

be required, as far as possible, to restrict new assignments to the lower 40 channels in the UHF band, which are known to provide the best UHF reception.

Beyond this, the Commission would be duty bound to inform the public at large that no existing receiving set would become obsolete by virtue of this enactment within 6 years, but that at the expiration of that period VHF broadcasting would cease.

H.R. 10385 would minimize the cost of reconversion for the television viewing public, whose VHF sets would remain operational for 6 years, the average life expectancy of a receiving set. It would also minimize the reconversion burden on broadcasters, by giving them a 6-year period in which to convert to the UHF band. In this connection, the feasibility of a tandem or dual operation on both VHF and UHF frequencies by the same station has been successfully demonstrated by a licensee in Fresno, Calif., who advantageously operated in this fashion for a period of 3 months under FCC authorization prior to converting to all UHF.

I need hardly remind this committee that if the VHF band is vacated by the commercial broadcasters, it can be quickly absorbed by a host of other pressing and vital needs. The mobile radio services, as Commissioner Lee emphasized in his testimony, are being more and more tightly jammed into a narrow segment of the spectrum. This congestion, of course, makes for serious interference and disruption. An itemization of only a few of the nonbroadcast services, which require accommodation, shows at a glance their importance to the public welfare and economy: medical and biological telemetering; police and fire protection; and communication in such industries as forestry, heavy construction, and electric and gas utilities.

I think it fair to say that according to the present consensus in expert circles, UHF broadcasting has come of age from a technical point of view. Because practical telecasting began in the VHF band, the technology of VHF broadcasting was bound to outstrip that of the younger UHF service in development. There is, however, good reason to believe that the gap is being, and will be, closed.

To begin with, from the standpoint of the viewing audience there is little to choose between the propagation characteristics of the two methods of telecasting. In fact the Chairman of the FCC has, in the course of these hearings, stated that the Commission engineers regard UHF transmission as superior to VHF in some respects. The UHF picture on the receiving set is described as crisper or clearer because there is less man-

made electrical interference and cosmic noise in the UHF band; also, UHF telecasts are relatively free of disturbance by airplane flutter. Beyond this, there is less difficulty with ghosts in the UHF picture, because it is easier to construct highly directional receiving antenna for UHF frequencies.

As this committee knows, a unique and highly ingenious experiment is now going forward under FCC auspices in the complex surrounding Manhattan in New York City, calculated to obtain a precise comparison between the reception quality of UHF and VHF signals in a city cut through by artificial canyons like New York. To this end, a high-power UHF station, under the management of the city of New York, is broadcasting from a specially constructed antenna on the Empire State Building. The UHF programs transmitted for a part of the day duplicate those telecast by the VHF stations operating from the same tower.

The returns thus far from viewer surveys that appear to be a model of objectivity, show that there is no significant difference between the VHF and UHF signals within a 25-mile radius of the Empire State Building. Of added interest is the fact that privately employed technicians who have been making a like comparison of the two signals in what is perhaps the worst propagation area in the entire country—the lower two-thirds of Manhattan—have come forward with the same findings. These encouraging results, I might point out, not only affect my own district in Brooklyn, but I am told that good UHF reception has also been reported from the Holland Tunnel, in the event anyone wishes to set up housekeeping there.

Furthermore, while I do not wish to pursue the matter at length here, perhaps too much has been made of the fact that the VHF signal has a greater range than UHF. As Commissioner Lee has pointed out, "contrary to popular conception, this difference does not result in greater service," but rather "this increased range carries with it the potential of increased interference between stations." Again, according to Commissioner Lee, with appropriate antenna heights and radiating systems, UHF stations would be able to serve viewers out to 44 miles, a range which compares favorably with the same quality of service rendered by VHF stations in many areas and augurs well against any loss in service.

Nor is the present estimate of UHF performance characteristics confined to the abstract or experimental realm. Successful UHF operations are familiar on a day-to-day basis to the citizen of such cities as Fort Wayne, South Bend and Elkhart, Ind.; Peoria, Ill.; Wilkes-Barre and Scranton, Pa.; Lima,

Zanesville and Youngstown, Ohio; Fresno, Calif.; Springfield-Holyoke, Mass.; Yakima, Wash.; Lexington, Ky.; and Elmira, N.Y.

So much for the technical side. On the human side, it is always the easier course to postpone a critical decision that will provoke resistance in some quarters, particularly when this procrastination can be rationalized as mere judicious postponement. But as veteran members of the FCC have good reason to know, the passage of time without solution aggravates the ultimate impact of changes in regulatory direction.

The acceleration of our economic expansion, consumer demands, population boom, and extra leisure time, which marks the decade of the sixties, has resulted in the expenditure of over a billion and a half dollars annually on advertising through the medium of television. What the increase will be in this figure a few years hence, I leave to the speculation of the market analysts. One thing, however, is certain. Unless a plan to convert to a UHF system—such as the graduated one I have outlined—is adopted reasonably soon, the entrenched elements that will unalterably oppose any switch from a VHF system will be well-nigh immovable.

In summing up, I refer you to the following statement:

"The failure of our television system stems from the failure of UHF broadcasting to develop as had been expected. Moreover, it is clear that unless it is to be the decision of the country to settle for the present limited systems, we have no place to go except into the development of the 70 UHF channels which are practically lying fallow."

These are not my words but those of the present Chairman of the FCC.

I am aware of no disagreement on the part of any of the Commissioners that the FCC has exhausted and found unavailing several alternative solutions seeking additional outlets by expanding the number of VHF channels allocated for television broadcasting. To take one example, the Department of Defense has announced that it could not, in the national interest, relinquish any of its VHF space. In short, the door to VHF expansion is closed.

But the vista of the broad UHF band is open. Clear statutory authority to convert to an all-UHF system at any time is possessed by the FCC. However, six of the seven Commissioners have gone on record against adopting this solution for the present. It can, therefore, only be availed of through congressional mandate. I commend this course of action and the features of my bill to this committee. The time for decision is now.

## SENATE

WEDNESDAY, MARCH 28, 1962

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

Rabbi Chaim U. Lipschitz, editor of the Jewish Press, Brooklyn, N.Y., offered the following prayer:

With great love Thou lovest us, O Lord, our God, and with Thy great compassion Thou hast abundance of pity on us. O, our Father, our King, for the sake of our fathers who trusted in Thee, to whom Thou didst teach the statutes of life, so shalt Thou favor and teach us. O Father, who art a merciful Father, have compassion on us, we beseech Thee, and grant our hearts understanding, that we may comprehend, hear, learn, teach, observe, perform, and establish all the learning of Thy law with love; and en-

lighten our eyes in Thy law, and our hearts to love and fear Thy name, that we may not be abashed forevermore; for in Thy holy, great, and tremendous name we trust. We will be glad, and will rejoice in Thy salvation, when Thou bringest us with peace from the four corners of the earth and conductest us with uprightness, for Thou art the Almighty that workest salvation.

Our God, and the God of our Fathers, be Thou with the mouths of the deputies of this worthy Senate of the United States who stand in Thy presence. Teach them what they shall say; instruct them what they shall speak; answer their requests; and cause them to know how to glorify Thee. May they walk in the light of Thy countenance; may they bend their knees unto Thee, and with their mouth bless Thy people. O bless them altogether with the blessings of Thy mouth. Amen.

## THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, March 27, 1962, was dispensed with.

## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the following bill and joint resolution, in which it requested the concurrence of the Senate:

H.R. 10904. An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1963, and for other purposes; and

H.J. Res. 439. Joint resolution authorizing the State of Arizona to place in the Statuary Hall collection at the U.S. Capitol the statue of Eusebio Francisco Kino.

# HOUSE BILL AND JOINT RESOLUTION REFERRED

The following bill and joint resolution were each read twice by their titles and referred as indicated:

H.R. 10904. An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1963, and for other purposes; to the Committee on Appropriations.

H.J. Res. 439. Joint resolution authorizing the State of Arizona to place in the Statuary Hall collection at the U.S. Capitol the statue of Eusebio Francisco Kino; to the Committee on Rules and Administration.

# LIMITATION OF DEBATE DURING MORNING HOUR

On request of Mr. MANSFIELD, and by unanimous consent, it was ordered that statements in connection with the morning hour be limited to 3 minutes.

# COMMITTEE MEETINGS DURING SENATE SESSION

Upon request of Mr. MANSFIELD, and by unanimous consent, the Judiciary Subcommittee of the District of Columbia Committee, the Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary, and the Subcommittee on Constitutional Rights of the Committee on the Judiciary were authorized to meet during the session of the Senate today.

On request of Mr. SPARKMAN, and by unanimous consent, the Subcommittee on Stockpiling of the Committee on Armed Services was authorized to sit during the session of the Senate today.

# REVIEW OF MEASURES RELATING TO BALANCE OF PAYMENTS PROBLEM IN THE UNITED STATES

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting, for the information of the Senate, a report by the Secretary of the Treasury, reviewing the wide variety of measures undertaken by the administration to cope with the urgent balance-of-payments problem facing the United States, which, with the accompanying papers, was referred to the Committee on Finance.

# RESOLUTION OF RHODE ISLAND GENERAL ASSEMBLY

Mr. PELL. Mr. President, on behalf of my colleague, the senior Senator from Rhode Island [Mr. PASTORE], and myself, I present, for appropriate reference, a resolution passed by the General Assembly of the State of Rhode Island and Providence Plantations memorializing the Congress of the United States to enact legislation to extend the benefits of library service to urban areas.

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

There being no objection, the resolution was referred to the Committee on Labor and Public Welfare, as follows:

## HOUSE RESOLUTION 1176

Resolution memorializing the Congress of the United States to enact legislation to extend the benefits of library service to urban areas

Whereas the educational needs of citizens of all ages is constantly increasing; and

Whereas the need for a well-informed citizenry at the local, State, and National levels is a necessity in these days when the social, economic, and political structures of the society in which we live are becoming increasingly complex; and

Whereas an educated population is the best guarantee of a free and progressive nation; and

Whereas the success of the Library Services Act of 1956 and its 5-year extension has increased the facilities of library service in the rural areas, not only in increased book stock, more hours of service, and more staff and equipment, but also in increased local appropriations for these activities, to meet the educational, informational, and recreational needs of students and citizenry; and

Whereas many libraries in urban areas of over 10,000 population are presently inadequately financed, have insufficient or outdated book stock, and are inadequately housed and staffed; and

Whereas a constantly increasing demand for service is being made on libraries which provide more adequate facilities, by patrons living outside their legitimate boundaries, causing a severe strain on the facilities and staffs of many urban libraries:

*Resolved*, That the Congress of the United States enact legislation extending the benefits of library service to urban areas, in an endeavor to improve the facilities and staff for libraries in these urban areas, and to stimulate increased local financial support for urban libraries; and be it further

*Resolved*, That duly certified copies of this resolution be transmitted forthwith by the secretary of state to the Vice President of the United States, to the Speaker of the House of Representatives of the United States, and to each of the Senators and Representatives from the State of Rhode Island in the Congress of the United States, earnestly requesting that each use his best efforts to enact legislation which would carry out the purposes of this resolution.

## RESOLUTIONS OF CENTRAL COOPERATIVES, INC.

Mr. WILEY. Mr. President, today I was privileged to receive from Paul Brown, manager, member services department of the Central Cooperatives, Inc., of Superior, Wis., a copy of the resolutions adopted at their 45th annual meeting.

In scope, the resolutions cover a broad gamut of significant challenges.

We recognize that touching upon important topics, some of which are controversial, there are, of course, divergent views on them.

Reflecting the interests of over 100,000 families, however, these resolutions, I believe, deserve the consideration of Congress. I request unanimous consent to have several of the resolutions, relating to legislation, printed at this point in the RECORD.

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

## RESOLUTION 2: YOUTH PROGRAM

Whereas the youth of today will lead co-ops tomorrow; and

Whereas CCI has a scholarship program as one method of developing interest of youth in cooperatives and in higher education: Be it therefore

*Resolved*, That this scholarship program be continued; and be it further

*Resolved*, That Central Cooperatives, Inc., member services department, be asked to study additional methods of developing the interest of young people in cooperatives, and that local cooperatives be asked to aid in this study; and be it further

*Resolved*, That local co-ops be encouraged to send youth delegates to the CCI annual meeting, asking them to report back to the local association.

## RESOLUTION 3: CONSUMER PROTECTION

*Resolved*, That we again emphasize our sympathy for the consumer, who is today bewildered by deceptive packaging, the multitude of expensive drugs, the confusing rates of interest on borrowed money, and many other practices that are not what they seem to be at time of sale; and be it further

*Resolved*, That we specifically support President Kennedy's recent proposals to assure safe, effective drugs for the ailing, beauty aids that won't burn a lady's skin, TV sets that will get more channels, wider inspection to bar unwholesome meat from dinner tables, and a proposal he supports but hasn't worded yet—to simplify packaging with emphasis on truthful labeling. Also his plans for a Consumers' Advisory Council.

We further commend that our cooperative buyers see to it that in our Co-Op brand products we continue to present them with every degree of truth and honesty, in labeling and advertising; and be it further

*Resolved*, That we repeat our support for the Douglas truth-in-lending bill, still alive but under powerful attack.

## RESOLUTION 6: AREA REDEVELOPMENT

Whereas the continued success of our co-operatives depends not only on effective operation, but also on continued and in many cases improved economic health of communities making up our service area: Be it

*Resolved*, That we support and commend the Federal area redevelopment program to our communities, some of whom have not yet taken steps to take advantage of it; and be it further

*Resolved*, That we urge local cooperatives, wherever applicable, to take an active role in studying its possibilities, and in considering other measures to revitalize their communities.

## RESOLUTION 8: MEDICARE

Whereas a great part of the health care costs of older people is not being adequately met by private insurance; and

Whereas a large number of people over age 65 have not the private means to cover those expenses; and

Whereas legislation on the subject thus far enacted in Congress, establishing a means test to determine eligibility, does not provide an equitable or sufficient solution to the problem: Therefore be it

*Resolved*, That this 45th annual meeting of Central Cooperatives, Inc., support appropriate legislation which uses the social insurance principle to provide health insurance to those eligible for Federal social security benefits; and be it further



*Resolved*, That we urge and support legislation that would also include health care benefits for all persons over 65 who are presently excluded from social security benefits.

#### RESOLUTIONS OF FARMERS UNION COOPERATIVE MARKETING ASSOCIATION

Mr. CARLSON. Mr. President, at the 48th annual stockholders meeting of the Farmers Union Cooperative Marketing Association, which was held in Kansas City, Mo., on March 14 and 15, resolutions were adopted regarding taxation and our farm programs. The delegates attending this meeting represented some 100,000 Kansas farmers.

The resolutions approved were the result of a farm policy meeting which was held on February 27 and 28 in Topeka, Kans., for the purpose of discussing the food and agriculture program for the 1960's and other legislation that will affect farmers and agriculture.

Principal topics under discussion at that meeting were land-use adjustment, agricultural trade development, marketing orders, feed grains, wheat and dairy products.

Following a general discussion of these various topics, a motion was duly made and seconded to approve the proposed food and agricultural program with amendments.

I ask unanimous consent that the resolutions adopted at the Kansas City meeting be printed in the RECORD.

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

##### RESOLUTION 1

Whereas a new tax bill reported out of the House Ways and Means Committee and ready for discussion on the floor of the House contains two things objectionable to cooperatives; namely (1) a withholding tax on cash, or noncash payments or allocations of co-op patronage; and (2) requirement that a cooperative could exclude or deduct net savings distributed to patrons pursuant to a preexisting contract in cash form without income tax liability, but could do so in noncash form only if there was a written consent on record with the co-op, signed by the patron, in which the latter agrees to take such noncash patronage allocation into account as income at face value: Be it therefore

*Resolved*, That we can accept and work with the 20-percent withholding, at considerable inconvenience, extra work, and cost, but we do place ourselves on record as strongly opposing the section of this proposal that would require the consent of a patron and his signing to the fact that he would take this into his income for tax purposes. There is no other indication of other persons receiving wages or salary, commissions, or profits of any kind where they must agree in advance as to how they will treat paper reflecting values to which they may be entitled; be it further

*Resolved*, That CMA shall provide the Members of Congress from Kansas the feelings of delegates to this stockholders convention, concerning the proposed bill, and that each co-op and each person attending this meeting shall write personal letters to his Congressman stating his objections to this consent provision.

##### RESOLUTION 2

Whereas the Food and Agriculture Act of 1962 is the first positive long-range farm program offered to Congress in 15 years seeking to democratically bring about a managed abundance, improve farm income and protect consumers' food prices; and

Whereas on February 27 and 29, 1962, farm policy representatives from local co-ops did meet at the Kansan Hotel in Topeka, Kans., to thoroughly review this proposed Agriculture Act; and

Whereas this group did approve the act with amendments, observations, and recommendations as stated in the following text representing the minutes of said meeting; Be it therefore

*Resolved*, That at this annual stockholders meeting of CMA members and delegates, they shall ratify the actions of this aforementioned meeting and approve with the attached recommendations as a part of the minutes of said meeting; be it further

*Resolved*, That our Members of Congress shall be so notified of this action; be it further

*Resolved*, That each local association and individual present at this meeting shall likewise write to his Congressman; be it then further

*Resolved*, That actions of this annual stockholders meeting shall be made available to the Secretary of Agriculture, Orville L. Freeman.

##### RESOLUTION 3

Whereas the Secretary of Agriculture, Orville L. Freeman, has exercised sincere and tireless effort to formulate an agricultural program that will successfully give farmers an income and standard of living comparable to persons outside the agricultural community and living in the urban areas; and

Whereas the Secretary has devoted much efforts to improving the image of agriculture and farmers in the minds of urban people: Be it therefore

*Resolved*, That delegates attending this annual stockholders meeting of the Farmers Union Cooperative Marketing Association at Kansas City, Mo., on March 14 and 15, 1962 do hereby pledge their support for his actions to date and for his plans for a successful agricultural program in the 1960's and thereafter.

#### REPORT ENTITLED "GAMBLING AND ORGANIZED CRIME" (S. REPT. NO. 1310)

Mr. McCLELLAN. Mr. President, on behalf of the Committee on Government Operations, I submit a report made to it by the Permanent Subcommittee on Investigations entitled "Gambling and Organized Crime." I ask unanimous consent that the report, with illustrations, be printed.

This report, Mr. President, is based on evidence developed by the subcommittee during 10 days of public hearings held in August and September of 1961. These were the initial public hearings held by the subcommittee under new authority conferred upon the Committee on Government Operations by section 5 of Senate Resolution 69, 87th Congress, 1st session. Under section 5, the committee was directed to investigate syndicated crime operating interstate and to study the adequacy of Federal laws to prevent such operation of syndicated crime.

Mr. President, preliminary information which came to the attention of the subcommittee indicated that illicit gambling was the chief source of revenue for organized crime. Although estimates of the revenue obtained through illicit gambling vary, it is generally agreed that the flow of money to bookmakers taking bets on horseraces and sporting events totals billions of dollars annually.

According to the Attorney General, while testifying before the Senate Judiciary Committee in June of 1961, the Department of Justice has determined that the huge profits from illegal gambling were the primary source of funds to finance the activities of organized crime.

Under the circumstances, it would appear that one of the most effective ways of combating organized crime would be through Federal legislation or other appropriate action under existing Federal machinery aimed at the curtailment of illicit gambling. It was for this reason that the subcommittee decided that, in its initial hearing under this new authority, attention would be focused on gambling.

Mr. President, the evidence at these hearings served to emphasize, among other things, one matter of particular significance. There are two informational services; namely, the horserace wire services and the so-called handicap or line service, which are absolutely indispensable to professional gambling.

The horserace wire service is a nationwide service through which race results and related information are illegally and surreptitiously secured from race tracks and, thereafter, flashed to bookmakers and professional gamblers throughout the country through a loosely confederated, but nevertheless, well-organized and effective telephonic network.

The handicap service, or line, is one which provides handicap information or point spreads as related to sports events other than horseracing, particularly basketball, football, and baseball. The subcommittee found that there were three principal handicap services in the United States. It further found that the ultimate line or point spreads, as established by the Nation's principal handicap services, were not based, as one might expect, on the relative ability of competing teams, but rather upon national betting trends. These trends are determined through regular telephonic consultation, with the biggest professional layoff bettors in the country. Thus, a point spread favorable to professional gamblers at the expense of the general public is established.

The subcommittee concluded that if steps were taken to effectively disrupt the free flow of information between these services and the professional gamblers, a severe, if not mortal, blow would have been dealt to organized gambling. Certain recommendations aimed at this "Achilles heel" were made.

We have recommended the strengthening of Public Law 87-216, one of the

several laws aimed at professional gamblers and recommended by the Attorney General, which were passed in September of 1961 following the subcommittee hearings. This law is directed at those engaged in the business of betting or wagering. It is most doubtful that it would be applicable to the wire services which were the subject of the subcommittee's investigation, since they are not engaged in the business of betting or wagering, but rather in the business of providing a service to professional gamblers. I am, therefore, offering a bill amending title 18, section 1084 which I believe will accomplish this purpose.

Mr. President, the evidence received at the Subcommittee hearings forcefully demonstrated the complete dependence of the professional gambler on one instrument; namely, the telephone. The importance of the telephone is emphasized by the two services indispensable to gamblers which I have just discussed. Furthermore, we found that professional gamblers were extremely interested in a new telephone service now available, known as the wide area telephone service. In providing this service, telephone companies do not maintain records of long distance telephone calls. The professional gambler is well aware of the fact that long distance telephone records are of extreme value to law enforcement officials in the investigation of and prosecution of illicit gambling.

With a view of precluding such an advantage from falling into the hands of the professional gambler, the subcommittee has recommended that the Federal Communications Commission, under its regulatory powers, consider requiring telephone companies to provide law enforcement officials with the identity of persons or organizations subscribing to wide area telephone service and upon request to provide such officials with records of long distance calls of specified subscribers.

Another illustration of the importance of the telephone to professional gamblers related to a device sometimes referred to as a parasite, which when attached to a telephone would not only permit unrecorded long distance calls, but also would permit the user to make long distance calls without charge, thus defrauding the telephone company of revenue and the Federal Government of taxes on such calls. During the public hearings it was disclosed that the inventor of this device was being financed in the manufacture thereof by a professional gambler. It was evident that plans were underway to distribute the device in quantity to gamblers throughout the country.

Accordingly, the subcommittee has recommended that Congress amend the penalty provisions of the Federal Communications Act of 1934 by adding criminal penalties for the unauthorized attachment of foreign devices to telephone equipment or facilities.

Mr. President, experienced and dedicated law enforcement officials at Federal, State, and local levels have consistently stated that organized crime in the United States cannot be effectively combated without the right to intercept telephonic communications.

The dependence of racketeers and gamblers on the telephone to accomplish their illegal objectives permits no other reasonable conclusion. It is inconceivable that such use of the telephone with impunity should be permitted. Unfortunately, that is the current status of our law. Under the circumstances there is an urgent need for corrective Federal legislation.

In this area the subcommittee recommended that at the earliest possible date Congress enact legislation which would permit, under appropriate safeguards, the interception of wire communications and the introduction of the contents of such interception in the prosecution of certain criminal violations at the Federal, State, and local levels. The subcommittee further recommends that the interception of wire communications by unauthorized persons be made unlawful.

In another area the subcommittee recommended that Congress enact appropriate legislation which would prohibit the sale and distribution in interstate commerce of crooked gambling equipment. As disclosed by the subcommittee hearing, some 20 firms in the United States are engaged in this very practice.

Finally, Mr. President, in an area of particular concern to this subcommittee, evidence was received on corruption which is the inevitable byproduct of illicit gambling. In this connection one witness; namely, Michael Bruce, a 20-year-old halfback at the University of Oregon, identified Frank Rosenthal, a nationally important professional gambler and handicapper, as an individual who attempted to bribe Bruce to throw the Oregon-Michigan football game of 1960.

This is not an isolated instance of the corruption of college athletes, as indicated by a series of criminal cases currently being prosecuted by the district attorney of New York County. These cases reveal widespread interstate ramifications suggesting the need for Federal legislation. I am hopeful that the subcommittee will have further hearings on this subject whereby we will be in a better position to make specific recommendations to the Senate.

The VICE PRESIDENT. The report will be received and printed, as requested by the Senator from Arkansas.

#### BILLS INTRODUCED

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

By Mr. GRUENING (for himself and Mr. BARTLETT):

S. 3077. A bill to authorize the construction of the Bradley Lake project in the State of Alaska for the generation of hydroelectric power; to the Committee on Public Works.

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

By Mr. SCOTT:

S. 3078. A bill for the relief of Mrs. Elly Hoffmeister; to the Committee on the Judiciary.

By Mr. SALTONSTALL (by request):

S. 3079. A bill for the relief of Mrs. Johar Bechar; to the Committee on the Judiciary.

By Mr. MOSS:

S. 3080. A bill to amend chapter 35 of title 38, United States Code, in order to afford educational assistance in certain cases beyond the age limitations prescribed in such chapter; to the Committee on Labor and Public Welfare.

By Mr. MCCLELLAN:

S. 3081. A bill to prohibit the use of wire communication facilities for the purpose of disseminating results of sporting events;

S. 3082. A bill granting a renewal of patent No. 54,296 relating to the badge of the American Legion;

S. 3083. A bill granting a renewal of patent No. 55,398 relating to the badge of the American Legion Auxiliary; and

S. 3084. A bill granting a renewal of patent No. 92,187 relating to the badge of the Sons of the American Legion; to the Committee on the Judiciary.

(See the remarks of Mr. MCCLELLAN when he introduced the above bills, which appear under separate headings.)

By Mr. LAUSCHE:

S. 3085. A bill for the relief of Paul Hugelien and Luba A. Hugelien; to the Committee on the Judiciary.

By Mr. BIBLE (for himself, Mr. MORSE, Mr. HARTKE, Mr. SMITH of Massachusetts, Mr. BEALL, and Mr. PROUTY):

S. 3086. A bill to provide for a reduction in the workweek of the Fire Department of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mrs. NEUBERGER:

S. 3087. A bill to increase annuities under the Civil Service Retirement Act; to equalize increases in annuity for certain employees retired before October 1, 1956, with annuities of other employees; to increase annuities whenever there is a general adjustment of salaries or the formulae for computing annuities of retiring employees is generally liberalized; to the Committee on Post Office and Civil Service.

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

By Mr. CLARK:

S. 3088. A bill to provide for the humane treatment of animals used in experiments and tests by recipients of grants from the United States and by agencies and instrumentalities of the U.S. Government, and for other purposes; to the Committee on Labor and Public Welfare.

#### RESOLUTION

PRINTING OF ADDITIONAL COPIES OF HEARINGS ENTITLED "COMMUNIST THREAT TO THE UNITED STATES THROUGH THE CARIBBEAN"

Mr. EASTLAND submitted the following resolution (S. Res. 321); which was referred to the Committee on Rules and Administration:

*Resolved*, That there be printed for use of the Committee on the Judiciary, two thousand additional copies each of parts 3 and 12 and three thousand additional copies each of parts 9 and 10 of hearings by the Internal Security Subcommittee during 1960 and 1961, entitled "Communist Threat to the United States Through the Caribbean."

#### BRADLEY LAKE HYDRO PROJECT

Mr. GRUENING. Mr. President, on behalf of myself and my colleague from Alaska [Mr. BARTLETT], I introduce, for appropriate reference, a bill to author-



ize the construction of the Bradley Lake project in the State of Alaska for the generation of hydroelectric power.

If enacted, this project would make a great step forward for the State of Alaska since, if constructed, it would be the first federally financed hydroelectric project in Alaska since the Eklutna project was completed near Anchorage about a decade ago and the second such project in all of Alaska.

This may be a surprising statement, but it is true. More surprising is the fact that this would be the very first hydro project in the entire State of Alaska to be built by the Corps of Engineers.

The Corps of Engineers has estimated at least 13,250,000 kilowatts of prime power could potentially be made available through the development of all hydroelectric potential sites in Alaska.

We hope that the proposal for the development of the Bradley Lake project will be but one of a series of steps taken by the Congress to develop this great potential. Others such as Snettisham in southeastern Alaska, to supply power to the Juneau-Douglas area, are no less needed.

The Bradley Lake hydroelectric project is proposed for construction on the oil producing Kenai Peninsula, the fastest growing area of Alaska. Like many other parts of Alaska, it needs the development of the lowest cost power in the shortest possible time. Throughout Alaska serious power shortages are imminent and action to forestall them is essential.

The Corps of Engineers estimates that the cost of the Bradley Lake project will be \$45,750,000 for construction and \$258,000 annually for operation and maintenance. The benefit-cost ratio is 1.7. The Corps estimates that the benefits creditable to the project would be \$3,232,000 annually, based on the cost of publicly financed, non-Federal, steam power. The power plant constructed would have a capacity of 64,000 kilowatts, with a cost at the bus bar of approximately 7 mills.

I appreciate that it is quite unusual to introduce authorizing legislation before the report of the Corps of Engineers has cleared the Bureau of the Budget and been transmitted to the Congress. I have been in touch with the Bureau of the Budget and have been assured that this project is having their earnest attention. In an effort to speed congressional consideration of this matter and in the hope that the committees of both Houses might even be able to schedule hearings on this bill as early as this summer, I am anticipating the action by the Bureau of the Budget and introducing this authorizing legislation.

I ask unanimous consent that there be printed at the conclusion of my remarks the report and recommendations of Lt. Gen. E. C. Itschner, Chief of Engineers, to the Secretary of the Army dated March 31, 1961, giving full details concerning the Bradley Lake project.

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

The bill (S. 3077) to authorize the construction of the Bradley Lake project in the State of Alaska for the generation of hydroelectric power, introduced by Mr. GRUENING (for himself and Mr. BARTLETT), was received, read twice by its title, and referred to the Committee on Public Works.

The report and recommendations presented by Mr. GRUENING are as follows:

#### HEADQUARTERS,

DEPARTMENT OF THE ARMY,  
OFFICE OF THE CHIEF OF ENGINEERS,  
Washington, D.C., March 31, 1961.

#### ENGOW-P.

Subject: Bradley Lake, Cook Inlet, Alaska.  
To: The Secretary of the Army.

1. I submit for transmission to Congress my interim report with accompanying papers on a survey of Bradley Lake, Alaska, with a view to determining the advisability of improvements in the interest of navigation, flood control, hydroelectric power, and related water uses, authorized by the Flood Control Act, approved June 30, 1948. It presents a plan for the development of hydroelectric power in the Cook Inlet area. A final report under the authorization will be submitted at a later date. The power potential in the Knik River Basin, Cook Inlet, will be studied further under separate authority.

2. Cook Inlet, extending 150 miles north-easterly from the Gulf of Alaska, drains about 37,000 square miles in south-central Alaska containing nearly one-half of the population of the State. Northern half of the basin, bordered by the ice fields of the Alaska Range, is drained by the Susitna River and its tributaries. The Kenai Peninsula, in the southeast, is bounded on the south and east by the Kenai Mountains and on the west and north by Cook Inlet and its eastward extension, Turnagain Arm. The peninsula contains important petroleum, hydroelectric, and agricultural resources, commercial fishing activities, and recreational opportunities. The area northeast of Anchorage, near the head of Cook Inlet, is drained by the Matanuska River and Knik Arm, a 30-mile northeastern extension of Cook Inlet. This area contains important coal fields and the largest agricultural development in the State. The remaining area bordering Cook Inlet is drained by numerous small streams, many of which head in the extensive ice fields and glaciers found at higher elevations throughout the basin. These streams are characterized in their upper reaches by steep gradients, high velocities, and usually by large suspended and bed loads. The glaciers store precipitation and augment late summer flows. The climate within the basin varies widely and is strongly influenced by elevation. Temperatures range from 50° to 92°. Precipitation, generally light along the coast and heavy in the mountainous areas, ranges from 5 to probably 100 inches annually. Bradley River Basin contains about 75 square miles of uninhabited area in the southern portion of the Kenai Peninsula. Bradley River rises in the Kachemak Glacier, a portion of the extensive Harding ice field extending about 80 miles along the crest of the Kenai Mountains. It drains westerly through braided channels in a flat valley to Bradley Lake and thence drops over 1,000 feet in about 4 miles to tidewater at the head of Kachemak Bay 25 miles northeast of the town of Homer, Alaska. About 30 percent of the drainage area above Bradley Lake is covered by glaciers at elevations ranging from 1,400 to 5,000 feet above sea level. In the 2-year period of record, the runoff from Bradley Lake has been 73 and 122 inches, an average of 98 inches, annually.

3. The population of Alaska, having increased from about 129,000 in 1950 to about

230,000 in 1960, is expected to grow at a rate of about 3 percent per year. In 1960 the greater Anchorage area had a population of about 100,000. Other communities in the basin are relatively small. The population of Anchorage has increased about 315 percent during the last 10 years. On a per capita basis, power consumption in the Anchorage area is less than one-half of the rest of the United States, due principally to the small industrial use. The existing power generating capacity in the basin—excluding military plant—totals about 57,000 kilowatts of which 30,000 kilowatts are provided by the Eklutna hydroelectric development of the Bureau of Reclamation and about 14,500 kilowatts by the Anchorage thermoelectric plant of the Chugach Electric Association, Inc., a Rural Electrification Administration cooperative. Small load centers on the Kenai Peninsula are supplied by internal combustion generation. Civilian electric energy consumption in Alaska increased an average of 14 percent annually during the period 1950 to 1957 as compared with 9.5 percent annually in the rest of the continental United States. Future civilian energy requirements in the Anchorage and Kenai Peninsula areas are expected to reach about 1 billion kilowatt hours in 1980 and to require the installation of about 150,000 kilowatts of additional generating capacity.

4. The district engineer finds, from studies of potential developments totaling in excess of 1 million kilowatts of prime power, that the most economical development, suitably sized for the immediate needs of the basin, would be at Bradley Lake. He proposes a dam at the outlet of the lake, to raise its elevation about 100 feet, and a powerplant, with 64,000 kilowatts of installed capacity, on Kachemak Bay. He estimates the first cost of this improvement at \$45,800,000, including \$50,000 for preauthorization studies, and the annual charges at \$1,957,000, including \$258,000 for operation and maintenance. After reductions for the cost of transmission to the Anchorage and Homer load centers, he evaluates the benefits creditable to the project at \$3,232,000 annually based on the cost of publicly financed, non-Federal, steam power. The benefit-cost ratio is 1.7. Based upon a Federal Power Commission estimate of a shortage of about 20,000 kilowatts of power in the area by 1965, and 50,000 by 1970, and the high cost of alternative thermoelectric power, he concludes that the Bradley Lake development would provide the most satisfactory means of alleviating the impending power shortage. He recommends authorization of the Bradley Lake project at an estimated Federal cost of \$45,750,000 for construction and \$258,000 annually for operation and maintenance. The division engineer concurs.

5. The Board of Engineers for Rivers and Harbors finds that the proposed improvement is needed and economically justified to alleviate the impending power shortage in the Anchorage area. The board recommends the improvements substantially as planned by the reporting officers.

6. After due consideration of these reports, I concur in the views and recommendations of the Board. Therefore, I recommend the construction of a dam and reservoir at Bradley Lake, with a power-generating plant on Kachemak Bay, and appurtenant power facilities; generally in accordance with the plans of the district engineer and with such modifications thereof as in the discretion of the Chief of Engineers may be advisable; at an estimated cost to the United States of \$45,750,000 for construction, and \$258,000 annually for operation and maintenance.

E. C. ITSCHNER,  
Lieutenant General, USA,  
Chief of Engineers.

# AMENDMENT TO HORSE RACE WIRE SERVICE BILL

Mr. McCLELLAN. Mr. President, for some time the existence of an organized network of crime has absorbed the attention of the Congress and particularly of the Permanent Subcommittee on Investigations to which the subject was assigned. The efforts of the Congress to contain organized crime led to the enactment in September of 1961 of Public Law 87-216. This law prohibits anyone who is engaged in the business of betting or wagering from using a wire communication facility for transmitting in interstate commerce bets and wagers or information relating thereto.

This law was passed because of information which is now public knowledge that gambling sustains a major segment of organized crime. Almost half of the gambling in this country revolves around betting on the results of horseraces.

The hearings before this subcommittee last year revealed the fact that off-the-track bets placed with bookmakers probably involve 10 times as much money as the legally authorized betting at the track. Except in Nevada, all off-the-track betting is illegal. The bookmakers who handle this multimillion-dollar operation are dependent completely upon up-to-the-minute information furnished them by the wire services.

Public Law 87-216 was passed to withhold from these bookmakers the services of these wire networks. Our hearings demonstrated that the bookmakers themselves do not operate the wire services. They demonstrated that in this highly organized field the operation of a wire service is a complete area of activity in itself. Public Law 87-216 is deficient now in that it would prohibit only wire services operated by those engaged in the business of betting. I am proposing an amendment to this legislation which, if enacted into law, will also prohibit the operation of a wire service for the purpose of disseminating information to places where off-the-track betting is not authorized by State law.

Mr. President, I introduce this bill, for appropriate reference.

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

The bill (S. 3081) to prohibit the use of wire communication facilities for the purpose of disseminating results of sporting events, introduced by Mr. McCLELLAN, was received, read twice by its title, and referred to the Committee on the Judiciary.

# RENEWAL OF PATENTS OF CERTAIN AMERICAN LEGION BADGES

Mr. McCLELLAN. Mr. President, I introduce, for appropriate reference, three bills on behalf of the American Legion. These bills have to do with renewals of patents relating to the badges of the American Legion. The first bill is for the renewal of patent No. 54,296, relating to the badge of the American Legion itself. This badge was first granted a design patent on December 9, 1919, and has been renewed every 14 years since that date. This measure is a simple additional renewal and exten-

sion for a period of 14 years from and after the date of approval of this bill.

The second bill offered is for the renewal of patent No. 55,398, relating to the badge of the American Legion Auxiliary. A design patent was granted on this badge on June 1, 1920, and has been renewed every 14 years since that date. This bill is also a simple additional renewal and extension for a period of 14 years of the design patent of this badge from and after the date of approval of this bill.

The third bill is for the renewal of patent No. 92,187, relating to the badge of the Sons of the American Legion. A design patent was granted on this badge commencing on May 8, 1934, and has been granted the statutory 14-year renewal. The instant measure is likewise a simple renewal and extension for a period of 14 years from and after the date of approval of this bill.

