on opportunities for dairy farmers so they will not have alternative uses of their land and resources, then you have got a different situation, but we don't work under that assumption. We don't——

Senator MUNDT. Well, the alternative before us now is the passage of 150 or the passage of the omnibus bill. We are seriously considering it. I think we are devoting serious consideration to how to kill it gracefully and provide some changes and modifications that will make it workable, but it is before us and we certainly are considering it and we are trying to use that as one of the ingredients and trying to develop a new program, but I agree with your "guesstimate" that certainly I wouldn't want to wager very much money that Congress is going to pass it in the form in which it was sent down by the President or by Secretary Freeman.

There is too much opposition that has developed.

I had my office check the outside mail which comes to all Members of the Senate. Most of us can't answer, at least I can't answer all of the out-of-State mail that I get, but once in a while we run a poll on it. I said to my staff, pick out a farm State and see what the reaction is to this new Kennedy-Freeman farm proposal. They picked out Montana. The check we made—there have been 67 letters coming from farmers of Montana against it and only 4 for it, which is pretty overwhelming. And they come from a rather scattered area.

I understand some farmers from Montana were here in town yesterday to testify before this committee. I don't know what they said. I was attending an appropriations subcommittee. Unfortunately we have four meetings simultaneously. So you can't be every place at once. So I don't think anybody, including the chairman, will say there is an overwhelming wave of support behind this omnibus farm bill in its present form.

Senator PROXMIRE. I would like to make a couple of points again. One is that the present feed grain law which I understand will still be in effect through 1962——

Senator MUNDT. For another year.

Senator PROXMIRE. Does impose limitations on the dairy farmer. It does mean that it is going to be harder to shift into something else, or if he does, the expense is going to be higher than it would be without that feed grain bill. This is a fact of life we may regret or favor. But there is nothing we can do about it.

In the second place, the Secretary of Agriculture had not only these figures available to him but two other facts. One was the population increase. He was hopeful that the per capita consumption would remain stable.

No. 2, he knew feed grain costs would be up under the feed grain bill that passed and that means dairy farmer costs are up, and if you don't do anything about the dairy farmer's milk price it means that his net income necessarily has to go down. This is one of the reasons I think why the Secretary did increase price supports for milk. Otherwise, you are going to get all the dairy farmers against the feed grain program, and with good reason, and if the feed grain program passes, which it did, it puts him in the position of having a lower income.

So this was trying to maintain his net rather than give him much more.

Mr. LYNN. I think the Secretary had other reasons other than these because this 82 percent of parity seemed to be a very magic figure. You will recall that he raised price supports on some 13 commodities. I don't disagree with the chairman.

Senator MUNDT. Would you agree, Mr. Lynn, that the price that the dairy farmer receives for his product is determined more by the demand for his product than the cost that he has to pay in order to produce it?

Mr. LYNN. Well, there is a very simple little formula that makes net income for dairy farmers as well as any other farmers.

Senator MUNDT. Answer my question if you will, please, and then——

Mr. LYNN. I can't answer your question yes or no.

Senator MUNDT. You can't?

Mr. Lynn. Ask it again and I will see; perhaps I don't understand it.

Senator MUNDT. Would you agree that the price that the dairy farmer receives for his product is determined more by the demand for the product than it is by the cost that he has to undergo in order to produce it?

Mr. LYNN. Well, certainly a farmer's income is greatly dependent on both of these. If he gets a good demand and a good price, then——

Senator MUNDT. I am talking about the price now, not the net income. The price he gets. It seems to me one of the great problems we are confronted with in the farm industry is that the price that the farmer gets in 80 percent of the farm products just has no relationship to the cost that he has to expend in order to produce it. It seems to me that is as simple as black and white.

Senator PROXMIRE. They may include all his costs, including his own labor.

Senator MUNDT. Yes.

Mr. LYNN. I didn't understand your question. Certainly the cost factor and the Bureau of Labor Statistics announcement yesterday indicated that the cost of things that farmers are buying have reached an alltime high.

Senator MUNDT. And they bear no relationship to the price he receives for his product in most cases.

Mr. LYNN. In some cases.

Senator MUNDT. Well, you wouldn't say most cases.

Mr. LYNN. Well, I would say that 51 percent would be—maybe 50 and a half. I am not able to judge it.

Senator MUNDT. I can think of only a few farm products where the farmer is able to increase his price because his costs go up. In most farm products, for most products, I would guess and gamble, if I were going to gamble, 85 percent or more of the farm products, poor Mr. Farmer just has no way of passing on to the consumer the extra cost he has to pay.

Mr. LYNN. This is very unfortunate and that is the reason——

Senator MUNDT. But it is a basic difficulty that the farmer confronts, and certainly would you agree that it is true of the dairy industry?

Mr. LYNN. This is the reason Mr. Shuman made the suggestion that he did in our testimony here last week that we ought to be able to improve the bargaining position of farmers, including dairy farmers.

Senator PROXMIRE. Well, he said that and I couldn't agree with him more on the general statement, but again very respectfully, I don't see anything that the Farm Bureau has ever recommended that would improve his position. It is true that the dairy farmer might be better off if you took 65 to 80 million acres out of production. That would improve his bargaining position in a sense, but as far as any specific improvement in his bargaining position, where is your recommendation? He said we have to do it and then I asked him how and got lost in the generalization that followed.

Mr. LYNN. We are setting up in most States now a mechanism to do this. This is something that is not going to come overnight. The cooperative is our best mechanism we have for doing this. It may be necessary to amend the law so that two or more cooperatives can get together and talk about how they are going to operate to get more for their products.

Senator PROXMIRE. Well, certainly the purpose of the Capper-Volstead Act, one of the purposes has been an exemption from the antitrust laws, but this is something we have had for a long time and we haven't made much progress on it.

I would like to ask you on one more point. You have been very patient and a very helpful witness.

Your third point says that if we pass this resolution and maintain price supports at 83 percent of parity, it would be an open invitation for the imposition of quotas on individual dairy farmers.

Now, as a practical matter I want to tell you that nothing will make the farmers in Wisconsin more favorable to quotas than this cut in price supports to 75 percent of parity. The Wisconsin Agriculturalist and Farmer conducted a poll in Wisconsin a year and a half ago and dairy farmers were 4 to 1 in favor of quotas. Then they conducted a poll more recently and found that they were divided 50–50, because their prices were better. When the farmer is distressed and you drive his prices down, he will go for limitation and control. I think the Farm Bureau is taking a position which will drive him in the direction of quotas and make him vote for them.

Mr. LYNN. I don't agree with that, sir, and the point we are trying to make is that if we continue this current level of price support, I think by the end of the year or the beginning of the next Congress we won't have just $500 million invested in CCC stocks but this program could be costing close to a billion dollars and then the Congress has shouldered the responsibility for continuing this program at an unrealistic level, and then I think that would be an open invitation for the Congress to invoke the supply-management control plan for dairy farmers provided in title IV of the overall farm bill, to which we are opposed.

Senator MUNDT. Mr. Chairman, I think there is some validity in what the chairman says, Mr. Lynn. If the dairy industry gets into too serious an economic condition, even the dairy farmer who is independent and a free enterpriser and doesn't want controls ultimately get so desperate that he might go for any kind of program which gives him relief. That was borne out when we had our testimony here about marketing orders last year in the poultry industry. Most of the poultrymen were against setting up marketing orders on poultry but there was a little group of New Jersey poultry farmers——

Mr. LYNN. We know about that situation.

Senator MUNDT. Who were desperate and weren't making any money. I don't know why they were raising poultry, maybe they should have been raising cranberries or something else, but they were raising chickens, and they have that right, and they were serious, that they had a problem and weren't making any money. That was the segment of the whole poultry industry which said we have got to have the marketing orders ready to go. In fact they virtually said to us, we will take any kind of dictatorial procedure to increase our income.

When you are going broke, your judgment is warped and you become desperate. Self-preservation is not only the first law of nature, but of farming and of everything else.

I think what the chairman says is true. If we do the wrong thing or if we do nothing or because of what we do or don't do just let nature take its course, the dairymen really get into such a serious position that they are desperate, I think they will be clamoring for some kind of new controls and extensive controls which I don't like and I know you don't like and I know most farmers don't like, but they like them better than going broke.

Mr. LYNN. We will have to abide by the majority of the farmers who take part in developing Farm Bureau policy and if a situation should develop, which I don't think will, because we have a price-support program and will continue to have one, then we will be perfectly willing to abide by what the farmers decide in this case.

Senator PROXMIRE. Any further questions? I want to thank you very much, Mr. Lynn, for your testimony.

This is the last witness and the subcommittee stands adjourned.

(Whereupon, at 11:50 a.m., the subcommittee was adjourned.)

Mr. EASTLAND. Mr. President, I ask unanimous consent that I may now yield to the Senator from Minnesota [Mr. HUMPHREY] on the same conditions as those heretofore stated in the unanimous-consent agreement.

The PRESIDING OFFICER (Mr. PELL in the chair). Without objection, it is so ordered; and the Senator from Minnesota is recognized.

VOLUNTARY OVERSEAS AID WEEK

Mr. HUMPHREY. Mr. President, there is on the calendar—it is Calendar No. 1257—Senate Concurrent Resolution 61, requesting the President to designate the week of March 25, 1962, as "Voluntary Overseas Aid Week."

I have cleared this matter with the minority; and, therefore, Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 1257, Senate Concurrent Resolution 61, and that it be understood that this action may be taken without in any way jeopardizing the right of any Senator who may previously have sought unanimous consent for procedural matters here in the Senate.

Mr. HOLLAND. I have no objection to that, provided unanimous consent is given that the action of the Senate on this measure will not set aside the other business.

Mr. HUMPHREY. Yes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered; and the concurrent resolution will now be considered.

The Senate proceeded to consider the resolution (S. Con. Res. 61) requesting the President to designate the week of March 25, 1962, as "Voluntary Overseas Aid Week," which had been reported from the Committee on the Judiciary, with an amendment, on page 2, line 6, after the word "is", to insert "authorized and"; so as to make the concurrent resolution read:

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that people-to-people programs administered by nonprofit voluntary agencies registered with the Committee on Voluntary Foreign Aid evidence our friendship for peoples in other lands.

The President of the United States is authorized and requested to issue a proclamation designating the week of March 25, 1962, as Voluntary Overseas Aid Week.

The amendment was agreed to.

The concurrent resolution, as amended, was agreed to.

The preamble was agreed to.

BIRTHDAY OF MIKE MANSFIELD, MAJORITY LEADER

Mr. HUMPHREY. Mr. President, I am sure some of my colleagues have noted that today is the majority leader's 59th birthday. I join with Members of the Senate in wishing Senator MANSFIELD a most happy birthday and commending him not only upon the 59th year of his good and dedicated life, but also upon the work he does here in the U.S. Senate and through his many years of public service.

This is March 16, and I am sure that when the Mansfields celebrated the birthday of MIKE MANSFIELD, it must have carried over to March 17. Senator MANSFIELD'S parents both came from Ireland, and since the 17th of March is known as St. Patrick's Day, it seems to me it would be a fair assumption that in the household of the Mansfields on the date of March 16 there was much jubilation and that it was carried forward to the date of March 17—to that day of all days for all good Irishmen.