Some 50 years ago the Congress started the practice of extending the statutory protection periodically for symbols and badges of this and kindred organizations. There is no ascertainable public policy against them per se, or for their renewal or extension; whereas, on the contrary, there is a definite public policy encouraging these patriotic groups by legislation which secures to them their identifying marks against the encroachment of charlatans and infringers.

I trust that these three bills will be acted on at the earliest possible opportunity, inasmuch as within a year's period of time the present patents will expire.

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

The bills, introduced by Mr. McCLELLAN, were received, read twice by their titles, and referred to the Committee on the Judiciary, as follows:

S. 3082. A bill granting a renewal of patent No. 54,296 relating to the badge of the American Legion;

S. 3083. A bill granting a renewal of patent No. 55,398 relating to the badge of the American Legion Auxiliary; and

S. 3084. A bill granting a renewal of patent No. 92,187 relating to the badge of the Sons of the American Legion.

# ANNUITY INCREASES FOR RETIRED FEDERAL EMPLOYEES

Mrs. NEUBERGER. Mr. President, I introduce for appropriate reference a bill to provide much-needed annuity increases for retired Federal employees and their survivors.

Under the terms of my bill immediate annuity increases would be provided in the amount of 20 percent of such annuity for the first \$1,000 and 10 percent for the annuity above \$1,000. Similar increases would be provided for survivor annuities. Previous restrictions on annuity increases voted by Congress in 1952 and 1955 would be eliminated.

Equally important, my bill provides for automatic machinery for increasing annuities in the future whenever pay raises are granted to active Federal employees, or whenever the formula for computing annuities for retired persons generally is liberalized. This is a much-needed step.

In 1960, for example, Congress voted over Presidential veto much-needed pay increases for Federal employees averaging 7½ percent. No similar increase was voted to retired Federal employees. This was a grievous oversight, for the high cost of living affects active and retired employees alike.

Mr. President, I regret to report that there have been no increases in annuity benefits for those retired in 1957 or later.

In 1956 revisions of the retirement program, the Senate Post Office and Civil Service Committee stated in its report dated April 18, 1956:

Failure of Government to keep pace with industry in retirement matters has been given as one of the reasons why it has become so difficult to attract scientists, engineers, doctors, nurses, and other types of professional and skilled personnel needed to staff and efficiently and economically perform a multitude of Federal services.

I think it is essential that annuity increases be related to salary increases, so that those who devote a lifetime career to Government service might have some real measure of economic security upon their retirement.

I would like to commend the National Association of Retired Civil Employees for the fine work this organization is doing in behalf of all retired Federal employees, and the excellent pamphlet the association has recently issued entitled "The High Cost of Retiring From Government," by Albert M. Dixon.

Mr. President, it is my sincere hope that Congress will give prompt and favorable consideration to much-needed legislation to increase annuity benefits for retired Federal employees.

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

The bill (S. 3087) to increase annuities under the Civil Service Retirement Act; to equalize increases in annuity for certain employees retired before October 1, 1956, with annuities of other employees; to increase annuities whenever there is a general adjustment of salaries or the formulas for computing annuities of retiring employees is generally liberalized, introduced by Mrs. NEUBERGER, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

# CANYONLANDS NATIONAL PARK, UTAH—AMENDMENT

Mr. BENNETT submitted an amendment, intended to be proposed by him, to the amendment, in the nature of a substitute, proposed by the junior Senator from Utah [Mr. Moss], to the bill (S. 2387) to provide for establishment of the Canyonlands National Park in the State of Utah, and for other purposes, which was referred to the Committee on Interior and Insular Affairs.

# PURCHASE OF UNITED NATIONS BONDS—AMENDMENTS

Mr. SALTONSTALL. Mr. President, I submit an amendment to the bill which now is the unfinished business—Senate bill 2768. The amendment will tie the authorization we shall give if the committee bill is passed to the United Na-



tions bond issue. As I understand, at the present time it is proposed that we authorize the purchase of bonds of the United Nations, but without any identification of the bonds we would buy or the terms and conditions set forth by the Assembly. Therefore, I submit this amendment to the bill; and I ask that the amendment be printed and lie on the table.

The VICE PRESIDENT. The amendment will be received, printed, and will lie on the table.

Mr. MILLER. Mr. President, I submit an amendment, intended to be proposed by me 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. I ask unanimous consent that the amendment be printed, and be printed in the RECORD, and lie on the table.

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

At the end of the bill add a new section as follows:

"Sec. 4. In order to encourage preservation of the financial solvency of the United Nations which is being threatened by the failure of some member nations to pay currently their assessments and/or contributions to the United Nations, no assistance shall be furnished under the provisions of the Foreign Assistance Act of 1961 (other than supporting assistance under chapter 4 of part I, assistance from the contingency fund established under chapter 5 of part I, and military assistance under chapter 2 of part II), or any other law authorizing assistance to foreign countries (other than military assistance, supporting assistance, or assistance from the President's contingency fund), to the government of any nation which is more than one year in arrears in its payment of any assessment by the United Nations for its regular budget or for peace and security operations, unless the President determines that such government has given reasonable assurance of paying (independently of such assistance) all such arrearages and placing its payments of such assessments on a current basis, or determines that such government, by reason of unusual and exceptional circumstances, is economically unable to give such assurance."

#### TREASURY, POST OFFICE DEPARTMENT APPROPRIATION BILL, 1963—AMENDMENT

Mr. MILLER submitted an amendment, intended to be proposed by him, to the bill (H.R. 10526) 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, which was ordered to lie on the table and to be printed.

#### NOTICES OF MOTION TO SUSPEND THE RULE—AMENDMENTS TO TREASURY AND POST OFFICE DEPARTMENT BILL

Mr. WILLIAMS of Delaware submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice

in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H.R. 10526), 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, the following amendment; namely: On page 18, after line 18:

##### "GENERAL PROVISION

"No part of any appropriation contained in this or any other Act, or of the funds available for expenditure by any individual, corporation, or agency included in this or any other Act, shall be used for publicity or propaganda purposes designed to support or defeat legislation pending before Congress.

"No part of any appropriation contained in this or any other Act, or of the funds available for expenditure by any individual, corporation, or agency included in this or any other Act, shall be used to pay the salary of any civil service employee who appears before public groups for the purpose of supporting or opposing the Administration's position on pending legislation; but this shall not prevent officers or employees of the United States or of its departments or agencies from communicating to Members of Congress on the request of any Member or to Congress, through the proper official channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business."

Mr. WILLIAMS of Delaware also submitted an amendment, intended to be proposed by him, to House bill 10526, 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, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

Mr. WILLIAMS of Delaware submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H.R. 10526) 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, the following amendment, namely: On page 18, after line 18:

##### "GENERAL PROVISION

"No part of any appropriation contained in this Act, or of the funds available for expenditure by any individual, corporation, or agency included in this Act, shall be used for publicity or propaganda purposes designed to support or defeat legislation pending before Congress.

"No part of any appropriation contained in this Act, or of the funds available for expenditure by any individual, corporation, or agency included in this Act, shall be used to pay the salary of any civil service employee who appears before public groups for the purpose of supporting or opposing the Administration's position on pending legislation; but this shall not prevent officers or employees of the United States or of its departments or agencies from communicating to Members of Congress on the request of any Member or to Congress, through the proper official channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business."

Mr. WILLIAMS of Delaware also submitted an amendment, intended to be proposed by him, to House bill 10526, 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, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

#### AMENDMENT OF ACT ESTABLISHING CODE OF LAW FOR THE DISTRICT OF COLUMBIA—INDEFINITE POSTPONEMENT OF BILL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Calendar No. 347, S. 1380, to amend section 801 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, be indefinitely postponed.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

#### COMMUNICATIONS SATELLITE AUTHORITY—ADDITIONAL COSPONSORS OF BILL

Mr. KEFAUVER. Mr. President, on February 26, 1962, on behalf of Senators MORSE, YARBOROUGH, GORE, and myself, I introduced S. 2890, a bill to establish a Government owned and controlled Communications Satellite Authority.

Since that time, Senators BURDICK, GRUENING, and NEUBERGER have asked me to join in cosponsorship of the bill. I am pleased and honored by their request and I ask unanimous consent that their names be added as cosponsors and printed on the bill at its next printing.

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

#### AMENDMENT OF IMMIGRATION AND NATIONALITY ACT OF 1952—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of March 21, 1962, the names of Senators WILLIAMS of New Jersey, SCOTT, DODD, FONG, BUSH, MCCARTHY, PASTORE, SMITH of Massachusetts, YOUNG of Ohio, MOSS, MUSKIE, ENGLE, MORSE, and CASE of New Jersey were added as additional cosponsors of the bill (S. 3043) to amend the Immigration and Nationality Act, introduced by Mr. HART (for himself and other Senators) on March 21, 1962.

#### RIGHT-TO-WORK LAWS AND MISINTERPRETATION OF ENCYCLICAL OF POPE JOHN

Mr. METCALF. Mr. President, I should like to call the attention of the Congress to an attempt that is being made throughout our Nation to make questionable capital in the name of the so-called right-to-work laws of the encyclical of Pope John, "Mater et Magistra," by a misinterpretation of the wording and true meaning of the papal message.

It has come to my attention that an organization that calls itself the National Right-To-Work Committee has published a pamphlet which states that Pope John, in his encyclical, supports enactment of these antilabor right-to-work laws in the United States.

The contents of the National Right-To-Work Committee's pamphlet have been described as a misinterpretation of Pope John's encyclical by the Right Reverend Monsignor George G. Higgins, director of the Social Action Department of the National Catholic Welfare Conference, which is the secretariat for the Administrative Board of American Bishops, and by most other interpreters of Catholic opinion in the United States.

The pamphlet has been issued over the name of a Jesuit priest, who in the past has been a special pleader for these antilabor laws, but who, as such, is virtually a lone figure among the overwhelming majority of Catholic commentators and moralists who oppose the so-called right-to-work laws.

The Right-To-Work Committee would like us to believe that Pope John came down squarely on the side of the right-to-work principle, when the contrary fact is that His Holiness, in his message urged that we go much farther than we have gone in stabilizing labor-management relations by having employees share in ownership and profits and by being given a voice in determining the policies of industry.

This pamphlet is being distributed by the Right-To-Work Committee to every Catholic priest in the United States, and by the tens of thousands to the Catholic laity in many of our States, with the objective of seeking to gain support, on a false premise, for enactment of these laws that seek to destroy collective bargaining, the union shop, and organized labor.

I am concerned about this, and I am sure that many of my colleagues will be concerned, because this action goes far beyond the realm of an academic and philosophic controversy among interpreters of Catholic Church opinion. This is of concern to many millions in our Nation whose livelihood is threatened by these right-to-work drives. It is of concern because this pamphlet is a manifestation of the heavily financed, high-pressure propaganda machine that is at work nationally in seeking to force enactment of these dangerous and unwise laws in my home State of Montana and in many of our other States.

The extent of this menace to the public welfare is evident from the fact that the National Right-To-Work Committee, the U.S. Chamber of Commerce, and many ultraright groups, including the John Birch Society, have mounted renewed right-to-work-law drives with great frenzy in many of our States. In my own State, the Montana Chamber of Commerce has boasted that it will elect a majority of members representing reactionary business management to the legislature, with the objective of enacting a right-to-work law in the next session. In Wyoming, a group of industrialists and food processors organized

in February to hand pick right-to-work supporters for election to the Wyoming Legislature. In Oklahoma, a group of reactionaries and ultrarightists, under the aegis of the National Right-To-Work Committee, is circulating an initiative petition seeking to place a right-to-work constitutional amendment on the November ballot. Similar right-to-work drives are seeking to generate pressure in Idaho, Maine, Vermont, and Connecticut. In all these States the legislatures have repeatedly rejected this antilabor law.

In order to set the record straight on the precise nature of the National Right-To-Work Committee's propaganda pamphlet, I wish to call attention to the writings of two eminent Catholic Church authorities: Associate Editor John Breig of the Catholic Universe Bulletin, of Cleveland, Ohio, and Father Charles Owen Rice of the Catholic, of Pittsburgh, Pa., which appeared in these publications in the issues of February 16, 1962, and February 22, 1962.

I ask unanimous consent to have both articles printed at this point in the CONGRESSIONAL RECORD, as parts of my remarks.

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

#### IS POPE FOR RIGHT TO WORK?

(By Joseph Breig)

Dozens of priests will cheerfully testify that they and I have had a barrel of fun on many a happy occasion by plunging into vigorous and companionable argument about all kinds of things, from theology to television.

Disagreeing seriously with a priest in public, however, is another matter. I have no relish for it; and I am afraid there are always a few readers who imagine that questioning any statement by a priest is the same as attacking the priesthood.

All the same, there are situations, fortunately rare, when there is an obligation to set the record straight, lest people be misled about the attitude of the church.

A current case is a leaflet published and widely circulated by the National Right To Work Committee. It is titled "Pope John and the Right To Work," and was written by Jesuit Fr. John E. Coogan, who teaches sociology at West Baden College, Ind., a Jesuit seminary.

Father Coogan flatly asserts that Pope John XXIII, in a 1960 letter to the French *Semaine Sociale*, "came down squarely on the side of the right-to-work principle" (those are Father Coogan's exact words) and that in the encyclical *Mater et Magistra*, the Holy Father took the same position.

Father Coogan, who is a constant special pleader for so-called right-to-work laws, attempts to justify his extreme statement by lifting sentences out of context, and stretching meanings to suit his preconceived opinion. But the fact is that no one has any right at all to say that Pope John ever came down squarely on the side of the right-to-work principle, or indeed that he ever came down on that side in any way.

If Pope John wanted to advocate right-to-work laws, he is entirely capable of saying so without Father Coogan's help.

Let us see what Father Coogan is asking us to believe. Let us define what we are talking about.

So-called right-to-work laws, passed in a few States, outlaw union shop agreements in collective bargaining between labor and management.

Here is what a union shop agreement provides:

1. Management may hire anybody management pleases.

2. After being hired, most employees (say 90 percent) are required, within a specified time, to pay dues to the union which represents their interests in the enterprise.

In the background of every union shop agreement are the following facts:

First. The employees have selected a union to represent them.

Second. They have decided that they want a union shop.

Third. They have negotiated a union shop agreement with management.

The chief good of the union shop is that it stabilizes labor-management relations. It is an earnest that management considers the union part of the picture, and is not trying to undermine or destroy it. It is an eminently reasonable and useful arrangement.

Father Coogan claims that Pope John denies the right of employees to make such an arrangement. The claim is preposterous. It is Father Coogan, not Pope John, who favors the misnamed right-to-work laws, which are designed to destroy union stability and open the way for management anti-unionism.

Pope John, in fact, wants to go a lot further in stabilizing labor-management relations. In *Mater et Magistra*, he urges that employees share in ownership and profits, and also be given some kind of voice in determining the policies of industry.

#### FOR RIGHT TO WORK?

(By Father Charles Owen Rice)

There is something called the National Right To Work Committee and last week it sent me, and I presume every other priest in America, some nice looking literature. Printed on the finest stock, it was—with tasteful use of color and textural variety—absolutely wall to wall. At first blush it seemed a wonderful thing (the sort of thing that can happen only in America). Just imagine, people with the money to afford this sort of expensive printing worrying about the jobless 6 percent of our work force and worrying about discrimination against minorities. But, alas, a quick glance showed that the literature did not say anything at all about the unemployed, nor about the necessity of creating jobs for them, nor did it say anything about minorities.

On the contrary it was concerned about labor unions and the clauses with which they protect themselves from dissolution and turmoil. It was written by a Jesuit, Father John J. Coogan, and was an appeal to his fellow priests to join him in a crusade, not to help the jobless nor the victims of racial discrimination, but a crusade to knock certain props out from under the union movement.

The literature assures us that Father Coogan teaches at one of the largest Jesuit seminaries in the United States, and Father Coogan assures us that Pope John came down squarely on his side, and to prove this he quotes from something the previous Pope wrote to the French Social Week, something the present one said a bit later; then he refers to, or quotes from "Mater et Magistra," and finally he mentions a document which the bishops of the United States put out. Frankly he lost me, and I could not figure out where Father Coogan was talking for himself, or where which Pope was talking, or to whom, and the relevance of our own bishops' document escaped me. I was reminded of Abbott and Costello, who were neither theologians nor sociologists, nor prelates, nor Jesuits, but who had a wonderful skit, "Who's on first?"

In his luxurious little packet Father Coogan has a card calling upon his fellows to sign and send. The card says, "Please



count me as one who affirms the right-to-work principle." Everyone who complies will be counted as a supporter of Father Coogan's particular interpretation of the right-to-work quarrel and a lot of other things.

The good Jesuit refers most slightly to the many priests who have taken a public position supporting the unions and disagreeing with the phony right-to-work movement. For the record this company whom he scants consists of every respected priest expert in sociology, many bishops, including all six in Ohio, and a bushel basket full of Jesuits. So I would advise the Fathers to choose their sides carefully.

If a priest is antiunion and finds himself on the side of the corporations in most union-management struggles it is perfectly in character for him to sign the card. On the other hand the priest who, like most of his fellow Americans, believes unions to be good institutions in spite of incidental faults, will ignore the slick literature and the angry, somewhat mixed-up verbiage.

#### RECOVERY BY THE GOVERNMENT FROM STOCKPILING PROGRAM FOR TUNGSTEN

Mr. WILLIAMS of Delaware. Mr. President, today I shall incorporate in the Record, for the information not only of the Senate, but also of the Symington committee which has been established to investigate our stockpiling program, a series of correspondence which I had with the General Services Administration and the General Accounting Office over the past several years, wherein I called their attention to a particular contract which had been negotiated with the Wah Chang Corp., for the procurement and processing of tungsten under our stockpiling program.

In this correspondence I raised questions as to whether the interests of the Federal Government had been properly safeguarded in the negotiation of these contracts.

Mr. A. J. Walsh, Commissioner of the General Services Administration, concurred in my objections, and expressed his appreciation for my calling this specific point to his attention, and also stated that he was filing a claim against the company for a refund to the U.S. Government.

Subsequently, the Comptroller General upheld the same contention, and stated specifically that after reviewing this portion of the contract to which I had raised objection, it appeared to him that it had been executed without any consideration insofar as the Government was concerned.

Last week, in a further letter, Mr. Bernard L. Boutin, Administrator of the General Services Administration, dated March 23, 1962, confirmed that they had negotiated with the Wah Chang Corp. a settlement wherein the Government had recovered \$264,937.17.

At this point I ask unanimous consent that this series of correspondence between my office and the General Services Administration and the General Accounting Office be incorporated in the Record. In this series of correspondence can be found more complete details of the contracts and the points to which exceptions were made.

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

U.S. SENATE,

Washington, D.C., June 1, 1955.

Mr. EDMUND F. MANSURE,  
Administrator, General Services Administration,  
Washington, D.C.

DEAR MR. MANSURE: It is my understanding that the Wah Chang Co. was given a contract for the processing of tungsten from a product which was originally sold to this company for this purpose by the Government.

In this connection will you please furnish me a report showing the record of all contracts for sales or purchases, along with information on all advancements made by the Government to assist in production and information on all contracts which were canceled or renegotiated.

Yours sincerely,

JOHN J. WILLIAMS.

GENERAL SERVICES ADMINISTRATION,  
EMERGENCY PROCUREMENT SERVICE,  
Washington, D.C., July 22, 1955.

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

DEAR SENATOR WILLIAMS: Your letter of June 1, 1955, requesting information on tungsten contracts with the Wah Chang Corp. has been referred by the Administrator of General Services to this Service for reply.

The information desired was also discussed by you on June 7 in a personal interview with Mr. Robert T. Davis of GSA, and Mr. L. W. Mooney of this Service. Attached is a résumé of all contracts, including those for processing, between this Service and the Wah Chang Corp.

The Wah Chang Corp. has neither requested nor obtained Government financing or advances for any purpose relating to our tungsten program. Some of the proposals received from this firm contained information that private financing was involved.

While this service has not sold any tungsten to the Wah Chang Corp., as a result of your inquiry we have reviewed all our processing contracts with Wah Chang Corp. to see if any had been canceled or renegotiated. One contract in this category was SCM-TS-21830. Amendment No. 3 to contract SCM-TS-21830 reduced the amount of tungsten trioxide which Wah Chang had to return to the Government from 25,086 to 13,831 short ton units.

After a detailed review of the entire matter we have concluded that amendment No. 3 should not have been executed, but rather that this contract should have been terminated for default and a claim made against the contractor for its failure to perform the contract. We shall proceed to establish a claim against the contractor and, if necessary, request the assistance of the GAO in its collection. We appreciate the fact that your inquiry brought this matter to our attention.

You will note from the enclosed résumé that one contract was canceled completely and three others were reduced in quantity to take care of material diverted to industry by DMA. We also are currently in the process of renegotiating GS-OOP(D)-18056 which we anticipate will result in a lowering of the price the Government is paying for handling and storage charges incidental to the beneficiation.

Very truly yours,

A. J. WALSH,  
Commissioner.

#### SERVICE CONTRACTS

SCM-TS-12552: Processing of approximately 5,512 tons of Chinese tungsten con-

centrates. Proposals received from two firms, Nevada-Massachusetts Co. bid \$837,367.50 and the Wah Chang Corp. \$364,202.72. The contract was awarded the latter firm January 3, 1949. Contract completed.

SCM-TS-21830: Processing of approximately 21,441 tons of low-grade tungsten concentrates. Invitations were issued to 13 interested firms. Four bids were received as follows:

	Per unit
Rare Metals Corp.	\$26.04
Nevada-Massachusetts Co.	26.04
Wah Chang Corp.	19.00
Mathews Silica Co.	13.30

The low bid of \$13.30 was not responsive as it did not include a guarantee that the recovered product would meet specification P-57 requirements; and, therefore, the contract was awarded February 27, 1950, to the lowest qualified bidder, the Wah Chang Corp. The price was reduced by negotiation from \$19 to \$18.96 per unit.

The contract provided that the Wah Chang Corp. would recover from the 21,441 tons of low-grade material and deliver to the Government 25,086 short ton units of WO<sub>3</sub> at the price of \$18.96 per unit. However, the contractor recovered, delivered to the Government and was paid for 13,831.2349 units, which was total quantity the contractor recovered from the 21,441 tons. The balance of 11,254.7651 units were not recovered by the contractor and the contract was amended to reduce the number of units to be returned to 13,831.2349. A payment was not made to the contractor for any services in connection with the 11,254.7651 units not recovered.

GS-OOP-778(SCM): Processing of approximately 8,867 pounds of tungsten carbide cores of synthetic scheelite. Three firms were invited to submit proposals. However, only one firm, the Wah Chang Corp., submitted an offer of a total price of \$8,940. This proposal was accepted and contract awarded June 4, 1951. Contract completed.

GS-OOP-953(SCM): Contract dated August 21, 1951, was awarded resulting from negotiations and covers the beneficiation of up to 531,000 short ton units of natural scheelite concentrates purchased for the King Island Scheelite (1947) Ltd. of Australia. The unit price for beneficiation is \$4 per unit plus other costs incidental to processing. The contract unit prices are subject to escalation on basis of changes in the "Wholesale Price Index of Chemicals and Allied Products," published by U.S. Department of Labor. This contract is active at the present time and ends June 30, 1958. Services performed to date have been satisfactory.

GS-OOP-3657(SCM): Nodulizing of approximately 3 tons of high moisture synthetic scheelite. Proposals received from Foote Minerals Co., at \$100 per ton and from the Wah Chang Corp., at \$50 per ton. Contract awarded September 23, 1952, to Wah Chang Corp. on its low bid. Contract completed.

GS-OOP(D)18056: Beneficiation of up to 15,000 tons of tungsten concentrates purchased from the Government of Korea. Negotiations which started in April 1952, resulted in a contract on October 20, 1952, with the Wah Chang Corp. All costs in connection with processing under this contract are paid by the Government of Korea. Approximately 9,800 tons have been satisfactorily processed to date.

GS-OOP-7126(SCM): Beneficiation of up to 10,000 tons of subspecification Government-owned tungsten concentrates. This contract dated August 8, 1953 was negotiated with the Wah Chang Corp. and provided for a beneficiation charge of \$3.85 per short ton unit for upgrading ferberite, wolframite,

or hubnerite and \$6.05 per short ton unit for upgrading scheelite. Approximately 2,350 tons have been processed to date. The quantity to be processed under this contract is under review and it is contemplated that considerably less than 10,000 tons will be processed under the contract.

GS-OOP(D)18084: Covers the temporary storage of up to 5,000 tons of tungsten concentrates imported under Public Law 774 contracts. This contract negotiated and awarded August 17, 1953, at a price at or lower than prices charged by commercial warehouses in the New York area for comparable services. The maximum stored under this contract was approximately 1,500 tons and such material is being moved to Government-owned storage.

GS-OOP-3961(SCM): Covers the temporary storage of up to 5,000 tons of tungsten concentrates imported under Public Law 520 contracts pending assaying to determine whether material meets contract specifications or needs beneficiation. This contract negotiated and awarded August 11, 1953, at a price at or below prices charged by commercial warehouses in the New York area for comparable services. Approximately 377 tons

were stored under this contract. This has been reduced to 280 tons at present time.

#### EXPLANATORY NOTES

The Wah Chang Corp. through its many years as a processor and manufacturer of tungsten products is the only American firm that has received, processed and sold tungsten practically from every known source in the world. The Wah Chang facilities are not duplicated by any other firm in the United States; and the flexibility of such facilities are peculiar to that firm. The experience of this firm in processing many kinds of complex tungsten ores has placed it in a position that it is prepared to submit proposals for beneficiation when only the source and an indication of quality is known.

Other considerations are the location of the Wah Chang plant at Glen Cove, N.Y., which is easily reached by lighter shipment from New York. The use of this plant permits shipments that require beneficiation to be unloaded directly from the ocean carrier to a lighter for transfer to the Glen Cove plant. All other processors of tungsten, irrespective of their ability, are located at inland points accessible only by rail or truck movement.

Wah Chang Corp. providing that this corporation would recover from the 21,441 tons of low-grade material and deliver to the Government 25,086 short-ton units of WO<sub>3</sub> at the price of \$18.96 per unit.

It is my understanding that this contract was not completed by the Wah Chang Corp., and in this connection I would appreciate the following information:

1. The amount of the undelivered portion of the contract and the date the company was released either from the delivery requirements of the contracts or from any portion thereof.

(a) The difference between the \$18.96 per unit price of the contract and the prevailing market price at the time of the release and the total amount of the potential loss to the Government as the result of such modification.

2. The amount remaining undelivered on the contract as modified and the date of the modification.

(a) The differential between the contract price and the prevailing market price as of the date the contract was in default.

3. In the event that the contracting corporation has been released, either in part or in entirety, of the undelivered portion of the contract, the estimated total loss to the Government as the result of any modifications or revisions as determined between the differential of the contract price and the prevailing market price as of the date of the modification or cancellation.

Yours sincerely,

JOHN J. WILLIAMS.

COMPTROLLER GENERAL OF THE  
UNITED STATES,  
Washington, D.C., April 23, 1957.

Hon. JOHN J. WILLIAMS,  
U.S. Senate.

DEAR SENATOR WILLIAMS: Reference is made to your letter of April 3, 1957, requesting certain information regarding GSA contract No. SCM-TS-21830, with Wah Chang Corp., for the furnishing of tungsten trioxide.

Deliveries under the original contract were required to be completed on or before March 1, 1951. Amendment No. 1, executed on September 6, 1950, extended the date for completion of deliveries to April 30, 1951. Amendment No. 2, executed on September 29, 1950, set forth the fact that it had been determined that the total quantity of tungsten trioxide required to be furnished under the contract could not be obtained from the lot of Government-owned ore which had been turned over to the contractor for processing thereunder, and under its terms the contractor was authorized to supply the balance of the contract quantity by processing ore which was to be obtained by the contractor from outside sources at its own expense. The amendment further provided that, in the event the tungsten trioxide ore and concentrate to be delivered was of foreign origin, the contract unit price of \$18.96 was to remain the same, but the Government would arrange to relieve the contractor from the burden of the U.S. import duty of \$6.03 per short ton, which otherwise would apply to such supplies. The validity of these amendments has not been questioned.

Amendment No. 3 to the contract, the instrument which purported to relieve the contractor from the obligation of making further deliveries under the contract, is dated August 19, 1953, and states that the contractor had by that date delivered 13,831.2349 short-tons of tungsten trioxide to the Government under the contract. This left approximately 11,255 short-tons as the undelivered portion of the contract.

It appears from information presently available to us that on May 1, 1951, the date when the contractor first may be said to have been in default with respect to deliv-

#### Supply contracts

Contract No.	Contract date	Commodity	Unit	Contract quantity	Quantity delivered <sup>1</sup>	Unit price	Domestic ceiling price
1616	Sept. 17, 1951	Ferrotungsten.....	Pound.....	217,500	229,345	\$4.60	\$5.00
2276	do.	do.	do.	165,000	171,986	4.60	5.00
2411	Oct. 28, 1951	do.	do.	50,118	49,029	4.50	5.00
2986	Mar. 25, 1952	do.	do.	175,000	174,774	4.00	5.00
2788	Feb. 20, 1952	Tungsten powder.....	do.	30,000	30,000	7.75	7.75
2853	Jan. 20, 1952	do.	do.	50,000	50,000	7.75	7.75
3416	July 16, 1952	do.	do.	100,000	100,000	7.20	7.75
3576	Aug. 7, 1952	do.	do.	100,000	100,000	7.00	7.75
3722	Sept. 6, 1952	do.	do.	15,000	15,000	7.00	7.75
<sup>2</sup> 21965	Jan. 9, 1950	Tungsten concentrates...	Short ton...	20,000	18,000	26.00	<sup>3</sup> 28.50
<sup>2</sup> 21977	Jan. 18, 1950	do.	do.	20,000	6,512	26.00	28.50
<sup>2</sup> 22148	Feb. 20, 1950	do.	do.	16,000	3,435	26.00	28.50
<sup>2</sup> 23442	Mar. 22, 1950	do.	do.	10,000	5,846	26.00	28.50
23524	Apr. 12, 1950	do.	do.	30,000	27,234	12.95	13.00-13.25
846	Apr. 11, 1951	do.	do.	12,000	11,408	65.00	( <sup>4</sup> )
<sup>4</sup> 724	June 22, 1951	do.	do.	787,000	153,291	( <sup>5</sup> )	( <sup>5</sup> )
661	June 29, 1951	do.	do.	23,300	24,746,1559	69.00	( <sup>5</sup> )
12016	July 17, 1951	do.	do.	20,000	20,735.27	65.00	( <sup>5</sup> )
12033	Aug. 10, 1951	do.	do.	10,000	9,664.40	65.00	( <sup>5</sup> )
12051	Sept. 7, 1951	do.	do.	20,000	19,290.72	65.00	( <sup>5</sup> )
12117	Nov. 16, 1951	do.	do.	15,000	14,207.25	66.90	( <sup>5</sup> )
12122	Nov. 28, 1951	do.	do.	23,000	22,999.61	<sup>6</sup> 72.98	( <sup>5</sup> )
12132	Dec. 13, 1951	do.	do.	29,000	29,482.38	<sup>6</sup> 72.98	( <sup>5</sup> )
12148	Jan. 17, 1952	do.	do.	30,000	29,036.86	66.90	( <sup>5</sup> )
12149	do.	do.	do.	10,000-15,000	11,659.84	66.90	( <sup>5</sup> )
12154	do.	do.	do.	30,000	29,782.77	66.90	( <sup>5</sup> )
12165	Jan. 21, 1952	do.	do.	16,000	16,251.31	66.90	( <sup>5</sup> )
12163	Jan. 23, 1952	do.	do.	18,500	18,284.14	66.90	( <sup>5</sup> )
12174	Feb. 7, 1952	do.	do.	325	375.65	66.90	( <sup>5</sup> )
12201	Mar. 11, 1952	do.	do.	728	661.45	62.00	( <sup>5</sup> )
12207	Mar. 25, 1952	do.	do.	728	725.01	62.00	( <sup>5</sup> )
12219	do.	do.	do.	728	733.64	62.00	( <sup>5</sup> )

#### CANCELLATION

<sup>4</sup> 227	May 5, 1951	Tungsten concentrates...	Short ton...	4,745	-----	31.50	( <sup>5</sup> )
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<sup>1</sup> Except where noted the quantity contracted for is subject to a 10-percent variance. In all cases the quantity delivered was within the variation specified in the contract.

<sup>2</sup> Domestic origin, all other tungsten concentrates were of foreign origin.

<sup>3</sup> U.S. market price.

<sup>4</sup> Material diverted to industry by DMA: Contract 21977, 13,000 short ton units; contract 22148, 12,500 short ton units; contract 23442, 4,153 short ton units; contract 23227, 4,745 short ton units.

<sup>5</sup> Not published. Market prices are normally published in trade journals such as the E. & M. J. Minerals and Metal Markets, the American Metal Market, and others represent prices paid in trade transactions. However, after U.S. ceiling prices were established the publication of free market prices in the United States was discontinued.

<sup>6</sup> Long-term contract terminates Dec. 4, 1959.

<sup>7</sup> Contract unit price based on published market price, with floor price of \$55 per short ton unit.

<sup>8</sup> Includes U.S. import duty of \$6.03 per unit.

<sup>9</sup> No deliveries.

On April 6, 1951, a ceiling price of \$65 per short ton unit of WO<sub>3</sub> was established by the Government, and on May 7, 1951, ceiling prices were established for ferrotungsten at \$5 per pound metal content and for tungsten metal powder (hydrogen reduced) at \$7.75 per pound. The ceiling prices referred to remained in effect until March 18, 1953.

U.S. SENATE,

Washington, D.C., April 3, 1957.

Hon. JOSEPH CAMPBELL,  
The Comptroller General,  
Washington, D.C.

DEAR MR. CAMPBELL: The General Services Administration on February 27, 1950, awarded contract No. SCM-TS-21830 to the



eries under the contract, tungsten trioxide of a commercial grade not quite as good in some respects as that specified in the contract was quoted in the London, England, market (apparently the only free market source for a quotation for the material) at \$65 per short-ton delivered, ex-customs duty, to the New York, N.Y., area, where the contract material was required to be delivered. Also, it appears that on August 21, 1953, the approximate date of the execution of amendment No. 3, tungsten trioxide of the same commercial grade was quoted on the London market at a price of \$36.25 per short-ton delivered, ex-customs duty, to the destination involved.

Thus, the difference between the total contract price and the world market price for the material remaining undelivered under the contract would appear to be \$518,191.01, if calculated as of the date of the contractor's initial default, and \$194,603.01, if computed as of the date of the execution of amendment No. 3.

As you are aware, by letter of February 18, 1955, to the Administrator of General Services, we questioned the validity of amendment No. 3 on the ground that it appeared to have been executed without any consideration insofar as the Government was concerned. The Administrator subsequently agreed with us as to its invalidity and advised that a claim against the contractor on the basis of its default was being prepared. Also, he advised that the matter would be referred here if GSA were unable to effect collection of the amount for which it was determined the contractor is indebted to the Government. Through informal contacts, we understand that GSA has asserted a general claim against the contractor in the matter and that several conferences have been held with it in an effort to effect a settlement. This is the extent of our information relative to the case at present.

Sincerely yours,

JOSEPH CAMPBELL,  
Comptroller General of the United States.

GENERAL SERVICES ADMINISTRATION,  
Washington, D.C., March 23, 1962.

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

DEAR SENATOR WILLIAMS: The claim of General Services Administration against the Wah Chang Corp., which is the subject of your letter of March 8, 1962, has been settled.

Our letter to you on July 22, 1955, advised that, after a detailed review of the entire matter, we had concluded amendment No. 3 to contract SCM-TS-21830 should not have been executed but rather that this contract should have been terminated for default and a claim made against the Wah Chang Corp. for its failure to perform the contract. Amendment No. 3 had purported to reduce the obligation of Wah Chang with respect to deliveries of tungsten trioxide under contract SCM-TS-21830 from 25,086 units to 13,831.2349 short ton units.

During the ensuing discussions with Wah Chang and its counsel, the Government showed that damages, if computed on the basis of the market price in effect on August 19, 1951 (the date of execution of amendment No. 3), would amount to \$264,937.17. This was based on the difference between the contract price of \$18.96 and the average E. & M.J. quotation of \$42.50 per short ton unit. The differential of \$23.54 multiplied by 11,254.7651 short ton units resulted in the Government's claim of \$264,937.17.

During this period of discussion GSA had a long-term tungsten contract with Wah Chang, GS-OOP-724(SCM), which had been executed June 22, 1951. The Wah Chang Corp. agreed to amend the existing contract GS-OOP-724(SCM) so as to reduce by 6,308.0279 short ton units the Government's obligation to purchase tungsten. The price

per short ton unit of tungsten under GS-OOP-724(SCM) was \$55, this being \$42 above the market price which had at that time declined to \$13 per short ton unit. This reduction relieved the Government of an obligation to pay out a total of \$346,941.53 for material which the Government did not need and which was worth in that market no more than \$82,004.36. The differential of \$264,937.17 was in effect a recovery by the Government of that amount in connection with its claim under contract SCM-TS-21830.

This settlement was proposed on February 6, 1958, by the Administrator of General Services to the Comptroller General who gave final approval on December 9, 1958. On December 31, 1958, amendment No. 3 to contract GS-OOP-724(SCM) was executed effecting the recovery of the Government's claim as described hereinabove.

Sincerely yours,

BERNARD L. BOUTIN,  
Administrator.

#### PROGRESS REPORT: MINUTEMAN

Mr. BENNETT. Mr. President, I should like to take a few minutes during the morning hour to give the Senate a brief report on the current status of the U.S. Minuteman missile program.

Yesterday, the Air Force announced that Francis E. Warren Air Force Base, Wyo., has been selected as the support base for the next hardened and dispersed Minuteman missile site. Other sites are located near Malmstrom Air Force Base, Mont.; Ellsworth Air Force Base, S. Dak.; Minot Air Force Base, N. Dak.; and Whiteman Air Force Base, Mo. Other sites are currently under consideration in Oklahoma and Texas.

Earlier this week the Air Force advised me that dedication ceremonies have tentatively been set for April 10 for the new production line where the Minuteman will be assembled at Hill Air Force Base, near Ogden, Utah. The Boeing Co. will employ approximately 1,000 persons in the assembly operation when the line reaches its peak production. This new facility is welcome news to Utah, and will insure that the Minuteman will be operating months ahead of schedule.

On March 22, the Air Force at Cape Canaveral accomplished the first night launching of a Minuteman missile. The three-stage ICBM hurled a dummy warhead more than 4,000 miles squarely into a target in the South Atlantic. This was the seventh straight successful firing from an underground silo, and the missile performed perfectly in every respect. For this latest firing, some weight "fat" was shorn from the Minuteman. Lighter weight nozzle control units were used, and more weight was saved with the first use of "skirts" between the three stages of the solid-fueled rocket, which could be jettisoned in flight.

We in Utah are very proud of the success which the Minuteman has attained to date, because the Beehive State has the major role in the production, assembly, and maintenance of this important weapons systems. Two of the three stages of the Minuteman are produced in Utah: The first stage, by the Thiokol Chemical Corp., at facilities near Brigham City, Utah; and the third stage,

by the Hercules Powder Co., at its Bacchus, Utah, plant.

The Boeing Airplane Co., which is the prime contractor for the Minuteman, recently completed construction of facilities at Hill Air Force Base, Utah, where the entire missile system will be assembled prior to shipment to the various missile sites.

Hill Air Force Base has been assigned the key mission of storage, maintenance, and repair of the Minuteman. The storage and maintenance facilities are under construction or already are available at Hill Air Force Base. However, approximately \$7.5 million in military construction funds have been requested for the fiscal year 1963, to construct surveillance facilities at Hill Air Force Range, to environmentally condition rocket motors and to statically fire these motors, to insure continuing performance reliability, safety, and serviceability. The construction of these facilities will allow the Air Force to maintain Minuteman and other rocket inventories over a longer period of time, thereby reducing the requirements for additional expenditures on rebuy programs. For example, based on the current programed procurement cost of the Minuteman motors, if the service life of these motors can be extended by just 1 year, the funds required for repurchase of SM-80 rocket motors could be reduced by up to \$300 million.

Although the Minuteman is the smallest of the U.S. three intercontinental ballistic missiles, it has a distinct advantage over the larger Atlas and Titan I missiles. The latter two rockets are liquid fueled, and have to be "gassed up" after an enemy alert is sounded. On the other hand, the Minuteman is an "instant" ICBM, fueled with a solid propellant, and can be fired on a moment's notice, thus saving precious minutes in retaliating if an aggressive attack should be made on the United States.

Originally, 12 squadrons, totaling 600 Minuteman missiles, were programed. This has now been increased to 16 squadrons, with a total of 800 missiles, planned through the fiscal year 1963. The House Armed Services Committee had reported H.R. 9751, authorizing appropriations for aircraft, missiles, and naval vessels. The committee added to the administration's request an additional \$10 million, for a start on 100 more Minuteman missiles in the fiscal year 1963, and indicated that additional Minuteman squadrons are expected to be procured in later years.

Maj. Gen. Thomas P. Gerrity, commander of the Air Force Ballistic Systems Division, has indicated:

We are going to beat the original Minuteman timetable; it's going to be beaten by a substantial time period. Thanks to a very highly telescoped research and development program, plus an operational testing program which is reaching its peak effort right now, I have great confidence that we're going to bring the program in on the ambitious schedule we have.

Mr. President, I ask unanimous consent to have printed in the Record at this point an article by Brig. Gen. S. C.

Phillips, U.S. Air Force director of the Minuteman program, Ballistics Systems Division—AFSC, which appeared in the Space Age News Monday, March 19, 1962. The article is entitled "Progress Report: Minuteman—We Have the Job Well in Hand."

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

PROGRESS REPORT: MINUTEMAN—WE HAVE THE JOB WELL IN HAND

(By Brig. Gen. S. C. Phillips, USAF)

Minuteman stacks up as a vital element in this country's new dimension for defense. It's a system the Nation needs, and one the Nation will have. The key breakthroughs have been achieved. We are now forging ahead with the final technical developments and the product refinements which will add to the cost effectiveness of Minuteman as a deterrent weapon system.

But I want to look to the future toward those areas where perseverance is still required in our pursuit of the best ICBM system that man can build. Obviously, since there is no ultimate weapon, neither is there any system so good that it cannot be improved. Let me indicate a few areas in which product improvement is our next order of business.

First, in terms of range: We are working on refinements which promise to extend the already intercontinental reach of the Minuteman, without compromising the exceptional accuracies we have attained in our flight tests to date. These refinements present some interesting technical challenges in the propulsion areas.

Second, the Minuteman field environment which has received extensive engineering to provide adequate survivability, is receiving still further improvement to provide protection against even heavier attacks.

Third, we are working hard to incorporate into the Minuteman system those additional devices which will significantly add to the already extensive strategic flexibility of the missile and to its ability to penetrate an enemy's defenses.

Fourth, the area where probably the biggest job remains to be done. We are conducting an intensive ground equipment systems testing program to confirm and, where possible, improve the reliability of the aerospace ground equipment. The launch control system is a sophisticated digital data system, cable connected, with many flexibility and safety features. In this area, it is important to recognize that in a remotely placed, unattended system which is dependent on automated equipment, the reliability of that equipment under the most severe circumstances must be guaranteed to the same degree that the missile itself is reliability-rated. The guidance system, for example, is maintained in a constant state of readiness in the operational Minuteman. We must be sure that the equipment measures up to this requirement.

Therefore, concurrent with our flight test program we are engaging in a comprehensive ground equipment systems testing program. The results of this test program are joined with the results derived from the Atlantic missile range flight series in the total system test program conducted at Vandenberg Air Force Base with missiles fired over the Pacific missile range.

In this program, the missile will be mated with its aerospace ground equipment and the Air Force personnel currently in training who will maintain the missiles and operate the equipment. The resultant integrated test operation of the total weapon system is the most thorough R. & D. checkout procedure ever accomplished. It will climax the Minuteman development cycle and set the stage for the operational turnover of

the weapon system to the Strategic Air Command.

This is Minuteman today.

In flight test, we are obtaining gratifying results; our first launch, last February, missed by only 1 month the target date established several years before. As planned, we flew a complete missile, all three stages, with all systems aboard and functioning. It was a significant first in ballistic missile flight testing, and our effort was an unqualified success.

Since then, our flight testing has demonstrated beyond question the soundness of the launch-from-the-hole technique, and the soundness of the missile design.

It is also significant that we have learned how to handle, assemble, and transport large size rocket engines, and complete missiles.

In site activation, we are forging ahead with construction for the first wing at Malmstrom AFB, Mont. Work there has been progressing and is some 60 days ahead of schedule. Sites are also under construction at Ellsworth AFB, S. Dak., and Minot AFB, N. Dak. Construction at Whiteman AFB will start soon. Other locations are being investigated for follow-on wings.

The originally programed 12 squadrons of 600 missiles has been increased to 16 squadrons, funded through fiscal year 1963; additional squadrons will be procured in later years.

As you know, President Kennedy has called for these additional Minuteman missiles, and the doubled production capability previously advocated has also been authorized and provided. Further, we are continuing studies aimed at enhancing the survivability, reliability, and performance of the missile system, which already rates high in each of these categories. But there is another factor.

The team analogy factor is timeworn and trite; but the fact remains that without the coordinated actions, the concentrated efforts and the never-say-die attitude reflected in the team spirit, Minuteman would not be what it is today: a weapon system which is living up to all its expectations, and promises to exceed those expectations in fulfilling the mission of peace through deterrence for which it was designed.

#### FREE TRADE IS NOT THE ISSUE

Mr. BENNETT. Mr. President, few measures during recent years have been so completely distorted as to their real effect as has the President's trade proposal.

This program is being sold to the American people as a means of reducing trade barriers between nations, thereby stimulating American production for foreign markets. As a matter of fact, it gives the President virtually complete control over all tariffs—he could wipe them out if he so desired in the case of Common Market countries, or he could impose new and unlimited tariffs on any product if he so desired.

#### COULD BE USED FOR PROTECTIONISM

As pointed out in a recent editorial in the Wall Street Journal:

This wide grant of power to the President is for protectionism as much as for free trade.

Whether or not the law would actually produce freer trade would depend entirely upon the attitudes of the President who happened to be in office at a given time. If he desired, the President could impose quotas, or other controls, in addition to tariffs.

But that is only part of the story. Equally serious—perhaps even more so—

is the power this bill gives the President to hand out Federal assistance to any firms he thinks may have suffered because of tariff adjustments. This money may be paid to States, individuals, or business firms.

#### UNRESTRICTED GRANT OF AUTHORITY

I wonder if the administration has paused to consider the potential danger in such a broad and unrestricted grant of authority. Tens of millions of dollars could be committed to an industry, a company, or even a person, if the President decided that it was politically expedient to do so. There are no limitations on the length of time this adjustment allowance may be paid, nor any clear definition of who is eligible for it.

To illustrate the sweeping powers the bill grants, consider the language it contains: It says that actions of the President, "in determining eligibility to apply for adjustment assistance, in certifying adjustment proposals, or in making determinations with respect to extraordinary relief, shall be final and conclusive and shall not be subject to review by any court."

This may be convenient, but it certainly is not in keeping with the traditional American restraints on power. Passage of this bill would place in the hands of the President and future Presidents a weapon which could be used with impunity to reward friends or punish enemies.

#### CHALLENGE TO DEMOCRATIC PREMISE

The issue is not free trade versus tariffs; let there be no mistake about that. The issue is whether or not there is still validity in the fundamental premise of American democracy—whether a Congress, made up of elected representatives of all parts of the country, can be entrusted with the job of making important decisions, or whether those decisions shall be made by an all-powerful, all-wise Chief Executive, who presumably can always be entrusted to make the right choice.

If the latter is the case, we have taken a great step backward from the concept which our forefathers accepted when they formed this Republic. It was never intended that Congress should be a mere rubber-stamp body, abdicating and delegating its authority to the Executive. The idea of a beneficent dictatorship is repugnant to every American—yet surely no one can deny that passage of this bill would be a step in that direction. And when this bill is placed alongside many others recommended by this administration—such as the bill giving the President the authority to adjust taxes, the bill giving him virtually complete control over agriculture, and so forth—a pattern emerges which is frightening to anyone who has studied what has happened in those countries where one man has been permitted to gain complete control over the decisions of government—always "for the good of the country." The cumulative effect of these measures to vest vast new powers in the President at the expense of Congress is a massive attack against our form of democratic, representative government. We must not abandon democracy and resort



to authoritarianism purportedly to meet the challenge of another form of authoritarianism, communism. Let us instead show that democracy can work. Let us work through our great existing institutions and not yield our birthright to those impetuous New Frontiersmen who are impatient with our form of government.

Congress will do well to consider carefully and critically any legislation which gives the President the sweeping controls over our economy which would be granted by passage of the President's trade bill in its present form.

I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an article entitled "Move to Weaken Supreme Court," written by David Lawrence and published in the Washington Star of March 21, 1962.

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

**MOVE TO WEAKEN SUPREME COURT—NEW TARIFF BILL'S PROVISION OF EXEMPTION FROM HIGH COURT REVIEW ASSAILED**

(By David Lawrence)

The Kennedy administration has just made an attempt to weaken the Supreme Court of the United States, which might not have been surprising if it had come from the John Birchers or other so-called extremists.

In a bill written by some of the top advisers of the President and introduced in Congress, the administration demands that Congress strip the Supreme Court of any power to review the proposed law governing tariff changes and duties and relations with the Common Market in Europe.

Rarely in American history has there been any significant move to get Congress to limit the jurisdiction of the Supreme Court of the United States. In 1868, Congress did take away from the Supreme Court appellate jurisdiction under the Habeas Corpus Act of 1867 in an effort to prevent the Court from passing on the constitutionality of Reconstruction laws. Shortly thereafter, in a famous case, the Court itself affirmed the right of Congress to make exceptions to its appellate jurisdiction.

Today, the power sought by the Kennedy administration is very sweeping, indeed, as it calls for an abolition of the right of any citizen to question the acts of the President in the complex and far-reaching field of tariffs and customs duties which he could impose or remove at will.

Under the proposed law, the President would be authorized to make a variety of determinations on reduction or elimination of duties, on adjustment assistance, extraordinary relief and other matters covered by the terms of the act. Section 404 then says that all these determinations by the President or by any administering agency "shall be final and conclusive and shall not be subject to review by any court."

It has not been revealed just what the framers of the proposed law are afraid of and just why they would deprive the citizen of relief if he is being discriminated against in Government action or if his constitutional rights are being violated. What the proposed section means is that, no matter what the Constitution says about "due process of law," there is no way that an injured citizen can petition a Federal court for the redress of any wrong done him by the Government in a tariff or foreign-trade transaction.

No more sweeping attack on constitutional rights has arisen in recent years. Incidentally, the provision in the bill denying court review would in itself be constitu-

tional if enacted, because article III of the Constitution says:

"In all cases affecting ambassadors, other public ministers, and consuls, and those to which a State shall be party, the Supreme Court shall have original jurisdiction. In all other cases, before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make."

These exceptions enacted by Congress could cover any legislation affecting the rights of individual citizens. Certainly, if the Supreme Court is deprived by law of the right to hear a case, and, indeed, if every lower court is ordered to refuse to hear any petition, a wrong done by an arbitrary act of an executive agency of the Government cannot be corrected through the courts.

Everyone knows that the President, himself, isn't going to administer the new tariff law, with its multifarious provisions, and that subordinate officials will carry on this work during the 3 or 5 years that Congress may set as the period to be covered. So it really means that Congress will have delegated to the administering agencies supreme authority over thousands of businesses and the jobs of their employees, and there will be no means through the courts of achieving justice if the law is improperly administered by the executive.

There is a good deal of mystery as to who wrote the draft of the proposed law, which is called H.R. 9900, and particularly the provision known as section 404. But it is known that Undersecretary of State George W. Ball, a New York lawyer, was at the head of the task force that worked on the whole problem before the bill was transmitted to the House Ways and Means Committee with the request that it be introduced and presented as an administration measure. It may be that in the report filed by Mr. Ball and his associates with the President analyzing the tariff situation and the need for supreme powers by the President, some reasons were given for depriving the courts of all power to review any action taken under this proposed law. But Mr. Ball's report has never been made public.

Again and again in recent hearings, questions have been asked by members of the House Ways and Means Committee as to who drafted or sponsored the bill's provisions, but the answers have been hazy, or the witnesses have insisted they didn't know.

It seems incredible that an administration which professes to be interested in civil rights would go on record as taking away the rights of millions of citizens to petition Federal courts for relief from injustices which they claim would affect their livelihood. It seems incredible, too, that Congress would ever enact such a law. If it does get through, this would certainly indicate a lack of confidence in our Federal courts or a fear of their impartial decisions.

**IS THE DOUBLE STANDARD TO BE BACK WITH US—SHALL WE SUBSIDIZE AVIATION ABROAD BUT NOT AT HOME?**

Mr. GRUENING. Mr. President, within the last week I have had occasion to denounce the proposal of the Civil Aeronautics Board for an investigation of the Pacific Northwest-Alaska service, with the avowed objective of eliminating, curtailing, and consolidating the excellent Alaska-States air service.

There are four such carriers now serving, for passenger, airmail, and airfreight, an area one-fifth as large as the 48 older States, and including, as

do "the lower 48," four time zones. It is an area as wide and as deep as the 48 States—2,700 miles from east to west, 1,400 miles from north to south. Alone among American States, it extends into the Eastern Hemisphere and into the Arctic.

The four States-Alaska carriers now operating are Pan American World Airways, Northwest-Orient Airlines, Pacific Northern Airlines, and Alaska Airlines. They compete with each other to some extent, although their routes by no means duplicate. Between them, they supply virtually the only transportation for people and airmail between the lower 48 States and Alaska.

For reasons rooted in the history of Alaska as a territorial stepchild in the national family, other forms of transportation between "the lower 48" and Alaska are negligible or nonexistent. Air transportation is Alaska's lifeline today, attained only recently after great effort and enterprise.

The CAB's announced objective is:

First. To eliminate Pan American World Airways completely from its Alaska service.

Second. To eliminate Northwest's regular service to Alaska and make it an incident in its Orient run.

Third. To compel the consolidation of Pacific Northern and Alaska Airlines.

The proposal would, in my judgment and that of my fellow Alaskans, wreck the present excellent arrangement. It would destroy what is virtually the only form of transportation between the lower 48 States and the vast region which is the 49th State. It would replace a good competitive setup with a monopoly with all the ills which monopoly almost invariably brings. It constitutes an inexcusable piece of folly.

As the Fairbanks News-Miner, in an editorial entitled "Does CAB Proposal Make Sense," comments caustically:

The CAB proposal is so farfetched it borders upon the ridiculous.

And further:

Just what sort of eggheaded theoretical daydreaming is going on? Is the Federal Government determined to kill off the free enterprise system which has given Americans the world's best standard of living for more than a century?

Now, what are the reasons for this contemplated monstrosity?

It would save in the neighborhood of slightly over \$4 million in subsidies. These have gone to Pacific Northern and Alaska Airlines.

Pan American and Northwest are not subsidized.

Now, reducing Government expenses is always rated a worthy and desirable objective. But there are obviously two ways of counting the cost. What do we get for what we are paying? Is it not worth the price?

Mr. President, we are dealing here with two wholly American areas. Both are large in extent, large in potential.

The history of transportation in America makes three salient facts crystal clear.

First. Transportation developed the United States, made its States truly united, made out of them the great Nation that we have become.

Second. All American transportation has been heavily subsidized by the Federal Government—the railroads by large land grants; shipping by subsidies and privileges of various kinds; automotive traffic by billions of Federal dollars spent in highway construction; aviation by subsidies, where needed.

Third. Alaska has been largely excluded from all these benefits, except in the last category which CAB policy now aims to eliminate.

In startling contrast, let us note what the United States is doing to aid aviation in foreign countries.

Since 1955 the United States has granted or loaned or participated in loans to foreign nations for the development of their air transportation the sum of at least \$417,004,530. These included such items as \$98,331,127 in outright grants under the mutual security program for such items as \$14,560,000 in 1956 to Afghanistan for air transport development, the sum of \$5,129,000 in the year 1957 alone for the development of aviation in Thailand, and another \$11,546,000 to Afghanistan in 1959. Thus the outright grants of U.S. dollars to foreign nations year by year since 1955 for the development of foreign aviation were:

1955-----	\$10,741,747
1956-----	24,752,380
1957-----	16,310,000
1958-----	7,045,000
1959-----	23,563,000
1960-----	8,782,000
1961-----	7,137,000
Total-----	98,331,127

However, the United States loaned or participated in loans of even larger sums to foreign nations for the development of their aviation facilities, including loans for the purchase of aircraft and for the construction of airports. Thus the Export-Import Bank has loaned Japan \$35,870,000 for this purpose, it has loaned France over \$52 million and Brazil over \$30 million and Australia over \$23 million. Australia also received a loan of over \$9 million from the World Bank. Meanwhile, Ethiopia received over \$23 million from the Development Loan Fund for the development of aviation in that country. I ask unanimous consent that tables showing foreign aviation grants and loans since 1955, prepared in my office by Mr. Milton Fairfax of my staff be printed at the conclusion of my remarks.

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

Mr. GRUENING. Let us now, Mr. President, compare the total of \$417,004,530 granted or loaned since 1955 to build up aviation in foreign countries with the amount of subsidies which the CAB is attempting to save, and to save which the CAB is willing to establish a monopoly in transportation from the lower 48 States to Alaska. The two carriers involved—Pacific Northern and Alaska Airlines—received in subsidies and mail pay in 1961 the sum of \$4,332,000 for the States-Alaska operations. This is in startling contrast to the amount of U.S. dollars which we are spending abroad to build up aviation in foreign countries.

Of course, subsidies are paid to these and other carriers for intra-Alaska operations. Thus, in 1961 subsidies were paid for such intrastate operations in the total sum of \$8,612,000 to Alaska Airlines, Alaska Coastal, Byers, Cordova, Ellis, Kodiak, Northern Consolidated, Pacific Northern, Reeve, Western Alaska, and Wien.

To understand why these subsidies are necessary, it is necessary to place them in the perspective of conditions in Alaska. For many, many towns and villages, there is no other mode of transportation than by air. These airlines, operated by able and experienced pilots, constitute the sole link to the outside for the inhabitants of many remote areas of Alaska. They are dependent upon air transportation for the receipt of the very necessities of life. I hope that as Alaska grows, and as we obtain roads and ferries and other means of transportation, and as the population increases, we shall come to the point where air transportation is profitable and subsidies are no longer necessary. But in the meantime, as a penalty for the years of neglect in building alternate methods of transport between areas in Alaska, we will need subsidies for intra-Alaska airline operations.

But surely, Mr. President, if we can afford to pay subsidies to the airlines of foreign countries we cannot afford to do less at home.

Mr. President, during the Eisenhower administration, there existed in the contrasting attitude and action toward domestic versus foreign expenditures a double standard. I called attention to it repeatedly when congressional efforts to appropriate for resource development, for education, for housing, for airport construction, for pollution control, for a variety of essential projects were rejected by the White House either by veto or threat of veto, on the ground that we could not afford them, while similar and far more elaborate projects in foreign countries were labeled by the Eisenhower administration as sacrosanct. They must not, the Executive told Congress, be cut by a nickel.

I could not support that double standard which placed American needs in a category inferior and subsidiary to the purported needs of foreign countries. It was one of the reasons, which I made clear repeatedly, that I felt obliged to vote against the foreign aid program in 1959 and 1960.

When President Kennedy came into office, this double standard was abandoned. While there was no less emphasis on and support for foreign aid, domestic needs were given at least equal consideration. And so under the Kennedy administration there could be, and was, enacted previously unattainable legislation for resource development, housing, airport modernization, area redevelopment, retraining for the unemployed, pollution control.

It is to be hoped that this changed policy will continue undiminished. It is to be hoped that the CAB's misguided efforts at slashing aviation support at home while we are spending millions of American dollars to support it abroad, will not prevail. Should the time come

when all our airlines can render the needed service of passenger and mail transportation, and be self-supporting without subsidy, then it will be proper and appropriate to eliminate the subsidy. But that time is not yet. Particularly, is it not yet in Alaska, where for reasons aforesaid, Alaska has suffered uniquely among the States, Federal discrimination which has largely deprived Alaska of the other forms of transportation enjoyed elsewhere under the flag—in highways, railways, and shipping.

I ask unanimous consent that there be printed at the conclusion of my remarks in addition to the tables which have hitherto been ordered printed in the RECORD, a letter received by me from Joseph H. Shortell, Jr., assistant U.S. attorney for Alaska who is well versed in antitrust matters and whose comments are most timely, and a copy of Mr. Shortell's letter to the aviation editor of Newsweek magazine.

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

*Transportation, fiscal year 1955*

FAR EAST		Amount
China: CAA improvement-----		\$218,880
Indonesian Republic: Air transport training—aircraft and engine mechanics school-----		106,000
Thailand:		
Air transport and air navigation-----		36,500
Upper air aids-----		90,000
Airfield construction-----	2,742,698	
Upper air aids-----		40,000
Technical assistance Thai Airways-----		949,000
Vietnam: Improvement and expansion of aeronautical ground facilities-----		416,000
NEAR EAST, AFRICA, AND SOUTH ASIA		
Egypt: Air navigation aids-----		68,800
Ethiopia: Civil aviation and meteorology-----		35,805
Greece: Training of Greek civil aviation personnel-----		27,440
India: Aviation ground facilities-----		421,500
Iran: Air navigation and meteorological equipment-----		616,928
Israel: Airport administration participation-----		3,000
Pakistan:		
Improvement and expansion of aviation ground facilities-----	1,641,372	
Development of civil air transportation-----		725,000
Turkey: Airline operations training program-----		475,000
EUROPE		
France:		
CAA training program-----		10,860
Civil aeronautics study group-----		10,095
Spain: Training of aeronautical technicians and supervisors-----		61,740
LATIN AMERICA		
Bolivia:		
Institute Aeronautical National-----		6,000
Aircraft mechanics training—Bolivian Air Force-----		4,050
Airline operations course (flight)—transportation-----		2,828
Civil aviation mission-----		47,339
Flight instructors course-----		2,828
Brazil: Aeronautical navigational bids-----	1,500,000	
Chile: Air transportation and civil aviation development-----		64,000



## Transportation, fiscal year 1955—Continued

LATIN AMERICA	
Costa Rica: Improvement of safety and efficiency of air transportation	\$25,670
Ecuador: Civil aviation	25,740
Honduras: Consultation in civil aviation	113,264
Mexico: Training—air transportation	6,000
Nicaragua: Civil aviation project	12,046
Panama:	
Air transportation—maintenance of aeronautical communications and air navigation and radio aids equipment	10,000
Aviation consultant	24,500
Paraguay: Airport development	24,000
Uruguay: Air transport	8,200

OVERSEAS TERRITORIES	
British Guiana: Transportation—air traffic control training	2,500
Regional: Technical assistance in civil aviation—regional group in Panama	165,964

## Transportation, fiscal year 1956

FAR EAST	
Cambodia: Maintenance, repair, and rehabilitation airfields	\$180,000
China: CAA improvement	222,885
Indonesian Republic:	
Airport technician training	33,000
Training in meteorology	128,000
Japan: Civil aviation survey	4,000
Korea:	
Aviation specialist training	11,000
Civil aviation technical assistance	46,500
Philippines: Air navigational aids	219,000
Thailand:	
Aeronautical ground services improvement	335,000
Upper aids (air)	2,100
Meteorological service improvement	102,250
Thai airways improvement	72,999
Vietnam: Improvement and expansion of aeronautical ground facilities	520,937

## NEAR EAST AND SOUTH ASIA

Afghanistan:	
Air transportation development	14,560,000
1956 Haj assistance	240,000
Egypt: Transportation and communications—civil aviation	72,950
India:	
Expansion of aviation ground facilities	237,743
Technical assistance for civil air transport	33,500
Iran: Air navigational and meteorological equipment	606,900
Lebanon:	
Air navigation	38,400
Expansion of Beirut International Airport for jet air lines	470,000
Pakistan:	
Improvement and expansion of aviation ground facilities	1,903,700
Development of civil air transportation	878,688
Aircraft overhaul and maintenance facilities	261,955
Turkey:	
Airport equipment experts	18,000
Meteorology specialists	15,000
Airline operations training program	400,000
Civil aviation training program	76,000
Regional total:	
Regional civil aviation office	32,500
Air navigation facilities—VOR site selection equipment	17,700

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## Transportation, fiscal year 1956—Continued

AFRICA	
Ethiopia:	
Air transportation cooperative service	\$70,000
Civil aviation	35,555
National airlines training program	251,000
EUROPE	
Italy: Civil aeronautics mission	22,500
Spain:	
Civil aviation mission	103,510
Training of aeronautical technicians and supervisors	1,500
Training aeronautical technicians and supervisors	85,000
Civil aviation, fiscal year 1956	1,283,500

LATIN AMERICA	
Bolivia:	
Civil aviation mission	67,402
Electroplating plant for Instituto Aeronautico Nacional, Cochabamba, Bolivia	96,504
Brazil: Air navigation aids and air traffic control	463,500
Chile: Air transportation and civil aviation development	120,530
Colombia: Cooperative project in the construction and design of commercial airport for Colombia	61,300
Costa Rica:	
Improvement of safety and efficiency of air transportation	35,400
Aviation maintenance training center project	34,727
Cuba: Civil aviation project	8,000
Ecuador: Civil aviation	48,000
Guatemala: Civil aviation transport improvement	6,000
Honduras: Consultation in civil aviation	78,105
Nicaragua: Civil aviation project	31,140
Panama: Aviation consultant	26,200
Paraguay:	
Airport development project	62,600
Aviation repairs	2,500
Peru: Air transport—civil aeronautics	5,200
Uruguay: Transportation	7,500
OVERSEA TERRITORIES	
Surinam: Air transport (air transport control)	4,500

## Transportation, fiscal year 1957

FAR EAST	
China (Taiwan): CAA improvement	\$443,000
Japan:	
Japan Civil Aviation Bureau	188,000
Civil aviation survey	2,000
Korea: Civil aviation technical assistance program	231,000
Laos: Vientiane airport relocation	750,000
Thailand:	
Aeronautical ground services improvement	3,346,000
Airfield construction	400,000
Meteorological services improvement	249,000
Improvement Thai Airways	554,000
Aviation overhaul and maintenance facility	3,580,000
Vietnam: Improvement and expansion of aeronautical ground facilities	1,748,000
NEAR EAST AND SOUTH ASIA	
Afghanistan: Air transportation development	173,000
Ceylon: Aeronautical navigation aids	85,000
Egypt: Civil aviation	15,000
Greece: Installation of VOR equipment and training	13,000
India: Expansion of aviation ground facilities	119,000
Iran:	
Installation of air navigation and meteorological equipment	50,000

## Transportation, fiscal year 1957—Continued

NEAR EAST AND SOUTH ASIA	
Iran:	
Communications and workshop equipment for airport facilities	\$425,000
Lebanon:	
Air navigation	5,000
Expansion of Beirut International Airport for jet airlines	45,000
Pakistan:	
Improvement and expansion of aviation ground facilities	762,000
Development of civil air transportation	900,000
Turkey:	
Meteorology specialists	16,000
Airline operations training program	110,000
Airline operations training program	151,000
Civil aviation training program	
Regional: Regional Civil Aviation Office	27,000
AFRICA	
Ethiopia: Civil aviation advisory services	5,000
EUROPE	
Iceland:	
Occupational training—airport operation	26,000
Occupational training—Airport construction	32,000
Spain:	
Training of aeronautical technicians and supervisors	63,000
Civil aviation, fiscal year 1957	810,000

LATIN AMERICA	
Bolivia: Civil action	65,000
Brazil: Air navigation aids and air traffic control	156,000
Chile: Air transportation and civil aviation developments	119,000
Colombia: A cooperative project for technical assistance to civil aeronautics in Colombia	35,000
Costa Rica: Improvement of safety and efficiency of air transport project	43,000
Cuba: Civil aviation project	117,000
Ecuador: Civil aviation assistance	29,000
Honduras: Consultation in civil aviation	74,000
Nicaragua: Civil aviation	33,000
Panama: Aviation consultant	23,000
Peru: Civil aviation advisory services and training	17,000
Regional: Technical assistance in civil aviation regional group in Panama	157,000

## Transportation, fiscal year 1958

FAR EAST	
Burma: Civil aviation, airport development	\$474,000
Cambodia: Airfield survey and rehabilitation	430,000
China (Taiwan): Air transportation improvement	253,000
Japan: Japan Civil Aviation Bureau	278,000
Korea: Civil aviation technical assistance	365,000
Thailand:	
Aeronautical ground services improvement	419,000
Meteorological services improvement	46,000
Improvement Thai Airways	75,000
Vietnam: Improvement and expansion of aeronautical ground facilities	506,000
NEAR EAST AND SOUTH ASIA	
Afghanistan: Air transportation development	482,000
Ceylon:	
Aeronautical navigation aids	19,000
Colombo airport survey	6,000

## Transportation, fiscal year 1958—Continued

NEAR EAST AND SOUTH ASIA	
Greece: Installation of VOR equipment and training	\$40,000
India:	
Aviation ground facilities	202,000
India airlines	13,000
Iran: Civil aviation	107,000
Lebanon:	
Air navigation	25,000
Expansion of Beirut International Airport	46,000
Pakistan:	
Improvement and expansion of aviation ground facilities	93,000
Development of civil air transportation	798,000
Turkey:	
Meteorology specialists	2,000
Airline operations training program	775,000
Civil aviation training program	178,000
Regional total: Regional civil aviation adviser	22,000

## AFRICA

Ethiopia: National airlines training	80,000
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## EUROPE

Iceland:	
CAA air safety survey	3,000
CAA aircraft mechanics training	30,000
Occupational training—airport operation	20,000
Spain:	
Civil aviation mission	80,000
Training of aeronautical technicians and supervisors	69,000

## LATIN AMERICA

Argentina: Development of the National Bureau of Civil Aviation	85,000
Bolivia: Civil aviation	64,000
Brazil: Air navigation aids and air traffic control	189,000
Chile: Civil aviation	151,000
Colombia: A cooperative project for technical assistance to civil aeronautics in Colombia	61,000
Costa Rica: Improvement of safety and efficiency of air transport	20,000
Cuba: Civil aviation project	96,000
Dominican Republic: Civil aviation—airport management and operation	3,000
Ecuador: Civil aviation assistance	51,000
Honduras: Consultation in civil aviation	78,000
Nicaragua: Transportation—civil aviation	24,000
Panama: Aviation consultant	25,000
Paraguay: Civil aviation assistance division	74,000
Peru: Civil aviation advisory services	13,000

## OVERSEA TERRITORIES

British Guiana: VOR traffic control training	3,000
Regional total: Technical assistance in civil aviation, regional group, Panama	172,000

## Transportation, fiscal year 1959

## FAR EAST

China (Taiwan): Air transportation improvement	\$334,000
Korea: Civil aviation operations improvement	365,000
Japan: Japan Civil Aviation Bureau	288,000
Laos: Rehabilitation of Vientiane Airport	765,000
Thailand:	
Aeronautical ground services improvement	437,000
Meteorological services improvement	56,000
Vietnam: Improvement and expansion of aeronautical ground facilities	3,856,000

## Transportation, fiscal year 1959—Continued

NEAR EAST AND SOUTH ASIA	
Afghanistan: Air transportation development	\$11,546,000
Ceylon:	
Colombo airport survey	8,000
Airport development and administration	4,000
Greece: Air transportation advisory project	72,000
India: Expansion of aviation ground facilities	44,000
Iran: Civil aviation	117,000
Lebanon: Aeronautical facilities	1,310,000
Nepal: Aviation development	600,000
Pakistan:	
Improvement and expansion of aviation ground facilities	164,000
Development of civil air transportation	1,173,000
Turkey:	
Meteorology	30,000
Airline operations training	300,000
Civil aviation training program	238,000
United Arab Republic: Civil aviation development	66,000
Regional total: Regional civil aviation adviser (Pakistan)	30,000

## AFRICA

Ethiopia:	
Civil Aviation Administration	3,000
National airlines training	374,000
Liberia: Airport survey	6,000
Tunisia: Civil aviation improvement	17,000

## EUROPE

Iceland:	
CAA air safety survey	7,000
Occupational training—airport operations; loadmaster training	7,000
Spain: Air navigational aids improvement	178,000

## LATIN AMERICA

Argentina: Development of the National Bureau of Civil Aviation	200,000
Bolivia: Civil aviation	40,000
Brazil: Air navigation aids and air traffic control	165,000
Chile: Civil aviation	131,000

## Transportation, fiscal year 1960

## FAR EAST

Cambodia: Airfield survey and maintenance	\$16,000
Republic of China: Air transportation improvement	333,000
Indonesia: Air transportation operation and maintenance	653,000
Japan: Japan Civil Aviation Bureau	211,000
Korea:	
Civil aviation operations improvement	309,000
Civil aviation operations reobligation	334,000
Laos: Rehabilitation of Vientiane Airport	33,000
Thailand:	
Aeronautical ground services improvement	263,000
Meteorological services improvement	104,000
Aviation overhaul and maintenance facility	45,000
Vietnam: Improvement and expansion of aeronautical ground facilities	685,000

## NEAR EAST AND SOUTH ASIA

Afghanistan:	
Air transportation development	405,000
Air transportation reobligation	5,000
Ceylon:	
Aeronautical navigation aids	1,000
Airport development and administration	32,000

## Transportation, fiscal year 1960—Continued

NEAR EAST AND SOUTH ASIA	
Greece: Air transport advisory project	\$82,000
India: Expansion of aviation ground facilities	47,000
Iran: Civil aviation	162,000
Iran: Civil aviation reobligation	4,000
Lebanon: Aeronautical facilities	78,000
Nepal: Aviation development	103,000
Pakistan:	
Improvement and expansion of aviation facilities	169,000
Development of civil air transportation	50,000
Development of civil air transportation—reobligation	300,000
Turkey:	
Civil aviation	220,000
Civil aviation—reobligation	40,000
United Arab Republic: Civil aviation development, northern region	556,000

## CENTRAL TREATY ORGANIZATION

CENTO: Regional air navigation	2,000
Regional civil aviation adviser (Pakistan)	32,000

## AFRICA

Ethiopia: National airlines training	250,000
Liberia: Robertsfield modernization	1,877,000
Tunisia: Civil aviation improvement	16,000

## EUROPE

Spain: Air navigational aids improvement	148,000
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## LATIN AMERICA

Argentina: Development of the National Bureau of Civil Aviation	137,000
Bolivia: Civil aviation	29,000
Brazil: Air navigation aids and air traffic control	186,000
Chile: Civil aviation	157,000
Colombia: Civil aviation mission	90,000
Costa Rica: Improvement and safety	8,000
Cuba: Civil aviation project	64,000
Ecuador: Civil aviation	68,000
Honduras: Consultation in civil aviation	89,000
Nicaragua: Civil aviation	51,000
Panama: Aviation consultant	32,000
Paraguay: Airport development	14,000
Peru: Civil aviation advisory services	67,000
British Guiana: Civil aviation	14,000
Regional total, civil aviation (Panama)	195,000

## ASIAN ECONOMIC DEVELOPMENT FUND

SEATO (Southeast Asia Treaty Organization) meteorological communications survey	16,000
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Total 8,782,000

## Transportation, fiscal year 1961

## FAR EAST

Cambodia: Improvement of civil air transportation	\$24,000
Republic of China: Air transportation improvement	95,000
Indonesia: Air transportation operation and maintenance	143,000
Korea: Civil aviation operations improvement	179,000
Laos: Rehabilitation of Vientiane Airport	820,000
Thailand:	
Aeronautical ground services improvement	171,000
Meteorological services improvement	133,000
Aviation overhaul and maintenance facility	5,000



## Transportation, fiscal year 1961—Continued

FAR EAST	
Vietnam: Improvement and expansion of aeronautical ground facilities.....	\$563,000
NEAR EAST AND SOUTH ASIA	
Afghanistan: Air transportation development.....	477,000
Ceylon: Airport development and administration.....	36,000
Greece: Air transport advisory project.....	68,000
India: Expansion of aviation ground facilities.....	32,000
Iran: Civil aviation.....	137,000
Lebanon: Aeronautical facilities.....	100,000
Pakistan: Improvement and expansion of aviation ground facilities.....	175,000
Turkey: Civil aviation.....	237,000
United Arab Republic: Civil aviation development, southern region.....	311,000
Civil aviation development, northern region.....	254,000
Central Treaty Organization: CENTO regional air navigation.....	1,500,000
AFRICA	
Ethiopia: Transportation cooperative service.....	38,000
National airlines training.....	101,000
Liberia: Robertsfield modernization.....	34,000

## Transportation, fiscal year 1961—Continued

AFRICA	
Mali, Republic of: Civil aviation.....	\$6,000
Tunisia: Civil aviation improvement.....	18,000
LATIN AMERICA	
Argentina: Development of the National Bureau of Civil Aviation.....	226,000
Bolivia: Civil aviation.....	15,000
Brazil: Air navigation aids and air traffic control.....	190,000
Chile: Civil aviation.....	151,000
Colombia: Civil aviation technical assistance.....	84,000
Costa Rica: Civil aviation project.....	18,000
Cuba: Civil aviation project.....	12,000
Ecuador: Civil aviation.....	48,000
Honduras: Consultation in civil aviation.....	103,000
Nicaragua: Civil aviation.....	33,000
Panama: Aviation consultant.....	39,000
Peru: Civil aviation advisory services.....	50,000
West Indies: Airport runway extension, Antigua.....	218,000
British Guiana: Civil aviation.....	3,000
Regional: Civil aviation, Panama.....	169,000
EUROPE	
Spain: Air navigational aids improvement.....	112,000
Civil aviation.....	41,000
Total.....	7,137,000

## Loans for airports and airlines made by the Development Loan Fund August 1957—Nov. 3, 1961

[This agency is now administered by the Agency for International Development]

Country	Date	Amount	Interest
			Percent
Africa:			
Ethiopia.....	July 17, 1961	\$3,100,000	3½
Do.....	do.....	20,250,000	3½
Tunisia.....	Jan. 27, 1961	5,100,000	3½
Latin America:			
Chile.....	May 20, 1959	300,000	3½
Do.....	Dec. 7, 1960	10,500,000	3½
Do.....	June 21, 1961	3,200,000	3½
El Salvador.....	Aug. 1, 1961	1,600,000	3½
South Asia:			
Afghanistan.....		700,000	5½
Ceylon.....	Jan. 30, 1961	3,200,000	3½
Pakistan.....	Nov. 3, 1959	3,800,000	3½
Total.....		51,750,000	

## Loans for airports and airlines made by the World Bank

Country	Date	Amount	Interest
			Percent
Australia.....	1957	\$9,230,000	4½
India.....	1957	5,600,000	5½
Total.....		14,830,000	

Source: Annual Reports of the International Bank for Reconstruction and Development—The World Bank.