Again I salute my friend and associate in the Senate, the distinguished, able, dedicated, generous, and gracious majority leader, and to wish him well on this his birthday.

U.S. NEGOTIATORS AT GATT TARIFF CONFERENCE COMMENDED

Mr. HUMPHREY. Mr. President, in recent days there have been some disturbing criticisms and allegations with respect to the outcome of the recent GATT Tariff Conference held at Geneva.

Statements have been made by some critics that our negotiators were too soft and did not strike a hard enough bargain. I know no better way of answering these critics than to call to the attention of my colleagues a statement issued on March 9, 1962, to President Kennedy by the public advisers to the U.S. delegation to the Tariff Conference.

I would like to quote directly from this statement:

> The negotiations at Geneva should help to open further foreign markets for our exports at a time when the improvement of our trading position is of key importance to our economy. In return for the limited concessions in U.S. tariffs that our delegation was authorized to offer, the American negotiators bargained diligently and effectively to obtain concessions of value to our export trade. We were impressed by the devotion and competence of all members of the U.S. delegation, representing nine agencies of the Government. In the light of the modest tariff reduction authority provided by the Trade Agreements Act of 1958, and the cumbersome item-by-item negotiation imposed by the requirements of that act, the relatively favorable outcome of the negotiations reflects credit on their diligence and skill.

Now I would like to identify the public advisers who issued this statement and who were an integral part of the U.S. negotiating team.

In all instances the mere mention of their names should be sufficient to inspire confidence, but I will give just a little more background information about these outstanding Americans.

Mr. Andrew J. Biemiller, director, AFL–CIO legislative department: Mr. Biemiller, who is well known and highly respected by Members of this body, formerly served with distinction in the House of Representatives from Milwaukee, Wis.

Mr. Homer L. Brinkley, executive vice president, National Council of Farmer Cooperatives: Besides his distinguished work in the field of agriculture, Mr. Brinkley has a long record as a civic leader in Louisiana and has ably served his country both here and abroad both in civilian and military service.

Alfred C. Neal, president, Committee for Economic Development: Mr. Neal is one of the Nation's leading economists. He was vice president of the Federal Reserve Bank of Boston, and in his present capacity as CED president works closely with many of the Nation's leading business executives.

Mr. Raymond E. Salvati, chairman of the board, Island Creek Coal Co.: Mr. Salvati, besides being president of seven companies, has served as a director of the National Association of Manufacturers, has served as president of the board of governors of West Virginia University, and as president of the American Mining Congress. He also has a distinguished record of service in numerous civic organizations.

Mr. Claude Wickard, former Secretary of the U.S. Department of Agriculture: I will not dwell on the long, well-known record of this distinguished gentleman from Indiana in serving his Government in the field of agriculture for so many years.

Leighton A. Wilkie, president, DoAll Co., Des Plaines, Ill.: Mr. Wilkie has established a long and enviable record in American business and banking and is an authority on industrial technology.

Mr. Donovan Wilmot, former vice president of the Aluminum Co. of America: Besides his long and successful business career with Alcoa, Mr. Wilmot served as director of the Aluminum & Cooking Utensil Co. of New Kensington, Pa., and the Thompson Co. of Oakmont, Pa. He has also served his Government ably in civilian and military posts.

Mr. David J. Winton, president, Winton Lumber Co., Minneapolis, Minn.: I am especially proud of this adviser because he is an outstanding citizen of my own State of Minnesota. He has a long record of serving the forest products industries—both as a businessman and Government official.

I will leave it to the judgment of my colleagues as to whether this group of Americans gave us strong direction and leadership at the GATT conference tables.

Mr. President, I ask unanimous consent that there be inserted at this point in the RECORD the statement by the public advisers to the President.

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

STATEMENT TO THE PRESIDENT BY THE PUBLIC ADVISERS TO THE U.S. DELEGATION TO THE GATT TARIFF CONFERENCE, GENEVA, SWITZERLAND

As public advisers to the U.S. delegation to the Tariff Conference at Geneva, we are pleased to report to you our observations on the outcome of that Conference and our conclusions concerning the need for further action to reduce barriers to international trade.

The negotiations at Geneva should help to open further foreign markets for our exports at a time when the improvement of our trading position is of key importance to our economy. In return for the limited concessions in U.S. tariffs that our delegation was authorized to offer, the American negotiators bargained diligently and effectively to obtain concessions of value to our export trade. We were impressed by the devotion and competence of all members of the U.S. delegation, representing nine agencies of the Government. In the light of the modest tariff reduction authority provided by the Trade Agreements Act of 1958, and the cumbersome item-by-item negotiation imposed by the requirements of that act, the relatively favorable outcome of the negotiations reflects credit on their diligence and skill.

We have reviewed our experience at Geneva in terms of the need for future authority to reduce barriers to international trade. We have considered the probable impact of the European Economic Community on our economic and our political interests in the world. We believe that the discrimination inherent in the Common Market's removal of internal tariffs while retaining an average external tariff calls for greater negotiating authority to retain or expand our export position in Europe. We became more aware of the special problems of less developed countries whose need for trade should be increasingly taken into account. Finally, we have taken account of the necessity for linking the countries of the free world more closely together in the face of the long-term challenge to the survival of free institutions that is represented by the Soviet bloc.

With these considerations in mind, we are unanimously of the belief that it is the part of American leadership to continue to move forward boldly to reduce further barriers to trade among the free nations.

We welcome, therefore, your proposals for new trade legislation. The times and the circumstances call for broad changes in the character of our basic trade policy law. In our opinion, passage of an act embodying the basic principles of the proposed Trade Expansion Act is necessary for the strengthening of the U.S. economy for fostering orderly economic development in the poorer nations, and for promoting the unity of the free world.

Our experience convinces us that the broader powers which the new act would provide the President are necessary if we are to continue to lead in bringing down the obstacles that still hamper the exchange of goods and services within the free world. The safeguard provisions in the proposed legislation have been desirably modernized. The hampering features of the expiring legislation have been modified, while at the same time provision has been made for dealing with possible adjustment problems of American labor, industry, and agriculture.

We should like to stress also the importance of other national policies to maintain and strengthen our international competitive position. The trade expansion programs should stimulate and enable American exporters to retain and to develop market opportunities abroad.

It has been a stimulating experience to have participated in the Geneva negotiations as representatives of industry, labor, agriculture, and the general public. We appreciate the opportunity to have served.

Public advisers:

Mr. Andrew J. Biemiller, director, AFL–CIO legislative department.

Mr. Homer L. Brinkley, executive vice president, National Council of Farmer Cooperatives.

Mr. Alfred C. Neal, president, Committee for Economic Development.

Mr. Raymond E. Salvati, chairman of the board, Island Creek Coal Co.

Mr. Claude Wickard, former Secretary of Agriculture.

Mr. Leighton Wilkie, president, DoAll Co.

Mr. Donovan Wilmot, former vice president, Aluminum Co. of America.

Mr. David J. Winton, president, Winton Lumber Co.

The following public advisers were either out of the country or otherwise unavailable and thus did not have an opportunity to participate in the preparation of the statement or to approve it before submission to the President:

Mr. Elliott V. Bell, editor and publisher, Business Week.

Mr. Morris C. Dobrow, executive secretary and treasurer, Writing Paper Manufacturers Association.

Mr. Jacob S. Potofsky, president, Amalgamated Clothing Workers of America.

Mr. Bert Seidman, economist, research department, AFL–CIO.

UNFAIR ATTACK ON COOPERATIVES

Mr. HUMPHREY. Mr. President, the February 1962 edition of Reader's Digest contains a grossly misleading and highly unfair article entitled "Why Should These Co-ops Enjoy Special Tax Privileges?" This article, which does credit only to the imagination of its author, Mr. O. K. Armstrong, contains so many basic false assumptions and misconceptions about farmer cooperatives which do not square with the facts that I feel obligated to comment on it.

I might say first, though, Mr. President, that I feel considerable damage has been done with the publication of this article—damage that cannot be erased by these remarks and the limited distribution they will receive. I cherish our freedom of the press. But I also cherish the truth, Mr. President, and I feel badly that instances such as this illustrate their sometimes incompatibility.

The most fundamental error in Mr. Armstrong's article is the assumption or misconception that the cooperative is something separate and apart from its farmer members and their business enterprises. This is wrong. It is wrong economically and legally.

Any farmer cooperative, be it large or small, is a service corporation set up, owned, and controlled by its farmer members. Thus, where it is true that the cooperative uses the farmer's capital, it does so only because a voting majority of the farmer members of that cooperative have voted to capitalize the cooperative with farmer equity investments. The well-informed farmer is aware of the purpose of his membership in a cooperative. He knows that his cooperative is as much a part of his farming operations as his production facilities. It is either the marketing department, the supply department, or both, that provide necessary farm business services to him at cost. The cooperative must have capital. Because of the service at cost principle, this must be furnished by him, just as he must finance his farm, his farm machinery, his livestock, and his hired help. Obviously, no one else is going to do it for him without a profit incentive to do so. In other words, the primary burden for financing a farmer cooperative must rest on members as owners and users of its services. The absence of growth characteristics in its shares or other equities plus the cooperative equipment that financial benefit must be distributed in proportion to the individual members' use of its services does not attract the outside investor.

How does Mr. Armstrong suppose that a cooperative would come into being, provide marketing facilities, and competent management if the farmers who wish to obtain its services at cost, who own it and who control it, are unwilling or unable to use their own money to keep it going?

It cannot be denied that large size in a cooperative makes membership information and member control more difficult, but it does not make these things impossible. Cooperatives, however, must increase their size and effectiveness to do business with and to compete with other enterprises which are growing at faster rates.

Forms of business organization do not fail per se. It is human beings operating them who sometimes fail. The cooperative form of business organization requires a maximization of human willingness for managers, directors, and members to perform as a team. In cooperatives which succeed, this communication difficulty is mastered and the basic principle of serving farmers is not a thing of the past. How does Mr. Armstrong suppose that cooperatives in some instances merit the support of 80 to 90 percent of the producers in a production area, unless valuable services are being performed for and appreciated by producers? These are voluntary organizations.

No one is compelling any producer to join them.

The second basic false assumption is that farmer cooperatives, primarily because of their tax status, are rapidly driving free enterprise competitors out of business. Let us examine this charge. The only proof ever offered in support of this statement is that in a few isolated instances some cooperatives have acquired competing businesses, either corporate or otherwise. When a corporation set up to make profits by serving farmers acquires competing businesses, this is assumed to be good free enterprise. But when farmers—who also are basic members of the free enterprise economy—acquire a few of these facilities so that they can serve themselves rather than pay someone else for what is frequently a less desirable service, this is regarded by some as not being good for free enterprise.

I remind the Senate that there is no one more clearly identified with free enterprise than a landowner, a farm operator, the family farmer, the American farmer. He is "free enterprise."

No comparison is ever made as to how these few cooperative acquisitions compare in member and market power with the many more numerous acquisitions by investor corporations whose basic object is to serve farmers at a profit for their stockholders, and only incidentally provide a benefit to the farmers served. To get the full impact of the situation as it exists one only has to look at the noncooperative business empires set up in the grain, dairy, or cotton fields, or at the widespread use of consolidations and mergers outside the cooperative field.