## Loans for airports and airlines made by the Export-Import Bank

Country	Purpose	Date	Interest	Amount
			Percent	
Ethiopia.....	Aircraft and aviation facilities.....	Sept. 19, 1955	5	\$24,700,000
Do.....	Jet aircraft and related spare parts (Boeing Airplane Co.).....	Sept. 8, 1960	5½	10,000,000
Government of the Union of South Africa.....	Aircraft, repair equipment, and related spare parts.....	Sept. 24, 1959	5½	9,000,000
India.....	Boeing jet aircraft (Boeing Airplane Co.).....	Sept. 8, 1960	5½	4,100,000
Do.....	Aircraft and spare parts (Boeing).....	June 8, 1961	5½	8,100,000
Indonesia.....	Aircraft and equipment.....	Nov. 30, 1960		6,023,000
Do.....	do.....	May 17, 1956		7,500,000
Do.....	Aircraft (Convair Division of General Dynamics Corp.).....	Nov. 22, 1957	5½	1,781,000
Do.....	Aircraft (Lockheed Aircraft Corp.).....	June 4, 1959	5½	5,000,000
Israel.....	Boeing jet aircraft (Boeing Airplane Co.).....	Sept. 2, 1960	5½	8,925,000
Japan.....	Aircraft and spare parts (Douglas Aircraft Co., Inc.).....	Nov. 21, 1956	5½	7,700,000
Do.....	Japan Air Lines (Aircraft and Aircraft Co., Inc.).....	Dec. 3, 1955	5½	17,186,000
Do.....	Japan Air Lines, aircraft and related spare parts and equipment (General Dynamics Corp.).....	Apr. 13, 1961	5½	9,585,665
Pakistan.....	Japan Air Lines, aircraft and related spare parts and equipment (Douglas Aircraft).....	do.....	5½	4,399,000
Do.....	Aircraft and spare parts (Lockheed Aircraft Corp.).....	Oct. 9, 1957	5½	2,828,000
Do.....	Aircraft and spare parts (Curtiss-Wright Corp.).....	do.....	5½	458,500
Philippines.....	Enlargement of Manila International Airport.....	Jan. 26, 1961	5½	5,000,000
Belgium.....	Boeing Aircraft—SABENA.....	Oct. 22, 1959	5½	11,200,000
France.....	Jet aircraft (Boeing and United Aircraft).....	Sept. 12, 1957	5½	46,000,000
Do.....	Aircraft (Douglas Aircraft Co., Inc.).....	Feb. 11, 1960	5½	4,714,285
Do.....	Jet aircraft (Douglas Aircraft Co., Inc.).....	Nov. 3, 1958	5½	4,671,000
Italy.....	Jet aircraft frames and related spare parts (Douglas Aircraft Co., Inc., and Link Aviation, Inc.).....	Oct. 16, 1958	5½	13,690,000
Spain.....	Aircraft and equipment (Douglas Aircraft Co.).....	Jan. 26, 1961	5½	6,400,000
Brazil.....	Aircraft and spare parts (Douglas Aircraft Co.).....	Mar. 24, 1960	5½	12,450,000
Do.....	do.....	Nov. 15, 1956	5½	6,900,000
Do.....	do.....	May 31, 1957	5½	541,000
Do.....	Jet aircraft and spare parts (Douglas Aircraft).....	Oct. 6, 1960	5½	13,840,000
Do.....	Jet aircraft and related spare parts and support equipment (General Dynamics Corp.).....	Feb. 16, 1961	5½	10,950,000
Colombia.....	Aircraft and related spare parts and equipment (Boeing Airplane Co.).....	Jan. 19, 1961	5½	8,160,000
Costa Rica.....	Aircraft and spare parts (General Dynamics Corp.).....	Nov. 26, 1954	5½	675,000
Ecuador.....	Turboprop plane (Fairchild Engine & Airplane Corp.).....	Apr. 23, 1959		216,000
Do.....	Airplanes and complement parts (M. & M. Exporting Co.).....	Sept. 23, 1960	6	47,500
Do.....	Snow airplane with attachment (M. & M. Exporting Co.).....	do.....	6	9,500
Do.....	Piper airplanes and accessories (M. & M. Exporting Co.).....	do.....	6	29,000
El Salvador.....	Improvement of Ilopango International Airport at San Salvador.....	June 1, 1961	5½	2,650,000
Peru.....	Aircraft and photographic equipment.....	June 30, 1960	5½	586,952
Venezuela.....	Aircraft (Fairchild Engine & Airplane Corp.).....	May 16, 1957	5½	1,112,000
Australia.....	Aircraft and modifications (Boeing Airplane Co.).....	June 9, 1960	5½	23,307,000
Do.....	Aircraft (Cessna Aircraft Co.).....	June 29, 1960		235,000
Total.....				298,668,403

Source: Report to the Congress by Eximbank for the 12 months ending June 30, 1961.

FAIRBANKS, ALASKA,  
March 26, 1962.HON. ERNEST GRUENING,  
U.S. Senator for Alaska,  
U.S. Senate Office Building,  
Washington, D.C.

DEAR SENATOR: I concur 100 percent with your press release of March 22 with reference to the possible destruction of the Alaska air system. During my term in Washington,

D.C., as an attorney for the Antitrust Division, I specialized in the airline industry. During this period, a considerable period of time was spent with the Celler committee on the study of the airline industry and with the CAB on our preparation of the Pan American-Grace antitrust case.

As an attorney familiar with the domestic and international airline picture, I can see no justification why the Alaska people and

Pan American World Airways should be punished for Pan American's efficient operation and for its contribution to Alaska.

The enclosed copy of a letter to the Washington, D.C., aviation editor of the Newsweek magazine is for your general information.

With kind personal regards.

Sincerely,

JOSEPH H. SHORTELL, Jr.

FAIRBANKS, ALASKA,  
March 26, 1962.

HENRY T. SIMMONS, Esq.  
Aviation Editor, *Newsweek Magazine*,  
Washington, D.C.

DEAR HENRY: Knowing your interest in the Alaskan aviation field, I thought you would be interested in the enclosed articles from the Fairbanks Daily News Miner which give a detailed account of the airline route structure problem here in Alaska.

As you know, I worked over 4 years on the Pan American-Grace antitrust case and am familiar with the international and domestic airline industry. Since coming to Alaska in 1959, I have made a firsthand study of the Alaskan airline picture and can honestly state that if subsidy-free Pan American is forced to leave Alaska due to its efficient operation, we might as well return to the dogsled and steamboat.

I plan to be in Washington next summer and expect to see you and Jan at that time.

With kind personal regards.

Sincerely,

JOSEPH H. SHORTELL, Jr.

### THE PERFORMING ARTS

MR. JAVITS. Mr. President, the need for congressional action along the lines of my proposed U.S. Arts Foundation has been evident for some time in the effort to encourage and develop our Nation's resources in the performing and visual arts. This is a part of our national cultural heritage which is faced by the dilemma of rapidly rising costs at a time of increasing demands. Its existence is threatened in some instances by these factors in spite of seemingly outward prosperity. The specter of Federal control has been raised by some who oppose assistance, but there is no more reason to assume a danger in this respect than in any other part of our economy. Others have insisted that financial assistance is not necessary, saying this in the face of successful aid programs to the arts by functioning State councils in New York and elsewhere. A banker's study of the needs of our cultural operations convincingly demonstrates why Federal aid is necessary.

I ask unanimous consent to have printed in the Record the analytical study entitled "S.R.O. and S O S: The Performing Arts Paradox," which was prepared by Lawrence C. Murdock, Jr., and others in the Department of Research of the Federal Reserve Bank of Philadelphia, and published in its Business Review, March 1962.

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

#### S.R.O. AND S O S: THE PERFORMING ARTS PARADOX

A bald Romeo and a fat Juliet in a neighborhood playhouse. The latest soprano sensation at the Met. A banker who plays oboe in an amateur symphony. A Broadway star. The Secretary of Labor.

This unlikely cast is playing a leading part in the present boom in the performing arts.<sup>1</sup>

<sup>1</sup> The term "performing arts" is a general one. Conceivably it could include anything from an Indian rain dance to the hill-billy band to a how-to-reduce TV program. In order to make the subject manageable, we have had to make an arbitrary definition. In this article, we limit our discussion of the

It's a broad-based thing, this boom. It includes professionals and amateurs, people from all walks of life, all social classes, and all income levels. And even the Government is getting in the act.

The boom has considerable economic significance. Spending for admissions to the performing arts now amounts to about \$400 million a year—double the figure of a decade ago. But it's an unusual sort of boom.

The present wide popularity of the performing arts is unprecedented in America. Until recently, many forms of the arts were the property of an elite few. The average man long considered opera, ballet, and serious music to be "sissy stuff." He was satisfied with an occasional minstrel or vaudeville show.

This is one boom that seems to be creating as many problems as it is solving, however. In spite of the great increases in public interest and enthusiasm, in spite of S.R.O. (standing room only) crowds, the performing arts are in trouble. That's why the S O S for Government aid has never been louder.

In many ways the performing arts industry is unique. Yet, in other ways its problems are those of all industries. Perhaps the solution other industries have used when faced by similar problems may be applicable to the performing arts.

#### THE TWO MASKS

The theater is often represented by two masks—one smiling, one sad. These masks might portray the present situation in the entire performing arts industry for there is a bright side and a sad side.

Statistics on the performing arts are, for the most part, fragmentary and based on estimates.

We use them here to give a rough idea of the dimensions of the boom.

Spending for admissions to live performances of the arts humped after the war, then ran fairly level until 1952. After that it got wings. This recent growth was considerably faster than the increases in personal income, total expenditures for recreation, spending for admissions to sporting events, and movie receipts. In other words, the performing arts did better than their direct competition.

There are now some 5,000 community theaters—more than all radio and television stations. In addition, an estimated 5,000 college groups, 15,000 clubs and church groups, and untold high schools put on theatrical productions. In New York, the number of off-Broadway theaters has grown to 32 from a mere handful a few years ago.

The number of community symphony orchestras has doubled since 1952. At present, there are about 1,200 orchestras which collectively give an average of 20 concerts a day. Last year, about 11 million people attended symphony concerts.

In 1950 there were about 200 opera-producing groups. Today the number has swelled to almost 800. In the 1960-61 season, the Metropolitan Opera played to 96 percent of capacity. Philadelphia's Lyric and Grand Operas also enjoyed full houses, and the story was repeated in many other cities.

Tent theaters and summer stock companies also are doing very well. There are now 26 music tents, most of which first spread their canvas during the last 10 years.

Today, 125 regional ballet groups are in operation compared with only 70 as recently as 1958. Chamber music is so popular that one agency specializing in booking just these small groups grosses a reported \$100,000 a year.

This new interest in the arts has many causes. The great postwar increases in in-

performing arts to live performances, both professional and amateur, of the theater, opera, ballet, and serious music.

come and leisure are important. So is the growth in college enrollment and, lately, the trend away from specialization in education.

Students are getting more exposure to the performing arts in public and private schools. The number of courses and clubs has expanded. In addition, certain organizations are helping to bring culture into the schools. Young Audiences, Inc., for example, presented chamber music concerts for 100,000 Philadelphia area schoolchildren in 1961.

Hi-fi and stereo have helped cultivate tastes for serious music and have created the desire to hear live performances. This is similar to the effect that television had on pro football. Television creates many new fans who soon begin coming out to stadiums.

Widespread travel abroad, starting with the GI's during World War II, and continuing to the present day, has introduced many to the performing arts. No doubt some people attend performances as something of a status symbol. Perhaps they have taken to quietly boasting "we saw 'Swan Lake' last night," now that they have rid themselves of their my-car-is-bigger-than-yours psychosis. In short, the boom in the arts is woven deep into the fabric of midcentury American life.

But all is not well in the performing arts industry. Its silver cloud seems to have a leaden lining. Performances begin with P and that rhymes with T and that stands for trouble, as the song from "The Music Man" might go. For example: three quarters of all Broadway productions were flops between 1954 and 1960. Add up all the profits and all the losses during that period and Broadway was in the hole for about \$500,000.

The number of Broadway productions declined from 70 in the 1949 season to 59 in 1959. And there hasn't been a new theater built on the Great White Way in 30 years. Road performances of Broadway shows are down about 30 percent since 1949.

The Metropolitan Opera had a deficit of \$840,000 last year. Ticket sales of all symphony orchestras cover only about half of their total expenses of \$30 million. The Philadelphia Orchestra had \$65,000 to make up in 1961. Our domestic ballet also is chronically in the red.

#### PROFITLESS PROSPERITY

How can an industry be doing so well on the one hand and so poorly on the other? Some of the answer becomes evident when you separate the performing arts into their amateur and professional segments. The part-time players, the week-end Walküres have accounted for much of the industry's growth—and for much of its increase in receipts.

Not that the amateur productions don't have their financial troubles. They do. But the real problems in the industry are in the professional sector.

This has great significance, for the professional sector is the "creative core" of the performing arts. Amateurs draw on the professionals for material, inspiration, and guidance. The people who pay to see amateur plays don't want experiments, so the community theater groups usually rely on tried-and-true Broadway scripts. Much the same could be said for the other performing arts.

Since the professional core is the creative fountainhead and since that's where much of the financial trouble is located, we shall focus our analysis there.

#### THE COSTS OF RAISING A CURTAIN

The financial problem of the professional performing arts is not primarily lack of attendance. The real problem is costs. Production costs have skyrocketed to the point where even full houses sometimes don't bring in enough to meet expenses.



## Costs on Broadway

Year	Show	Capitalization
1939	Dramas:	
1943	Life With Father.....	\$25,000
1948	Voice of the Turtle.....	20,000
1959	Mr. Roberts.....	100,000
1960	Miracle Worker.....	125,000
1960	Advise and Consent.....	150,000
1949	Musicals:	
1950	South Pacific.....	225,000
1956	Gentlemen Prefer Blondes.....	160,000
1959	My Fair Lady.....	400,000
1960	The Sound of Music.....	485,000
1960	Camelot.....	600,000

Most professional theaters are located in high-rent areas and reflect the general increase in center-city rents. This saddles a production with considerable overhead from the start.

Labor, however, is the principal cost item in the performing arts. This is true in many industries, but labor costs are particularly important to the arts for two reasons.

First, unlike many other industries, the performing arts can't automate to offset rising wages. You wouldn't pay to watch a computer sing an aria or recite Shakespeare. There have been a few mechanical improvements backstage but they have had a negligible effect.

Second, labor in the professional performing arts industry is highly organized. Almost everybody, from actors to janitors, from musicians to curtain pullers, belongs to a union or guild.

Partly because of this, wages per performance have been raised to a high level. It's understandable that they should be, for employment is usually intermittent.

Another cost inflator is the fact that performers and stagehands must be paid for rehearsal time when they are producing no revenue. And we have heard that the performing arts have their share of featherbedding and make-work practices.

## HOW PERFORMANCES ARE FINANCED

Economists tell us that private capital is attracted to the most profitable uses. If so, how do the performing arts raise the money necessary to produce shows and concerts? No sector of these arts have managed to show a profit over the past decade as a whole.

The answer is that productions are motivated by other things beside monetary reward. At the risk of oversimplification, one could arrange these motives on a scale: at one end would be pure profit; at the other pure public service, the desire to promulgate culture.

The professional theater would fall on the profit side of center. People invest in the theater for the excitement and the personal associations, to be sure, but the primary reason usually is to make money. There is always the chance of finding a big hit and getting back several times one's original investment.

Theatrical productions are usually financed on a limited-partnership basis.<sup>2</sup> The producer endeavors to induce investors to put up the sum necessary to produce the show. If and when profits start coming in, they all go to the investors until their original investment is paid back. Thereafter, the investors split profits 50-50 with the producer.

<sup>2</sup> There are exceptions. Sometimes one backer will finance a whole show as the Columbia Broadcasting System did with "My Fair Lady." Tent or repertory theaters make other financial arrangements. For example, Music Fair, the outfit with several tents in the Philadelphia suburbs and elsewhere, has just sold stock to the public.

The odds against an investor breaking even are about 4 to 1.

Opera, ballet, and serious music would be nearer the public service end of the scale. They would be delighted to make a profit but in most cases they don't really expect one. Ticket sales very rarely cover total costs.

As a result, opera, ballet, and serious music must rely on donations and contributions to make ends meet. This money comes from several sources. Individuals are most important—people, rich and not-so-rich, who have a special interest in a particular art form and want to see it continue. This traditional source of support is drying up, some say. Certainly, it doesn't seem sufficient to maintain the arts on a scale large enough to meet the present expanded demand.

Corporations are donating increasing sums to the performing arts and so are foundations. The Ford Foundation, among others, has been particularly generous in this respect.

Certain State and local governments also have become patrons of the performing arts. The city of Philadelphia, for example, finances in part a series of free summer concerts in Robin Hood Dell, a vast outdoor amphitheater in Fairmount Park.

## WHY NOT RAISE TICKET PRICES?

When the cost of producing any product rises, one common solution is to raise the price of that product. So why don't they raise the price of admission to the performing arts—raise it enough to cover costs?

The answer depends in some measure on what ticket buyers would do. In other words, it depends on the nature of demand. Higher prices probably would discourage some potential purchasers, but that's not the real point. One has to look at total revenue.

Suppose a theater is selling 1,000 tickets at \$5 apiece. Total revenue equals \$5,000. Now let's say it raises prices to \$7. If this discouraged 200 people from attending, total revenue would actually be higher (800 times \$7 equals \$5,600). If 300 customers were lost, however, total revenue would be less than before (700 times \$7 equals \$4,900).

Put another way, how much prices can be raised, if at all, depends on how sensitive demand is to price. This can be determined to some extent by market research and other means. As far as we know, the necessary surveys have not yet been made. Some speculation on the subject, however, might be illuminating.

Certain authorities say that higher ticket prices would not choke off a significant amount of demand. They point to the great increases in interest in the performing arts. Many productions are selling out at present prices. The practice of "scalping" tickets also seems to indicate a reservoir of demand at higher prices. For example, tickets to the hit, "How To Succeed in Business Without Really Trying," have brought many times their box office price on the black market.

Businesses buy large numbers of theater tickets. The idea is to entertain customers and visiting firemen. Since such purchases are a tax-deductible expense, it is not likely that this demand would be seriously reduced in the face of moderately rising prices.

Attending the performing arts is an occasion for most people. It is often planned well in advance; it's not a "what'll we do tonight?" kind of thing. As a result, price may not always be the dominant factor in the demand for tickets.

Add the great postwar rise in discretionary income to the above-mentioned factors and many experts are led to believe that overall demand is strong enough so that ticket prices generally could be raised without reducing total revenue.

But there are definite limits. Ticket prices are already high. Prime prices on Broadway have risen faster than the cost-of-living index in recent years. Consider also that attending a performance is a luxury—you don't have to do it.

One also must remember that many productions are motivated in part by the desire to make culture available to the largest number of people. If higher ticket prices discouraged any demand at all, it would be contrary to this important goal.

At any rate, it is highly improbable that prices could be raised enough to cover costs completely. Higher ticket prices might ameliorate but won't solve the financial problem of the professional performing arts.

Is assistance from the Federal Government the only answer? Perhaps a bit of history will shed light on the question.

## FROM COTTON MATTER TO RUDOLPH BING

The performing arts were virtually nonexistent in early colonial America. The settlers were scattered on small farms hewn out of the forest primeval. Life was hard and people worked the sun around and tumbled into bed.

Puritanism was strong in the northern colonies and its leaders considered all entertainment to be sinful. "Brown bread and the gospel" was their sustenance.

As cities began to grow and a leisure class developed, a few scattered theatrical companies were formed. One of the first was in Philadelphia in 1749. A play called "Cato" was put on and the actors were promptly arrested and admonished to give up the undertaking. They moved to New York and found the climate more hospitable. This may have been how the tradition of trying out plays in Philadelphia prior to Broadway was first established.

By the beginning of the 19th century, the American theater was still in rudimentary form. There were, at that time, about 10 theaters and 100 professional actors in the entire country.

The history of serious music in America does not even begin until the 19th century. The first grand opera was presented in 1825; the first permanent symphony orchestra was established in 1842.

Only after the Civil War did the performing arts begin to flower. The country was rapidly becoming industrialized. The smoking factories and railroads spawned a new American aristocracy—the captains of commerce, the "moguls," as Steward Holbrook calls them. The moguls had vast fortunes and plenty of leisure.

Perhaps in an attempt to emulate the noblemen of Europe, the new American aristocracy—or their wives—developed appetites for the arts. But the legitimate theater and good music were virtually unavailable in America.

When a country wants something it doesn't produce, it generally imports and so European performers were brought over to entertain the American moneyed class. But when a country relies on imports, there is often little opportunity for domestic production to develop. As the salons of Newport and New York acquired a fetish for foreigners, native Americans found little encouragement to become serious performers. This further reduced the availability of the arts to the general public. The average American who knew nothing of good theater and serious music now became suspicious of them. Such entertainment was considered longhair stuff put on for rich women by hand-kissing foreigners.

But the average American rapidly was gaining more income and more leisure. Crowded in a city, he needed something to do. He patronized minstrel shows and melodramas, for the most part.

In the 1890's two new forms of entertainment gained wide popularity—vaudeville and burlesque. During the next 25 years, hundreds of companies toured the country bringing entertainment to audiences starved for the sight of "anything that didn't moo or cluck."

Vaudeville hit its peak in the period just before World War I. The Palace with headliners like George M. Cohan was selling out at \$2 a ticket. On Broadway, the operettas of Victor Herbert were popular.

After the turn of the century some signs of a widening popular interest in serious music appeared. The development of the Victrola was a contributing factor. The Philadelphia Orchestra was founded in 1900 and enjoyed considerable acclaim. Opera stars such as Enrico Caruso and John McCormack drew large audiences on American tours. But serious music still was pretty much the province of the upper crust.

In the 1920's, musicals such as Jerome Kern's "Showboat" became the rage of Broadway. People began taking a real interest in the amateur theater for the first time. The movies hurt vaudeville and many theaters combined both live and film productions. Burlesque "invented" the striptease in 1925 and enjoyed considerable success during the remainder of the decade.

In the 1930's, all the performing arts were crippled by the depression and by talking movies. Nevertheless, a number of important Broadway shows appeared—notably the Gershwin musicals. At the peak of its short life, the WPA theater project employed 10,000 performers. It was a potent force in bringing culture to towns of modest size that previously had enjoyed nothing more than vaudeville. The project sowed some of the seeds of the present nationwide boom in the performing arts.

As war clouds gathered in Europe, many talented performers migrated permanently to the United States. They helped to raise the quality of serious music and opera, and to make it available to wider audiences.

The performing arts sagged a bit during World War II as audiences and performers alike found more important things to do. One of the most successful musicals of all time—"Oklahoma"—was staged in 1943, however.

After hostilities ended, a new interest in the arts was evident. So began the broad postwar boom the contours of which we already have sketched.

The principal purpose of this excursion into history is to show how the performing arts developed as privately sponsored institutions in America. We had no kings, no noblemen, no imperial courts, no dominant Catholic church to patronize the arts and establish the tradition of central support. But we did have Puritan inhibitions and the rigors of frontier life. As a result, the higher forms of the performing arts were molasses-slow to develop in America. When they finally did emerge, they were supported by a relatively few rich individuals for their own personal pleasure. Such a situation denied many of the arts to the general public and, in fact, made the public a bit hostile to the arts.

Since our Government is guided by the vote of the majority, this hostility helped to rule out Federal Government support for many years. But today the attitude of the public has changed. The arts belong to everyone. The political climate is now more favorable for Federal Government support on a permanent basis than ever before.

#### THE "ANGEL" IN WASHINGTON

Last fall Secretary of Labor Goldberg brought to a head the question of Federal aid to the arts. While publishing his findings on the Metropolitan Opera wage dispute, he issued a general statement on the status of the performing arts.

Secretary Goldberg said that the "American artistic scene today is alive and vibrant." He continued, "At the same time some of the foremost institutions of American culture are in grave difficulty. The individual benefactors and patrons just aren't there as they once were."

The Secretary made a number of suggestions. Prominent among them was the recommendation of Federal grants to the arts. He proposed appropriations to the States, which would put up similar amounts.

The Secretary is not alone in recommending Federal Government assistance to the arts. About 20 bills providing aid of one sort or another have been introduced in Congress. Many prominent private citizens also have gone on record in favor of assistance.

The principal proposals now being discussed could be arranged into three general groups.

1. Tax changes: For example, the following has been recommended: elimination of the 10 percent tax on theater admissions; increased income tax deductions for private contributions to the arts; special tax advantages for artists themselves.

2. Advisory Council: Such a group would be created to study the problems of the arts and to advise Congress and the administration on ways to promote the arts.

3. Grants: Federal money could be given to the States which would match the amount and use the total "to encourage and stimulate" the arts. Another suggestion is a direct Federal subsidy to promote live performances where they are not now available.

#### ARGUMENTS FOR THE AFFIRMATIVE

Those who favor Federal aid to the performing arts point to the financial need. They mention the high costs and the fact that ticket revenues often do not cover expenses.

The arts cannot continue to rely on individual benefactors, the advocates of aid maintain. "As we become more and more a cultural democracy," Secretary Goldberg says, "it becomes less and less appropriate for our major cultural institutions to depend more and more on the generosity of a very few of the very wealthy."

Once the need for aid has been established, the advocates often go on to explain the importance of the arts themselves. The performing arts are a fundamental part of a nation and its culture. They are a gage of civilization, a vital means of self-expression. They promote better understanding of life, past and present.

The necessity to make performances pay and to woo private patrons reduces creativity and innovation, it is maintained. When a producer has to appeal to the widest possible audience, he often must sacrifice quality for quantity.

The arts are an important natural resource, people say. It is just as important for the Government to take steps to conserve the arts as it is to conserve any other natural resource.

Along the same lines, it is often pointed out that the principle of Federal subsidy is well established. Many other industries get special treatment of one sort or another. Oil, airlines, shipping, electric power, and farming are but a few examples.

In almost all other highly developed countries the state contributes to the support of the arts. It happens in England, Germany, France, Italy, Austria, Russia, and many more. Why can't it happen here?

A country is judged abroad by the quality of its arts. Thus, the maintenance of high-quality performing arts could be an asset in the cold war. Do we want the uncommitted nations to judge us entirely by our crooners and the twist?

Another argument that is often advanced in favor of support is the fact that our Government is already subsidizing perform-

ing arts in other countries. The State Department frequently sponsors tours of foreign countries by American artists ranging from a "Porgy and Bess" company to Dizzy Gillespie and his bebop band. In addition, foreign-aid funds have been used to help build and support theaters and opera houses abroad.

Finally, it is pointed out that Federal assistance of the arts would not be costly. Elimination of the theater tax, for example, would reduce total Federal revenue by only .0007 percent. Grants to individual States would be measured in thousands of dollars. The program to bring the arts to outlying sections of the country is estimated to cost about \$10 million a year—half the cost of a jet bomber.

In fact, the grants need not cost the Government a penny. It has been suggested that they be financed by a new tax, say on television. The justification is that TV relies on performers that have been developed on the live stage.

#### FOR THE NEGATIVE

Opponents of Federal aid to the arts also can marshal important arguments. Perhaps the most mentioned point is that Government dollars often have strings attached. When the Government doles out money, it naturally wants some influence over how that money is spent. Such influence could range anywhere from mere "Philistine kibitzing" to outright control. In any case, it could well impinge on creative freedom.

It is argued that Government aid would not go to those with the greatest need but to those with the most political power. For instance, the major symphony orchestras might get a lion's share of aid although their need is not so great as that of the minor symphony orchestras. The average salary of a musician in the Philadelphia Orchestra is about \$8,000 a year; in the New Orleans Symphony it is about \$2,000. Musicians' incomes, of course, are often supplemented by teaching and other means.

Another fear is that Government aid would support a great number of marginal talents—people who, without Federal largesse, would be butchers, bakers, and candlestick makers. These marginal "hangers on" would reduce the quality of the American arts.

An increasing number of people oppose the extension of Federal Government activities on general principles. The arts are a local matter, they say, and if Government support is necessary it should come from the States and municipalities.

"Let the free enterprise system rule the arts," others say. In a democracy, the people themselves should decide the type of performance they will get. Those enterprises that can cover their costs—by ticket sales and private gifts—will survive and those that can't will disappear. It isn't fair to take money from all the people and use it to support an art form that only a relatively few are interested in.

This argument goes on to question the right of any individual or group to determine what American culture will be. Certainly, no Government official should say that we should have operas, ballets, and symphonies when the people aren't willing to pay enough to cover the costs of production. Besides, it is argued, operas, ballets, and symphonies are essentially old-fashioned, European art forms.

We in America have developed our own original art forms which are more suited to American tastes and which are self-supporting. In the musical play (comedy is no longer the applicable word), we have taken opera, ballet, and drama and modernized them into a unique and popular form of entertainment. Dixieland jazz is another native American art form, which has survived the test of the marketplace. The same



could be said for our folk songs, modern jazz, and many forms of the drama.

If enough people want grand opera and are willing to pay for it, we'll have grand opera, antiaid groups point out. Otherwise we won't. If people would rather have Benny Goodman or "West Side Story," that's what they will get. Who but the people who buy tickets should say one art form is more cultural or better for the Nation than any other?

#### CONCLUSION

The performing arts differ in many ways from other industries—the strength of the profit motive is just one example. Nevertheless, all private enterprises, the arts included, must face up to the same hard facts of financial life. They must cover their costs in one way or another if they are to survive. It is possible that some of the things other industries have done about high and rising costs might be applicable to the performing arts.

**Capital spending:** Many firms today are modernizing their plant and equipment. It is often expensive but it can pay off in increased efficiency which in turn may lead to lower unit costs.

**Many theaters and concert halls are old and antiquated.** Broadway is still using theaters built over 50 years ago. In addition, many theaters are small which severely limits their potential income. Perhaps new and larger theaters would lessen the problem of rising costs. There are many new and revolutionary designs which might be successful.

**A number of cities are planning and building new stadiums for sports and it now is feasible to cover them with a dome.** Why not consider designing new stadia to accommodate concerts and other performances as well as football and baseball? The dome would permit year-round use and electronics might solve many acoustical problems.

**Research and development:** American industry is spending huge sums on research to develop new products and processes. Perhaps the performing arts could promote innovation in some organized way. Maybe creative people could be encouraged and subsidized by the industry itself—through special schools, grants, or other means.

**Maybe the performing arts product could be changed to appeal to more people—operas in English, more concerts of semipopular music, more action on the stage.** Walter Kerr, the dramatic critic, says we have "consciously and deliberately created for ourselves an unpopular theater." The theater has recently been emphasizing characterization and social protest at the expense of plot, movement, and excitement. Perhaps a change in the Broadway bill of fare would attract more customers.

**Market surveys:** New products often are tested on a panel of "typical consumers" before being sold. It helps manufacturers screen out the "flops" before large marketing expenditures have been made. Is it possible to test new scripts and ideas on a selected panel of theater-goers? It certainly would not be an infallible guide but it might provide a hint of real audience reaction without the expenses of actual production.

**Perhaps the performing arts could learn more about the general demand for their products in a scientific manner.** Maybe the sensitivity of demand to price increases could be probed. Trade associations are suitable agencies to sponsor such work.

**Following customers:** Several mainstream population movements have taken place in the past several decades. One is the "explosion" from city to suburb, another is the movement from the Northeast section of the country to the Southwest and West. Both are away from the professional cores of the performing arts.

**Retailers and other businesses have profitably followed these movements.** Perhaps the performing arts could, too. Possibly year-

round theaters would be successful in the suburbs. The "tents" have already proved the idea works for summer musicals. More road companies could tap the now nationwide demand for professional performances if expenses were controlled. Perhaps additional permanent companies could be successful in regional centers now that such areas are accounting for an increasing share of the nation's business and commerce.

One of the most immediate needs in the performing arts is for better statistics—particularly financial statistics. At present, there is little information available to support thorough analysis. We are happy to report, however, that two important studies now are underway of the theater, and for the theater. They may yield information that will help add profit to the prosperity in the performing arts.

#### THE INTERNATIONAL BALANCE OF IDEAS

In the 19th century and the first part of the 20th, America was an importer of culture. We relied on foreigners for much of our music, drama, and art.

During the same period, America was a net exporter of technology. Many of the world's great inventions originated here. According to the Encyclopedia Americana the airplane, cotton gin, gasoline engine, steamboat, reaper, harvester and thresher, sewing machine, submarine, telephone, telegraph, phonograph, electric locomotive, tractor, typewriter, vulcanized rubber, motion pictures, and linotype all were invented in the United States prior to 1910.

Then, after World War I, the flow of ideas seemed to change. It became more of an interchange, a two-way thing. Our scientists continued to make important discoveries but many recent inventions were made abroad and brought to America for refinement and development. Insulin came from Canada, atomic fission from Austria and Germany, jet propulsion from England and Germany. Sulfur drugs were first discovered in Germany; radar in England, color photography in France, sonar in England, modern plastics in England and Germany, television in England, modern rockets in Germany, earth satellites in Russia, and penicillin in England.

On the other hand, we lately have been exporting culture as well as importing it. American movies are popular all over the world. American tunes lead the hit parades of Europe. Foreigners have eagerly adopted our jazz, our swing, our rock 'n' roll, our dance crazes, and even our striptease. Our own musicians and singers such as Leon-tyne Price, Van Cliburn, Louis Armstrong, and Leonard Bernstein are welcomed all over the world. Even Russia has accorded ovations to American performers.

#### SCIENTIFIC INFORMATION

**Mr. JAVITS.** Mr. President, recent hearings on the revolutionary potentialities of a space satellite communications system have raised almost as many questions about the information available from research as they have answered. The vast scientific research programs undertaken by our Government as well as by foreign governments, including the Soviet Union, have resulted in a flood of scientific literature in several languages, too vast for even specialists in a particular field of research to keep up with. Steps to cope with this huge problem are urgently needed if we are to avoid costly duplication in research and experimentation and to direct our programs with efficiency and dispatch. Among recommendations that have been made is the establishment of a central

clearinghouse and a library system, as well as other aids; that would enable our scientists to get quickly all the available literature in the research they are doing.

A cogent discussion of this problem with examples that demonstrate what easily available information could mean to our research workers is provided by Herschel Clesner, assistant counsel of the Subcommittee on Patents, Trademarks, and Copyrights of the Senate Judiciary Committee.

I ask unanimous consent to have printed in the RECORD his address, entitled "Soviet Space Communications Expectations," before the Patent Law Association in Rochester, N.Y., February 26, 1962.

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

#### SOVIET SPACE COMMUNICATIONS EXPECTATIONS (Address by Herschel Clesner)

##### I. INTRODUCTION

The following remarks are my personal views and should not be attributed to the Subcommittee on Patents, Trademarks, and Copyrights, and the Congress.

It is my privilege to address the members of the Rochester Patent Law Association. Rochester patent practitioners have participated in and contributed to the growth of American technology. You have had the opportunity to witness the growth of the automobile, chemical, radio, telecommunications, electronics and instrumentation industries, optical technology, the development of the camera, dental equipment, and a revolution in the printing industry. Rochester has proven that it possesses the tools and the brains to capture not only domestic trade, but also world trade. Our competitive industrial system as found here in Rochester has spurred new methods, new ideas and imaginative applications of their use. Innovations and inventions which have originated in this area have aided this Nation materially in its rise to world leadership. However, our position of world leadership will not be maintained unless we purge ourselves of attitudes which place a high value on slogans, and the Dale Carnegie and Madison Avenue touch and a diminishing value on knowledge and innovation.

Today this Nation must face and meet the thrust of foreign trade competition. Fine words and a mere understanding of the problems will not suffice to meet this bread and butter competition. Knowledge, know-how, know-how, and innovation are necessary tools that are needed to overcome the challenge. We are involved, also, in a race for supremacy with the U.S.S.R.—a global cold war for survival. This war for survival involves ideologies, scientific and technical leadership, economic dominance and weapons plus counterweapons superiority. Our basic freedoms and standard of living are at stake. Yet, the prevailing complacency of our society is a very grave danger to our effort in these survival struggles.

We must learn to work hard again to accomplish necessary objectives such as increasing our labor productivity and greater industrial efficiency. A catalyst is needed to reignite the American zeal for work, exploration in the unknown, mechanic arts and practical education. The educational advantages over the rest of the world which fostered our dynamic technology and industrial advance must be reestablished rather than ignored. To state, rephrase or even merely understand a problem is not enough for we must educate to dig for the know-why of problems in order to develop know-how. For the outcome of our competitive struggle depends on the ability of

our scientific and engineering facilities to develop and utilize tools of knowledge to create breakthroughs.

To quote one of our greatest philosophers and scholars, Alfred North Whitehead: "In the condition of modern life the rule is absolute—the race which does not value trained intelligence is doomed. Not all your heroism, not all your social charm, not all your wit, not all your victories on land or at sea, can move back the finger of fate. Today we maintain ourselves. Tomorrow science will have moved forward yet one more step, and there will be no appeal from the judgment which will then be pronounced on the uneducated." It is because of the Soviet drive to apply this philosophy that Mr. Khrushchev has shouted, "We will bury you."

#### II. COMMUNICATION OF INFORMATION

Effective media for and the use of communication are necessary tools for the scientist, engineer, administrator, budget director, and policymaker. World history is filled with many instances where inadequate information and communication have created harmful decisions or delays (timelag) in scientific or for that matter any type of advance. The communication and utilization of information is a vital part in the growth and development of scientific and technological research as well as an integral factor in decisionmaking. Such decisions by scientists, engineers, industrial and governmental administrators, the President, and the Congress must be made more promptly and entail more significant consequences than ever before.

No administrator, businessman, or scientist, however competent, can attempt to know personally about all current work relating to his field. Yet, sound decision making requires knowledge of prior existing, and competitive arts. Our industrial entities have diversified their operation in order to overcome the possible pitfalls of the impact of economic and marketing breakthrough of new and improved products and processes. In the past 50 years the carriage has given way to the car, the wagon to the truck, coal-derived carbon chemicals to petrochemicals, and the list is endless.

In this era of innovation and evolution our competitive industrial enterprises have led the world in keeping abreast of the existing state of their industrial art and discovering the state of their competitors' art as it may effect their endeavors. Some of our enterprises, including some represented here, even maintain an effective and constant search for know-why knowledge. This has come about because in a free competitive marketplace one must strive to keep ahead in order to survive. Necessity in turn fostered invention and the economically successful adoption of new technology led to the profitable marketing of new items and even know-how. No other nation can boast of so many successful industrial inventors.

Blessed with the size of this Nation, its natural resources, educational system, individual freedom, the growth of U.S. industry plus the purchasing power of the U.S. consumer, the United States became the world's biggest market place. To protect industrial proprietary rights in this marketplace, U.S. and foreign inventors have had to comply with U.S. statutes. Thus, the necessity to disclose a new and useful invention when filing for a patent to protect it as a proprietary right has created a means by which a good portion of the world's technical literature may be classified and quickly searched in a central operating clearinghouse—the U.S. Patent Office. Further, this system has created a class of specialists, patent attorneys and technical liaison personnel, to specifically operate in this area. Consequently, this Nation is second to none in discovering, keeping abreast of, and protecting technical know-how and proprietary rights.

An essential feed to creativity is know-why and/or theoretical scientific disclosures or developments. In recent years the development of this knowledge is increasing rapidly and becomes increasingly difficult to keep abreast of. In this area we do not possess a central clearinghouse, a central depository, a classification system to aid one in searching the art, means of readily obtaining needed article reproductions, or a class of specialists.

Our weakness in this area may be best illustrated by the story of Prof. J. Willard Gibbs, of Yale University, who in 1848 published an article on the "phase rule" detailing the manner in which the physical states of elements are effected by varying conditions of temperature, pressure, and concentration. Forty years later the able German chemist, Ostwald, noted the article and translated it into German. This technical know-why knowledge had an eventful impact on German technology. We were to learn, appreciate, and utilize this basic American discovery only from the German application of this principle to alloys—probably by the issuance of U.S. patents to German companies. This weakness is especially true regarding the utilization of foreign scientific and technical articles which are available in this country.

#### III. THE SPACE RACE

The space program provides a crucial illustration of an activity which cannot operate on a program of information communication and utilization which might have been adequate in 1900. The space program's entire planning, pace, and success depend upon mastery of up-to-the-minute classified and nonclassified information on current R. & D. projects in different disciplines (biology and physics); different laboratories; different Government agencies; different scientists, contractors and subcontractors; different universities and different countries. In this competitive race for survival we cannot afford to learn to utilize basic American discoveries from our competitors as in the Gibbs case. Yet, this may be happening for the Soviets do collect, abstract and promptly disseminate our scientific and technical material to an extent and thoroughness that we do not.

The space program may be more properly called the space race. But we continue to ignore how our competition is developing, what it is doing, its strength and weaknesses, and its planning.

On October 4, 1957, Sputnik No. 1 went into orbit. President Eisenhower informed this Nation that we had no prior knowledge of this event. However, publications containing articles and essential information on the coming feat were available in this country prior to the event.

The 1961 NASA study entitled "Evaluation of U.S.S.R. Versus United States Output in Space Sciences" is another such example. The report's conclusions as stated in the report are the result of a perusal of the Soviet literature and personal contacts between the scientists of both countries at two international conferences. Yet only one specific Soviet publication can be clearly identified from the report's bibliography. Further, the report's conclusions of progress relating to space sciences are based on NASA's numbers ratio premise that there are 64 pertinent U.S. articles as contrasted to only 8 pertinent U.S.S.R. contributions in 1959. But what good are such conclusions if an actual search of the available Soviet literature of 1959 easily disclosed 100 or more pertinent Soviet articles relating to space sciences, which it did.

On May 8, 1961, the Wall Street Journal in a lead article stated that the United States was racing Russia to put a man on the moon and whether the U.S. 1969 or 1970 timetable will be good enough to beat the Russians. Space Chief James Webb and his top aides

conceded they have no way of knowing. Yet, if Mr. Webb and his top aides would have turned to pages 16 and 17 of the Soviet Ukrainian periodical "Zannya Ta Pratsya" (Knowledge and Work) of February 2, 1959, they would have discovered a Soviet timetable for man's conquest of the moon in six phases. Certain facts give this timetable credibility. Phases I and II have been completed within the proposed timetable calling specifically for events such as a solar probe, hitting the moon with a rocket, and sending a satellite into orbit around the moon and photographing the far side. Phase VI called for placing a man on the moon in 1965. With the present disclosed Soviet potential there is a good possibility the Soviets may fulfill this timetable.

Both the United States and the U.S.S.R. are presently committed to the proposition that space exploration and exploits have captured the imagination of the peoples of the world. Further, that in the next few years the prestige of the United States will in part be determined by the leadership we demonstrate in space activities, particularly communications. Many of our top governmental and industry leaders have stated that the United States is ahead in the space communication race and that the United States can be first in achieving an operable space communication system. When questioned by congressional committees as to the status of Soviet development in this area, the answer is we have no specific knowledge. Commissioner T. A. M. Craven of the Federal Communications Commission when asked, "why not?" replied to the effect that the Russians had not notified them of their plans. I doubt if we officially have notified the Soviets of our plans but there is certainly a lot of publicly available printed works relating to them.

The available literature discloses after a quick survey that the Soviets as far back as 1953 and 1957 had discussed using large high altitude equatorial hanging space satellites to amplify and relay TV programs to any part of the world.

In 1960 at least three articles appeared in the Communist bloc press authored by Alexander Nesmeyanov, president of the Academy of Sciences of the U.S.S.R. which stated that Soviet scientists were working on plans to utilize satellites for meteorological and radio services. Statements made by Nesmeyanov have not usually been made for propaganda effect but rather as statements of fact.

A report was presented to the All Union Conference of Research Workers in June of 1961 by M. V. Keldysh, the new president of the Academy of Sciences of the U.S.S.R. in which he stated: "A priority of the highest importance is given to space satellites in solving a number of economic problems, observations performed through the use of satellites would create a radical improvement in weather forecasting, radio communications and solar utilization. The use of communications . . . satellites for relay services would revolutionize communication and television services."

From these excerpts it is evident that the Soviets have been planning and working on the development of space meteorological and communication services for a number of years.

Further, the Soviets possess the rocketry and possibly the necessary precision control systems to put into orbit an operable high altitude synchronous satellite system, or for that matter, even a low random orbit satellite system. The Soviet ability to control satellites in orbit as exemplified by the various Vostoks and also Lunik III is of significance in connection as to an existing capability relating to planned orbital rendezvous of one satellite with another, and retrieval and repair of malfunctioning communications satellites. The great thrust of their rockets enables them to utilize satellites with a large amount of space for



experimental and telecommunication equipment. The Soviet's successes in space technology appear to have created a forward thrust and pride in the daring and dimension of their concepts. However, their program in this area as with all their programs must be planned and have a pragmatic objective.

What are the Soviet plans and programs in this particular area as disclosed in their available literature?

In an article in the Moscow Pravda, dated August 13, 1961, Prof. Ari Shternfeld, winner of the International Prize in Astronautics, disclosed a plan for launching a 35,800 kilometer high equatorial synchronous satellite system. The satellites which would be several tons in weight are heavier than the satellites called for in any presently proposed U.S. plan. Furthermore, the satellite or platforms would be assembled in orbit. This technique would allow the use of the last stage of the rocket to create a station of many tons. The use of space platforms and satellites assembled in orbit has been a theme that this Soviet scientist has espoused publicly for some time.

The Soviet Deputy Minister of Communications, K. Sergeychuk, stated September 11, 1961, in the Economic Gazette, the technical publication sponsored by the Communist Party of the U.S.S.R., that serious attention be given to the possible use of space satellites for telecasting and that such satellites should be sufficiently powerful as a relay station to function for a number of years with the capability of beaming toward particular areas. He declared that the drafted program of the Communist Party of the U.S.S.R. ranks communications development among the decisive spheres of technical progress.

The chief designer of the Vostok space-ships recited in an interview in Krasnaya Zvezda on October 11, 1961, that the creation in the near future of satellites for relaying television and communication signals and for the purposes of navigation and meteorology and other scientific tasks of economic significance is technically feasible. An important stage in the development of satellite flights would be the creation at various altitudes of permanent orbital stations which would hang forever above the earth (a synchronous system).

Further, he disclosed that a system for safely getting service and control personnel to such stations and back to earth may be already worked out. He pointed out that the most technically feasible way would be to create such stations while in orbit around the earth, using materials which would have nothing in common with ordinary construction materials.

The chief designer usually is a key personage in the Soviet technology hierarchy for he probably has the responsibility in this instance of carrying out the task of constructing such a vehicle. He is the overall manager of the program with operational control over enterprises, plants, and personnel. It is his job to deliver.

In his November 24, 1961, report to the general meeting of the Department of Technical Sciences, Academy of Sciences of the U.S.S.R., Anatoly A. Blagonravov, one of the U.S.S.R.'s top missile and rocket experts and head of this department, stated that Soviet scientists will be working on satellites for earth communications as one of the most important aspects of their work during the next 20 years.

On December 31, 1961, Prof. K. Sergeyev was quoted by Pravda that "we can anticipate the creation of a system of satellite stations for the purposes of communication and relaying of radio and television broadcasts, for the navigation of ships and aircraft and for systematic weather observations."

These words of the high Soviet technical officials cannot be discounted as mere puff-

ing. For it is a fact that key Soviet personages, such as Nesmeyanov, used similar words as the chief designer of the Vostok space-ships and Professor Sergeyev in the period preceding the development and flight of Sputnik I and Yuri Gagarin's manned orbital flight.

The significance of these Soviet statements is that their planning is directed to launching a multipurpose satellite rather than the single-purpose space communications system as conceived in the U.S. proposals. The purposes would be for amplifying and relaying radio and television broadcasts, space communication ship navigation, weather observation, astronomy and solar research. The lack of communication emphasis may be due to the fact that their need for transoceanic circuits is obviously not as great as ours. The statements indicated that this program has been evaluated, given a high priority and is in the development stages with its responsibility vested in proven technical and administrative hands.

#### IV. CONCLUSION

The phenomenal technological advances during the past few decades have increased the importance of research and development in our national economy and defense and attained for research and development a recognition of primary importance today. The combination of science engineering, industry, and organization during the past decade has rendered military practice obsolete. Eventful scientific and technical changes are made daily. Today this Nation alone is spending more than \$15 billion per year for research and development. The problem of effectively planning, managing, and coordinating this program, especially the more than \$10 billion portion funded by the Federal Government, has become increasingly acute.

Costs are rising; the program is expanding in magnitude, complexity, and diversity, increasing numbers of specialized manpower are engaged and their work in different disciplines becomes more and more closely interrelated but not necessarily known.

In this program we must have the desire to dig for and obtain the know-why and develop know-how. U.S. industry, science, and technology must again reassert its initiative in keeping abreast of not only know-how but know-why knowledge.

When Alexander Sachs on October 11, 1939, presented to President Roosevelt a letter by Albert Einstein pointing out the possibility of utilizing the fission energy of uranium in a bomb, he set in motion the necessary mechanics to translate know-why knowledge essentially developed in foreign facilities to U.S. know-how.

The need for improvement in our communication media is obvious. The resulting merits of instituting such a program versus the costs of the necessary machinery are justified on the basis of improved achievements, both in the management of our Nation's research effort, its direct conduct, administrative tidiness, and its need as an essential governmental service for our tax-paying industrial, engineering and research units in their trade battles for economic survival. Benefits such as avoidance of duplication, thought stimulation and possible creativity, improvements of general and schedule planning and budgeting, improved decisionmaking, identification of information sources, opportunity to cooperate, the possible prevention of negative results, time compression between discovery and application result from prompt utilization of available information.

In 15 years or less, the existing scientific, engineering and technical knowledge from year 1 to the present will be doubled. Unless our personnel acquire the desire and the means to effectively utilize this written material it will only collect dust on library shelves and elsewhere. U.S. science, indus-

try, and Government will waste essential time and money to rediscover known facts. Also our world prestige, may be diminished due to assumptions which would not be warranted by available knowledge.

Space evolution and innovation are rapidly moving to the stage of economic adaption. As the carriage has given way to the car so may transoceanic telephone cables, TV microwave and coaxial cable transmission to a communications satellite system. U.S. industry must have the capability to have know-why and know-how to complete. To maximize our chance for survival as a free democratic nation, with a prospering economy, we must provide our industry, scientists, administrators, and leaders with adequate communication media that they will readily have available the necessary information relating to their problems.

#### DOCTORS IN THE DESERT

Mr. JAVITS. Mr. President, finally, I should like to call the attention of my colleagues to a very interesting activity described in a lead article in the Saturday Evening Post, entitled "Doctors in the Desert," a program which has been conducted under the aegis of the Orthopedic Letters Club overseas project, in which orthopedic surgeons contribute a month's service to help crippled and underprivileged persons in Jordan. This is technical assistance of high value. I have long urged that if the Middle East is ever to have peace, peace especially between Israel and the Arab States, it will bring with it a new burst of freedom, prosperity, and health. I have always and most ardently favored anything that would tend to benefit the health, the living standards, and the peace and security of the Arab people.

First, I think this project is evidence of a very helpful activity on the part of patriotic and distinguished Americans in the way of technical assistance in a country that urgently needs it.

Second, it is most significant to me that it is being carried on in Arab countries, because it underlines what I have been trying to emphasize so strongly with respect to the essentiality of rehabilitation of the Middle East. This could be the greatest antidote for an unhappy and tragic heritage of hate that demagogues are trying to perpetuate in that region.

I ask unanimous consent that the article from the Saturday Evening Post to which I have referred be printed in the RECORD as a part of my remarks.

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

#### DOCTORS IN THE DESERT

(By Allan M. McKelvie, M.D., as told to Milton MacKaye)

For almost 2 years, and without the waving of flags or the beating of drums, American physicians have carried on a unique medical project in an ancient land and new nation. The nation is the Hashemite Kingdom of Jordan. The country, sand-blown, arid, and almost treeless, is the land of the Old Testament, and the place names ring the bell of memory—Jericho, Bethlehem, and Jerusalem itself.

The purpose of the American mission is to bring help and hope to the crippled and underprivileged of a poverty-stricken country. The doctors are skilled orthopedic experts who volunteer their services in the interest of international good will. Today

they are operating on twisted and maimed children and adults and teaching Jordanian doctors and nurses modern methods in bone and joint surgery and the correction of physical deformities.

I was a member of this mission and, in the preparation of this article, I was selected by my associates to be spokesman.

It should be said at once that we are sponsored by no governmental organization, and are completely nonpolitical. We call our enterprise the Orthopedic Letters Club Overseas Project (OLCOP). Each doctor spends 1 month in Jordan. We pay our own traveling expenses and our living expenses while there. We receive no salary and accept no medical fees from patients. Many of us are accompanied by our wives—I was—and some of us by high-school-age children. We pay their expenses too. In short, we go not as propagandists or persuaders but only as physicians and friends.

I have called OLCOP unique because it was spontaneous, a sort of upbubbling of conscientious concern among a group of busy and normally self-centered men. The Orthopedic Letters Club was formed after World War II by young doctors who wanted to keep in touch with one another and share firsthand the medical problems of their specialty. Each year we hold a get-together dinner at the convention of the American Academy of Orthopaedic Surgeons. It was at the January 1959, convention in Chicago that this adventure was spawned.

The Letters Club has 52 members in this country and 12 members overseas.

Each of us writes one letter a year which is mimeographed and circulated. This adds up to a letter every week from colleagues in this country and a monthly letter from abroad. So in 1959 we were not unaware of medical needs in foreign lands despite the legend that successful physicians read only scientific journals and stock market reports. Dr. Richard Dodge of Honolulu was the catalytic agent at Chicago. He had worked in the misery and mud of Korea and he had just finished reading the best-selling book, "The Ugly American" (the Saturday Evening Post, Oct. 4-Nov. 8, 1958). Like the authors of the book, he was concerned about the failure of some U.S. programs abroad to create real friendships between peoples.

No one questioned the importance of American financial assistance to allies and emerging nations, or the necessity for orthodox Foreign Service cadres. But it did seem that ambassadors were pretty far removed from the peasant in the rice paddy or the goat herder beside his campfire. A medical license is a passport to many lands. The common language of pain and disability, we knew, often gives the doctor an entree denied the diplomat.

But what to do? Our careers were now in swiftly flowing midstream. It was not the prospect of financial sacrifice which made us hesitate. It was, instead, our obligations to our own patients; we could not leave busy practices for too long a time. A committee was appointed to study ways and means and, after Chicago, discussion continued by long-distance telephone. Eventually someone came up with the solution. If 1 doctor couldn't go for a year, why couldn't 12 doctors go successively on a monthly basis? This proposal was so well received that we soon knew we could recruit volunteers.

The next step was to determine where our services were most urgently needed. The obvious place to go for this advice was Medico, the overseas charitable foundation created by the late heroic Dr. Tom Dooley and Dr. Peter D. Comanduras. I live and practice in Washington, D.C., so I went to see Dr. Comanduras at Medico headquarters. He had the answer. A recent survey had shown that the small country of Jordan had not one fully qualified orthopedic surgeon and had great need of help. If we wanted to try our wings,

that was the place to do it. From then on things moved fast.

Medico agreed to sponsor our project, the Jordanian Ambassador in Washington gave assurance of his Government's approval, the Jordan Medical Society agreed to issue temporary licenses so OLCOP doctors could practice there, and we were promised the all-out cooperation of the United Nations Relief and Works Agency (UNRWA). Of Jordan's population of nearly 1,700,000, about a third are Arab refugees from the part of Palestine which is now Israel. They have been living in camps for more than a decade, fed and ministered to by UNRWA. In mid-August of 1959, only 7 months after our project's birth pains, I flew to Beirut and then to Jerusalem, the first OLCOP doctor in the field.

My wife Cynthia and my teen-age daughter Jill went along. We put up at the American Colony Hotel, once a caliph's palace. Our medical mission now has its headquarters there. UNRWA provided me with a car and a driver—the joyous and articulate Wadji—and I spent the next 2 days exploring Jordan. What I saw, the American doctors who succeeded me were also to see—hospital waiting rooms and corridors full of ailing and crippled children. Many of them were brought on the backs of older youngsters. The patients had never walked, and the task of carrying them everywhere devolved on brothers and sisters. At Spafford Memorial Hospital, built in Jerusalem's ancient wall, I saw tattered kids daily climb 87 stone steps, carrying small patients astride their shoulders.

Many of these children had never had treatment of any kind. For centuries Jordan has been a land of malnutrition and plague. Where once only the hardy survived, there was traditionally little effort to succor the juvenile halt and maimed. They were already doomed to lose the struggle. Nothing could be done. A deformed child represented the will of Allah or was the result of a curse laid upon the family. The parents were ashamed. Nevertheless, when the news of our mission spread among the peasants, a new light of hope was kindled, and armies of the ailing collected wherever we went.

These were heartbreaking sights to which my colleagues and I never became hardened. Humble, uncomplaining people expected miracles we could not provide. I remember a touching story told me by Dr. Samuel Moore, of Oklahoma City. Dr. Moore's car was stopped by traffic in a Jerusalem street; a tall Bedouin in desert robes approached, held up his young son. The child was blind. "Tell him," said Moore to his Arab driver, "that I'm not an eye specialist. He should go to a hospital."

"All he wants you to do," said the driver, "is to hold the boy a moment. He thinks it might do some good." Dr. Moore held the child gently until the traffic jam dissolved. The Bedouin bowed his thanks.

It quickly became obvious to me that no matter how long any of us stood at the operating table we could make only a small chink in the tremendous backlog of surgical work. We would do all the surgery we could, but our main job must be to teach our orthopedics to Jordanian physicians so they might increasingly take over the load. On the advice of Dr. Jamil Tutunji, Minister of Health and Social Welfare, I set up a program of day-to-day visits to hospitals all over the country. Here was the weekly schedule: Monday, Augusta Victoria hospital in Jerusalem; Tuesday, Es Salt; Wednesday, Jericho; Thursday, Amman, Jordan's capital, where there are three hospitals; Friday, Spafford Memorial Hospital in Jerusalem. After my time, Bethlehem and Nablus, near the Israeli border, became additional points of call for doctors who took my place.

My days upcountry usually started at 6 a.m., so my U.N. driver could get us through the oppressiveness and bake-oven heat of the Dead Sea Valley before the sun was high. Noontime temperatures there often reach 120°. The sleek 60-mile highway between Jerusalem and Amman is a motorist's delight, an American point 4 project. But most of Jordan's back roads are not like that at all. They are dusty, rocky, full of hairpin turns and notional drivers.

My experiences with Jordanian doctors—once we had our program underway—were amiable and satisfactory. All were educated in other countries—Jordan has no medical school—and most of them came from the nation's upper class. They were graduates of Cairo University, the excellent American University of Beirut and several European universities; a considerable number had taken postgraduate work—although not in the orthopedic field—in Baltimore, Boston, and New York. I arranged for local physicians to screen and select all patients to be examined by OLCOP doctors, and on regular schedules.

Our practice was by no means limited to the residents of the refugee camps. My diary tells me that on a September morning at Amman I operated on two Cabinet ministers' children. One was Hashem Jayyousi, daughter of the Minister of Finance; the other was Hazza Majali, 12-year-old son of the Prime Minister. Both were postpolio victims, and I did bone drillings and tendon transplants to correct crippled feet. I did not meet Prime Minister Majali, who was then attending an Arab League Council in North Africa. When I returned to Amman next day to examine my patients I discovered they had been moved to another hospital where they were guarded by soldiers of the crack Arab Legion. At the time this seemed to me excessive caution. A year later, when the Prime Minister was killed in his office by a bomb, I changed my mind.

There are three types of hospitals in Jordan: Government hospitals, UNRWA hospitals and those supported by missionary church groups or charitable organizations. They have problems almost unknown in the United States: chronic shortages of supplies of all sorts, shortages of trained nurses and attendants, and—because of the scarcity of water in a desert land—difficulties with sepsis. I remember my surprise the first time I went to Augusta Victoria, a 200-bed hospital and Jerusalem's largest. I had planned to begin surgery just after noon, but there was no water whatever. It was not until 3 p.m. that water arrived by truck and I could begin. Sometime later OLCOP had to abandon its visits to an outlying hospital for several weeks because wells there had gone dry. The operating room couldn't be kept clean.

Yet these institutions do exceedingly well with what they have. In subsequent months some \$50,000 worth of orthopedic equipment, generously contributed by American medical firms and transported to Jerusalem by Medico and UNRWA, began to come in. But at the start our doctors had to use the tools at hand and improvise. Any surgeon worth his salt can improvise. Dr. John R. Walker of Waterloo, Iowa, needing a mallet during bone excision, commandeered one from a furnace room. It had been used to break coal, but it did the trick. When Dr. Francis Costello of Williamsport, Pa., could find no walking heels for use in foot casts, he made his own out of old automobile tires.

Plaster casts, crutches, steel and leather braces are often postoperative necessities in correcting deformities. Perhaps my greatest surprise was to discover that crutches for children were literally not to be found in Jordan. When I stopped in London on my way to the Middle East, a kindly elderly lady had given me 20 pounds to aid refugees in any way I saw fit. She thereby made possible the first dozen pairs of decent crutches ever



made in old Jerusalem. With the help of friends I found a refugee carpenter who earned a living by making crucifixes out of olive wood—olive trees still grow on the Mount of Olives—and selling them to tourists.

He had a lathe in his little shop. I drew a design of a pair of adjustable crutches and asked him whether he could turn them out. He thought he could—and he did. His workmanship was superb. He continued to make crutches for us for many months, but wood is both scarce and precious in Jordan and a price of \$5 or \$6 a pair was more than most of our patients could pay. And one-man production was, of course, limited. Recently through Medico 1,000 pairs of adjustable crutches have arrived in Jordan and our problem is practically solved.

Additional detective work by loyal allies turned up the only bracermaker in the Nation. He was a refugee from Jaffa who had learned his artisan's trade in Cairo. He was, if memory serves, not an Arab at all, but a Coptic or Egyptian Christian. UNRWA set him up, at my request, in his own workshop at the Augusta Victoria. But his hand workmanship could produce only five or six sets of braces a week. With the financial assistance of the Lutheran World Relief, Inc., secondhand braces are now being shipped to Jordan in adequate supply.

When OLCOP alumni get together nowadays, there is always one point of agreement—the scourge of the Middle East is "the bonesetter." Apparently his profession goes back into the mists of history and sometimes is handed down from father to son. In cities he is often a butcher by trade. After business hours his patients come to the stable yard to have their ailments treated. Barbers and undertakers also ply this medicine trade.

The bonesetter frequently treats general illness with searing irons. Many of the patients we examined had "therapeutic burns" all over their bodies. What appalled us most was the treatment of fractures. I invited anyone enthusiastic about the virtues of folk medicine to look at the X-rays we took. Volkman's contracture is rarely seen in the United States; it results in a hand stiffened like a claw, the useless end of a useless arm. We saw dozens of cases in Jordan. The bonesetters are responsible.

Here is their method of treatment. Strips of cloth are soaked in egg yolk and olive oil and wrapped around a fractured or dislocated elbow. Then hot oil is poured over the bandage which assumes, as it chills, the consistency of concrete. What happens? (1) The constrictive bandage cuts down the blood supply needed for the healing process; (2) the heat causes harmful edema; (3) this causes contraction. The immobilized arm and hand eventually emerge from the impromptu cast permanently crooked and crippled. The X-ray pictures we took revealed jigsaw puzzles of anatomy never seen in a textbook and surgical problems almost impossible to solve.

This public and traditional mayhem continues to be tolerated in Jordan, although officially frowned upon—and bonesetters, like quacks everywhere, achieve redoubtable word-of-mouth reputations. Ahmed, a waiter at our hotel, repeatedly boasted to OLCOP doctors about the magic of his own medicine man, to whom he had gone, he said, with a broken foot. Shortly after, Ahmed was advised to consult a medical doctor, and the foot was X-rayed. "The bonesetter," said the waiter excitedly, "cured the foot in 2 days. The X-ray didn't even show a sign of a fracture." The answer, of course, was simple. The foot was sprained; there never had been a fracture. But if Ahmed, certainly a man of the West in spirit, could be so gullible—what could we expect of the untutored fellahin?

About 140,000 refugees are quartered in the Nablus area. (There, also, live 300 red-hatted Samaritans, last survivors of an ancient sect.) One hot afternoon in a camp near Nablus I stopped in the shade and watched an artisan fashion an unglazed water jug over an old treadwheel. When I admired his handiwork, the potter, smiling, presented the jug to me. My daughter Jill inscribed on it, "Order of the OLCOP Cool Cup," and it continues to occupy a place of honor in the Jerusalem headquarters. Eunice Hauser, wife of Dr. Charles U. Hauser of Hamilton, Ohio, later saw the cool cup as symbolic of our mission in Jordan, drew a design and called in silversmiths. The result was the little badge all of us now wear in our lapels.

The insignia soon came to be recognized in Jerusalem and Jericho, and my successors rarely entered the smallest shop without being asked to drink coffee and eat sweetmeats. And through the Arabic newspapers, word of our work spread to far places. Dr. Paul E. Dee, of Rockford, Ill., had one patient whose family had brought him 800 miles out of Egypt, much of the way by camel caravan. The man had been bedridden for years and was suffering from a severely ruptured spinal disc. Dr. Dee performed an operation known as a laminectomy, and 10 days later the patient, with much kissing of hands and grateful tugging at garments, left the hospital. It was a remarkable recovery; he was completely without pain and walking under his own steam.

Orthopedics, however, is rarely short-term medicine. Correction of multiple deformities may require a series of operations performed over a long period of time. A stay of a month in Jordan did not permit any of us to follow up his own cases. Yet because of group understanding and cooperation OLCOP was able to achieve a remarkable continuity of effort. To illustrate I cite the quite ordinary story of Salweh Khalidi, a 13-year-old girl who had suffered from tuberculosis of the bone for 4 years; she could not walk because one knee was bent at a 90° angle. In February last year Dr. Paul Weygandt, of Akron, Ohio, excised part of the bone and straightened the knee. Three weeks later Dr. Charles M. Swindler, of Ogden, Utah, changed the cast and dressing. He also operated again, inserted two crisscrossed pins to strengthen and stiffen the knee against the pressure of walking. A month later Dr. William E. Knight, of Fort Smith, Ark., did a third operation and removed the pins. Salweh had been our patient for 10 weeks when Dr. William N. Harsha of Oklahoma City took her out of the cast and encouraged her to take her first steps.

A solid part of our contribution, my colleagues agree, has been the keeping of accurate records and case histories. No studies of crippling diseases had ever been made in Jordan.

The files presented an onerous job because they had to be checked and rechecked. Consider the fact that identification in Jordan's hospital is by first name rather than surname—and that the first name of half of Jordan's males seems to be Muhammed. Long-suffering OLCOP wives took over most of the work.

Our recordkeeping was most important in the field of poliomyelitis. When we first came to the Near East we were assured by UNRWA and local health officials that there was virtually no polio in Jordan. There were various theories about this supposed immunity. Actually there was no immunity; existent polio simply had not been recognized or reported. This became evident when, at the end of our first year of service, Dr. Arthur A. Michele, of Brooklyn, and Dr. L. Stanley Sell, of Idaho Falls, Idaho, converted our precious files into statistics.

Shortly afterward Dr. Michele made a formal address before the Jordan Medical Society. Here was his jolting news: Over one-third of the orthopedic patients examined in 12 months' time were suffering from polio or the residuals of polio.

Polio now became a problem of state, and Dr. Michele sought an interview with young handsome King Hussein. The protocol route to the King was through Prime Minister Majali, and Dr. Michele made an appointment to see the Prime Minister in his Amman office at 11 a.m., Monday, August 29. Then he discovered that a heavy load of surgery in Jerusalem—surgery that could not wait—would prevent him from going to Amman. The appointment was canceled. Precisely at 11 a.m. on August 29 the Prime Minister was assassinated in his office; 11 others died with him and 85 were injured.

But Dr. Michele subsequently had had an audience with the King. They spent an hour and a half together while Dr. Michele went over cur statistics and the King asked questions. The type of polio we had seen was severe, resulting often in paralysis of the spine, legs, and arms. If sufficient quantities of vaccine could be sent into Jordan, the King and Minister of Health Tutunji were willing to promise compulsory inoculation of all children under 2 years of age—an exciting experiment in public medicine.

That was months ago and, unhappily, only limited progress has been made. There are many calls upon world philanthropy, and funds to get vaccine to Jordan in great quantities have never become available. In recent months about 6,000 units of Salk vaccine have been sent in—some the gift of OLCOP doctors. But 6,000 units, says Dr. John B. Jarrott, of Hutchinson, Kans., chairman of the polio phase of our program, "is at best a drop in the bucket." Probably it would take 600,000 units to do the job.

The records of more than 3,500 cases examined and diagnosed by the doctors of our group, and brought up to date by Dr. Frederick Gaenslen, of Milwaukee, are now collected in the OLCOP files. As the months march by, the eager and adept Jordanian physicians who work with us take on more and more of the surgery. A frequent teaching performance is to do a standard operation and then to watch and advise an Arab colleague while he does a similar operation on his own responsibility. Results have been impressive, and the continuing enthusiasm for mastering orthopedic skills is truly gratifying. Most of us who have been in Jordan still write to our former associates there.

Dr. Yasir Amr is one of them. Dr. Amr is big, crewcut, 35 years old, and supervisor of surgery at the government hospital at Amman. Like most educated Jordanians he speaks English. In 1957 he did postgraduate work at Harvard Medical School. Interviewed by an American reporter, along with our Dr. Martin E. Anderson Jr., of Denver, Amr said this of our mission: "The people in Jordan had never known what orthopedic surgery could do—so feared and mistrusted it. I remember once, before the Americans came, prescribing braces for a crippled boy. His mother refused. The first American doctor suggested the same thing but again she refused. Then the second doctor came and made the same recommendation. At last she agreed—and the treatment put the boy on his feet."

What was the average workload of an OLCOP doctor? That's difficult to answer. There was always plenty to do. Jordan is about the size of Indiana, and regular visits to its clinical outposts required a lot of driving. Dr. Robert P. Holt, of Oklahoma City, and Dr. Paul Spray, of Oak Ridge, Tenn., who succeeded me, worked about 14 hours a day on the medical circuit, and I doubt there were many doctors who worked less.

A physician's daybook may provide enlightening detail. Dr. Port Johnson, of Muskogee, Okla., was in Jordan from October 6 to November 12, 1960. He performed 69 operations—and on almost every type of ailment known to orthopedics, from congenital hip displacement (very widespread in the Middle East) to spinal fusion. He examined 635 patients, of whom 201 were seen for the first time. Slightly more than a third of these were refugees.

Cooperation between Jordanian and American doctors is exemplified by a case which Dr. Weygandt recalls. At Nablus he saw for several weeks in succession an 18-year-old girl who had been stricken with a bone malady at the age of 5. As a result her jaw was fused; she had been unable to open her mouth for 13 years and existed entirely on a liquid diet. Says Weygandt: "I explained to her father through interpreters that remedial surgery was difficult and might be followed by serious complications. At his insistence I had her transferred to a Jerusalem hospital. There I discovered that Dr. Sami Khoury, the King's own surgeon, had successfully done this type of operation, and he graciously took the case. Not too long after, I saw the girl at her Nablus clinic. Dr. Khoury had done a masterly job; her face was almost healed and she could open her mouth about an inch. For the first time since childhood she was able to chew her food."

No story about Jordan would be complete without mention of Mrs. Bertha Spafford Vester, who, at the age of 82, operates in Jerusalem the Spafford Memorial Hospital for Children—named for her father, an American businessman and philanthropist—an infant welfare center and an outpatient clinic. This great lady has lived in Jerusalem for 79 years, and her charitable activities are supported by many prominent Americans through the American Colony Aid Association. Mrs. Vester, though physically fragile, was a tower of strength to OLCOP.

Mrs. Vester also brought us one of our favorite patients, a 14-year-old boy named Khalil Hussein Abdallah. She found him at the Damascus gate, a professional beggar so badly deformed by polio that he pulled himself around by his heels and his callused and leathery bottom. His dislocated knees were permanently flexed in front of his chest, and his heels were only 4 inches from his buttocks. Khalil was bright eyed, alert and willing to undergo any torture to be able to stand upright. A first operation proved of no avail, but Khalil was still game and hopeful. Dr. T. C. Harper, of Reno, Nev., and Dr. John Jarrott rose to the challenge. They found that the muscles of Khalil's thighs and legs were strong and both feet basically sound. They did two operations, working on one leg at a time. Here is Dr. Harper's own report of complicated and successful surgery:

"Muscles to the pelvis from the left thigh were first lengthened to their maximum length to permit as great a movement of the hip joint as possible. Then the left knee joint was completely excised and the leg bone and the thigh bone joined together so they were straight. Following this, the upper thigh bone at the hip joint was cut across and repositioned so the thigh and knee would be straight under the pelvis. Both of these procedures proved to be successful, and pictures taken since show the boy is now able to stand and walk. This reconstruction of a courageous crippled youngster gave Jarrott and me much pleasure."

It has been almost 2 years since our independent venture began overseas. In addition to assisting the local physicians in diagnosis and operative technique, we hoped to encourage their further training in the United States. One Jordanian, Dr. Sami Sfeir, is now taking his training as an orthopedic fellow at the University of Oklahoma. OLCOP brought him over. We are hopeful

that in the future fledgling orthopedists from American medical schools will be sent to Jordan to take part of their residency there.