A third false assumption is that cooperatives are enjoying a tremendous growth. These facts are significant. Over and over great emphasis is placed by those opposing cooperatives on the large size of cooperative enterprises. As a matter of fact, about 82 percent of the farmer marketing and purchasing cooperatives do an annual business of less than $1 million; 99 percent do less than $15 million; 1 percent do over $15 million. In this day of business giants, these figures speak for themselves in answering critics of cooperatives.

A fourth false assumption, boldly asserted by Mr. Armstrong, is that cooperatives are not subject to the antitrust laws. Some cooperatives who have been sued by the Department of Justice and lost their cases, and some cooperatives involved in suits by third parties for treble damages, would certainly like to know where this gentleman got his information. He would do well to read United States against Maryland and Virginia.

No lesser authority than the Supreme Court of the United States considers that farmer cooperatives are subject to the antitrust laws, the same as any other business corporation.

A fifth myth of the anticooperative writer is that cooperatives are all right for farmers when they are small, ineffective, and have poor management. Once they succeed, and acquire effective status, through economies of scale and sound management so as to provide substantial benefits for their members, they suddenly become something sinister and bad for the "free enterprise system."

To imply that use of the cooperative by farmers should be limited to small, ineffective organizations, presumably at the local level, is wholly unrealistic. It utterly fails to take into account the competitive problems that farmers' organizations face in our present-day economy. It is in effect asking the farmer to use an economic tool almost as antiquated as a yoke of oxen and a wooden plow.

On the matter of taxation, the statement assumes that all businesses are taxed the same. This also is not true.

Implicit in Mr. Armstrong's article is the false assumption or implication that all businesses pay taxes on precisely the same basis, except cooperatives. Individual proprietors, partnerships, and corporations which qualify under subchapter S—corporations with less than 10 domestic stockholders—all pay only a single tax on profits developed through trading operations.

Any difference in taxable margins shows up only in a comparison between incorporated cooperatives and business corporations which are required to pay the corporation income tax, and the only difference there is the right of cooperatives to deduct patronage refunds allocated in cash or noncash form. Any corporation can make these deductions, but it is apparent that most investor-type corporations would prefer to pay tax rather than make these distributions of their profits to their customers.

The Reader's Digest article states:

Some cooperatives still serve the farmers primarily in marketing and buying, and offer very little threat to investor-owned businesses. But other large combines of farm co-ops, using their tax-free earnings, have expanded into manufacturing, processing, mining, transportation, warehousing.

Statements of this type fail to recognize that cooperatives, like other enterprises, have found it necessary to employ vertical integration to improve their operating positions. To deny that farmer cooperatives have the right to engage in these activities in improving their services to their members implies that businesses other than cooperatives have a sole right to operate in these more complex areas.

I repeat, Mr. President, the tax laws can apply to corporations the same as they do to cooperatives if the corporations are willing to distribute their earnings to their customers. That is exactly what a cooperative does.

Mr. President, it seems to me that in all this opposition to cooperatives there is a gross failure to recognize a fundamental distinction between cooperatives and other forms of business enterprise. Cooperatives are organized, controlled, and operated by those who are both users of their services and recipients of their benefits. Other corporations work toward investor profits derived from business done with third parties. This is surely a legitimate function, and one to be encouraged, but the activities of a corporation are indeed different from those of a cooperative, since the prime purpose of the cooperative is to serve its members and its customers, and the prime purpose of the corporation is to yield a profit upon investment. The corporations do not have this distinctive owner-user relationship.

Cooperatives, Mr. President, not only play an important part in our domestic economy, but also are instruments of freedom the world over. They are symbols of hope.

Mr. President, not only are the cooperatives a symbol of hope but also they make a great contribution at this time in Latin America in the programs of land reform and housing in the great urban areas. In fact, the development of farmer cooperatives—production cooperatives, distribution cooperatives, supply cooperatives, credit cooperatives—is absolutely essential to the success of the Alliance for Progress, particularly in the rural areas of Latin America and, I might add, in other areas of the world, such as Asia and Africa.

These cooperatives are symbols of true hope. If they are to be evaluated—and they should be evaluated—it should be done in a responsible manner and with a sense of fairplay, with a recitation of all the facts and not merely some of the facts which happen to support a particular thesis, based on false assumptions.

THE ALLIANCE'S PROGRESS

Mr. HUMPHREY. Mr. President, in the February 26, 1962, edition of the Washington Post and Times Herald there appeared an editorial entitled "The Alliance's Progress." I bring it to the attention of Senators because of its accuracy in evaluating our Alliance for Progress with Latin America and in prescribing treatment for the agricultural phase of this operation that could be of extreme value.

The editorial suggests the alliance enroll our great State university agricultural colleges in Operation Food Production. It points out that in no area is the contrast greater between Communist and free world achievement than in agriculture. We have long recognized the efficiency of our Nation's farmers and their ever-increasing skill in tilling our fertile soil. And we recently were reminded by none other than Mr. Khrushchev of the ills faced by his country's agricultural economy. I point out a major contribution to the agricultural revolution here in the United States has been the work done in our agricultural colleges. The people who study there are truly doctors of the soil engaged in research of constant benefit to our farmers.

Why, then, cannot these American food-production specialists devote some of their time and energy in studying the problems of Latin American agriculture and in finding solutions to these problems.

The editorial suggests 19 land-grant agricultural schools each "adopt" a Latin American country for this purpose. This could be of benefit not only to Latin American agriculture, states the editorial, but also to the agricultural schools now amidst a restive quest for new fields to cultivate.

Mr. President, we are sharing our food and fiber with those countries less fortunate than we. We should start placing more emphasis on sharing with those countries the minds that contributed to the highly successful story of agriculture in the United States.

The editorial points out that this year is the centennial of the Morrill Act, which established the land-grant colleges. It concludes:

It would seem a fitting year to begin a new extension service in an educational experiment that has succeeded beyond all expectations.

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

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

THE ALLIANCE'S PROGRESS

How fares the alliance for progress? It is nearly a year since President Kennedy invited Latin America to join in a massive, decade-long, help-for-self-help development plan. In that year, progress in some respects has been good. Two countries—Colombia and Bolivia—have already submitted overall plans to the nine "wise men" who are acting as a panel of reviewing experts. A steady stream of loans is beginning to come from the Inter-American Development Bank for worthwhile projects.

But, it must be quickly added, in other respects, the alliance is running like the proverbial dry creek. Much of the impetus behind the alliance is lost in an organizational miasma. There is not much evidence yet that Latin American governments are showing an excessive eagerness to carry out the land, tax and other social reforms imperative to the alliance's success. Perhaps most disappointing, the alliance has failed to catch the popular imagination in much of Latin America.

To some extent, a fitful start is to be expected. Much of the basic organizational work should have been begun years ago. The mechanical paralysis is in part the price exacted by years of neglect. Moreover, in a decade-long program, the perspective of the first year can be misleading; the Marshall plan, too, was open to the reproach of confusion during its formative stage.

The strangest aspect of the alliance's faltering start has been the failure of communication—despite this administration's penchant for words. Last week, Teodoro Moscoso, the alliance's administrator for AID, spoke eloquently on the need to regard the hemisphere effort as more than a job of bookkeeping and capital investment; it involves a war of ideas as well as flow of bankable loans. Yet there has been lamentably little drama about the alliance.

One suggestion that deserves consideration is that the alliance enroll the great State university agricultural colleges in Operation Food Production. In no area is the contrast greater between Communist and free-world achievement than in agriculture. Surely it would make a good deal of sense to yoke the energy and experience of North American food production specialists to the purposes of the alliance.

This could be done in a compelling way if 19 land-grant agricultural schools each "adopted" a Latin American country. North American experts could, over the decade, educate themselves on the food production problems of the adopted country—and Latin Americans could benefit from short-course instruction. Agricultural colleges now extend a soil analysis service and similar aid to farmers in the States; the same services could be extended to the adopted Latin American country.

Operation Food Production could be useful not only to Latin America, but also to the agricultural schools, now amidst a restive quest for new fields to cultivate. Some contract programs already exist on an ad hoc basis and could be quickly made part of a larger, more formal effort. This year, appropriately, is the centennial of the Morrill Act that established the land-grant colleges. It would seem a fitting year to begin a new extension service in an educational experiment that has succeeded beyond all expectations.

DEVELOPMENT OF HUMAN RESOURCES FOR ALLIANCE FOR PROGRESS

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from the Washington Post and Times Herald entitled "School for Managers." The editorial relates to the activities of the Whirlpool Corp. of Benton Harbor, Mich., and a group of Colombian businessmen, who have joined together in a project to supply education to develop business managers for the Republic of Colombia.

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

SCHOOL FOR MANAGERS

The Whirlpool Corp. of Benton Harbor, Mich., and a group of Colombian businessmen have joined together in a project that seems both useful and promising. In Latin America, there is an ample supply of unskilled and semiskilled labor. There is also,

in most countries, a well-educated elite qualified to assume top managerial positions. But there tends to be a void in the middle, a lack of trained supervisors who can read a blueprint and carry out a production problem.

To help fill this void, a technical school is being founded in Medellin, Colombia, to offer some 600 high school graduates low-tuition training in mechanical technology. The sponsors assert that this is the first such technical school to be established in Latin America. The development of human resources is vital to the success of the Alliance for Progress; a network of similar schools throughout Latin America could go far to close the worrisome gap between the highly trained few and the untrained many.

The purpose is to establish a technical school to offer approximately 600 high school graduates low-tuition training in medical technology. According to the editorial, the sponsors feel that this particular school will do a great deal for the development of the resources of Colombia. I commend the Whirlpool Corp. and the group of Colombian businessmen referred to.

It was my privilege to meet with some of the Colombian businessmen in the month of November while I was visiting in Latin America, and I found them progressive and fully aware of the problems that their country faces. At the time of that discussion and meeting, one of the points that was emphasized by the Colombian businessmen was the need for training of young Latin Americans—and in this instance, young citizens of Colombia—for the responsibilities of management and training them in the professions, and particularly in the field of technology. I am pleased that what was once an expression of hope has now been made into a reality by the cooperation of one of our large companies and one of our enlightened corporations—the Whirlpool Corp.—which does have a number of activities overseas, and which has demonstrated the capacity to make sound investments in productive facilities in foreign countries and to expand its operations to the credit of the company as well as to the credit and the good of the United States.

COMMENDATION OF THE PRESIDENT'S HEALTH MESSAGE

Mr. HUMPHREY. Mr. President, the President's recent message on health is one which certainly deserves the full support of the Congress. The program he spells out to provide the miracles of modern medicine to all our citizens is both positive and practical. I am hopeful that these proposals will be acted upon favorably by this Congress.

In this message, the President again urges enactment of a health insurance program for the elderly under the social security system. I am proud to be a cosponsor of Senator ANDERSON'S bill here in the Senate, and I feel that this measure should have the highest priority.

I was especially pleased to note the President's recommendation to authorize a 5-year program of Federal loans for construction and equipment of group practice medical and dental facilities with priority being given to facilities of smaller communities and those sponsored by nonprofit or cooperative organizations. I have for many years felt we should be doing more to encourage construction of such facilities—especially in the smaller communities which are finding it difficult to attract physicians and dentists.