OLCOP's close association with the American University in Beirut has been a satisfaction to us all along. Dr. Afif Nsouli, who trained at Presbyterian Hospital in New York, is head of orthopedics there. At his invitation our American doctors, on their way to Jordan and on their way home, have regularly stopped in Lebanon to lecture before Dr. Nsouli's eager medical students. We all agree it's been stimulating and worth while.

And most of us came home believing wholeheartedly in what Dwight Eisenhower once called the people-to-people approach in diplomacy. What had succeeded in Jordan can succeed in many places. We decided to tell our story in detail to the members of our own profession. Early last January we set up an exhibit of text and pictures at the convention of the American Academy of Orthopaedic Surgeons, in Miami, Fla., and saw to it there was always some member of our loyal expeditionary force around to answer questions.

One question was to be expected: How much would it cost to be a volunteer? We answered that we had spent from \$2,000 to \$4,000 each, depending upon side trips and whether we had taken wife and children along, and that we felt amply repaid in personal satisfaction and widened medical experience.

The results were heartening and astonishing. In a printed blank we asked interested doctors to specify a year and a month when they might be available for a foreign assignment and their areas of interest—Jordan, Saigon, South America, Afghanistan, or Africa. Already 64 doctors have made firm commitments for service abroad. The Jordan mission will be maintained and our first new venture will be in southeast Asia. Dr. Richard Dodge will open up shop in Saigon in October and we already have enough volunteers to staff that outpost until October 1962. Latin America will probably come next.

We call our spreading enterprise Orthopedics Overseas. Most of us recall an adage of the East: "Better to light a candle than to curse the darkness." If OLCOP lighted the candle, we are modestly content.

#### WHAT THE BUILDING INDUSTRY MEANS TO AMERICA

Mr. DIRKSEN. Mr. President, in the January 1962 issue of the magazine, *Practical Builder*, there are several items in the article "What the Building Industry Means to America," which may be of interest to many. I ask unanimous consent that portions of the article be printed at this point in the RECORD.

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

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

#### WHAT THE BUILDING INDUSTRY MEANS TO AMERICA

BUILDING IS THE MOST IMPORTANT BUSINESS IN AMERICA

The building of homes—and the schools, churches, and commercial buildings that serve them—is the largest manufacturing business in America. The 1960 total was \$31,100 million for new and improved construction by professional builders—an amount equal to 6 percent of our gross national product.

The light construction industry employs more people and adds more dollar value to

the finished product than any other manufacturing industry. In 1960 more than 5,135,000 workers were employed in the actual building and builders' service and supply.

Unlike our other great industries, building is not concentrated in a few cities but is important in every community. In many areas it is the most important local industry, and in many residential communities it is the only industry of any consequence.

This homebuilding industry has constructed more modern homes in the last 5 years than exist in any other country in the world. The U.S. home inventory at the end of 1961 included more new homes, more quality homes and homes with more amenities for better living than ever before.

#### BUILDING MUST BE BIGGER TO MEET THE NEEDS OF A GROWING AMERICA

A healthy light construction industry is of vital importance to the American economy.

Every additional 100,000 new housing starts at average prices means 242,000 full-time jobs in construction and the allied supply and service industries. More than \$600 million of building materials will be purchased, and a total of some \$1,750 million will be put into circulation to stimulate the economic climate.

After the economic impact of new home construction comes the second economic effect—new home occupancy. Construction is directly responsible for the purchase of many items not directly related to actual building such as furniture and furnishings, outdoor living accessories, transportation, etc.

And even after the home has been completed, landscaped and furnished, it forms a part of the largest permanent asset in the community and contributes taxes on both the home and its occupants.

#### THE BUILDER CONTROLLED MARKET

The builder controlled market (\$31,100 million done by professional builders) is by far the largest single manufacturing business in America in terms of total output, value added to the product and in employment.

In 1960, the 125,000 active U.S. building contractors constructed \$28,100 million worth of new homes and nonresidential buildings of the light construction type. They remodeled existing structures to the extent of \$5 billion.

Builder contractor remodeling was largely confined to major projects involving structural changes. An additional \$15,100 million in remodeling was performed by building owners and their employees, building supply dealers, specialized installers of storm windows, flooring, and a host of other products.

#### Employment

More than 5,135,000 were employed in 1960 by the building contractors, their subcontractors, and their suppliers. This does not include the employees of the manufacturers and distributors of the many building products put in place by owners and specialized installers. Nor does it include employment generated by nonbuilding items purchased as a result of a new home such as home furnishings, appliances, and garden supplies.

The builder-controlled market employs more people than are engaged in the manufacture of food, clothing, and automobiles combined. This employment is spread through every city and town in the United States and is the major source of manufacturing employment in most communities.

#### Assets added

The homes and other buildings that are the end product of construction depreciate more slowly than almost any other manufactured product. The buildings put in place during any year remain as assets to the community long after other manufactured products have been discarded. The cumulative results of the builders' efforts



represent the greatest portion of our physical assets.

Homes are not only the largest single investment made by more than one-half of all U.S. families, but they are an integral part of the American way of life. Homes alone do not create a desirable community, but there are no desirable communities without good homes.

#### BUILDING IS A LOCAL BUSINESS

On a typical new house, 55 cents out of every construction dollar goes to labor on the job site. Most materials are purchased locally, and many are manufactured in or near the community where the building is constructed. The finished product remains as an asset to the community for many years.

The approximately 125,000 building contractors are scattered through every town and many villages across the country. Although there are some outstanding examples of large-scale and wide-ranging contractors, the great majority confine their operations to a single metropolitan area, and many do most of their building within a single suburb.

Economics demand that construction workers be employed as closely as possible to their homes. High transportation costs on many heavy building materials make nearby purchase desirable. The wide variety of products needed for every home makes the local building materials dealer a favorite source of supply for the builders.

All of these factors combine to concentrate the economic impact of the light construction industry on the individual community. The national economic impact is the sum of the impact in thousands of communities, without any spectacular concentrations such as Detroit for automobiles or Pittsburgh for steel.

Even within individual communities the tremendous economic impact of the builder may be almost unnoted. Several contractors usually share the building business, and no one of them has a huge business establishment to attract attention. The new business committees for many towns have been known to spend a great deal of time and money to attract industries with only a fraction of the payroll that a healthy construction business would have automatically provided.

Communities across the country welcome or reject building projects with little thought of the economic meaning of building as an industrial force.

The builder market has reached the questionable status of being almost universally recognized as an important national industry but with little recognition of its great importance to the community where the building is proposed.

#### THE FUTURE OF THE INDUSTRY

More than 15 million new dwelling units are expected to be built within the 10 years from 1961 to 1970.

Most of these new dwelling units will be needed for new families formed within this period. The increase in the average lifespan and in the financial ability of older families to maintain their own homes constantly releases fewer dwelling units for newly formed families, and the full force of new family formation is directed against the existing supply of housing.

The displacement of families resulting from the construction of new highways and the development of projects has become an important factor in the need for new housing and promises to become even more important. In some metropolitan areas there is a distinct shortage of low-cost housing resulting from these causes.

But the need for additional shelter is only a part of the building opportunity over the next decade. The U.S. Savings & Loan League reports that from 5 to 10 million families are living behind "For sale" signs. This

is only that portion of the homeowners who are actively expressing their desires to live better. How many more are quietly dissatisfied, no one knows.

Not only do people want to live better, but they have the money to provide for better housing. Disposable income—the amount that can be used for discretionary spending—is not only at the highest level in history, but it is expected to almost double in the next 10 years.

Not only is income higher than ever before, but it is more widely distributed. More families are moving into an income bracket where they can afford a new home. More families will be able to afford a better home, and a small but rapidly increasing share of families are financially able to buy a second or vacation home.

The total of nonresidential building can be expected to maintain about the current ratio to new housing starts. Builder remodeling is expected to increase at an even faster rate.

#### Types of new construction

Diversification is the pattern for construction over the next decade. Single-family suburban houses of three or four bedrooms are expected to continue to dominate the builder market, but several types of special-purpose housing will increase at a faster rate.

Public housing (low-cost) is expected to level off at or near its present level as individual builders develop methods for low-cost housing and communities develop better, more realistic zoning and codes.

Senior citizen housing (retirement) will double by 1965 and continue to increase over a 10-year period. Whether or not it will continue to be designated as retirement housing is less certain. But small houses in the lower price ranges designed for childless families are definitely a growing part of the builder market.

Minority housing is expected to increase by more than 60 percent from the 1960 level by 1965. Court integration rulings are expected to have a marked effect on the longer term trends in location, but it is expected that this type of housing will continue to be in great demand.

Vacation homes will increase by more than 65 percent in the next 5 years. An increase in average value is also anticipated, since the current trend is toward vacation homes that can double as retirement housing.

Urban renewal starts are expected to increase very substantially. However, in view of the great amount of publicity that has been given to this type of building, it should be pointed out that at peak, this type of building is expected to be no more than 5 percent of the value of single-family suburban construction.

Nonresidential building is expected to follow closely the trend in residential construction (as it has in recent years) over the longer trend. However, this type of construction has always shown greater variation on a comparative year-to-year basis.

Builder remodeling will show the largest increase of the major types of construction not only because there will be a larger number of houses to remodel, but because more builders are entering the remodeling field.

#### TRIBUTE TO FORMER SENATOR HENRY FOUNTAIN ASHURST

Mr. STENNIS. Mr. President, yesterday marked the 50th anniversary of the swearing in for the first time of a former Member of this body, former Senator Henry Ashurst, of Arizona, on March 27, 1912. He served in this body continuously for some 30 years. He has lived in the city of Washington, D.C.,

most of the time since then, and is still a resident of the city. He lives at the Sheraton Park Hotel.

The Senator from Mississippi did not have the privilege of serving with Senator Ashurst, but he has learned to know him in the last 12 or more years.

I believe I voice the sentiments today of those who served with him and those of us who have learned to know him when I refer to his fine long life of service. He continues to be active. In the opinion of the Senator from Mississippi Senator Ashurst has all the qualities and instincts of a gentleman. He is a lovable character with a fine mind. During his tenure in the Senate he was a very influential as well as happy Member, and he radiated happiness to others.

Mr. CARLSON. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I am glad to yield to the Senator from Kansas.

Mr. CARLSON. I wish to associate myself with the remarks of the distinguished Senator from Mississippi. I did not have the opportunity to serve with former Senator Ashurst, from Arizona, but I live at the Sheraton Park Hotel and I see him daily. It is an inspiration and encouragement to see how hale, hearty and well he is.

I thought it was a rather signal honor when he was selected by the motion picture firm which made the new picture, "Advise and Consent," as one to represent the U.S. Senate. Those of us who know him and see him daily—a tall, erect, statesmanlike citizen—can be proud of the fact that he was selected.

I am pleased that the Senator from Mississippi has called our attention to the fact that Senator Ashurst was sworn into service in this body 50 years ago yesterday.

Mr. STENNIS. I thank the Senator.

Mr. MANSFIELD. Mr. President, will the Senator yield to me?

Mr. STENNIS. I am glad to yield to the Senator from Montana.

Mr. MANSFIELD. I join with my colleagues who are today paying their respects to our former colleague, Senator Henry Ashurst, of Arizona.

Until comparatively recently he held the unique distinction of being the only living Senator who had been chosen to represent his State when it developed from a territory into a State. With the admission into the Union of Alaska and Hawaii of course he lost that distinction, because four others came to join him.

He is a man of many parts. He is a great orator, a fine Shakespearean scholar, and, most recently, an actor. He is active. He is around. He is, today, as always, an asset to his State. He is certainly a credit to the Senate.

I am delighted to join with my distinguished colleague, the Senator from Mississippi, in paying my respects to a magnificent American today.

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

Mr. STENNIS. I am glad to yield to the Senator from Illinois.

Mr. DIRKSEN. I concur in every superlative which the distinguished Senator from Mississippi has uttered in connection with former Senator Henry Fountain Ashurst, a man of ineffable

charm, poise, and forensic capacity, who made a great mark on the thinking of the country, who is a great friend indeed.

Mr. STENNIS. I thank the Senator from Illinois.

I add, Mr. President, that our former colleague is a very intelligent man and still a very active man. His mind continues to be vigorous. His wholesome outlook on life, which always distinguished him, is still in its full vigor. He is an inspiration to the youth as well as to those of more years. I think he personifies the very best traditions of this body. I look upon him as having been a great westerner, but in addition a truly great American.

I extend to him greetings and congratulations for his public service and for the fine role he has played in public life, for what he has meant to his family and to his friends. I wish him many more years of happiness, of success, and of satisfaction, all of which he has so richly earned and so justly deserves.

#### TRIBUTE TO SENATOR PAUL DOUGLAS

Mr. DODD. Mr. President, on Monday of this week the Senate celebrated the 70th birthday of a beloved colleague and of a very great American, Senator PAUL DOUGLAS.

An engagement in Connecticut prevented me from being here to join in the splendid and richly deserved tribute that was paid to Senator DOUGLAS. Therefore, I would like to take this opportunity now to pay my respects to this remarkable man. He is not in the Chamber at the moment, and perhaps it is just as well, for I know that his innate modesty might cause him some embarrassment at what I am about to say.

Long before I came to the Senate, I knew of PAUL DOUGLAS through his writings, his speeches, and his work here in the Senate. I knew him through the causes he fought for and the abuses he fought against, and I have always looked upon him as one of the truly great political figures of our generation.

Since I have been in the Senate, all of my favorable impressions of PAUL DOUGLAS have been confirmed, and much that I could not possibly have known then has been added to the picture.

I have seen him day in and day out carrying on a ceaseless struggle for his concept of the public good. I have seen him wage the battle zestfully, cheerfully, good humoredly, without bitterness or rancor.

Therefore, over the years I have come to look to PAUL DOUGLAS not only for guidance about political or economic matters but also for example and instruction in the larger matters of humane conduct and personal philosophy.

It has been an enriching experience to know this man, to serve with him, and to have his friendship. And though my remarks are a bit belated, I would not want this opportunity to pass without saying of him publicly what I have often said of him privately. We live in a better country, a stronger country, a wiser country and a more humane country

because of the brilliance, the vision, the charity, the vigor and the love for freedom which have characterized the career of PAUL DOUGLAS.

Mr. JAVITS. Mr. President, I wish briefly to join with the distinguished Senator from Connecticut [Mr. Dodd] in wishing a happy birthday to the senior Senator from Illinois [Mr. Douglas]. I have not had an opportunity to do so before. But yesterday as we debated the poll tax amendment the Senate had an opportunity to see in practice everything that the Senator from Connecticut has so properly and so eloquently said about our colleague.

The senior Senator from Illinois is my close friend. I am very proud of that fact. He has been a staunch worker in the struggle for equal opportunity in this Chamber, and an enormous defender of the bipartisan tradition in respect of it. He is a great servant of the people of Illinois. He is also an extraordinary model of what makes our country so inspirational to us and I think to all the world.

When we remember that Senator PAUL DOUGLAS at the age of 50 took boot training in a Marine camp in order to qualify as a private soldier, suffered grievous wounds in war at that age, and then lived to be with us as an honored, respected and—I do not believe anyone will quarrel with the fact—one of our leading Members and one of the great exponents of freedom in our country and the world, it is indeed a most exciting and gratifying experience in life. I join with all Senators in wishing for PAUL many, many years of continued health, happiness and youthful service in the Douglas tradition on his 70th birthday.

#### FREEDOM OF COMMUNICATIONS

Mr. CARLSON. Mr. President, in the March 1962 issue of the Kansas Union Farmer there appeared an editorial entitled "Freedom of Communications."

This editorial expressed concern over the Federal Communications Commission requesting the right to censor radio and television programs.

Freedom of communication is a basic constitutional provision and I sincerely hope it will not be abridged.

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:

#### FREEDOM OF COMMUNICATIONS

The first amendment to the Constitution guarantees the freedom of speech and of the press. It says that Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or of abridging the freedom of speech or of the press.

Down through the years, it has been applied by the courts to every form of communication: to newspapers, books, magazines, and motion pictures. Now we have the Federal Communications Commission requesting the right to censor radio and television programs.

It is a dead certainty that the FCC will soon request Congress for authority to control the electronic media. This is a shameful organized effort by a branch of the executive department of Government to take

unto themselves a freedom that belongs to the citizens of the United States.

President Kennedy should order the FCC to go no further in its effort to hamper freedom of communication in this country.

In the words of Justice Louis Brandeis, one of the great liberal minds of American jurisprudence: "Experience should teach us to be most on our guard to protect liberty when the Government's purposes are beneficent. The greatest dangers to liberty lurk in insidious encroachment by men of zeal, well meaning, but without understanding."

The Farmers Union people should rise to this challenge of freedom, and act quickly by writing their Congressmen that the FCC request for additional powers should be denied.

#### SUGAR ACT EXTENSION LEGISLATION

Mr. SMATHERS. Mr. President, for more than a quarter of a century, in peace and in war, the Sugar Act has provided domestic consumers with adequate supplies of sugar at reasonable, stable prices; it has provided protection for domestic producers at no cost to American taxpayers; it not only pays for itself—it pays a bonus, or dividend, of approximately \$19 million annually to the U.S. Treasury. It has fostered friendly relations with most of our sugar-producing neighbors in the Western Hemisphere. The sugar program developed under the act works so smoothly that the average citizen is not even aware of its existence.

But the Sugar Act which has worked so well for so many years is due to expire next June 30. In its place I hope we will be able to enact a Sugar Act for a term of at least 5 years, amending the present basic quota structure to bring it up to date, and make it consistent with current world and national conditions.

Prompt enactment of a long-range revision of the Sugar Act is required for intelligent food planning by industrial sugar users as well as by the domestic sugar industry. As a matter of fact, consumers, producers, refiners, foreign suppliers and our own Government all have been handicapped by the uncertainty resulting from the short-term extensions of the law since the summer of 1960.

The growing of sugarcane and the production of sugar are two of the major agricultural operations of Florida. I have, therefore, followed with interest, the intensive work of the five segments of the domestic sugar-producing and refining industries, to develop a unified sugar legislative proposal. The domestic industry now has a proposal which is supported by all of its segments. It has been presented to representatives of the administration and to the Departments of State and Agriculture. In my judgment, it deserves the most careful consideration of the administration and the Congress.

Because of the fact that this proposed legislation is so vital to my State I should like to discuss for a few minutes the beneficial effects that the provisions of the proposed bill would have upon the mainland cane producing areas which as you know are in Florida and Louisiana.

The proposed basic quota for mainland cane would be increased by some 150,000 tons over that area's 1961 marketing of 750,000 tons. This proposed



increase is in line with the area's 1962 crop production.

The annual consumption growth in sugar in the United States is 150,000 tons. The industry proposes that 100,000 tons of such growth be assigned to domestic producers, 25,000 tons of which would be added to the mainland cane quota.

Mainland cane areas must have this additional increment because of the the well-publicized industry expansion already underway. The number of raw sugar mills in Florida is increasing from 3 in 1960 to 11 expected to be in operation by 1963. Seven of those mills are scheduled to begin operations in 1962.

The amount of land now planted in sugarcane is estimated at 150,000 acres as compared with less than half that acreage only 3 years ago. Heavy investments of more than \$100 million in land, in drainage, in machinery and equipment have been made in Florida.

The 150,000-ton addition to our basic quota and the 25,000-ton annual growth provided in the industry's legislative proposal for the mainland cane area are essential to permit the marketing of the new production now underway in Florida and Louisiana. Without them, severe hardships and heavy financial losses will be suffered in Florida and in Louisiana by both old and new producers. Even with these provisions, strict production controls in the mainland cane area in 1963 appear inevitable.

An important part of the proposed legislation would be the requirement that all sugar imported into this country be raw sugar. Prior to the embargo, Cuba brought in 375,000 tons of refined sugar every year. When this sugar was intermittently dumped at our eastern ports, it seriously upset the market's stability.

To show the impact that this had on the State of Florida, 50 percent of the sugar used in our State in 1959 and 1960 was imported as refined sugar, but in 1961, after the President's embargo on Cuban sugar, only 20 percent of the sugar used in Florida was imported. A permanent ban on the importation of refined sugar into this country would have a salutary effect upon the stability of our domestic sugar industry.

Mr. President, I hope that the Senate Finance Committee will begin immediately to consider the sugar legislation and get its hearings underway so that the Senate can, at least this year, contrary to what we have encountered in past years, have full and ample opportunity to consider all the ramifications of this vital legislation.

It is true that the administration has not yet sent its bill to the Congress. However, if history is any indication, our committees are not going to be terribly influenced by any proposals about which they do not already have knowledge; they will certainly arrive at their own independent judgments.

We all know what has transpired in the past when it was only at the very last minute that the House sent us a sugar bill to consider. I cannot remember when we have had time to carefully consider this legislation after it reached the Senate side. I hope that we do not

get ourselves into that kind of a situation this year.

I would, therefore, respectfully urge our Finance Committee chairman, the very able and distinguished Senator from Virginia [Mr. BYRD] to begin Committee consideration of the proposed sugar legislation as soon as he possibly can within the limitations of his schedule. I am also requesting him to write Congressman COOLEY, chairman of the House Agriculture Committee, as he did last year, urging that hearings begin as quickly as possible on the House side, so that the Senate may have ample time to give full consideration to this measure.

In short, Mr. President, let me say that I heartily subscribe to the increases in the quota of mainland cane sugar and in the proposal that 25,000 tons of our annual consumption growth in this country be assigned to that area of our sugar-producing industry.

As I have mentioned, the industry in my State has already moved to take up the slack created by the embargo on Cuban sugar and I think that it is incumbent upon us now to assign a fair and reasonable share of the sugar market in this country to our domestic industry. If we fail to permit our own U.S. producers and refiners to share more fully, I can say with sad assurance that the industry in my State will be dealt a most severe attack.

#### LEGISLATION RELATING TO COOPERATIVE EXTENSION WORK

Mr. WILEY. Mr. President, currently there is pending before the Senate Committee on Agriculture and Forestry a bill, S. 2998, which would revise the formula for allocating funds to States in support of cooperative extension work in agriculture and home economics.

Today, I was privileged to receive from Henry L. Ahlgren, associate director of the Cooperative Extension Service of the University of Wisconsin, a letter endorsing the objectives of the proposed legislation.

Reflecting the authoritative views not only of Mr. Ahlgren, but of other extension directors, I bring his letter to the attention of the Senate—particularly to members of the Agriculture Committee—and ask unanimous consent that it be printed in the RECORD.

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

MARCH 26, 1962.

Senator ALEXANDER WILEY,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR WILEY: I have just learned that a bill to amend the Smith-Lever Act was introduced by Senator ELLENDER on March 14. The bill, S. 2998, has been referred to the Senate Committee on Agriculture and Forestry of which Senator ELLENDER is chairman.

This legislation has to do with the revision of the formula under which Federal funds are allocated to the several States in support of cooperative extension work in agriculture and home economics. The need for such a revision has been under study by the extension services for some time and the proposed legislation is aimed at providing for a somewhat more equitable distribution to the States in which urbanization

is progressing at a proportionately more rapid rate. If approved, the proposed new formula will apply only to such increases in appropriations as the Congress may provide in the future; and not to any previous appropriations. As this legislation comes to your attention, I would like to have you know that it has our support. Actually, Wisconsin would receive \$2,802 less for each \$1 million of additional appropriations under the proposed new formula than under the formula currently in effect. Nevertheless, we have taken the position that we should not be opposed because we believe it is in the general interest of our service on a nationwide basis. It might be of further interest to you to know that the revisions which are being proposed in this legislation have the unanimous approval of all of the State extension directors of the United States. This letter is being written to let you know that should you decide in favor of supporting this legislation, you would be doing so with our full approval.

Sincerely yours,

HENRY L. AHLGREN,  
Associate Director.

#### PHILADELPHIAN SERVED AS FIRST JEWISH ARMY CHAPLAIN

Mr. SCOTT. Mr. President, a year-long celebration of the centennial of the Jewish chaplaincy in our Nation's Armed Forces will be inaugurated at the opening session of the National Jewish Welfare Board's national biennial convention on Wednesday, April 4, 1962, at the Deauville Hotel in Miami Beach, Fla.

The 100th anniversary marks the signing of the act of Congress which permitted ministers of any religion to serve as chaplains in the U.S. Army. This historic act signed by President Lincoln on July 17, 1862, enabled rabbis for the first time to serve as military chaplains. This action was one of the landmarks on the road to complete religious equality.

The first Jewish military chaplain commissioned by the U.S. Government—and in fact by any government—was the Reverend Jacob Frankel, cantor of Rodeph Shalom Congregation, Philadelphia, whose commission was signed by President Lincoln on September 18, 1862. Reverend Frankel was appointed the Jewish chaplain for the six military hospitals in Philadelphia. Frankel's reports to the Surgeon General of the Army are preserved in the National Archives in Washington, D.C.

Reverend Frankel was reappointed in 1863 and 1864, on an annual basis, and was honorably discharged from service on July 1, 1865.

President John F. Kennedy, in his message to Solomon Litt, president of the National Jewish Welfare Board, wrote:

It is most appropriate that the year-long observance of the 100th anniversary of the act that led to the appointment of the first Jewish military chaplain should begin at the national convention of the National Jewish Welfare Board. Since 1917 your organization has played a unique and important role in every war as the agency which our Government has accredited for providing religious, morale, and welfare services to Jewish military personnel. It is heartening to have the assurance that young people in uniform are being linked to home and religion. This work, together with the equally significant efforts of your affiliated Jewish community centers and YM-YWHA's, contributes materially to the national health, welfare, and morale.

**"ONE HUNDRED AND SEVENTY-FIVE YEARS UNDER THE CONSTITUTION"—ADDRESS BY STERLING HUTCHESON**

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a speech delivered by Judge Sterling Hutcheson, of Virginia.

With great ability Judge Hutcheson has outlined clearly and with profound understanding the principles as written into our Constitution by those great men who founded our form of government, which, in a brief space of 175 years, has been the influence that has made America the greatest of all nations. In this notable address in forceful language he calls attention to the dangers that now are undermining the basic principles of our constitutional democracy.

Judge Hutcheson has served as Federal judge in Virginia, where he made a splendid record.

To those who desire a concise and able statement of our fundamental principles and the dangers of today, I commend and encourage their study of this address.

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

**ONE HUNDRED AND SEVENTY-FIVE YEARS UNDER THE CONSTITUTION**

(By Sterling Hutcheson)

For the individual 175 years is a relatively long period. In the life of a nation it is but yesterday.

Less than 200 years ago the English-speaking American Colonies were subject to Great Britain. A vast area of the Continent of North America which later became a part of the United States was claimed and held by other nations: Spain, France, and Russia.

Feeling aggrieved by the treatment accorded them by the British Government they declared their independence of the mother country. I shall not undertake here to discuss the underlying reasons, some based upon the popular slogan relating to taxation without representation, and others which had to do with monopolistic restrictions concerning commerce under which the Americans were unable to develop their economy as they felt desirable, with the resulting burdensome indebtedness of the colonists to British financiers.

We are all familiar with the long and costly war which followed, and being won with the substantial aid of England's traditional enemy, France, we became independent. All this has been taught us in history, stories, and song. Many of them, like Mr. Longfellow's version of "The Midnight Ride of Paul Revere," are more inspirational than factual.

What I shall discuss with you is the less spectacular but more important establishment of our National Government in the period immediately following the close of the war and a brief review of what has since happened to it.

At that time there were 13 separate and distinct sovereignties which had thrown off their status as colonies governed by Great Britain and had thereby become States in their own right. No longer did the British laws prevail and the old Articles of Confederation, hastily improvised to create a union of sorts to meet wartime conditions, was totally inadequate for the needs of a nation in time of peace.

It, therefore, became desirable to adopt a new agreement between these States if they were to become an effective force in world

affairs. It was generally realized that separate States could not become such a force and the similarity of their common problems could best be served by entering into a union of some sort. The real questions pertained to the form of that union.

By great good fortune there were men at hand prepared to undertake and accomplish the task before them. They have been described by the historian, Charles A. Beard, when he wrote:

"It is not merely patriotic pride that compels one to assert that never in the history of assemblies has there been a convention of men richer in political experience and in practical knowledge, or endowed with a profounder insight into the springs of human action and the intimate essence of government. It is indeed an astounding fact that at one time so many men skilled in statecraft could be found on the very frontiers of civilization among a population numbering about 4 million whites.

"It is no less a cause of admiration that their instrument of government should have survived the trials and crises of a century that saw the wreck of more than a score of paper constitutions."

That statement is as true today as it was in 1912 when it was made, but do not fail to hear the warning note concerning the fate of the others.

These were the men who, as representatives of the separate States, assembled in Philadelphia 175 years ago come May 14, 1962.

To bring them a little more into focus as individuals, we should remember that among them were 7 Governors or ex-Governors of their States, 28 Members or ex-Members of Congress, 8 signers of the Declaration of Independence, and towering above all of them was Washington, whose greatest asset was his reputation for personal integrity.

So much for a brief glimpse of past achievements. Among the delegates were those who later became Presidents, Vice Presidents, Senators, Representatives, foreign ministers, Justices of the Supreme Court, Cabinet officers, and many others of equal ability.

While the cause for which they assembled was a common one, naturally there were differences of opinion among the delegates as to the best method to "form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity"—that being their avowed purpose.

The two extreme viewpoints may well be illustrated by those on the one hand of Alexander Hamilton, who, contemptuous of popular opinion, preferred an all-powerful central government rather than the federal system; and those of the followers of Patrick Henry (while not present himself) who were deeply suspicious of any central government and correspondingly jealous for the rights of the States.

In between were those of more moderate views, such as Edmund Pendleton, of Virginia, who by reason of ill health was unable to be present but whose influence was of great importance.

After months of debate and interchange of ideas, the form of the new government was agreed to by the members of the Convention and its adoption by the States became the next step.

Naturally there was a great amount of speculation among the people concerning the form of government to be recommended. When the delegates finally adjourned a group gathered around Benjamin Franklin. In response to questions he replied that the Convention has given the people a republic—if they can keep it.

While the merits and demerits of the proposed compact between the States were being debated publicly prior to submission to

a vote there appeared in published form 85 articles in its defense. These were the joint products of Alexander Hamilton, John Jay, and James Madison. Later published in book form they are known as the *Federalist*. This is one of the most important and significant interpretations of the Constitution and of the principles upon which our Federal Government was established. In fact, it is the most important discussion yet published of the principles of the federal system of government. It has been cited by the Supreme Court as a source of constitutional law and has been published in French, Portuguese, Spanish, and German, the latter before the days of Hitler. I doubt that it has appeared in the native language of other totalitarian countries.

I cannot resist one further reference to Hamilton. Opposed to the federal form, he nevertheless urged adoption with apparently earnest reassurances concerning the apprehensions of those who feared centralization, which was the principal objection. After adoption he promptly commenced efforts to bring about centralization in direct conflict with his campaign promises, thereby setting a pattern with which those of us who live today are not unfamiliar.

I recommend to all interested in affairs of the Government under which we live, and that should include every person, read the *Federalist*. I also recommend that you read the biography of Edmund Pendleton by David Mays. These two publications are invaluable to one who would understand our unique form of government.

These volumes, as well as the Constitution itself, clearly and in simple words enunciate the principle that the powers of the Federal Government are few, they are limited to only those powers delegated by the States. They are defined and circumscribed by the charter. That is not to say the Constitution is rigid and inflexible. Far from it, but the powers granted are within a limited field—the field involving governmental affairs of a national kind, such as relations with foreign countries in the area of trade or commerce, making treaties and waging war, and, at home, in those affairs involving the relations of the States or those commonly affecting all the States.

On the other hand, the powers and corresponding responsibilities of the States are many, residual, and indefinite.

This is specifically set out in 28 simple words in article X (the 10th amendment). They extend to all the objects which ordinarily concern the conduct, the lives, liberties, and properties of the people of the several States.

I think a clear and simple illustration is that the jurisdiction of a court created by a State involving the law of the State is presumed. To deprive such a court of jurisdiction there must be an affirmative showing of its lack—that is an attribute of sovereignty.

In contrast the jurisdiction of the Federal court must be affirmatively shown by him who invokes it. It may be challenged at any time, before, during, or after trial, and even on appeal. That is a characteristic of a limited government. The distinction is important.

I have gone into some detail concerning the foundation stones upon which our Government was erected by careful, competent builders.

And here I shall mention the important fact that they made provision for amending the Constitution as future needs may arise in an orderly manner by the parties to the compact, that is by the States. This method has been followed upon a number of occasions, although the circumstances under which some of the amendments were declared adopted are questionable, to say the least. And there was the 18th amendment by which the Federal Government un-



dertook the task of regulating the personal conduct of the individual by prohibiting the manufacture of intoxicating liquor for drinking purposes. This was accompanied by a moral crusade. My confidence in the good sense of the American people was strengthened when the amendment was repealed by an overwhelming popular vote less than 15 years after its adoption.

It is not an oversimplification to say that the Federal Government was created to serve national purposes while the States retained control over their internal affairs. Under this arrangement emphasis was placed upon the importance of individual rights as against the omnipotent power of the state as represented by government generally.

Of course, one result of prime importance is the lesser danger from articulate, organized minority groups seeking special privileges. One all powerful authority is more easily manipulated by such groups than is the case when the authority is diffused.

These considerations were in the minds of the framers, who were familiar with governments past and then present and they set about to create something new. Realizing the infirmities of human nature, including the ever present thirst for power which animates some, they undertook by a system of checks and balances to devise a means of controlling government as administered by men—since, of necessity, government must be administered by men, even in this day of electronics.

Now, having examined thus briefly our governmental origin, let us take a somewhat hasty look at what has happened to it during these 175 years.

Beginning as an infant nation without a national currency, without credit, without industry worthy of the name, a scattered population, and long distances to travel with only primitive means of communication, we now have reached a position of world leadership. We have acquired large areas of territory, principally by purchase from other nations, although that is not exactly the way Texas became a part of the Union; and, of course, there are some who are reluctant to discuss our past and present conduct as it relates to the Indians. We defeated Great Britain in a second war. We have fought a bitter fratricidal war among ourselves. We had Cuba for a while—again not because of purchase and we quickly granted her a status of independence. We have spanned the continent with railroads and a superb system of highways; and we have gone over to Europe twice to impress our views upon the erring peoples there, waged a war involving the greater part of the Pacific, and we have sent a police force into Korea.

In the meantime, here at home we have built up one of the greatest industrial and technical empires the world has ever seen. We have established the American dollar as the most desirable medium of exchange in the marketplaces of the world. Our living conditions at home are, and long have been, the best in the world.

Remember that these things have been done within less than 200 years.

And remember another thing—these achievements have been brought about under that dual form of federal government which was designed to place primary emphasis upon the liberty of the individual, the initiative of the individual and the right of the individual to enjoy benefits derived as the result of his initiative. In brief, it is the fruition of the private enterprise system under which we have flourished and become great, with each at liberty to do, within reasonable latitude, what he will with that which is his, to contract as he sees fit and to work as he sees fit.

It is a heritage of pride and one which we must hold at the cost of any sacrifice.

But we would be well advised to remember also that during this time there have been forces continuing the work of undermining set in motion by Hamilton. From time to time they have been rebuffed, but they have been only temporarily stopped, and the work goes on to establish an even greater and more powerful government in Washington.

I do not mean to be understood as assigning sinister motives to those who honestly believe our Government should be changed by lawful means. They are honorable men. Brutus was an honorable man, as you will recall. He and his associates based their actions upon what they believed to be true, not upon an intentional distortion of facts of history.

During this time there have been many changes affecting life in the Nation. From open fireplaces we have advanced to central heating. The automobile, and in some instances the jet plane, has taken the place of the oxcart. The mule has been replaced by the farm tractor. Such changes bring about others and in some particulars it has been necessary that government change. Specifically, new machinery must be devised for dealing with new problems, such as the huge expansion of business activities of a national scope, the widespread activities of organized crime syndicates extending across State borders, transportation affecting the national interest, and others with which the separate States cannot deal effectively.

All these are provided for by the Constitution.

When we turn from a consideration of the accomplishments of the people of the Nation during these 175 years to a consideration of what has happened to our constitutional government, I am at a loss for a starting place.

I think perhaps the amendment authorizing the assessment of a tax on incomes adopted in 1913 may be considered the first substantial breakthrough for the untiring advocates of centralization. This was not generally recognized at the time.

In persuasive tones the people were assured that the tax would be negligible in amount and would affect only the wealthy—a minority always cheerfully surrendered as a sacrifice. Actually for some two decades, while troublesome, the tax was not burdensome, and most of us went along in blissful ignorance and with slight, if any, conception of its possibilities.

Then realization came with a rush. Also with a rush came the expansion of the Federal Government to an extent theretofore inconceivable by the average person.

With this weapon in its hand the Federal Government has an instrument capable of depriving the individual of every penny of his income. There is no limitation. And we read of discussions seriously had by so-called economic experts and advisers regarding what part of the national income the individual should be permitted to spend as related to what part should be spent by the Federal Government. In such articles as I have read the part to be played by the States and localities is not clear. However, presumably they would be permitted to levy taxes of some kind. Several alternatives suggest themselves. The Government in Washington may see fit to leave the taxpayer enough to pay his State and local taxes, the Federal Government may extend subsidies to these agencies, or the now lesser governments may find themselves reduced to operating on tax money levied upon property owned by the individual—as long as it lasts, but that spring will of necessity soon become dry.

You may well ask, "What of the expenses of actual living?" That is a good question, but it overlooks the facilities of our already huge welfare organization, which by the addition of employees could provide for actual subsistence based upon a sort of slide

rule computation—prepared in Washington, of course.

Does this sound farfetched? Perhaps it does, but when we consider the plan upon which our Government was founded it is no more farfetched than other occurrences which have taken place. And if people are sufficiently frightened they will agree to almost anything.

For example, the financial depression of the 1930's which was so greatly publicized as an emergency, a national emergency, an unprecedented emergency, and in similar terms. Of course, like all civilizations, we have had periods of financial stringency and will continue to have them.

There have been efforts to amend the Constitution by means provided by the framers, so as to fix a limit upon the portion of income which may be assessed. They have received scant consideration. Is this because its advocates are shouted down or ignored?