I have introduced such legislation in this and in prior Congresses to provide long term, low interest rate loans for the construction of such health-service facilities. My bill on this subject, S. 1158, is presently before the Committee on Labor and Public Welfare. I hope that the committee will approve this bill this session.

In conclusion, Mr. President, I ask unanimous consent that the President's health message and a statement by the Group Health Association of America be printed at the conclusion of my remarks.

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

To the Congress of the United States:

The basic resource of a nation is its people. Its strength can be no greater than the health and vitality of its population. Preventable sickness, disability and physical or mental incapacity are matters of both individual and national concern.

We can take justifiable pride in our achievements in the field of medicine. We stand among the select company of nations for whom fear of the great epidemic plagues is long past; our life expectancy has already reached the biblical three score and ten; and, unlike so many less fortunate peoples of the world, we need not struggle for mere survival. But measured against our capacity and capability in the fields of health and medical care, measured against the scope of the problems that remain and the opportunities to be seized, this Nation still falls far short of its responsibility.

Many thousands needlessly suffer from infectious diseases for which preventive measures are available. We are still 10th among the nations of the world in our infant mortality rate. Prolonged and costly illness in later years robs too many of our older citizens of pride, purpose and savings. In many communities the treatment of the mentally ill and the mentally retarded is totally inadequate. And there are increasingly severe shortages of skilled personnel in all the vital health professions.

Basically, health care is a responsibility of individuals and families, of communities and voluntary agencies, of local and State governments. But the Federal Government shares this responsibility by providing leadership, guidance and support in areas of national concern. And the Congress last year recognized this responsibility in important ways.

PROGRESS DURING 1961

Our States and communities have responded quickly and with impressive vigor to the invitation to cooperate action extended by the Community Health Services and Facilities Act passed by the Congress and signed into law only 4 months ago. As a result, better care for the chronically ill and the aged will soon be available in many parts of the Nation, both inside and outside the hospitals and other institutions in this program.

There is also visible progress in the effort to control water pollution, resulting from the expanded legislation passed by the Congress in 1961. Last year construction was begun on more waste treatment plants than ever before in our history, 30 percent above the calendar year 1960 level.

There were, in addition, other important forward thrusts taken, with Federal help, in the protection of our Nation's health. Medical research advanced at an accelerated pace. We are now better equipped than ever before to evaluate and deal with radiation perils. The incidence of polio has been reduced to the lowest levels ever recorded. We have engaged our most talented doctors and scientists in an intensified search for the cause and cure of cancer, heart disease, mental illness, mental retardation, environmental health problems, and other serious health hazards.

But, of the four basic improvements in the Federal health program, I recommended to the Congress last year, two urgent needs—health insurance for the aged and assistance to education for the health professions—have not yet been met. The passage of time has only served to increase their urgency; and I repeat those requests today, along with other needed improvements.

I. HEALTH INSURANCE FOR THE AGED

Our social insurance system today guards against nearly every major financial setback: retirement, death, disability, and unemployment. But it does not protect our older citizens against the hardships of prolonged and expensive illness. Under our social security system, a retired person receives cash benefits to help meet the basic cost of food, shelter, and clothing—benefits to which he is entitled by reason of the contributions he made during his working years. They permit him to live in dignity and with independence—but only if a serious illness does not overtake him.

For, compared to the rest of us, our older citizens go to the hospital more often, they have more days of illness, and their stays in the hospital are thus more costly. But both their income and the proportion of their hospital bill covered by private insurance are, in most cases, substantially lower than those of younger persons.

Private health insurance has made notable advances in recent years. But older people, who need it most but can afford it least, are still unable to pay the high premiums made necessary by their disproportionately heavy use of health care services and facilities, if eligibility requirements are to be low and the scope of benefits broad. Today, only about half of our aged population has any health insurance of any kind—and most of these have insufficient coverage.

To be sure, welfare assistance, and Federal legislation to help the needy or "medically indigent," will provide health services in some instances. But this kind of help is not only less appealing, coupled as it is with a means test, it reaches very few of those who are not eligible for public assistance but are still not able to afford the care they need.

I therefore recommend again the enactment of a health insurance program for the elderly under the social security system. By this means the cost of health services in later years can be spread over the working years—and every worker can face the future with pride and confidence. This program, of course, would not interfere in any way with the freedom of choice of doctor, hospital or nurse. It would not specify in any way the kind of medical or health care or treatment to be provided. But it would establish a means to pay for the following minimum levels of protection:

First. Inpatient hospital expenses for up to 90 days, in excess of $10 per day for the first 9 days (with a minimum payment by each person of $20), and full costs for the remaining 81 days.

Second. The cost of nursing home services up to 180 days immediately after discharge from a hospital. By providing nursing home care for twice as long as that in the hospital, the patient is encouraged to use the less expensive facilities when these will satisfy his requirements.

Third. The cost of hospital outpatient clinic diagnostic services in excess of $20. These benefits will reduce the need for hospital admissions and encourage early diagnosis.

Fourth. The cost of community visiting nurse services, and related home health services, for a limited number of visits. These will enable many older people to receive proper health care in their own homes.

It should be emphasized that we are discussing a gap in our self-financed, contributory social insurance system. These are all insurance benefits which will be available to everyone over 65 who is eligible for social security or railroad retirement benefits. They would be entirely self-financed by an increase in social security contributions of one-fourth of 1 percent each on employers and employees, and by an increase in the maximum earnings base from $4,800 a year to $5,200 a year. No burden on the general revenues is involved. I am not unmindful of the fact, however, that none of our social insurance systems is universal in its coverage—and that direct payments may be necessary to provide help to those not covered for health insurance by social security. But the two problems should not be confused—and those who have made no contribution toward such a fund should not be regarded as in the same category as those who have—and because a minority lacks the protection of social security is no reason to deny additional self-financed benefits to the great majority which it covers.

II. HEALTH PROFESSIONS PERSONNEL

The Nation's health depends on the availability and efficient use of highly trained and skilled professional people. These people are in very short supply. Unless we take steps to train more physicians and more dentists, the promise of modern medicine cannot be fully realized.

In an earlier message this year, I repeated my recommendation for Federal aid for the construction and expansion of schools of medicine, osteopathy, dentistry and public health, and for helping talented but needy students pursue their professional education. I recommended: (1) A 10-year program of grants to plan and construct such professional schools in order to increase the Nation's training capacity; and (2) a program of Federal scholarship aid for talented students in need of financial assistance, plus cost-of-education payments to the schools.

The urgency of this proposal cannot be repeated too often. It takes time to construct new facilities and many years for doctors to be trained. A young man entering college this fall will not be ready to start his practice until 1972—and even later if he plans to enter a specialty. The costs of construction and operation are mounting. Only six schools of medicine have been opened in the last decade; and the number of graduates has risen only 15 percent. Over the same period, student applications to medical schools have declined sharply. Our ratio of active physicians to population is less today than it was 10 years ago, and growing worse, and in the next 10 years we shall need to expand existing medical and dental school facilities, and to construct 20 new medical and 20 new dental schools.

We must also provide financial help to talented but needy students. I have previously expressed concern over the fact that medicine is increasingly attracting only the sons and daughters of high income families—43 percent of the students in our Nation's medical schools in 1959 came from the 12 percent of the U.S. families with an annual income of $10,000 or more.

A survey has shown that 4 years in medical school cost each student of the 1959 graduating class an average of $11,600. More than half of them had to borrow substantial sums to complete their education, and one-third of the group had an average debt of $5,000. Many of these students still have from 1 to 7 years of additional professional training, at low stipends, still facing them. Obviously further loans and further debts are not the answer.

Also, modern health care is extremely complex. It demands the services of a skilled and diversified team of specialists and technical personnel.

But there are shortages in almost every category—and the shortages are particularly severe in nursing. Last year I authorized the Surgeon General of the Public Health Service to set up a consultant group on nursing, and a comprehensive study of this field is well underway. I expect to receive their report in the near future.

III. IMMUNIZATION

There is no longer any reason why American children should suffer from polio, diphtheria, whooping cough, or tetanus—diseases which can cause death or serious consequencies throughout a lifetime, which can be prevented, but which still prevail in too many cases.

I am asking the American people to join in a nationwide vaccination program to stamp out these four diseases, encouraging all communities to immunize both children and adults, keep them immunized, and plan for the routine immunization of children yet to be born. To assist the States and local communities in this efforts over the next 3 years, I am proposing legislation authorizing a program of Federal assistance. This program would cover the full cost of vaccines for all children under 5 years of age. It would also assist in meeting the cost of organizing the vaccination drives begun during this period, and the cost of extra personnel needed for certain special tasks.

In addition, the legislation provides continuing authority to permit a similar attack on other infectious diseases which may become susceptible of practical eradication as a result of new vaccines or other preventive agents. Success in this effort will require the wholehearted assistance of the medical and public health professions, and a sustained nationwide health education effort.

IV. HEALTH RESEARCH

The development of these immunization techniques was made possible by medical research, just as it has made possible the new drugs, surgical techniques, and other treatments which have virtually conquered many of the leading killers of a generation ago—tuberculosis, pneumonia, rheumatic fever, and many others.

But conquest of the infectious diseases, by increasing our lifespan, has made us more vulnerable to cancer, heart disease, and other long-term illnesses. Today, two persons die from heart disease and cancer in the United States every minute. Last year, more than 1 million Americans fell victim to these merciless diseases.

They are not merely diseases of old age. Cancer leads all other diseases as the cause of death in children under age 15. Of the 10 million Americans who suffer from heart disease, more than half of them are in their most productive years, between 25 and 64.

Fortunately, medical research, supported to an increasing degree over the past 15 years by the Federal Government, is achieving exciting breakthroughs against both cancer and heart disease as well as on many other fronts. We can now save one out of every three victims of cancer, compared to only one out of four saved less than a decade ago. Our nationwide cancer chemotherapy program is saving many children and adults who would have been considered hopeless cases only a few years ago. And advances in heart surgery have restored to productive lives many thousands, while full prevention of many forms of heart disease seems increasingly within our reach.

We must, therefore, continue to stimulate this flow of inventive ideas by supporting medical research along a very broad front. I have proposed substantially increased funds for the National Institutes of Health for 1963, particularly for research project grants, and the training of specialists in mental health. Expenditures by the Institutes in 1963 are estimated to exceed $740 million, an increase of more than $100 million from the current year and a fourfold increase in the last 5 years. I am also renewing my recommendation that the current limitation on payment of indirect costs by the National Institutes of Health in connection with research grants to universities and other institutions be removed.

In keeping with the broadening horizons of medical research, I again recommend the establishment of a new Institute for Child Health and Human Development within the National Institutes of Health. Legislation to create this new Institute was introduced in the last session of Congress.

We look to such an Institute for a full-scale attack on the unsolved afflictions of childhood. It would explore prenatal influences, mental retardation, the effect of nutrition on growth, and other basic facts needed to equip a child for a healthy, happy life. It would, in addition, stimulate imaginative research into the health problems of the whole person throughout his entire lifespan—from infancy to the health problems of aging.

As a parallel action I am requesting authorization for contracts and cooperative arrangements for research related to maternal and child health and crippled children's services. This legislation, introduced in the last session of Congress, would strengthen the programs of the Children's Bureau in these areas, and foster effective coordination between the research activities of this Bureau and those of the proposed new Institute.

I also recommend that the present Division of General Medical Sciences at the National Institutes of Health be given the status and title of an Institute. This program supports fundamental research in biology and other sciences, and strengthens the research capabilities of universities and other institutions.

Last year, Congress enacted legislation temporarily extending and expanding the program of Federal matching grants for the construction of health research facilities. This program has been very successful, and it should be further extended.

In these and other endeavors, including our new National Library of Medicine, we must take steps to accelerate the flow of scientific communication. The accumulation of knowledge is of little avail if it is not brought within reach of those who can use it. Faster and more complete communication from scientist to scientist is needed, so that their research efforts reinforce and complement each other; from researcher to practicing physician, so that new knowledge can save lives as swiftly as possible; and from the health professions to the public, so that people may act to protect their own health.

V. MENTAL HEALTH

While we have treated the physically ill with sympathy, our society has all too often rejected the mentally ill, consigning them to huge custodial institutions away from the heart of the medical community. But more recently, the signs of progress toward enlightened treatment have been increasing. The discovery and widespread use of tranquilizing drugs over the past 6 years has resulted in an unprecedented reduction of 32,000 patients in the census of our State mental hospitals. But one-half of our hospital beds are still occupied by the mentally ill; and hundreds of thousands of sufferers and their families are still virtually without hope for progress.

I want to take this opportunity to express my approval, and offer Federal cooperation, for the action of the Governors of the 50 States at a special national Governors conference called last November. In accepting the challenge of the report of the Joint Commission on Mental Illness and Health, they pledged a greater State effort—both to transfer treatment of the majority of mental patients from isolated institutions to modern psychiatric facilities in the heart of the community, and to provide more intensive treatment for hospitalized patients in State institutions.

But this problem cuts across State lines. Since the enactment in 1946 of the National Mental Health Act, the Federal Government has provided substantial assistance for the support of psychiatric research, training of personnel and community mental health programs. The Government is currently spending over $1 billion annually for mental health activities and benefits. The National Institute of Mental Health alone will use approximately $100 million this year. Approximately $350 million is budgeted by Federal agencies for the care of the mentally ill; over $500 million is spent annually in the form of pensions and compensation for veterans with neuropsychiatric disorders; and aditional sums for similar benefits are paid by the social security and other Federal disability programs.

But far more needs to be done. Adequate care requires a supply of well trained personnel, working both in and out of mental hospitals. In 1946, there were only 500 psychiatric outpatient clinics in the Nation. Today, there are more than 1,500. More than 500,000 people received treatment in these clinics last year. We are making progress—but the total effort is still far short of the need. It will require still further Federal, State, and local cooperation and assistance.

I have directed the Secretary of Health, Education, and Welfare, the Secretary of Labor, and the Administrator of Veterans' Affairs, with the assistance of the Council of Economic Advisers and the Bureau of the Budget, to review the recommendations of the Joint Commission on Mental Illness and Health and to develop appropriate courses of action for the Federal Government. They have been instructed to consider such questions as the desirable alinement of responsibility among Federal, State, and local agencies and private groups; the channels through which Federal activities should be directed; the rate of expansion possible in the light of trained manpower availabilities; and the balance which should be maintained between institutional and noninstitutional programs.

Meanwhile, we must continue our vigorous support of research to learn more about the causes and treatment of mental illness. We must train many more mental health personnel. We must continue to strengthen treatment programs for Federal beneficiaries through our many existing Federal institutions, including St. Elizabeths Hospital. And I have recommended added funds for the National Institute of Mental Health to increase its program for the training of professional mental health workers and physicians.

VI. MENTAL RETARDATION

The nature and extent of mental retardation is often misunderstood. It is frequently confused with mental illness. While mental illness disables after a period of normal development, mental retardation is usually either present at birth or underway during childhood. It is not a disease but a symptom of a disease, an injury, or some obscure failure of development. It refers to a lack of intellectual ability, resulting from arrested mental development, and manifesting itself in poor learning, inadequate social adjustment, and delayed achievement. Its causes are many and obscure. We are encouraged with each new discovery—but present knowledge of this condition is still so fragmentary that its prevention and cure will require continued and persistent research over an extended period of time. The present limitations of knowledge make diagnosis extremely difficult, particularly since it involves the very young. And a major obstacle to progress is the lack of personnel trained in the special skills required to work effectively with the mentally retarded.

Thus, in spite of the progress made in recent years, mental retardation remains one of our most serious health and education problems. Approximately 5 million people in the United States are mentally retarded; and each year more than 126,000 more babies are born who will suffer from this tragic affliction.

I have asked the Panel on Mental Retardation which I appointed last year to appraise the adequacies of existing programs and the possibilities for greater utilization of current knowledge. It will review and make recommendations with regard to: (1) the personnel necessary to develop and apply new knowledge; (2) promising avenues of investigation, and the means to support and encourage research along these lines; and (3) improvement and extension of present programs of treatment, education and rehabilitation.

I expect the panel's report before the end of this year; and we should then be ready for the next phase of the attack upon this problem. I am confident that the work of this panel will help us chart the path toward our ultimate goal of preventing this tragic condition.

VII. TOWARD A MORE HEALTHY ENVIRONMENT

There is an increasing gap in our knowledge of the impact upon our health of the many new chemical compounds and physical and biological factors introduced daily into our environment. Every year 400 to 500 new chemicals come into use. Many of them will improve the public health. Others, regardless of every safeguard, present potential hazards. Each year there are 2 million new cases of intestinal disease. Hepatitis is at an alltime high. We need to apply additional protection against every new hazard resulting from contamination of the air we breathe or the water we drink.

As I already mentioned, the water pollution control legislation passed by the Congress last year has permitted us to step up our efforts to purify our water. We should make a similarly accelerated effort in parallel fields. I am therefore recommending:

1. Legislation to strengthen the Federal effort to prevent air pollution, a growing and serious problem in many areas. Fresh air cannot be piped into the cities, nor can it be stored for future use. Our only protection is to prevent pollution.

Under the existing Air Pollution Act, the Federal Government is conducting badly needed research on the biological effects of air pollution; developing improved methods for identifying, measuring, analyzing, and controlling pollution; and working with State and local officials to accelerate necessary control programs.

I recommend that the Congress enact legislation to provide: (a) authority for an adequate research program on the causes, effects, and control of air pollution; (b) project grants and technical assistance to State and local air pollution control agencies to assist in the development and initiation or improvement of programs to safeguard the quality of air; and (c) authority to conduct studies and hold public conferences concerning any air pollution problem of interstate nature or of significance to communities in different parts of the Nation.

Legislation along these lines has already passed the Senate, and I urge final favorable action in this Congress.

2. In order to provide a central focal point for nationwide activities in the control of air pollution, water pollution, radiation hazards, and occupational hazards, I recommend the establishment of a National Environmental Health Center. This center will serve as the base laboratory for research and training activities, and as headquarters for Public Health Service personnel concerned with health hazards in the environment. It will facilitate regular and frequent collaboration between Public Health Service scientists and those with whom they should consult in other Federal agencies. The center will serve also to encourage closer cooperation with industrial research and control groups, with universities and private foundations, and with State and local agencies.

3. Finally, I have recommended an increase in the appropriations for the study and control of water and air pollution and for research into protection against radiation peril.

VIII. ENCOURAGEMENT OF GROUP PRACTICE

Akin to the problem of increasing our overall supply of professional and technical health personnel is the problem of making more effective use of the personnel we already have. Experience in many communities has proven the value of group medical and dental practice, where general practitioners and medical specialists voluntarily join to pool their professional skills, to use common facilities and personnel, and to offer comprehensive health services to their patients. Group practice offers great promise of improving the quality of medical care, of achieving significant economies and conveniences to physician and patient alike, and of facilitating a wider and better distribution of the available supply of scarce personnel.

A major obstacle to the development of group practice, however, particularly in our smaller communities, is a lack of the specialized facilities needed. I therefore recommend legislation which will authorize a 5-year program of Federal loans for construction and equipment of group practice medical and dental facilities, with priority being given to facilities in smaller communities and to those sponsored by nonprofit or cooperative organizations.

IX. HEALTH OF DOMESTIC AGRICULTURAL MIGRANT WORKERS

Domestic agricultural migrants and their families—numbering almost 1 million persons—have unmet health needs far greater than those of the general population. Their poor health not only affects their own lives and opportunities, but it is a threat to the members of the permanent communities through which they migrate. The poverty of these migrants, their lack of health knowledge, and their physical isolation and mobility, all tend to limit their access to community health services. To help improve their health conditions, I recommend—in addition to expanding the special Public Health Service activities directed to them—the enactment of legisaltion to encourage the States to provide facilities and services for migrant workers.

X. PUBLIC HEALTH SERVICE REORGANIZATION

Changes in recent years have greatly increased the responsibilities of the Public Health Service. Some major organizational changes are necessary in order to help this agency carry out its vital tasks more effectively. I will shortly forward to the Congress a proposal which will make these reorganizational changes possible. It will permit more effective administration of community health programs and those dealing with the health hazards of the environment.

OTHER HEALTH GOALS

The struggle for improved health is never ending. While we are pressing new attacks in sectors of past neglect and present urgen-

cy, we must continue to advance along the entire front.

Health facilities construction: I have asked the Secretary of Health, Education, and Welfare to review the program of federally aided medical facility construction, to evaluate its accomplishments and future course. Through the Federal support provided by this very successful program, general medical care facilities have been constructed in most of the areas of greatest need. There are, however, large and urgent unmet requirements for facilities to provide long-term care, especially for the elderly, and short-term mental care at the community level. In addition, a growing number of existing urban hospitals require modernization so that they may continue to serve the needs of the people dependent upon them.

Health of merchant seamen: Over the past several years funds for the operation of the Public Health Service hospitals have been substantially increased to improve the quality of medical care for merchant seamen and other beneficiaries. A start has also been made on enabling these hospitals to conduct medical research. I have directed the Secretary of Health, Education, and Welfare to develop a plan for providing more readily accessible hospital care for seamen and for improving the physical facilities of those Public Health Service hospitals which are needed to provide such care.

Physical fitness: The foundation of good health is laid in early life. Yet large numbers do not receive necessary health care as infants and schoolchildren. The alarming rate of correctible health defects among selective service registrants highlights the problem. In all 50 States there has been a gratifying response to my call of last year for vigorous programs for the physical development of our youth. Pilot projects stimulated by the President's Council on Youth Fitness proved that basic programs, within the reach of every school, can produce dramatic results. Our children must have an opportunity for physical development as well as for intellectual growth. Our increased national emphasis on physical fitness, based on daily vigorous activity and sound nutritional and health practices, should and will be continued.

International health: Finally, it is imperative that we help fulfill the health needs and expectations of less developed nations, who look to us as a source of hope and strength in fighting their staggering problems of disease and hunger. Mutual efforts toward attaining better health will help create mutual understanding. Our foreign assistance program must make maximum use of the medical and other health resources, skills and experience of our Nation in helping these nations advance their own knowledge and skill. We should, in addition, explore every possibility for scientific exchange and collaboration between our medical scientists and those of other nations—programs which are of benefit to all who participate and to all mankind.