For years there has been a movement to obtain consideration of what is known as the Bricker amendment to the Constitution. In simple language, this proposed amendment would provide that in matters affecting the internal or domestic affairs of the United States, the laws enacted by the Congress of the United States will be superior to treaties with foreign nations. Today we hear little of the Bricker amendment. Why? Is this because advocates are either silenced or given no recognition by the news media?

Anyway, while the proposals have been pending for a number of years the people have not been permitted to express their views by voting either for or against them.

In almost every field of governmental activity we now find the Federal Government. This has come about inch to ell and step by step with constant extension of the authority over the States and control over the affairs of the individual in almost every act of his daily life. Some of this has resulted from acts of the Congress, some from the executive department, and others by judicial fiat.

Let us take a look at a few examples. No longer may the State determine for itself the qualifications of a teacher employed in its schools, nor can the State deny a license to practice law unless the grounds for denial are acceptable to the Federal courts.

No longer may the State prosecute for a violation of its law one who has been convicted in a Federal court of violating a Federal law involving the same set of facts. No longer may the owner of property leave it by will subject to conditions unacceptable to the Federal court.

In a recent, celebrated case, the Supreme Court has held that when Congress has legislated in a particular field, the States are precluded from legislating in that area of political activity. Unless the Court should reverse itself, as it has been known to do, I find nothing to prevent the application of that principle to the power to tax, which would be far reaching indeed.

As a countryman and a farmer of a sort, I must mention the grip of the Federal Government upon the operations of the farmer, who has become so anesthetized by subsidies that he welcomes supervision and the resulting controls. This control, you will recall, was one of the grievances against Britain when we were a colony. Placid acceptance of conditions is a characteristic of the proud wild creature of the forest after a subduing period of well-fed captivity.

Then there is the Federal law requiring the operator of a lottery, without any interstate activity, to buy a \$50 wagering stamp from the United States. Incidentally, this does not give the possessor of the stamp immunity from prosecution in the State courts for the offense of gambling.

There are only a handful of the multitudinous restrictions imposed upon the States and the individual having no relation

to the purposes for which the Federal Government was created.

Of course when we enter into the field of Federal taxation it is so vast that volumes have been written on the subject. Considering the present trend to an increased demand for revenue there will be no doubt be others.

I shall merely mention the subject of Government spending. We are constantly reminded of that, not only by the excise man but by the press. We should pay heed to it, but do we?

Do we pay heed to the scandals in the expenditure of millions upon millions of dollars of our tax money by the welfare agencies?

Do we view with alarm the millions upon millions spent in what is called stockpiling of unneeded materials? There are countless other projects into which money collected from us in taxes is poured by millions and by billions.

I am no foe of scientific research, but a list of such projects, subsidized by tax money, would be interesting reading I am sure. I cannot resist referring to the grant of \$1,201,925 for a study of the affectional ties of baby monkeys for their mothers, which I note from the press is being strongly defended on scientific grounds by the Federal agency responsible. Since there are probably abnormal monkey babies, normal monkey babies and mentally retarded monkey babies it may be necessary to first establish a rapprochement with the monkey mothers to determine which is which, and the undertaking no doubt will be expensive and so far as I know may be justified, but I wish the spokesman had explained the \$1,925 tacked on. That is an amount of money I can understand.

I am not familiar with the shellcracker sunfish but I look forward to learning something about it—specifically how it can be used to control snails. This curiosity must await satisfaction until the scientific study is released, at a cost to the taxpayers of \$7,400 of taxes taken from us for expenditure under a bureau in Washington.

Now it well may be that some, many, or possibly all of you believe, or may later believe, that all this government is necessary, or at least desirable.

I do not appear as an advocate of any special course of action. I do have my own personal views on the subject, as you may have suspected. I cannot justly be accused of political partisanship. This trend has been bipartisan for some time.

I do appear as an advocate of a course of conduct on the part of the individual citizen which I urge you to follow, by suggesting that when public issues are before the country you inform yourselves as fully as possible concerning their merits and demerits and the possible effect upon life in these United States. Ask yourselves how they will affect you and your children and your grandchildren.

Then vote as you think best. Or if the issue does not involve a vote, notify your representatives, local, State, or National what you think should be done. If you think the Government should be in the hands of the people say so. If you think affairs, including the spending of a governmentally determined percentage of the income earned by the individual, can best be managed by an expansion of our present bureaucracy say so.

Stated somewhat differently, it is for the people of this country, such as you and me, to decide whether we shall continue the modern form of government formulated less than 200 years ago by a group of liberal minded, forward-looking men (some of them in their thirties), under which the rights and accompanying responsibilities of the individual to his government, to himself and to his family are paramount, under which

this Nation became great; or shall we follow the road of reaction to the omnipotent state, the rise and fall of which has innumerable parallels in history. The state in which the individual is not a citizen but a subject. The state in which the rights of the individual are subordinated to the supreme rights of not only the state but to the powerful minority groups who exert an unhealthy influence upon the state in obtaining monopolistic control in various fields of activity inimical to the best interests of the ordinary individuals, such as you and me and our friends and neighbors, who only want to be free to pursue life, liberty and happiness in our own way, without being compelled to follow signposts erected by a task force working out of Washington often couched in language well nigh incomprehensible to many of us.

After all, a people should have the kind of government they want. And to conclude with the wise words of Benjamin Franklin "you have been given a republic if you can keep it." It is for you to decide. And the day of decision may be not far off.

### THE UNITED STATES AND THE COMMON MARKET

Mr. MANSFIELD. Mr. President, one of the outstanding members of the U.S. Citizens Commission on NATO, and the only one from the western part of our country, is Alexander Warden, of Great Falls, Mont.

Alex Warden is publisher of the Great Falls Tribune, one of the West's great newspapers. Since returning to Montana from various NATO conferences he has discussed with many organizations in Montana the issues explored at the conferences and the need for the United States to establish a close relationship with the European Common Market. He has stated that an increase in U.S. exports to Europe is essential and that "this can only be effected by giving the President authority to make trade agreements at arm's length. This is not a partisan matter," he said, "but a matter of national welfare."

Mr. Warden has made a significant contribution to a better understanding of the issues involved. He is performing a service in his discussions which will have a decided effect on the future of our country and I commend him for it.

Mr. President, I ask unanimous consent that news stories and editorials may be incorporated with my remarks at this point.

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

[From the Great Falls (Mont.) Tribune, Feb. 1, 1962]

#### DEADLY COLD WAR WILL GO ON, SAYS NATO COMMISSION SPEAKER

"Even though no crisis is likely to trigger a shooting nuclear war, the present deadly cold war will continue unabated so long as we live."

This was the expressed opinion of Alexander Warden, publisher of the Tribune and Leader, at the Rotary Club's luncheon meeting Wednesday noon in Hotel Rainbow.

"If you are sleeping well, you might, in your prayers give a slight vote of thanks to NATO, which is largely responsible for the fact we are not in the middle of a shooting war," Warden suggested.

He discussed the Atlantic Convention of North Atlantic Treaty Organization (NATO) nations, which he attended in Paris in mid-

January as a member of the U.S. Citizens Commission on NATO.

Warden told of NATO member nations' concern regarding the Communist threat, expressed his views of the Common Market and reviewed a short visit in West Berlin.

In introducing the speaker, R. F. Kitchingman, executive vice president of the chamber of commerce, termed Warden's appointment to the commission as "a great honor that has come to Montana." He noted the publisher now is the commission's only member from a State west of the Mississippi.

"We're getting into a type of world very new to us," Warden said, "a world which will necessitate new and aggressive measures."

He said that of the world's 3 billion people, 1 billion are under Communist domination, one-half billion in the free world and a billion and a half uncommitted, whose choice will gravely affect the fate of the world.

"People with hungry bellies don't care anything about ideologies," he said. "If 2 of the 3 billion become Communist, we're just about dead," he warned.

Regarding the Atlantic Convention, Warden reported, "We did make progress toward necessary cohesion of the free world to combat an effective Communist program that is going on."

"We didn't go there to make any moon-shot," he said, explaining a compromise was required.

Some conferees felt an Atlantic union government, complete with a constitution and necessitating countries giving up their national sovereignty, should be formed at once, Warden explained, while others recommended moving more slowly to a goal of that nature.

The Declaration of Paris, prepared by the 98 convention participants representing 15 nations' NATO commissions, included a determination to work for a true Atlantic community during the next 10 years, with a pattern of action to be prepared within the next 2 years, he reported.

Many resolutions concerned aid to developing nations, he said, adding the convention "went for" free trade, establishment of a scientific documentation center and for more joint action by NATO nations.

Warden described the Common Market, established in 1957 by France, Italy, West Germany, Belgium, Luxembourg, and the Netherlands, as similar to the program of the United States after the Revolutionary War.

Regarding the United States joining the Common Market, he noted the Common Market countries "couldn't care less, but are willing to talk about it." He said the Common Market can get along fine without the United States.

The U.S. trade balance, \$5 billion now, is not as good as it sounds, he said, noting the Nation is faced with a mounting deficit.

"The United States is not self-sufficient, and it is not going to be," Warden suggested. "For every job in American labor dependent on exports, 10 are dependent on imports, which will have a bearing on labor's attitude on what we do in international trade," he said.

"An increase in U.S. exports is the only answer," Warden advised, "and this can be effected only by giving the President authority to make trade agreements at arm's length. This is not a partisan matter, but a matter of national welfare."

Noting tariff reductions are an economic necessity, Warden suggested, "If we don't get into the ball game, we're likely to suffer slow strangulation."

He explained such a transition would require "painful adjustment" and suggested Federal subsidies to assist certain industries over the bridge might be needed.

Warden described "the wall," which he viewed during his Berlin visit, as "a disturbing sight" and as "a monument to the



fact that communism on the other side is a failure."

He praised Gen. Lauris Norstad, supreme allied commander, who conducted a briefing session for convention participants, describing him as "simply great."

Christian A. Herter, Secretary of State in President Eisenhower's administration, and William L. Clayton, who was Under Secretary of State under President Truman, are co-chairmen of the U.S. NATO Commission.

It was announced during the meeting that the nomination of Col. Harry E. Goldsworthy, a Rotarian, for advancement to the rank of brigadier general has been approved by the Senate. Goldsworthy is commander of the Site Activation Task Force in charge of the Minuteman project in this area.

#### KENNEDY'S GIANT STRIDE TOWARD NEW FOREIGN POLICY

There's been a crackling drumfire of impatient criticism, both at home and from abroad, because of the lack of any clearly defined foreign policy since World War II.

Now the President has moved to spell out in clarity a new foreign policy—national in scope for the first time in our history—for the handling of tariffs toward freer world trade.

Gone, fortunately, are the 150 years when U.S. tariffs were built or broken on the shifting sands of sectional pressures and log-rolling. Slated for exit, too, is the now quite inadequate Reciprocal Trade Act of 1934 with its barnacles of checkmating restrictions and quantity controls.

There's a new world. The President sees this clearly. So does a mounting segment of the American people, perhaps more than some Congressmen who feel dutybound to woo their constituencies in all their walking hours. Inevitably they must bow to a compelling national interest.

For we must be able, day by day, to negotiate trade agreements we need on a global basis. We have to stand in trading clothes fit for dealing at arm's length with the advancing and enlarging Common Market, with the nations of Latin America, with Japan, with the developing nations of southeast Asia and Africa.

Isolation is dead as a dodo, and we have the knotty problem of holding our own in the highly competitive arena of free international trade. We must also have a free hand to join with the rest of the free world in fighting the formidable monolithic juggernaut of Communist aggression so bent on world domination.

The necessary temporary adjustments in our domestic economy pale into insignificance when measured against the so much larger problem of economic survival and the growth of the Nation in the years now rolling.

To preserve our Western heritage, to hold our rightful place among the family of nations, it is time to set our house in order. With admirable foresight, the President has acted. We think the Congress should approve this new foreign policy as a matter of the greatest urgency.

[From the Great Falls Tribune, Mar. 18, 1962]

#### VIGOROUS TRADE POLICY VITAL TO UNITED STATES, SAYS WARDEN

"We are finally in a program of fighting communism and not just talking about containing it," Alexander Warden noted in an address before the League of Women Voters and guests Saturday at the DeMolay Memorial.

The Tribune-Leader publisher discussed the Atlantic Convention of North Atlantic Treaty Organization (NATO) Nations, which he attended in Paris in January as a member of the U.S. Citizens Commission on

NATO, and expressed his views on the world economic situation.

"In my thinking," he said, "aggressive international trade is by all odds the best route for us to take. Not only are its direct benefits so vital, but it may prove the broad avenue toward amity in the political area."

"That is why I subscribe to the President's plea for broad authority to make trade deals, at arm's length as expedient, with the rest of the world," Warden explained.

A business session and election of officers followed the address. Mrs. Harold Juedeman, who is in the second year of her 2-year term as president, presided.

The new slate presented by the nominating committee and elected included: Mrs. William Hoard, second vice president; Mrs. Raymond Todd, secretary; Mrs. Monte Bryant, treasurer; Mrs. William Lane, Mrs. Berk Achenbach, and Mrs. Harold Reichert, directors. Mrs. Ernst Elchwald has another year in her term as first vice president.

Named to the nominating committee for the coming year were Mrs. Howard Wilson, Mrs. Robert Beans, and Mrs. Serafino DelGuerra.

The league will continue for another year its survey and study of the Cascade County government. It also plans continuing support of the city manager form of government and study of the problems of expanding population.

#### THE ATLANTIC CONVENTION OF NATO CITIZENS COMMISSIONS

For nearly a year now friends have been angling gingerly up to the question, "Just what is this Government thingamajig you're mixed up in now?"

To which, with what unaccustomed dignity can be mustered, the reply, "I am a member of the NATO U.S. Citizens Commission."

"Oh, I see," is the retort courteous, meaning they do not see at all. A more illuminating answer needs some definitions. Otherwise an inquirer will be unhorsed on the first turn.

Most of us know we belong to NATO. But what is NATO, in this day of alphabetical mish-mash where, like women's skirts, everything is abbreviated? NATO is the North Atlantic Treaty Organization of 15 nations of the Western free world. The other 14, just for the record, are Belgium, Canada, Denmark, France, Western Germany, Greece, Iceland, Italy, Luxembourg, the Netherlands, Portugal, Turkey, and the United Kingdom.

What has NATO done? To date, truly a magnificent job in the military area of its wide scope. It has ready, for instant push-button use at its Paris headquarters, a nuclear power second only to that of the Soviets. Perhaps not second, for there is no telling just what the Russians do have. They haven't said, and their word on anything is suspect. But NATO has enough to make Nikita Khrushchev look well at his hole card before triggering an action which might lay Moscow in ashes within the hour. For example our Montana Missiles, with range of 6,300 miles, could be exploding in the Kremlin in not over 40 minutes.

NATO has also in sight its planned ground strength of 30 divisions. This has been delayed only because of budgetary problems in some nations, and because most of the French Army is busy in Algeria. My own prediction is that De Gaulle will clean up this mess soon and with complete success. De Gaulle is no idol in France, but he is the father image of the tricolor and he will prevail.

Difficult and exasperating as the Frenchman has traditionally been to govern, he has a steady undercurrent of realism that always controls those spectacular geysers of emotion so dear to his histrionic heart.

We were thoroughly briefed at NATO in Paris by our own General Norstad, the top

commander in this colorful headquarters. To hear him is to gain great pride in our deterrent power and to believe with him that a shooting war is not likely.

Well, if Khrushchev isn't going to shoot, what is he doing? Quite a lot, and all of it disturbing. Checkmated in the military area, this conniving dictator has in high gear a diabolical plan to bring us to our knees. His monolithic juggernaut is busy grinding through 70 nations, working in their economic areas, trying to corral them into the Communist camp and put us into economic quarantine. In this way he expects to strip us clean and pick our bones at his leisure.

How is he doing this? By going into the grassroots of the many new nations of the world in Africa and southeast Asia, into Latin America from his Cuban bridgehead. His emissaries deal not with the inexperienced, inept, or perhaps corrupt top echelons of governments. Instead they cultivate bright young people whose eyes shine with the fever of discontent. These go to Moscow for thorough indoctrination. Then back to their native lands with fat purses to foment trouble and sell the Communist line with glittering promises. Catering to hungry bellies, they don't need to spend time philosophizing on ideologies.

Has this been effective? Well, already of the total world population of 3 billion, 1 billion or one-third bow to the Hammer and Sickle. The free world has only half a billion. Who will get the allegiance of the remaining billion and a half? The big door prize is world domination, and Khrushchev is out in front and setting a fast pace. For example, currently he is peddling his oil from the Middle East as low as 75 cents a barrel.

We haven't done much to counteract this formidable threat. Of course, no democracy can move with the speed of a dictatorship where one man's waking word can be implemented into action in hours. We did recognize the mounting danger, but it took us nearly 10 years to act, before establishing by congressional action in the closing months of the Eisenhower administration our own NATO Citizens Commission on which it has been my interesting privilege to serve.

Our Commission was directed by the Congress to work with parallel commissions from the other NATO countries, toward a greater NATO unity in the neglected economic and political areas which now loom as our key battlefronts. We are finally in a program of fighting communism, and not just talking about containing it.

Members of our Commission were not appointed until last spring, and then by statute—half by the Vice President and half by the Speaker of the House. When the appointments were made, I was in Hong Kong sort of looking around for Suzie Wong, and that is not easy if your wife is along. Came a cable from an old Associated Press pal who lives to job his friends. Sure that it was a phony, I never even bothered to acknowledge.

Let me emphasize the bipartisan nature of the Commission, which at its initial meeting in Washington last April selected as Co-chairmen Christian Herter, former Secretary of State under Eisenhower, and Will Clayton, former Under Secretary of State for Economic Affairs under President Truman and generally accredited with authorship of the Marshall plan. Most of the others are men of proven international stature. I was under no illusions as to my own inadequacies, but took the appointment because it did constitute a recognition of Montana, which happens far too seldom from our National Capitol.

We proceeded to urge the formation of citizens' commissions in the other NATO countries, this by letter. We never got a single answer. So, by two's and three's and like Mormon missionaries, we made pilgrimages to the capitals of Europe. We found

our letters had never got through channels of redtape to the eyes for which they were intended. Once we appeared, there was quick success.

The next step was a meeting in London of a small preparatory committee from all the commissions to set the stage for an Atlantic convention. Paris was chosen as the place and January 8 as the starting date, with 98 delegates to assemble from the 15 countries. And so we went to Paris. You may rhapsodize about loving Paris in the springtime, but only a blindly devoted mother could love her in bleak and rainy January garb. Then is the season for inside bird watching, and that is only good after the lights come on.

Delegates were seated alphabetically, with each desk equipped with microphones with light controls to flag the attention of the presiding officers, and earphones. Gifted translators were never more than a word of two behind speakers, regardless of language. At kickoff time, with all media aiming cameras, lights flashing and a babel of tongues, the decibel level was high. I remarked to an associate from Mississippi that confusion was in the saddle and his observation was "Yeah, sounds like there's a possum loose in the henhouse."

Who voiced an invocation? Nobody. Here was an unexpected impasse. Christians and Moslems were sitting shoulder to shoulder. A standing moment of silence was the simple and sensible solution.

After the opening plenary sessions of the convention, it was quite clear that there was a wide gap between two schools of thought. One favored plunging at once into a full-fledged Atlantic union, complete with charter, constitution, parliament, judiciary, common currency and common foreign policy. The other wanted to go more slowly, fearing uproar at home over abandoning suddenly so much of the popular concept of national sovereignty. The target was the same; the difference was in the timing.

Two ad hoc committees, one political-economic and the other cultural, on which I served, were formed and went into closed sessions to grind out their credos and resolutions. Open plenary sessions were then resumed to fold the committee homework into final findings.

The result was an inevitable compromise, as in most parliamentary go-arounds. Yet the resultant declaration of Paris, with fortifying resolutions, was hailed as a big forward step in more NATO unity and a brave call for action.

It declared for a true Atlantic community in 10 years, with the pattern for it to be spelled out in the next 2 years. Its resolutions were a blueprint for (1) establishment of the nucleus of an executive authority on political, economic, military, and cultural matters, (2) legislative participation on questions of concern to the Atlantic community, and (3) a NATO high court of justice for settling legal differences therein. There was an air of genuine zeal, a climate of crusade to set wheels in motion for action.

By resolution, hands of friendship, with no strings attached, beckoned to all the emerging and developing nations, with assurances of help toward their goals of self-improvement and their attainment of respectable international stature.

Another important resolution was adopted at the behest of the Germans, seeking a NATO documentation center. The Russians have one, staffed by 200 scientists and manned by 17,500 technicians. It sorts every scrap of paper from anywhere in the world pertaining to any scientific development, translates it into Russian, and distributes it over the whole Soviet Union. NATO's lack of such a mechanism means the loss in obscurity of much of value. While we can't expect to get the Russian material, we ought at least to be able to use that of

the free world, whatever the country or language of origin.

In the weekend between the 2 weeks of all-day sessions, many of us accepted a spontaneous invitation from the West German Government to visit Berlin to see the wall, erected so suddenly last August to close the last escape gap in the 6,000-mile Iron Curtain which is no mere figure of speech but a gun-pointing barrier extending from the Arctic down through Europe and clear to Iran.

As we deplaned in Berlin we were met with a barrage of newspaper and audio-video abuse from East Berlin which called us war mongers, NATO warriors, and charged us with coming to impede the talks on the Berlin crisis. Such nonsense is, of course, typical of the Communist-inspired vituperation.

The wall is an ugly, sinister barrier and a monument to the abysmal failure of communism as a way of life. To ride up and down its 50 kilometers through the American, British, and French sectors is a grim and saddening trip. The air of tension is sobering.

As we stood at the British sector gate, suddenly an East German flag was coming down on top of a building. Immediately a British tank moved through us to train its guns on the flagpole. There was no incident, but the British were ready.

At the gate known as Checkpoint Charlie in the American sector, there is a sign in large letters facing into East Germany which says, "The assassins are among you."

We saw with our own eyes on this Sunday morning the never-ending crosses and wreaths and flowers and mourning friends and relatives at the many spots where those trying to escape to freedom had been shot down by the East German police. We saw people standing on chairs, boxes, and ladders, holding up children, and waving at friends or relatives in the drab, dreary purgatory that is East Berlin. There was no waving back or smiles from the doomed and despairing side. They don't dare.

And always, glints from the broken glass on end that tops the wall. Always the endless triple strands of rusty barbed wire on top of the jagged glass, even on top of all buildings that form part of the wall, buildings that have been evacuated and bricked from foundation to roof on the inside.

The lesson was clear to us as it is to all delegations invited to West Berlin from all over the world: "If you think communism will do anything for you, look at this."

I have tried to tell the why of the Atlantic Convention, something of its mechanics, and what it did. But what does this mean to us here in the United States?

Let's take a deep look into the crystal ball, swirling as it is from the winds of change gusting over the world.

It is comforting to feel that we are not likely to fry in our beds tonight from the nuclear holocaust of a shooting war. But the only alternative on the horizon is a deadly and exhausting cold war that will go on unabated, from crisis to crisis, in challenge that never ends.

It will be a conflict of constant maneuver and clash on the shifting economic battlefield. We'll have two jobs to do. We must help the rest of the free world to stem and stalemate the Communists, remembering always that they never fight by the Marquis of Queensberry rules. Then for ourselves we must hold our own in trading with the rest of the world. To come out of all this smelling like a rose will take some doing, but now is no time for the moaning counsel of despair. There's work to do.

Well, how are we fixed to fight this cold war? Maybe we're better off than we think, provided we adjust as we must. So, a quick inventory.

On the asset side, we're a long way this side of bankruptcy. Thanks to a Govern-

ment dedicated to liberty and freedom and the dignity of the common man, and thanks to large natural resources, we've scaled great heights. We have a dynamic economy hard to catch.

In industry we create in mass production with machines, advanced technologies, and skilled labor. Such know-how often yields two or three times as much per man-hour as foreign plants, lets us compete in their markets against the bugaboo of wage differentials.

Likewise, in scientific agriculture. Today in our own Montana, with strip farming, summer fallow practices, and chemical weed controls we wrest a wheat crop from dry land under subnormal moisture conditions that spelled total failure hardly a generation ago.

Bold and imaginative, we use the tools of invention, industrial and market research, gifted salesmanship, and convincing advertising.

Another asset is the cheapness of American capital. Our firms can borrow money at 5½ or 6 percent. In England, with the lowest capital costs in Europe, the going rate is 8½ to 9 percent. In West Germany, if you can get it at all, the interest tag is a fat 13 percent.

Up to now, such assets have been enough to keep us in clover, but there are some threatening clouds on the economic horizon. Technically, we still have a favorable balance of trade. I say technically because our 1961 paper balance of some \$5½ billion of exports over imports was more than wiped out by the \$8 billion cost of foreign aid and maintenance cost of our defense bastions around the world. So we actually spent more abroad than we got, and in the last 6 months of 1961 another two-thirds of a billion dollars of our shrinking gold supply took flight overseas.

This deficit has to be corrected and turned into a genuine favorable trade balance, because a chronic deficit will spell devaluation and flight from the dollar, more inflation, and a declining standard of living. It should be painfully obvious that we cannot possibly live on our domestic economy alone, that we must have the additive of a healthy and favorable trade balance. Any retreat into an isolation and reliance on our domestic markets behind tariff and quota walls will bring dreary consequences. For example, the Common Market countries, to whom we now export \$5 billion, can in retaliation deny us access to their own fast expanding home markets. The free world then splits into economic adversaries. Our own export industries, the livelihood of 6 million American families, go into stagnation. Mr. Khrushchev would raise a brimming beaker of vodka in delighted toast with a roar that would echo around the world and into space.

Even with all our resources, are we self-sufficient? If you think so, ponder that in major minerals our only exportable surplus is coal. Ponder, too, that General Motors needs 38 import items to make a car; the telephone companies need 22.

There's been rumbling because so many substantial American firms have established branches abroad, 42 of them in the Common Market countries. The total investment exceeds \$6½ billion, and no doubt a lot of American jobs have gone down the drain with the shift. Yet a current study by the National Industrial Conference Board provides facts to put this picture in focus.

Factually, lower European wages were not the impelling motive for this hegra, but a desire to get inside the tariff barriers abroad and also to cash in on the growth potential offered by the foreign markets.

There are other significant facets. Two out of three American subsidiaries found their costs of materials higher overseas.

More than one out of four reported total costs higher than in American home plants.



A number of others found their costs about the same. More than one out of three were enjoying no overall cost advantage over similar operations in the United States.

Perhaps it is obvious that I've been trying to lay a foundation. And here is the only conclusion I have been able to reach. In my thinking, aggressive international trade is by all odds the best route for us to take. Not only are its direct benefits so vital, but it may prove the broad avenue toward amity in the political area. You know, if you are doing business every day on a mutually advantageous basis with a man, you're not going to have sleepless nights over how he parts his political hair or worships the deity of his choice. The same with nations. Conversely, straining first for conversion to our political philosophy might be just to struggle futilely through the maze of bristling thickets and be torn to shreds on the thorns of foreign suspicions.

That is why I subscribe to the President's plea for broad authority to make trade deals, at arm's length as expedient, with the rest of the world. He seeks and needs the power to negotiate across the board for reductions or eliminations of tariffs on whole categories. Item-by-item dickering, with restrictions and quantity controls as provided in the outworn Reciprocal Trade Act of 1934, is hopelessly inadequate.

We must guard alertly our \$5 billion of exports to the Common Market countries, who reached clear back to the end of the 18th century to take a leaf from the book of the American Colonies after the Revolutionary War in forming the United States instead of degenerating into a mess of little principalities. The parallel is interesting, the result spectacular.

We can't neglect Japan, our chief Pacific bulwark against communism. Excepting

only Canada, Japan is our best export customer, bought in 1961 over a billion more than she sold us. Curiously, one of our important export items to Nippon was inexpensive toys.

Surely, we can't exclude Latin America. And if the developing countries of southeast Asia and Africa can't sell us, they may turn for guidance to the Communists who will come running.

Decisions can't wait for oratorical delays in the Congress. Before solons can finish extolling the virtues of their constituents and the needs of their balliwicks, the booming parade of international trade can disappear down the road and around the bend.

I yield to no one in fear of reposing too much power in single hands. But surely no President would perform other than in the national interest. And I submit that any man who can negotiate the hurdles of presidential primaries in a score of States, who can then fight his way to nomination in his national convention, and then be elected, is a pretty fair horse trader in his own right.

As to damage of a freer trade policy to us, it has been estimated that only about 30 percent of our imports compete with American-made products, so that dollar damage here might be limited to 1 percent of our gross national product. Meanwhile, our exports would be mounting.

Brookings Institute points out that enough tariff-lowering to increase our imports by a billion dollars a year, bringing in goods to compete with those of 72 American industries, could displace no more than 86,000 workers. Other economists project that abolishing all tariffs would not affect over 500,000 jobs.

Hence I salute the President's proposal as a giant stride in foreign policy. It looks at

international trade for the first time in our 150-year history from the plateau of national interest. This is in contrast to our traditional tariffmaking born of sectional pressures and logrolling. To me his proposal is a clear and ringing answer to the critical clamor that we have no foreign policy. Here is one that may well be carrying the seeds of our economic salvation.

This is a new world, with challenging new horizons. At stake may be our economic survival. To put it bluntly, shall we shoot for our proper part of something, or take chances on getting all of nothing?

As these fast-rolling years unfold, it will take real political courage and high economic statesmanship to preserve our Western heritage and hold our key place in the family of nations. Right decisions can win this cold war, and victory in the cold war will prepare firm footing for another giant stride, this one towards that great hope of all mankind, world peace.

#### REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS

Mr. HAYDEN. Mr. President, in accordance with the Mutual Security Act of 1954, as amended, I ask unanimous consent to have printed in the RECORD the report of the Committee on the Judiciary concerning the foreign currencies and U.S. dollars utilized by that committee in 1961 in connection with foreign travel.

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

Report of expenditure of foreign currencies and appropriated funds by the Committee on the Judiciary, U.S. Senate, expended between Jan. 1 and Dec. 31, 1961

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Thomas J. Dodd:											
Austria	Schilling	2,313.00	90.00	2,714.90	105.63			11,569.50	161.07	6,597.40	256.70
France	New franc	308.03	60.69	196.40	40.00			1,332.35	167.68	836.78	168.37
Germany	Mark	92.50	23.31	115.00	28.98			60.00	15.12	267.50	67.41
Hong Kong	Hong Kong dollar	90	15.65	143.75	25.00			34.50	6.00	268.25	46.65
Italy	Lira	51,514	82.95	49,680	80.00			166,555	1,107.15	167,749	270.10
Japan	Yen	8,712	24.20	12,600	35.00			110,100	128.05	31,412	87.25
Morocco	Dirham	105.89	21.17					40	8.00	145.89	29.17
Philippines	Peso			143.66	52.22			22.91	8.33	166.57	60.55
Portugal	Escudo	2,208	77.47	2,455	86.14			12,614.10	191.72	7,277.10	255.33
Switzerland	Franc	40	9.32	250	58.25			137.95	18.85	327.95	76.42
Taiwan	New Taiwan dollar	800	20.00	100	2.50			50	1.25	950	23.75
Thailand	Baht	480	24.00	600	30.00				11.00	1,300	65.00
Vietnam	Piaster	1,600	21.91	1,898	26.00			868	11.89	4,366	59.80
Total			470.67		569.72				426.11		1,466.50
Senator Philip A. Hart:											
Congo	Franc	670	13.40	60	1.20			73	1.46	803	16.06
Ethiopia	Ethiopian dollar	37.5	15.00	12.5	5.00					50	20.00
France	Franc	367.5	75.00	367.5	75.00			265	54.00	1,000	204.00
Ghana	Pound	10	28.30	12	33.96			3-1	8.49	25	70.75
Guinea	Franc	5,600	22.76	2,350	9.55					7,950	32.31
Kenya and Tanganyika	East African shilling	508	72.00	127	18.00					635	90.00
Liberia	Dollar	35.6	35.60	4	4.00					39.6	39.60
Rhodesia	Pound	13-18-1	38.93	4-19	13.86					18-17-1	52.79
Senegal	Franc	8,682	35.43							8,682	35.43
Sierra Leone	Pound	6	16.80	1-7	3.78					7-7	20.58
Somali Republic	Somalis	16.5	2.32							16.5	2.32
Total			355.54		164.35				63.95		583.84
Senator Kenneth B. Keating:											
Austria	Schilling	1,170	45.52	485	18.87	473.08	18.39	133.27	5.18	2,261.35	87.96
France	Franc	732.45	149.48	103.8	21.19	270	55.10	110	22.44	1,216.25	248.21
Germany	Mark	97	24.43	20	5.00	2,289.50	576.70	48	12.09	2,454.50	618.22
Israel	Israel pound	55	27.25					108.32	48.36	163.32	75.61
Italy	Lira	32,587	52.47	33,125	53.34			6,663	10.88	72,375	116.69
Switzerland	Swiss franc	202.15	47.02	149	34.66			48.85	11.35	400	93.03
United Kingdom	Pound	25	70.00							25	70.00
Total			416.17		133.06		650.19		110.30		1,309.72

See footnotes at end of table.

Report of expenditure of foreign currencies and appropriated funds by the Committee on the Judiciary, U.S. Senate, expended between Jan. 1 and Dec. 31, 1961—Continued

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Milton Eisenberg:											
Belgium	Franc	792	16.00	1,000	20.00	250	5.00	738	15.00	2,780	56.00
France	do.	458	94.00	400	81.00	100	20.00	102	21.00	1,060	216.00
Netherlands	Guilder	93	25.00	93	25.00	18	5.00	74	20.00	278	75.00
Switzerland	Franc	154	35.00	174	40.00	86	20.00	86	20.00	500	115.00
United Kingdom	Pound	17	48.00	15	42.00	4	11.00	8	22.00	44	123.00
West Germany	Mark	151	30.00	125	25.00	15	3.00	59	12.00	350	70.00
Total			248.00		233.00		64.00		110.00		655.00
Raymond Leddy: Mexico	Peso					8,422.53	674.34			8,422.53	674.34
David Martin:											
France	Franc	113.80	23.17	68.74	14.00			2 175.25	35.72	357.79	72.89
Germany	Mark	63.75	16.06	62.00	15.62			2 122.70	30.92	248.45	62.60
Hong Kong	Hong Kong dollar	90	15.65	80.5	14.00			2 206.60	35.87	377.10	65.52
Italy	Lira	35,612	57.34	31,050	50.00			2 28,610	44.88	95,272	152.22
Japan	Yen	8,712	24.20	7,000	19.40			2 4,308	11.97	20,020	55.57
Morocco	Dirham	53.60	10.72					25	5.00	78.60	15.72
Philippines	Peso			77	28.00			18.78	6.83	95.78	34.83
Switzerland	Franc	70	16.31	90	20.97			37.00	8.62	197.00	45.90
Taiwan	New Taiwan dollar	800	20.00	100	2.50			50	1.25	950	23.75
Thailand	Baht	480	24.00	360	18.00			140	7.00	980	49.00
Vietnam	Piaster	1,600	21.91	1,500	20.55			700	9.59	3,800	52.05
Total			229.36		203.64				197.65		630.05
Edward Saltiel:											
France	Franc	875	178.57	825	168.35			81.53	16.64	1,781.53	363.55
Germany	Mark	600	151.13	500	125.94	4,405.51	1,109.70	91.00	22.92	5,596.51	1,409.69
Switzerland	Swiss franc	580	133.95	420	97.00			75.00	17.33	1,075.00	248.28
United Kingdom	Pound	60	168.00	40	112.00	42.5	118.30	.19	2.66	142.69	400.96
Total			631.65		503.29		1,228.00		59.55		2,422.49
George F. Spatuzza:											
Germany	Mark					4,294.84	1,076.40			4,294.84	1,076.40
Switzerland	Swiss franc	800	184.75	600	138.57			100	23.09	1,500.00	346.41
Total			184.75		138.57		1,076.40		23.09		1,422.81
James Ward:											
France	Franc	835	170.40	565	115.30			100	20.40	1,500	306.10
Germany	Mark	86	21.66	73	18.38	4,143.49	1,043.70	52	13.10	4,354.49	1,096.84
Switzerland	Swiss franc	580	133.95	420	97.00			75	17.33	1,075	248.28
Total			326.01		230.68		1,043.70		50.83		1,651.22
1 Communications:											
1,055.50 schillings			\$41.07								\$29.47
258.70 new francs			52.68								24.62
51,080 lire			82.15								31.87
4,700 yen			13.05								30.08
1,732 escudos			60.77								5.50
16.5 francs			3.85								
Total			253.57								121.54
2 Communications:											
144.70 francs											
97.70 marks											
183.60 Hong Kong dollars											
18,680 lira											
1981 yen											
Total											

## RECAPITULATION

Foreign currency (U.S. dollar equivalent)	Amount
Appropriated funds:	\$10,815.97
S. Res. 50, 87th Cong., 1st sess.	224.00
Department of the Army	302.05
Total	11,342.02

MAR. 27, 1962.

JAMES O. EASTLAND,  
Chairman, Committee on the Judiciary.

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

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

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

The PRESIDING OFFICER. The unfinished business does not come before the Senate until 2 o'clock.

#### DEVELOPMENTS IN NEW YORK IN CONNECTION WITH TREATMENT OF NARCOTICS ADDICTION

Mr. JAVITS. Mr. President, I wish to call attention to a development in New York in connection with the treatment of narcotics addiction, a problem which is affected by one of the provisions

of this bill, and which I believe should have very great effect in connection with what we do about this matter.

The State of New York has just enacted one of the most modern laws for dealing with this situation. By way of background, I may say that when I was attorney general of New York, I was also chairman of the Committee of the Attorney General of the United States on the treatment of narcotics addiction; and we brought about the establishment in New York of a citizens' commission, under the chairmanship of Orin Root, of our State—who now is superintendent of banking for the State of New York—to examine this question.

As a result of all that activity, and through the very fine leadership of Governor Rockefeller and the leadership of

his commissioner of mental hygiene, Dr. Paul Hoch, who has served both the Harriman administration and the Rockefeller administration, there has been enacted in New York a series of measures which authorize hospital care, rather than prison sentences, for narcotics addicts who are not themselves "pushers" or dealers in drugs, when they so request.