CONCLUSION

Good health is a prerequisite to the enjoyment of "pursuit of happiness." Whenever the miracles of modern medicine are beyond the reach of any group of Americans, for whatever reason—economic, geographic, occupational or other—we must find a way to meet their needs and fulfill their hopes. For one true measure of a nation is its success in fulfilling the promise of a better life for each of its members. Let this be the measure of our Nation.

JOHN F. KENNEDY.

THE WHITE HOUSE, *February 27, 1962.*

GROUP HEALTH ASSOCIATION OF AMERICA HAILS PRESIDENT KENNEDY'S MEDICAL CARE MESSAGE, ASKS SPEEDY CONGRESSIONAL ACTION

WASHINGTON.—Dr. Caldwell B. Esselstyn, president of Group Health Association of America, today issued the following statement:

"The Group Health Association of America, representing prepaid group practice medical plans throughout the Nation, hails the statement on health care presented yesterday to the Congress by President Kennedy.

"The President's statement represents a realistic and forward-looking statement of the Nation's health needs.

"It will get the support, we are confident, of large numbers of doctors and patients who recognize that American medicine must move upward to new plateaus of effective service. The day has gone by when any single physician can hope to provide the best there is in all the fields of medicine to any one patient. In the America of the mid-20th century, medicine—like every other phase of our national life—must be geared to the needs and requirements of space age problems.

"The Group Health Association of America is particularly gratified that President Kennedy has urged Federal loans to establish 'group practice medical and dental facilities' particularly in the smaller communities of the Nation.

"The President's recommendation that priority be given to the creation of group-practice facilities in small communities, and to those sponsored by cooperative or nonprofit groups, fully recognizes the realities of our national health problem.

"America must make the best possible use, on behalf of all its citizens, of the medical talent available to the Nation. Proven experience has shown that the prepaid group medical practice system is, by all odds, the best way of providing comprehensive medical care to people.

"We strongly support the President's urgent plea for congressional action to finance a health insurance program for the aged through the social security system. As a matter of fact, there is no other way of doing this necessary job. Americans should not permit propaganda slogans to cloud their vision about the need for this major step forward toward providing decent medical care for the growing number of our senior citizens.

"We also support the President's plea for Federal aid for the construction and expansion of schools for the teaching of doctors, and scholarship aid for talented and needy students.

"The Group Health Association of America urges the Congress to speedily enact these forward-looking proposals of President Kennedy. We appeal to citizens to call upon their elected legislators to give these measures a high priority in the present session of Congress."

BEFORE IT IS TOO LATE

Mr. HUMPHREY. Mr. President, I invite the attention of my colleagues to an excellent article which appeared in a recent issue of Commonweal magazine written by Prof. Nino Maritano, an economist who is on the faculty of St. Thomas College in St. Paul, Minn.

In this article, Professor Maritano gives his impressions on the situation in Central America. He is convinced from his travels in Central American countries that drastic social reforms are the sole alternative to communism and that such reforms must be made now if we are to avoid disaster.

The people of Central America, Professor Maritano reports, desperately want a better life for themselves and for their children, and they want that life "today," not "tomorrow." Let me quote from Professor Maritano's article:

It is the deep conviction of this writer that the Central American people are not really Communist or communistic, but they do have a deep and increasing desire for social justice. They are not rebellious people, either, but misery and despair, if not drastically curbed, can in the very near future force them to become both rebellious and Communist. The governments of Central America give the impression of being afraid of sound social economic reforms. Some of them let the people believe that any social change will be economically disastrous by invoking the outmoded classical liberal theory of capital formation. This is an old story which no economist would accept today. On the contrary, a minimum of social justice, in terms of honest administration, sound fiscal policy, better redistribution of income, a minimum wage and job opportunity, constitute the very necessary conditions and bases for economic development, growth, and progress.

Mr. President, the impressions that Professor Maritano had from his trip in Central America are the same as I had when I returned from my tour this past fall of South American countries. The answer to communism in these countries is a vigorous program of social reform. Without this reform being put into action the door is being left wide open for the Communists to move in and take over, and as certainly as I stand here today in the Senate, they will take over unless reform programs are put into action, and put in promptly.

I ask unanimous consent to have printed at this point the article referred to.

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

BEFORE IT IS TOO LATE

(By Nino Maritano)

When I left Guatemala, the last of five Central American countries I visited, it was my impression that people of Central America are well aware of what is going on in their countries and abroad. Perhaps because of this increasing awareness they are tired of words and promises.

It was made clear to me, by thousands of workers, campesinos (small farmers) and professional men in the Central American nations that changes ought to take place. According to them a radical institutional evolution is necessary to break away from the present feudalistic form of society in which they live. I was told time and again that if drastic changes do not materialize soon, the Communists will have excellent grounds for their own revolution. But the people of Central America do not expect such changes to come from their wealthy present leaders, whom they distrust and hate. Thus communism seems to them as almost the only certain alternative.

Central Americans, like all Latin Americans, have long memories. They remind you of the time when the great fruit companies, by their political and financial intrigues, kept large areas of Central America in turmoil. They did not hide from this writer the fact that even today venality and influence play a disastrous role in the economic development of their countries. They do not expect any improvement from fantastic and vague economic programs. Empty and nonimplemented social legislation can no longer satisfy the hungry and destitute 75 percent of the population of Central America.

Besides, it is written in their eyes, they want a better life for themselves and for their children today, not tomorrow. But with the disparity between wages and prices—when there is a wage and a price—it is simply not possible for most Central Americans to make a living. Prices are high and capricious all over Central America. I

discovered that a cup of coffee in El Salvador, Costa Rica, Guatemala, and Honduras costs from 10 to 12 cents. A bottle of local beer costs from 35 to 50 cents. A decent room in any hotel or pension goes from $5 to $15. A sandwich costs from 45 to 70 cents. The price of clothes is as high as in the United States—always higher than in any country in Europe. I found in El Salvador and Nicaragua, which are among the poorest nations of Central America, that it costs $25 to have a tooth filled, $20 to have it pulled. Any physical examination by any doctor costs from $5 to $20. Local shoes vary from $8 to $15; imported shoes cost from $35 to $50.

Yet wages all over are as low as 30 to 50 cents a day. The average wage for 90 percent of Central American workers is less than 75 cents a day. A waiter or waitress, for example, earns not more than $10 to $20 a month, putting in around 60 hours a week and 10 hours of work a day.

No Salvadorian, Nicaraguan, Costa Rican, or Guatemalan I met accepts such wages as just in countries where members of old Spanish families pad through the halls of mansions costing $3, $4, or $5 million. Moreover, such wages are for those who are lucky enough to get a job. If one adds to all this the chronic unemployment in all cities and towns of the Central American nations, the creeping inflation, the average earnings of many campesinos which amounts to something like $3 or $4 a month, one begins to understand the economic despair of so many of the Central American people, their impatience and bitterness, their readiness to revolt.

Why, they ask you, should a very few in our countries (4 or 5 percent of the population) dance in a sea of gold and light and 90 percent of the people in rural areas huddle at night around a fire outside a one-room hut and wash the only clothes they own at the light of a meager flame? Why, ask a group of young workers from El Salvador, should the sons and daughters of the few rich go to study at the most expensive colleges and universities abroad, touring Washington, Rome, and Paris in Cadillacs, when 70 percent or more of the families from Nicaragua, Honduras, and El Salvador are unable to have their children fed decently and taught how to read and write? I heard the same question echoed in Nicaragua, Honduras, and Guatemala.

The claim of the local aristocracy that the poor in Central America enjoy their way of life and have no desire to improve their social and economic conditions makes them laugh bitterly. Like any other human beings, Central American men and women prefer adequate housing to a hut. All poor young couples wish that they could afford better furniture in their dwellings and decent clothes for their little ones. No destitute Indian in Guatemala, no unemployed worker in El Salvador or Nicaragua, no poor mother from Costa Rica or Honduras I talked to blesses the hunger and death of her children, or wishes them to grow up ignorant and illiterate.

It is also unfair and false to say, as I heard many Europeans and Americans insist, that the average Central American is lazy and does not want to work. I saw thousands of them at work: businessmen, professional people, government employees, skilled and manual workers of both sexes. Those who can find work, work hard—in many instances much harder than we do. No American or European woman could stand the fatigue and hardship of the average Salvadorian or Guatemalan woman in the fields, in a factory, or in a marketplace. The American construction worker would call slave labor the hours and the speed required from a Costa Rican or a Nicaraguan construction worker.

One would have to go back 100 or 200 years in the history of this country or of Europe to find conditions comparable to the inhuman conditions borne by people working for a few absentee barons, landlords, or corporations in Central America. But no matter how bad those conditions are, how meager the reward is, the average Central American wants to work; he is constantly looking for steady employment.

The poor resent, moreover, the fact that even in these abject conditions they are the only people in their countries who pay high taxes. They realize that since the governments themselves are deep in the affairs of business, people in privileged positions of government will not tax themselves. As a matter of fact, this interlocking of government and business is so widespread and so grave in Nicaragua and Honduras that it is difficult to say where private enterprise stops and public enterprise takes over. In too many parts of Central America the governors and senators are the most economically and financially powerful persons. They are owners of banks, plantations, shipping, urban real estate, airlines, railroad companies. On top of this, there is not a progressive but rather a regressive taxation system. For instance, it is impossible for the poor to escape tax eviction, but it is a mere question of routine for the rich to evade millions of dollars in taxation.

Many Central American economists and honest businessmen I talked to are convinced that this abusive system of taxation, among other things, explains a great deal of the backwardness of the Central American economy. Honest fiscal policy and effective public administration of the physical and human resources, they believe, are basic requirements for the economic development of their countries. But honest and effective administrations, according to some able and brilliant Salvadorian public servants, are impossible without a more human social philosophy, which too many political leaders and the wealthy elite alike lack totally.

Without some effective principles of human rights, and of equitable redistribution of wealth, no capital formation for sound investments, they feel, is really possible. No foreign aid will do any good. On this point, it was a shocking experience for me to find out in a survey taken among all groups of Central American people that more than 90 percent of them are against unconditional American aid. President Kennedy's Alliance for Progress will be a failure, they tell you, if every American cent is not supervised by honest American technicians with the help of honest and able Central Americans.

As a matter of fact, as far as I could see, the American dollars which have been poured into Central America have not won for us a single friend among the mass of people. The average Central American dislikes and is suspicious of the gringos. One reason for this, among others, I was told, is the fact that they have never seen any good results from American loans or grants. American money is too often used, or rather misused, for personal advantage. Thus the unemployed in El Salvador, the oppressed in Nicaragua, the poor campesino in Honduras, the underpaid worker in Costa Rica, and the Indian in Guatemala all feel that the American dollars, if they come, serve in fact only one purpose: to keep in power inefficient governments and to perpetuate the startling contrast of economic misery for the majority and extravagant wealth for the few.

The sympathy for President Kennedy found among people of all the Central American nations is, I believe, quite significant in this regard. Kennedy understands our situation, they say. He is realistic, honest and blunt. They think that if the social reform conditions of the Alliance for Progress are carried out, lots of things will be improved. But they all predicted to me that any such clause of conditional help will be opposed by most of their governments.

It is the deep conviction of this writer that the Central American people are not really Communist or communistic, but they do have a deep and increasing desire for social justice. They are not rebellious people, either, but misery and despair, if not drastically curbed, can in the very near future force them to become both rebellious and Communist. The governments of Central America give the impression of being afraid of sound social economic reforms. Some of them let the people believe that any social change will be economically disastrous by invoking the outmoded classical liberal theory of capital formation. This is an old story which no economist would accept today. On the contrary, a minimum of social justice, in terms of honest administration, sound fiscal policy, better redistribution of income, a minimum wage and job opportunity, constitute the very necessary conditions and bases for economic development, growth, and progress.

Drastic social reforms are not only the sole alternative to Castroism or communism in Central America, but also the only way out of the economic backwardness and bankruptcy of a feudalistic system, and the only way that political and economic democracy can appeal to the intelligent Central American.

Let us not label as communistic the elementary aspirations of the citizens of Central America. These aspirations are too human and too Christian to be confused with the brutality of communism. But they are also too urgent to be ignored. The future of much more than Central America itself is at stake; it would be a tragedy for the whole hemisphere if Central America were lost. I must confess, however, that I left Central America with the feeling that if it is already late for some Central American governments, it is too late altogether for the irresponsible Central American aristocracy.

THE ALEXANDER HAMILTON NATIONAL MONUMENT — AMENDMENT TO THE CONSTITUTION DEALING WITH POLL TAXES

The Senate resumed the consideration of the motion of the Senator from Montana [Mr. MANSFIELD] to proceed to the consideration of the joint resolution (S.J. Res. 29) providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument.

Mr. EASTLAND. Mr. President, I was quoting from the committee report a statement by the distinguished former Senator from Wyoming, the Honorable Joseph C. O'Mahoney, who was probably the greatest constitutional lawyer since Daniel Webster. I continue the quotation:

> So the argument of the proponents of this bill must be that the poll tax requirement is not a qualification, but an interference with the manner of holding an election.
>
> Can anyone say that that is not a strained construction—so strained, Mr. President, that some of the advocates of the bill are not content to rely upon it, but say that the real basis of the bill lies in the provision of the Constitution by which the United States is required to guarantee to each State a republican form of government. Then we are asked to believe that a poll tax requirement is a violation of the principles of a republican form of government. How can that be contended in the face of the fact that the men who drafted the section, the men who drafted the Constitution, had been

chosen by the people of States in every one of which there was some form of a property ownership or taxpayment qualification?

Mr. President, the poll-tax requirement as a prerequisite for voting was not abolished in the State of Massachusetts—and I speak of Massachusetts because I was born there and because I know that it has been one of the most progressive and liberal States of the Union—until 1892. It was not abolished in the State of Pennsylvania until 1933. So during all that time, from the moment when the Constitution was written by men chosen in States which recognized the the ownership of property and the payment of taxes as qualifications for voting, right down to this decade, the right of the States to impose or to repeal such a qualification had been recognized; and no one sought to question it until the bright idea dawned that, by calling red blue, we could amend the Constitution— a qualification is not a qualification. Let the Congress by a majority vote so declare, and the necessity of amending the Constitution as the Founding Fathers directed us to do in article V would be obviated.

* * * * *

Therefore, it seems to me to be perfectly clear, from the text of the debate in the Constitutional Convention itself, that the men who drafted this instrument knew precisely what they were doing, and when they defeated Gouverneur Morris' amendment to fix the qualifications in the Constitution, they did so precisely because they wanted that right to fix qualifications to remain with the States. This was because, in the words of Mr. Wilson, that it would be disagreeable to have two sets of electors, one voting for State officers and the other voting for Federal officers.

The proposal was voted down in the Constitutional Convention. The proponents of the bill ask us to vote it up by a State. They contend that although the Constitutional Convention said that the qualifications for those who are to choose the only Federal officials who are to be elected by the people shall be the same as the qualifications of those who are to choose the most numerous branch of the State legislature, we should now alter that program, that procedure, that policy, and should make the qualifications different.

Senator O'Mahoney, in engaging in colloquies with the then Senator from Alabama, Mr. Bankhead, and the then Senator from Texas, Mr. Connally, made further observations which, I believe, bear repeating here:

Mr. O'MAHONEY. The Senator is quite right, and that leads me to make this observation. In the light of the debate which I have already read earlier today, it is clear that if the framers of the Constitution had wanted to make a Federal rule of qualification, since it is clear that they knew exactly what the issue was, they would have written it into the Constitution. One member, seconded by another member of the Convention, indeed tried to do that, and the effort was defeated, and then, as the Senator from Alabama has so cogently remarked 125 years later, when the people of the country were providing for the popular election of U.S. Senators, they decreed again that the qualifications of the electors who should choose the Senators should be the same as those of the electors of the most numerous branch of the respective State legislatures. There can be no question, it seems to me, of the meaning of the language. * * *

The drafters of the Constitution, and the States, when they amended the Constitution to provide for popular election of Senators, did precisely what the Senator from Texas said; they decreed that the Federal qualifications in each State should be those which each State adopted for itself. That is not only my view, the view of the Senator from Texas, the view of the minority on the Judiciary Committee; it has been the view of every person who has commented upon the Constitution from the time it was written and adopted down to the hour when the sponsors of the proposed legislation undertook to separate Federal qualifications from State qualifications.

Mr. President, I submit that the statement of the then subcommittee of the Committee on the Judiciary and the remarks of Senator O'Mahoney are as appropriate today as they were 20 years ago. It is my considered judgment that the Congress would be wise today to await the action of the five remaining States, by action of their State legislatures, rather than to whittle away by constitutional amendment a power that was left to the States themselves by the framers of the Constitution.

Throughout the history of our country regulation of voting has been traditionally and appropriately a function of the States. In fact, the intrusion of the Federal Government into the regulation of voting has been generally considered unconstitutional except in those instances precisely defined in the 14th and 15th amendments. In *Minor* v. *Happersett* (88 U.S. 162 (1874)), Mrs. Minor was refused registration to vote for electors for President and Vice President of the United States, and for a Representative in Congress at the general election held in November 1872. She was refused because the Missouri constitution authorized voting by male citizens only. Mrs. Minor contended that the right to vote at elections affecting Federal offices was a right and privilege secured to her by the Constitution of the United States which could not be abridged by the State of Missouri. The Court said:

If the right of suffrage is one of the necessary privileges of a citizen of the United States, then the constitution and laws of Missouri confining it to man are in violation of the Constitution of the United States, as amended, and consequently void. The direct question is, therefore, presented whether all citizens are necessarily voters.

The Constitution does not define the privileges and immunities of citizens. For that definition we must look elsewhere. In this case one need not determine what they are, but only whether suffrage is necessarily one of them.

It certainly is nowhere made so in express terms. The United States has no voters in the States of its own creation. The elective officers of the United States are all elected directly or indirectly by State voters. The Members of the House of Representatives are to be chosen by the people of the States, and the electors in each State must have the qualifications requisite for electors of the most numerous branch of the State legislature. Senators are to be chosen by the legislatures of the States, and necessarily the members of the legislature required to make the choice are elected by the voters of the State. Each State must appoint in such manner, as the legislature thereof may direct, the electors to elect the President and Vice President. The times, places, and manner of holding elections for Senators and Representatives are to be prescribed in each State by the legislature thereof; but Congress may at any time, by law, make or alter such regulations, except as to the place of choosing Senators. It is not necessary to inquire whether this power of supervision thus given to Congress is sufficient to authorize any interference with the State laws prescribing the qualifications of voters, for no such interference has ever been attempted. The power of the State in this particular is certainly supreme until Congress acts.

The amendment did not add to the privileges and immunities of a citizen. It simply furnished an additional guarantee for the protection of such as he already had. No new voters were necessarily made by it. Indirectly it may have had that effect, because it may have increased the number of citizens entitled to suffrage under the constitution and laws of the States, but it operates for this purpose, if at all, through the States and the State laws, and not directly upon the citizen (*Minor* v. *Happerset*, 88 U.S. 162 (1874)).

Finally the Supreme Court said:

Certainly, if the courts can consider any question settled, this is one. For nearly 90 years the people have acted upon the idea that the Constitution, when it conferred citizenship, did not necessarily confer the right of suffrage. If uniform practice long continued can settle the construction of so important an instrument as the Constitution of the United States confessedly is, most certainly it has been done here. Our province is to decide what the law is, not to declare what it should be. (*Minor* v. *Happerset*, 88 U.S. 162, 170 (1874)).

Mr. President, I ask unanimous consent that I may yield to my colleague the distinguished Senator from Mississippi [Mr. STENNIS] with the understanding that I shall not lose my right to the floor; that when I resume the floor, it will not count as a second speech upon this motion; and that the junior Senator from Mississippi will have the floor when the Senate convenes on Monday next.

Mr. HOLLAND. Mr. President, will the Senator from Mississippi yield for a question?

Mr. EASTLAND. I yield for a question.

Mr. HOLLAND. When does the senior Senator from Mississippi expect to resume the floor? I think the unanimous-consent agreement should show that.

Mr. EASTLAND. I do not know when I expect to resume the floor. It will be before the debate is over.

Mr. HOLLAND. Will it be sometime on Monday?

Mr. EASTLAND. I do not know when the junior Senator from Mississippi will finish his speech. I cannot say as to that. He has a right to present his views.

Mr. HOLLAND. Mr. President, I have no objection.

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

Mr. STENNIS. Mr. President, a great deal has been said about the poll tax. A great deal is misunderstood about the poll tax. It is thought of, in some circles, as being a tax on the right to vote, or is loosely called that. A poll tax is a tax on the person. Like other taxes such as a tax on a piece of property, or a tax on income, it is a head tax. The word "poll" comes from the word meaning people. That is the basis of the taxation. It is based on the simple proposition that everyone who enjoys the fruits of the government should pay some tax. That is the origin of the tax—that there should be a tax upon

each person. It is nothing new in American history. It has always been recognized.

Mr. President, it has always been characteristic of our Government to require every person to pay some tax. Many States and many of the Colonies at the time of the American Revolution, and afterward, required the payment of a property tax or poll tax, or some kind of a contribution to the costs of government, before citizens could enjoy the privileges of government.

I never have believed otherwise than that it is a sound principle of government. I do not know that I have had many thrills in life greater than that I felt at the time I cast my first vote. I had the thrill of knowing that I was participating in the government directly, and I was also paying some tax, and therefore was sharing a part of the privileges and had a part in carrying some of the responsibility.

I never have believed otherwise, especially in view of the fact the right to vote is a privilege. Voting is a privilege; it is not a right. It never has been a right. I hope that in our form of government it never will be a pure right. The casting of a vote is a privilege, and that privilege arises from the States of the Union, not from the Federal Government. The Federal Government has never had the power to confer the privilege of voting upon anyone. There is written into the basic law of the Federal Government itself the direct provision that the Congress shall never—shall never—undertake to create the qualifications of electors. The privilege of voting comes from the States, and therefore the Federal Government adopts the qualifications the States prescribe.

I repeat, Mr. President, that voting is a privilege. That privilege arises from the State itself. Therefore the States ought to have control.

Even apart from what is written into the Constitution, logic dictates that the States should have such control. As I have said, it is a privilege to pay something, to pay some kind of a tax or to make some contribution in order to be able to vote. I remember that as a young boy I heard a very fine sermon, the substance of which was, "Salvation is free." I did not believe it then, and I do not believe it now. I am not a theologian, and do not intend to enter into a discussion of theology. We could never earn salvation ourselves. I think in any realm reward requires some kind of effort on my part. I have to live up to something. I have to do something. I cannot be fully worthy; there is something I have to do. I still believe this to be true.

I believe that in our free Government freedom is a two-way street. This should be told to the people. It should be emphasized at every turn, everywhere, every day in every manner. There is something the people must do. The privileges we enjoy simply do not come like rain from the heaven. Privileges and responsibilities go hand in hand.

Mr. HOLLAND Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I yield.

Mr. HOLLAND. I do not wish to interrupt the distinguished Senator, except to say that the majority leader asked me to move to recess the Senate, under the order previously entered, at 6 o'clock or shortly thereafter. At any time it might be convenient to whoever had the floor. Whenever the Senator from Mississippi reaches such a stage, I shall be glad to move that the Senate recess under the previous order.

Mr. STENNIS. I thank the Senator from Florida. I should like to proceed for just a few minutes more, in order to reach an appropriate stopping place.

There should be at least some kind of requirement for some kind of payment on the part of all who go to the ballot box. I know that that is the way it works in my State. The payment of a poll tax has proved to be a very reasonable regulation of the exercise of the high privilege of voting, one within the reach of all; and it is such a small amount that it is certainly easily within the reach of all to pay. But if any person should be crippled or otherwise incapacitated, such person could obtain a certificate of exemption. The tax is only $2 a year per person; and it applies to all alike, regardless of sex, color, or any other consideration.

There is a further provision that persons above 60 years of age are not required to pay the tax, but merely have to be certified that they are exempt, and thereby shall be eligible to vote.

Some say they do not think the poll tax is sound in principle, if its payment is required as a prerequisite to voting. Mr. President, I think it is. It is a very reasonable and a very effective regulation. It requires that a person manifesting an interest in an election shall pay a small amount for the privilege of participating in the election.

Mr. President, I have never seen an illustration of any material or substantial abuse with reference to the poll tax law. Stories are told about some ward politician showing up at the last minute with a pocketfull of poll tax receipts, and getting persons whom he controls qualified to vote. Mr. President, I could not say that such things do not happen sometimes, somewhere; but certainly I know that they do not happen to any appreciable extent in my State, and I do not believe they happen on any extensive scale anywhere. The law requires that the poll tax be paid in advance; and no one can show up at the last minute and pay the poll tax for others, so as to control their votes.

Another feature of the tax in my State is that a citizen has to pay only 1 year's arrears, if he falls behind in his payments. He has to pay only 1 year's arrears of the tax, in order again to become qualified to vote. Clearly there is no stacking up of these delinquencies, or anything of that kind.

Furthermore, Mr. President, the money goes solely and exclusively to public education of all children in all public schools, in cur State. As I recall, the money has to be spent in the county where the tax is imposed or where the person lives. The money has to be spent exclusively for the schools in that county; and it cannot be diverted—not under any circumstances—to any other purpose—not to any purpose except that of the general education of all the schoolchildren.

Mr. President, I have now reached a concluding point; and I ask unanimous consent that I may now suspend, pursuant to the understanding which has been reached.

Mr. EASTLAND. Mr. President, a part of the unanimous-consent request is that when the Senate takes a recess at the conclusion of its session today, such action not be regarded as causing my colleague, the junior Senator from Mississippi [Mr. STENNIS], to be charged with making one speech on the pending motion.

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

RECESS TO MONDAY AT 11 A.M.

Mr. HOLLAND. Mr. President, in accordance with the order of the Senate previously entered, I ask unanimous consent that the Senate now stand in recess until Monday next, at 11 a.m.

The PRESIDING OFFICER. Is there objection?

There being no objection, thereupon (at 6 o'clock and 3 minutes p.m.), under the order previously entered, the Senate took a recess until Monday, March 19, 1962, at 11 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate March 16 (legislative day of March 14), 1962:

ASSAYER OF THE MINT

Earl F. Haffey, of Colorado, to be assayer of the Mint of the United States at Denver, Colo., vice Richard L. Merrill.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 16 (legislative day of March 14), 1962:

UNITED NATIONS

W. Michael Blumenthal, of New Jersey, to be the representative of the United States of America on the Commission on International Commodity Trade of the Economic and Social Council of the United Nations.

CAREER AMBASSADORS

The following-named Foreign Service officers for promotion from the class of career minister to the class indicated:

To be career ambassadors

W. Walton Butterworth, of Louisiana.
Walter C. Dowling, of Georgia.
Miss Frances E. Willis, of California.

U.S. ARMS CONTROL AND DISARMAMENT AGENCY

The following-named persons to the positions indicated:

To be members of the General Advisory Committee of the U.S. Arms Control and Disarmament Agency

Roger M. Blough, of Pennsylvania.
The Reverend Edward A. Conway, of Nebraska.
John Cowles, of Minnesota.
Trevor Gardner, of California.
George B. Kistiakowsky, of Massachusetts.
Robert A. Lovett, of New York.
John J. McCloy, of New York.

Dean A. McGee, of Oklahoma.
Ralph E. McGill, of Georgia.
George Meany, of Maryland.
James A. Perkins, of New Jersey.
Herman Phleger, of California.
Isidor I. Rabi, of New York.
Thomas D. White, of the District of Columbia.
Herbert F. York, of California.

ASSISTANT SECRETARY OF COMMERCE

William Ruder, of New York, to be an Assistant Secretary of Commerce.

MARITIME ADMINISTRATOR

Donald W. Alexander, of Florida, to be Maritime Administrator.

COAST AND GEODETIC SURVEY

Subject to qualifications provided by law, the following for permanent appointment to the grades indicated in the Coast and Geodetic Survey.

To be lieutenant (junior grade)

Peter Aloysius Martus

To be ensigns

David Vincent Sibila.
Eugene Arthur Jones.
Jon Wallace Drosendahl.
Stanley John Ruden.

U.S. CIRCUIT JUDGE

Paul R. Hays, of New York, to be U.S. circuit judge, second circuit.

U.S. DISTRICT JUDGES

Dudley B. Bonsal, of New York, to be U.S. district judge for the southern district of New York.

Wilfred Feinberg, of New York, to be U.S. district judge for the southern district of New York.

George Rosling, of New York, to be U.S. district judge for the eastern district of New York.

Leo Brewster, of Texas, to be U.S. district judge for the northern district of Texas.

Sarah T. Hughes, of Texas, to be U.S. district judge for the northern district of Texas.

James L. Noel, Jr., of Texas, to be U.S. district judge for the southern district of Texas.

Adrian A. Spears, of Texas, to be U.S. district judge for the western district of Texas.

James H. Meredith, of Missouri, to be U.S. district judge for the eastern district of Missouri.

U.S. MARSHALS

Marion Mathias Hale, of Texas, to be U.S. marshal for the southern district of Texas.

Robert I. Nash, of Texas, to be U.S. marshal for the northern district of Texas.

Tully Reynolds, of Texas, to be U.S. marshal for the eastern district of Texas.

EXTENSIONS OF REMARKS

President's Message to the American Association for the United Nations

EXTENSION OF REMARKS
OF
HON. HUBERT H. HUMPHREY
OF MINNESOTA
IN THE SENATE OF THE UNITED STATES
Friday, March 16, 1962

Mr. HUMPHREY. Mr. President, I ask unanimous consent that a message by the President of the United States addressed to the American Association for the United Nations be inserted in the RECORD.

I would like to take this opportunity to salute the American Association for the United Nations for the wonderful job that it is doing to promote a greater understanding in this country of the fine work of the United Nations. The association is performing a most important and valuable service to our country and to the promotion of international understanding.

There being no objection, the message was ordered to be printed in the RECORD.

TEXT OF A MESSAGE TO THE AMERICAN ASSOCIATION FOR THE UNITED NATIONS FROM THE PRESIDENT, MARCH 12, 1962

The 12th annual conference of national organizations called by the American Association for the United Nations comes as a propitious reminder of the range and depth of this country's support of the United Nations.

Both by its promise and by its actions, the U.N. has justified that support over the years.

The 16th session of the General Assembly ended last month with a matchless record of solid accomplishments.

It rejected emphatically a powerful attack against the integrity of the Secretariat and went on to a series of positive steps which are admirably summarized in the theme of your conference "The U.N. Decade of Development."

In the course of its work the 16th General Assembly adopted a set of guiding principles and agreed to the new approach to general and complete disarmament which will get underway in Geneva on Wednesday. It extended the Charter of the United Nations to outer space and established a new Committee on the Peaceful Uses of Outer Space which begins its work next week. It adopted a resolution calling for an expanded and intensified program for economic and social progress in the less developed world in the decade ahead.

We can be proud of our initiatives and of the U.N. response in these three critical areas of disarmament, outer space, and rapid modernization of the emerging nations. If real progress can be made in these three areas, the present decade can be the most exciting and rewarding time in history.

To sustain its present initiative as a force for peace and human progress the U.N., of course, must regain a sound and orderly financial position. The three-point financial plan approved by the General Assembly is the only proposal put forth at the U.N. or elsewhere which will meet the requirements and is the only one which has the approval of the General Assembly. The U.N. bond issue, which is the key part of the financing plan, has become the symbol and substance of support of the United Nations by its members.

Last week Finland and Norway purchased the first of the U.N. bonds. A dozen more nations will follow shortly. The world is now watching to see whether the United States will continue to play its full part in helping the United Nations to make this a decade in which the world moves dramatically toward the peaceful and progressive world foreseen in the charter.

I look forward to meeting with your leaders at the White House tomorrow, and I welcome the evidence offered by your organizations that bipartisan support for the U.N. in its present financial crisis is stronger than ever. Please accept my best wishes for a most productive conference.

HOUSE OF REPRESENTATIVES

MONDAY, MARCH 19, 1962

The House met at 12 o'clock noon.

The Reverend Roy Pfautch, assistant to the president of Princeton Theological Seminary, Princeton, N.J., offered the following prayer:

In the name of the Father, the Son, and the Holy Spirit, one God blessed forever. Amen.

Almighty God, Thou hast made us for Thyself and our rest, purpose, and end are in Thee. Forgive us for the pride in our own works which confuses Thy purpose for us. In Thy love, bless the Members of this Chamber. Let them know themselves in Thee: their talents, skills, and wisdom. So knowing, give them vision and strength to order their lives in Thy light, to the end that this Nation, conceived in Thy love, might prosper to its own welfare and to the cause of peace on earth and good will among all men. Give Thy grace to these whom Thou hast endowed for leadership that they might humbly guide our country with a heart, a mind, a being that cries "Thy will be done." In so doing, grant that our people and these Representatives might mark their days with progress and endeavor in their common pilgrimage to and for Thee through Jesus the Christ, who has given us light that we might see and live. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, March 15, 1962, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 61. Concurrent resolution requesting the President to designate the week of March 25, 1962, as Voluntary Overseas Aid Week.

The message also announced that the Vice President had reappointed Mr.