The State of New York is now working with the city of New York, which has made many additional hospital beds available for that purpose, and together they are now working for greater and improved coordination of the work of all agencies in this field. They are also inaugurating further research work in this field. It is tragic that thus far we have no real knowledge of the bases for



the cure of narcotics addiction. We know that is one of the grave problems which afflicts us in this field. So research is beginning in New York at the Manhattan State Hospital.

This legislation ties in with what we are doing here in the Senate, because my colleague [Mr. KEATING] and I have introduced bills which seek to bring about the establishment of a federally aided local program for construction of narcotic hospitals. We have Federal hospitals now in Kentucky and Texas. We need one in New York. Indeed, the New York State Legislature has memorialized Congress to that effect, as an aid to its own program, which I have described.

It seems to me this proposal will lend support to our efforts on the Federal level for necessary assistance to buttress the forward-looking actions of New York which I have just described.

I might say that California has inaugurated a program of the same type. Indeed, it preceded ours by some time, and has been a model for us in the State of New York.

I ask unanimous consent that the Governor's memorandum of approval of the narcotic bill in New York, together with a set of editorials from the New York Times and excerpts from a news story on the approval of the bill may be printed in the RECORD and made a part of these remarks.

Next week I shall also offer, together with my colleague from New York [Mr. KEATING], additional legislation in this field, designed to get action perhaps more quickly than would be the case through the bills which have been introduced on this subject, and following the very splendid pattern which has now been set by the State of New York.

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

#### GOVERNOR ROCKEFELLER'S MEMORANDUM

This legislation enables the State of New York to mount an expanded and comprehensive attack on narcotics addiction, one of the most pressing medical and social problems we face.

It is a measure designed to save hundreds and ultimately thousands of young narcotics addicts from a life of enslavement to drugs by offering them medical treatment instead of prison in situations where their crimes are not serious and relate to their addiction.

The bill also establishes a new central narcotics office in the department of mental hygiene to direct expanding State programs in narcotics research, treatment and aftercare, and creates a State council on drug addiction to advise in the formulation, progressive improvement, and operation of the State's narcotics programs.

This legislation was developed by Senator George Metcalf, chairman of the senate committee on public health, and Assemblyman Julius Volker, chairman of the assembly committee on codes, in cooperation with Senator Walter J. Mahoney, the State commissioners of mental hygiene and health, the District Attorneys' Association of the State of New York, the Reverend Norman C. Eddy, of the East Harlem Protestant Parish, and representatives of other interested civic and community organizations.

As I pointed out in my annual message to the legislature last January in urging enactment of this bill, then being developed,

many arrested addicts whose crimes are related to their addiction and who are not considered incorrigible may appropriately benefit from medical and psychiatric treatment in civil hospitals followed by after care in the community.

Addicts are most often adolescents and young adults who are victimized before they are old enough to appreciate the tragic consequences. Many who have no place to turn for guidance and help are driven to criminal activity to support their habits.

This problem can be attacked effectively only if all levels of government—local, State, and Federal—shoulder their full measure of responsibility, in law enforcement, in research, in prevention, treatment, and aftercare. The Metcalf-Volker bill is a major step forward in New York State's efforts to meet its share of these responsibilities.

Many narcotics addicts under arrest whose most serious failing is their own tragic addiction will be given an opportunity under the provisions of this measure to become self-respecting and self-reliant members of society through State hospital treatment and rehabilitation.

Within judicial discretion, such addicts showing a potential for rehabilitation would be given an opportunity to elect a course of treatment in available State hospital facilities, followed by a program of aftercare, instead of going to prison.

Addicts not under arrest would continue to have an opportunity for voluntary commitment to a State hospital for treatment.

Since 1959, the State has established addict treatment facilities at Central Islip State Hospital, Utica State Hospital and Manhattan State Hospital capable of giving inpatient treatment to more than 2,500 addicts annually, based upon an average hospital stay of 3 weeks.

An intensive pilot research unit in narcotics addiction has also been established at Manhattan State Hospital.

This program would not be available to hardened criminals, including wholesalers and pushers of narcotics who must continue to be prosecuted to the full extent of the State's strong laws against narcotics offenses.

This bill is of major importance in the war on narcotics addiction, and I hope this action of the State will inspire fresh efforts at local and Federal levels as well.

I would urge once again the vital importance of the Federal Government's establishing a narcotics hospital in the New York metropolitan area, which is alleged to have half the addicts in the Nation.

The Metcalf-Volker bill has been widely acclaimed throughout the State and has my wholehearted support.

The bill is approved.

NELSON A. ROCKEFELLER.

[From the New York Times, Mar. 23, 1962]

#### THE SICK ADDICT

S. 1693

Governor Rockefeller in his annual message to the legislature expressed anew his concern with the problem of narcotics addiction. His promise of new legislation on this problem has been kept with introduction of bills notable for their humane, enlightened nonpunitive approach.

The legislation would allow young persons charged with less serious narcotics crimes to choose treatment in State hospitals instead of going to jail. A new narcotics office to direct and coordinate the State's expanding programs in research, treatment and aftercare rehabilitation would be established within the State department of mental hygiene. A State council on drug addiction, to advise on program and administration, would include private citizens as well as officials.

It is evident that the Governor sees the greatest role of State usefulness in the

medical-social field, pioneering in new and better methods of dealing with a sickness (as distinguished from a crime) in which cure is difficult and relapse frequent, a fact he recognizes by requiring that aftercare be mandatory following release from commitment.

[From the (N.Y.) Times, Mar. 28, 1962]

#### FIGHTING DRUG ADDICTION

The concept that more progress toward curing drug addiction can be made by treating it as a sickness than as a crime receives constructive recognition in a bill recently signed by Governor Rockefeller. It permits young persons arrested on relatively minor charges of drug possession or use to be hospitalized rather than jailed.

The substitution of medical care for sole reliance on a police approach is further embodied in the bill's creation of a special narcotics unit in the department of mental hygiene and establishment of a State council on drug addiction. The Governor is justifiably hopeful that a combination of hospitalization and effective aftercare to ensure rehabilitation will save many youthful addicts from a life of enslavement to drugs.

The city is moving along similar lines. Mayor Wagner announced last week a plan to double the number of beds available in municipal hospitals to "help the addict who is prepared to help himself." He also promised that more money and manpower would be put at the disposal of Dr. Theodore H. Rosenthal, the city's narcotics coordinator.

Yesterday the State legislature endorsed a resolution offered by the Governor urging Congress to authorize a Federal hospital for treating addicts in the New York City area.

These actions by the State and city governments represent significant moves away from the barbaric notion that punishment offers a realistic solution for drug addiction or the kindred malady of alcoholism. The facilities available for reclaiming addicts remain much too limited, but a useful start has been made.

[From the New York Times, Mar. 23, 1962]

GOVERNOR SIGNS ADDICTS AID BILL—OFFENDERS IN MINOR CASES TO BE SENT TO HOSPITALS INSTEAD OF TO JAILS—ROCKEFELLER HAILS ACT—SAYS IT WILL SAVE HUNDREDS FROM DRUG ENSLAVEMENT

ALBANY, March 22.—Legislation to permit narcotics addicts who are not hardened criminals to be hospitalized rather than imprisoned after arrest was signed by Governor Rockefeller today.

The Governor predicted that the program would "save hundreds and ultimately thousands of young narcotics addicts from a life of enslavement to drugs."

The new law permits a judge to authorize medical treatment for addicts who have been arrested on relatively minor charges of use or possession of drugs, rather than as wholesalers, pushers, or other criminals.

Such addicts who are sent to hospitals also would receive a program of aftercare to insure their rehabilitation. If the treatment proved successful, the charges against them would ultimately be dropped.

The legislation also sets up a central narcotics office in the mental hygiene department and establishes a State council on drug addiction to advise in formulating State policy on narcotics problems.

#### U.S. HOSPITAL URGED

In approving the bill, Governor Rockefeller renewed his request that the Federal Government establish a narcotics treatment hospital in the New York City area. The two Federal institutions are in Kentucky and Texas.

In other developments, final approval was given by the Senate to a proposed constitutional amendment that would permit a New

York resident who has lived in his election district for 30 days to vote in presidential elections. Under present law, only voters who have lived in the State a year, the county for 4 months and in the district for 30 days may participate in national elections.

#### UNITED NATIONS BONDS PURCHASE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate and be made the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A 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.

There being no objection, the Senate resumed the consideration of 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.

#### THE ALEXANDER HAMILTON NATIONAL MONUMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business be laid aside temporarily and that the Senate proceed to the consideration of Calendar No. 1274.

The PRESIDING OFFICER. The Senate joint resolution will be stated by title.

The LEGISLATIVE CLERK. A joint resolution (S.J. Res. 171) providing for the establishing of the former dwelling house of Alexander Hamilton as a national memorial.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the joint resolution, Senate Joint Resolution 171, providing for the establishing of the former dwelling house of Alexander Hamilton as a national memorial.

Mr. MANSFIELD. Mr. President, the Senate joint resolution has a familiar sound, but as yet it is not quite as familiar as "Stella." We will keep Stella on the books, but we would like to get the Senate joint resolution providing for the Alexander Hamilton memorial off the calendar.

Mr. JAVITS. Mr. President, first, I express to the majority leader the gratification which my colleague and I feel at the leadership's having brought up so promptly and expeditiously the joint resolution to establish as a national memorial the former dwelling house of Alexander Hamilton. I also express my appreciation to the Senator from New Mexico [Mr. ANDERSON] and the Senator from Nevada [Mr. BIBLE] and to the entire Committee on Interior and Insular Affairs, which very promptly reported a second joint resolution which my colleague from New York and I introduced when it became apparent that the first Hamilton Grange joint resolution would be utilized as a vehicle for an important and, we hope, historic purpose.

The measure commends itself very strongly to all of us. Alexander Hamilton was truly one of our Founding Fathers, holding very high office in the Nation. Before that he was a friend and confidant of George Washington, one of the drafters of the Constitution, and the founder of the national banking system.

The Grange represents the only home Alexander Hamilton ever had. It happens to be contiguous to the congressional district which I represented in New York, and I have known it for years. I have examined it personally. It is in a state of terrible disrepair, and it would be only a matter of a very short time before it might very well collapse and be irremediably ruined. The proposed action by Congress will come just in the nick of time to preserve a great memorial for our Nation.

As is very well known, the great memorials to others who became leaders along with Alexander Hamilton, former Presidents who have occupied this revered position in our country, are now being preserved, and the Senate joint resolution will make the same thing possible so far as Alexander Hamilton is concerned.

As the majority leader has said, the joint resolution is not a Stella School District bill, happily for all of us. There is great interest in New York in the preservation of this memorial.

The work and dedication of many individuals and organizations has gone into bringing us to this hour when we can actually pass the joint resolution.

The American Scenic and Historic Preservation Society sparked this entire project by generously donating the structure itself, the proceeds of sale of the present site, and an endowment to the Federal Government for a national memorial. Among those who worked so effectively in this effort was the City College of New York's Student Committee for Hamilton Grange and its president, Gary Horowitz, a City College senior, who circulated petitions and generated much of the enthusiasm for the memorial.

I wish to express my gratitude also to the many newspapers in New York and throughout the Nation who expressed support for this effort. The most notable of these was the New York Times, whose publisher, Arthur Hays Sulzberger, and Mrs. Sulzberger, and editorial page editor, John Oakes, took a special and most helpful interest in the project.

Among the organizations who passed resolutions supporting the idea were the Society for the Preservation of Long Island Antiquities, the New York Chapter of the Sons of the American Revolution, and the Colonial Dames of America; also expressing their support were members of the National Trust for Historic Preservation, the American Tropical Association and the American Institute of Architects. I would also like to thank the many individuals who have written me of their interest and who have been in touch with the chairman to urge action on this joint resolution.

The joint resolution is based upon the expectation that the Grange residence

will itself be transferred to the campus of the City College of New York, which practically adjoins the present site. The land there will be donated by the city of New York; I have a telegram from the mayor of New York agreeing to the proposed arrangement of transfer. And the authority for that donation has now been enacted in a bill, S. 2713, by the New York State Legislature. So that part of the task is accomplished, thanks to Governor Rockefeller and Mayor Wagner.

Finally, I note with gratification that section 6 of title 16, United States Code, authorizes the Secretary of the Interior to accept donations for purposes of the national park monument system, and a great effort has been made by, among others, our close friend and colleague in the House of Representatives, Representative SAYLOR of Pennsylvania, to induce the bankers of the country to make a contribution to the cost of establishing this memorial. We may well be successful in that endeavor. I hope to lend myself to that effort, as it may very well relieve the Federal Government of some of the cost, which though modest, is nonetheless a cost.

The estimate in the committee report is \$460,000 for all moving and renovation costs, which would include landscaping. Annual maintenance and operation is estimated at \$45,000 a year. But the American Historical and Preservation Society has generously offered the proceeds of sale of the present site, estimated at \$22,000, and an endowment of approximately \$50,000, and it is anticipated that if there is an admission charge—it is not yet decided—such a charge would relieve the Federal Government of some of the maintenance cost.

I am deeply gratified that the joint resolution has been brought up. It represents a typical outlook of accommodation to Senators and to great national purposes on the part of our great majority leader, and I hope that the joint resolution will pass.

Mr. KEATING. Mr. President, I join in expressing to the distinguished majority leader and to the Senator from Nevada [Mr. BIBLE] our gratitude for the very prompt action which was taken in restoring the Alexander Hamilton Memorial resolution to the calendar. I am happy that his memory did not suffer the fate of the children of the Stella School District.

Mr. President, Alexander Hamilton was one of the Founding Fathers of our great American republic. His name has been before us several weeks as the Senate has discussed one of the fundamental principles of our republican form of government—the protection of the right to vote. It was undoubtedly most appropriate that this discussion should come in the context of a resolution to preserve the home of Alexander Hamilton. It was the work of Alexander Hamilton and his contemporaries that established this Nation upon the sound basis of government and fiscal policy which has enabled it to endure so well.

Mr. President, although we are disappointed, many of us, that the action taken by the Senate yesterday was not more decisive, and more truly in keeping



with the principle of constitutional right for which Alexander Hamilton labored, we see continuing reason to do full homage to Alexander Hamilton and to designate his home as a national memorial. The memorial can now represent not only what Hamilton himself accomplished, but what more needs to be accomplished in order to perfect our republican form of government.

Mr. President, the property which we are proposing to preserve is the only home that Alexander Hamilton ever owned. It was built in 1801 on what was then a farm in upper Manhattan. The house is still standing, on 120th Street and Convert Avenue, crowded and overshadowed by modern structures, shorn of its graceful porches and robbed of the dignity of its spacious grounds and superb view. Hard as it may be for New Yorkers to believe, Hamilton had purchased the land for a country retreat in 1800. It was then a pleasant wooded hill overlooking the Hudson. The dignified two story frame house, partly designed by John McComb, a leading architect of the day, remains one of the very few Federal period houses still standing in the city. It deserves careful preservation and restoration so that all the citizens of New York may enjoy this important part of our national heritage.

Mr. President, the site which has been chosen for the relocation of this property is a fine one. The City College of New York has generously offered to make available recently acquired land at 130th Street along St. Nicholas Terrace, for the house and proper landscaping. This will permit an outlook across the East River embracing Long Island, Long Island Sound, parts of the Bronx, and the morning sunrise. Through the wholehearted cooperation of Mr. Joseph Cavallo, president of the board of higher education, and Dr. Buell Gallagher, president of City College and the recommendation of Park Commissioner Robert Moses, and the approval of the board of estimate of the City of New York, this excellent site, with space for complete landscaping, will be made available free of charge to the Federal Government.

The new location is close to the original Hamilton Farm. The surroundings are quiet and the landscaping lends itself esthetically to a duplication of the original. The large shade trees and other native plants, wild roses and dogwood that Hamilton loved so dearly will be set around the mansion. There will also be planted the 13 gum trees near the main entrance of the Grange typifying the Original Thirteen Colonies.

The house will be readily accessible to the public by subways and buses, as well as private cars. It will become one of the city's major historic shrines and it will serve to perpetuate the memory of Hamilton as Mount Vernon does that of Washington and Monticello that of Jefferson.

Mr. President, I urge my colleagues to support this resolution to honor one of our Founding Fathers, Alexander Hamilton and his original home.

Mr. HOLLAND. Mr. President, I join the distinguished Senators from New York in supporting the pending measure. I appreciated in the fullest their will-

ingness to suspend the passage, for a few days, of this measure, important to them and important to the country, in order to subserve another objective which I believe all of us agreed was even more important. I am grateful to both of them.

Mr. JAVITS. Mr. President, I, too, would like to express my appreciation to the Senator from Florida for his courtesy and understanding of the situation throughout. I wish also to refer to the splendid remarks made on the floor of the Senate on March 8, by the junior Senator from Virginia [Mr. ROBERTSON], also sustaining the validity of what we are trying to do this morning with respect to a national memorial for Alexander Hamilton.

Mr. HOLLAND. I thank the Senator. The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to take such action as may be necessary to provide for the establishment of the former dwelling house of Alexander Hamilton (commonly known as The Grange), situated in New York, New York, as a national memorial. However, the Secretary shall not establish the national memorial until he has satisfied himself that the lands which have been donated are sufficient to assure the relocation of The Grange and administration and interpretation of the national memorial.*

SEC. 2. (a) The national memorial established by the Secretary of the Interior pursuant to this joint resolution shall be designated as the Hamilton Grange National Memorial and shall be set aside as a public national memorial to commemorate the historic role played by Alexander Hamilton in the establishment of this Nation.

(b) The National Park Service, under the direction of the Secretary of the Interior, shall administer, protect, and develop such memorial, subject to the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916, as amended and supplemented, and the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes", approved August 21, 1935, as amended.

SEC. 3. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this joint resolution.

The preamble was agreed to.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the joint resolution was passed.

Mr. JAVITS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business.

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

#### EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. ELLENDER, from the Committee on Agriculture and Forestry:

Jennings B. Fuller, of Wyoming, and William T. Steele, Jr., of Virginia, to be members of the Federal Farm Credit Board, Farm Credit Administration.

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

Robert J. Manning, of New York, to be an Assistant Secretary of State;

Dr. Franklin A. Long, of New York, to be an Assistant Director of the U.S. Arms Control and Disarmament Agency;

Walter L. Lingle, Jr., of Ohio, to be a Deputy Administrator of the Agency for International Development;

Herbert J. Waters, of Virginia, to be Assistant Administrator for Material Resources, Agency for International Development;

John L. Salter, of Washington, to be Assistant Administrator for Congressional Liaison, Agency for International Development; and

Ward P. Allen, of Virginia, and sundry other persons, for promotion in the Foreign Service.

The PRESIDING OFFICER (Mr. HICKEY in the chair). If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

#### U.S. MARSHAL

The legislative clerk read the nomination of Cornelius J. McQuade to be U.S. marshal for the southern district of West Virginia.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the next nomination, in the Federal Power Commission, be placed at the foot of the Executive Calendar.

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

#### OFFICE OF EMERGENCY PLANNING

The legislative clerk read the nomination of Irvin Stewart to be an Assistant Director of the Office of Emergency Planning.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

#### ASSISTANT POSTMASTER GENERAL

The legislative clerk read the nomination of Sidney W. Bishop to be an Assistant Postmaster General.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

#### POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations of postmasters be considered en bloc.

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

## U.S. CIRCUIT JUDGE

The legislative clerk read the nomination of J. Skelly Wright to be a U.S. circuit judge for the District of Columbia circuit.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, before we take up the nomination at the foot of the calendar, I move that the President be immediately notified of the nominations confirmed today by the Senate.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

## FEDERAL POWER COMMISSION

The legislative clerk read the nomination of Harold C. Woodward to be a member of the Federal Power Commission.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. PROXMIRE. Mr. President, I object to this nomination. I oppose it, and I want to be absolutely sure that I am recorded as voting against the confirmation of the nomination for three reasons.

In the first place, there is serious question of this nominee's qualification.

Second, on the basis of the nominee's record there is little evidence that the nominee has shown the regard for the public interest in regulatory matters—crucial to effective representation on the Commission.

Finally, the nominee has shown a conspicuous lack of sensitivity to his obligations as an employee of the Illinois regulatory body, by holding stock in a utility subject to regulation in direct violation of State law.

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

Mr. PROXMIRE. I yield.

Mr. CLARK. Unfortunately, a series of pressing engagements make it necessary for me to leave the floor. I have followed with interest the course of the hearings on the Woodward nomination, and I have also conferred about it with my good friend the Senator from Wisconsin. Since there will be no record vote on the nomination, I want the record to show that I support the position taken by the Senator from Wisconsin with regard to the nomination, and I regret that this nomination was made.

Mr. PROXMIRE. I very much appreciate the Senator's statement.

Appointments to the Federal Power Commission, perhaps more than those to any of the independent regulatory commissions, have a crucial significance for American consumers and taxpayers.

The failure of the FPC effectively to regulate gas and power as required by law and as repeatedly reaffirmed by the highest court in our Nation, has been the most outstanding example of the breakdown of the administrative process in recent times.

Fifteen months ago Dean James C. Landis, the former dean of the Harvard Law School, reported to the President on the status of the Federal regulatory agencies. Dean Landis undertook this comprehensive study at the request of the newly elected President. His report is an historic and significant document. When it appeared it was hailed as a new charter for the independent regulatory process, which had fallen into very ill repute indeed.

In his report Dean Landis wrote:

No better service could be rendered to the administrative agencies as a whole than by completely restaffing them with men, who, because of their competence and their desire to fulfill the legislative mandates described in the basic statutes establishing these agencies, will inspire a sense of devotion to and pride in the public service by their many employees.

I emphasize that the only agency which has afforded this opportunity for complete restaffing is the vitally important Federal Power Commission. This is the agency to which appointees of the competence and dedication described by Dean Landis could have been named to every single commissionership.

## PAST RECORD OF FPC DISMAL

In his report, Dean Landis described the Federal Power Commission as the most striking recent example in Washington of the breakdown of the administrative process.

The Landis report also stated that the FPC's performance in recent years has been the "most dismal failure in our time of the administrative process."

The Power Commission's failure has been most dismal in the area of gas regulation. The high price of this failure has been paid over and over and over again by the Nation's 27 million gas-consuming families.

Dean Landis in his report said the FPC should be strengthened by appointment of qualified and dedicated members with the consumer interest at heart.

In the light of this background and this stirring call for reform from one of our Nation's top experts on administrative law, let us now consider the nomination before the Senate today.

Is Harold Woodward a man with the outstanding competence, dedication to public service, with the consumers' interest at heart, the kind of man whom Dean Landis had in mind when he diagnosed the ailments of the Federal Power Commission? Is he the kind of distinguished and imaginative public servant so urgently needed to protect the interests of the Nation's tens of millions of consumer families, by providing effective regulation of utility rates as required by law?

## WOODWARD NOT QUALIFIED

My first objection to Mr. Woodward is that there is serious question as to his qualification.

On page 8 of the printed record of the hearing, Mr. Woodward is asked the following question:

Senator PASTORE. Are you familiar with the so-called Phillips case that has to do with the supervision and control of rates with relation to natural gas?

Mr. WOODWARD. No; I am not.

Mr. President, while I recognize that not even a well-trained lawyer can be expected to be familiar with all cases decided in recent years by the Supreme Court, nonetheless it seems to me absolutely astounding that a nominee to the Federal Power Commission, a man who has had more than 6 years of active experience in utility regulation—indeed, whose appointment is defended on the grounds of his "experience" in this field—should not be familiar with the Phillips case.

## IGNORANCE OF PHILLIPS CASE ASTOUNDING AND TRAGIC

It is not just astounding, it is tragic.

This is like an umpire of a baseball game saying he does not know how many strikes make an out.

Mr. President, the Phillips case was an immensely significant landmark in the history of Federal regulation.

It represented a reversal by the Supreme Court on June 7, 1954, of a decision by the Federal Power Commission. The Supreme Court insisted that proper construction of the Natural Gas Act required the regulation by the Federal Power Commission of the sale of gas at the wellhead.

This decision was made at a time when the nominee was an employee of the Illinois Commerce Commission, the principal regulatory body of the State of Illinois. Presumably the nominee had as a major responsibility an awareness of national as well as State regulatory jurisdiction. The implications of this Phillips decision for Illinois consumers was immense. The city of Chicago was represented by its corporation counsel in the Phillips case as a friend of the court—appearing, of course, in favor of reversing the Federal Power Commission decision.

The Supreme Court decision represented a potential savings to the Illinois consumers of literally millions of dollars.

It is astounding that an assistant commissioner of the Illinois Commerce Commission, and later an examiner, should not be familiar with this case. It is certain that a man with any degree of interest or alertness with regard to his responsibilities—holding the position he did—should have been familiar with this case.

## PHILLIPS CASE WAS KEY SUPREME COURT RULING

Mr. President, it is particularly incredible that Mr. Woodward should be unfamiliar with the case since it has become the top cause celebre since 1954 with the flat and flagrant refusal of the Federal Power Commission from 1954 through 1960 to carry out the law of the land as expressed in the Phillips case. During these years the Federal Power Commission flatly refused to comply with this law in spite of a storm of protest.



The Commission refused to regulate the price of gas at the wellhead. Certainly any alert utility regulator would have been familiar with this notorious fact. Publications throughout the country, including *Fortune* magazine, severely criticized the Commission for this failure.

This failure of the Federal Power Commission was a principal reason why the former dean of Harvard Law School called the Federal Power Commission the outstanding example of the breakdown of the administrative process.

Instead of being unfamiliar with the Phillips case, a new Federal Power Commissioner should be an outstanding authority on this landmark decision. At the very least, Woodward's ignorance about the Phillips case is an alarming symptom of lack of qualification for membership on the FPC.

The real tragedy of this appointment is that it could and should have gone to an individual who would have answered the question on the Phillips case affirmatively; who was an outstanding expert on the Phillips case and on questions of Federal rate regulation generally.

There are many, many men of distinction and competence in law, economics, and related fields who would bring great strength to the Federal Power Commission. What this key agency needs is not a man who humbly says he is not familiar with the leading case in Federal rate regulation.

#### NOMINEE NOT SENSITIVE TO PUBLIC INTEREST IN RATE REGULATION

My second objection is that on the basis of the nominee's record there is little evidence that the nominee has shown the regard for the public interest in regulatory matters that is crucial to effective representation on the Commission.

Again on page 8 of the hearings the nominee is interrogated:

Senator PASTORE. I am now interested in the public interest—how many cases did you hear as hearing examiner? Would you say approximately?

Mr. WOODWARD. Well, it would run up into the hundreds.

Senator PASTORE. Hundreds? And were these—

Mr. WOODWARD. Excuse me, sir. In 1958 I heard two. But the total would run up into the hundreds. In 1958 I heard just two cases, and they lasted 11 months, full time.

Senator PASTORE. Did these cases have to do with increase in rates?

Mr. WOODWARD. That is correct.

Senator PASTORE. Was your recommendation for an increase or disallowance of the increase?

Mr. WOODWARD. We found for an increase.

Senator PASTORE. You found for an increase?

Mr. WOODWARD. The commission's order was for an increase.

Senator PASTORE. To the amount that was requested by the utility seeking it?

Mr. WOODWARD. Not in all instances, but it—

Senator PASTORE. Pretty close to it?

Mr. WOODWARD. Close to it, yes. Not in all instances. It was scaled down some.

Senator PASTORE. Scaled down some?

Mr. WOODWARD. Yes.

Mr. President, it seems to me that anyone reading that hearing and aware of the operations of State utility commissions would know that any examiner or assistant commissioner who has served in the capacity in which Mr. Woodward has served should be able to point to specific cases out of the hundreds which he heard in which he found against an increase or in which he found, perhaps, for a decrease. But the answer that Mr. Woodward gave was that he found for increases in almost all the cases.

The fact is that before State utility commissions there is a one-sided battle. The brains, the money, the ability are always on the side of the utility companies. They have the money, the initiative, the strength, and the drive, to make an excellent case before the commissions.

Against them is no public defender; at least, in almost all the States there is no public defender. Against the utility lawyers stands the city attorney, a man who usually has no special knowledge of utility regulations. He does the best he can, but nearly never is he a match against the line-up of experts on the other side.

In these cases, the utility commission's examiner must have a real understanding of the public interest. He must be an advocate for the people. He must be able and willing to determine that the case be made thoroughly, and he must be willing to stand up on occasion and refuse to approve increases when they are not justified.

If this is true of State regulatory bodies, it is especially true of the Federal Power Commission, because we know that in cases before that Commission all the brains, all the effort, all the drive, all the money are on the side of the private utilities—the gas companies and the electric companies—that are fighting for rate increases.

#### FEDERAL POWER COMMISSIONERS MUST UNDERSTAND CONSUMER'S POSITION

Mr. President, the only way in which the consumer can be expected to receive any kind of break is to have on the Federal Power Commission members who are willing to understand the consumer's viewpoint; to be fair, of course, but to be able to stand in the way of increases when they are not justified.

To be fair, I should say that I think Mr. Woodward's answer standing by itself would mean little; but when it is taken in conjunction with the other material of which I am speaking this afternoon it seems to me it is quite conclusive that this man has not demonstrated a sincere interest, a real concern, a genuine compassion for the consumer, who, believe me, needs such consideration.

Mr. President, Mr. Woodward's years of experience with the Illinois Commerce Commission have been cited as providing him with a strong background in the field of rate regulation. But there is no evidence that in this experience he had "the consumer interest at heart," as Dean Landis indicated FPC members should.

#### WOODWARD'S VIOLATIONS OF ILLINOIS LAWS

My final objection is that the nominee has shown a conspicuous lack of sensitivity to his obligations in his previous experience on a regulatory body.

On the basis of the record as established by the committee in its hearings, Mr. Woodward plainly was in violation of the conflict-of-interest and dual-jobholding statute of his State's Public Utilities Act.

Section 4, chapter 111 2/3, Smith-Hurd Illinois Revised Statutes, Public Utilities Act, as amended, states:

Each commissioner, each assistant commissioner, and the secretary shall devote his entire time to the duties of his office, and shall hold no other office or position of profit, or engage in any other business, employment, or vocation.

No person in the employ of or holding any official relation to any corporation or person subject in whole or in part to regulation by the commission, and no person holding stocks or bonds in any such corporation, or who is in any other manner peculiarly interested therein, directly or indirectly, shall be appointed to or hold the office of commissioner, assistant commissioner, or secretary, or be appointed or employed by the commission; and if any such person shall voluntarily become so interested in his office or employment ipso facto (it) become vacant. If any person become so interested otherwise than voluntarily he shall within a reasonable time divest himself of such interest, and if he fails to do so his office or employment shall become vacant.

The facts are these: From July 1, 1953, to April 30, 1954, Mr. Woodward served as assistant commissioner of the Illinois Commerce Commission. From May 1, 1954, to March 15, 1959, he was technical adviser and hearing referee. Again, from December 8, 1959, to December 15, 1961, he was hearing referee, at a salary of \$600 per month.

Let me emphasize the key language:

Each commissioner [and] each assistant commissioner . . . shall devote his entire time to the duties of his office, and shall hold no other office or position of profit, or engage in any other business, employment, or vocation.

During the period when Mr. Woodward was assistant commissioner, he continued to maintain his law office in Chicago. Sullivan's Law Directory, in its 1953-54 edition, lists him as a lawyer engaged in the practice of law.

In addition, Mr. Woodward on December 7, 1953, was designated to be a "master in chancery of the superior court." The 1954-55 edition of Sullivan's so lists him.

These official listings are somewhat at variance with the biographical sketch submitted by Mr. Woodward to the commerce commission. In that sketch, Mr. Woodward stated:

During the period 1952-58, acted as hearing examiner to the Illinois Commerce Commission.

The discrepancy has some significance, because the statute on dual jobholding specifically applies to assistant commissioners, but does not refer to hearing examiners. It may be the case that Mr. Woodward resigned as assistant commissioner because of this. In any event, his outside employment was in conflict with

the law during his tenure as assistant commissioner.

I ask unanimous consent that Mr. Woodward's official biographical sketch and also a detailed record of his employment between 1952 and 1961 be printed at this point in the RECORD.

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

**BIOGRAPHICAL SKETCH, HAROLD C. WOODWARD,**  
NOMINATED JANUARY 23, 1962, TO BE A MEMBER OF THE FEDERAL POWER COMMISSION FOR THE REMAINDER OF THE TERM EXPIRING JUNE 22, 1962, SUBMITTED TO SENATE COMMERCE COMMITTEE

Mr. Harold C. Woodward, 60 years of age, is now a practicing attorney in Chicago, Ill., living in Riverside, Ill.

Mr. Woodward was born in Ottawa, Ill., and attended public schools in Ottawa; graduated University of Illinois in 1924, A.B. degree, and Northwestern University Law School in 1926, J.D. degree. Was admitted to practice law in Illinois in 1926, and has been practicing in Chicago since that time.

During period 1952-58 acted as hearing examiner to the Illinois Commerce Commission, hearing and passing on all types of complaints, regulatory and rate cases. Was the hearing examiner in 1958 of the last two major rate cases in Illinois, namely, the Commonwealth Edison Co. and the People Gas Light & Coke Co. Was appointed judge of the superior court of Cook County in 1959 and served as such for approximately 1 year. During 1960-61 returned to the Illinois Commerce Commission as a hearing examiner. Also served for many years as a master in chancery of the superior court of Cook County.

He served in the Army Air Force from 1943 to 1945 as a procurement officer.

Mr. Woodward is married, has one married daughter, Ann Kelly, and two grandchildren.

#### EMPLOYMENT OF HAROLD WOODWARD

##### 1. Employment with Illinois Commerce Commission:

July 1, 1953, to April 30, 1954, assistant commissioner.

May 1, 1954, to March 15, 1959, technical adviser and hearing referee.

December 8, 1959, to December 15, 1961, hearing referee.

2. Master in chancery: On December 7, 1953, he was designated by the executive committee of the superior court to be a master in chancery of that court for 2 years from December 7, 1953, and apparently so served until he became a judge of the superior court on or about March 15, 1959, by appointment of Governor Stratton. He served as such a judge until December 8, 1959.

##### 3. Law practice:

Years 1952-55: Sullivan's Law Directory for the period 1952 through 1954 indicates no change in the fact that he was listed as a lawyer engaged in the practice of law. The directories for this period show the following: "1952-53 (p. 297) (1952), Woodward, Harold C., 33 North La Salle Street 2, suite 1127, State 2-7118 and Andover 3-1023; 1953-54 (1953), same (p. 308); 1954-55 (1954), Woodward, Harold C., master in chancery, superior court, 33 North La Salle Street, suite 1127, State 2-7118, Andover 3-1023.

Year 1956: Office, and master in chancery office, 135 South La Salle Street, suite 3909.

January 1, 1960: Member of firm of Sider (Morris) & Woodward, 33 North La Salle Street, suite 2800-01.

Between 1950 and 1961 Mr. Morris Sider was apparently an office associate of his, for he was at all times during this period located in the same offices as Mr. Woodward, except when he was a judge.

#### NOMINEE HAD CONFLICT OF INTEREST

Mr. PROXMIRE. Mr. President, the second question concerns Mr. Woodward's financial interests in certain companies involved in cases which he handled as hearing examiner before the Illinois Commerce Commission.

Again, I wish to emphasize the language of section 4 of the Illinois Public Utilities Act, which states that no employee of the Illinois Commerce Commission may hold stocks or bonds or have any other pecuniary interest, directly or indirectly, in corporations subject in whole or in part to regulation by the commission.

According to the transcript of the hearing on his nomination, Mr. Woodward handled hundreds of cases for the commission. He was the hearing examiner for the last two major rate cases in his State, one of which involved the Commonwealth Edison Co. The commission docket indicates also that he served as hearing examiner in a case involving the Northern Illinois Gas Co.

The list of his stock holdings which Mr. Woodward furnished to the Commerce Commission indicates that he holds 11 shares of the common stock in the Northern Illinois Gas Co.

Mr. President, the statutes of the sovereign State of Illinois are very clear and specific on this issue. They state that "no person holding stocks, or who is in any other manner pecuniarily interested—in a corporation subject in whole or in part to regulation by the commission—directly or indirectly" shall be employed by the commission.

The statute says "any" pecuniary interest, direct, or indirect.

According to Illinois law, such interest need not be substantial. "Any" interest is sufficient to disqualify. Mr. Woodward personally, himself, had such a direct interest in the Northern Illinois Gas Co.

Mr. Woodward heard a case involving the Northern Illinois Gas Co. Not only is this corporation "subject in whole or in part to regulation by the commission," it was also subject to regulation by Hearing Examiner Harold Woodward.

Mr. President, I believe that these examples, minor in and of themselves, but nonetheless very specific violations of the laws of the State in which the nominee has been a practicing attorney since 1926, do have a bearing on his fitness for appointment to the vitally important Federal Power Commission.

I believe that this nominee's professed lack of familiarity with the most important Supreme Court decision governing gas regulation also has a bearing on his fitness for appointment to the Federal Power Commission.

I believe that the record he established in his years as a hearing examiner—of nearly always granting the rate increases requested by public utilities—also has a bearing on Mr. Woodward's fitness for appointment to the Federal Power Commission.

Certain things which the nominee is not, also have a bearing on Mr. Woodward's fitness for this important commissionship.

I deeply regret, for example, that to fill this vital fifth spot on the Federal

Power Commission we do not have a nominee with an outstanding record of effectively seeking to regulate public utility rates in the consumer interest.

I regret that we do not have a nominee who by his writings, statements, publications, or other public pronouncements has established his detailed comprehension of the often difficult issues involved in rate regulation.

As I said before, instead of a nominee who is "not familiar" with the Phillips case, we should have one who is an outstanding authority on this landmark Supreme Court decision.

#### CONSUMER THE FALLOUT GUY AGAIN

Mr. President, less than a week ago the President sent to Congress and the Nation his message on protecting the consumer interest. I can think of no area in which the individual consumer is more unprotected, and more in need of effective protection, than the prices he must pay for his gas, power, and other utility services.

This is an area in which the individual consumer has absolutely no sovereignty, no strength, no choice. He cannot display his disapproval of what he buys by switching to another brand. He is completely at the mercy of the utility companies who in his area, wherever it may be, have total monopolies.

It is this immense discrepancy in economic strength that makes the work of the Federal Power Commission so vital. When this Commission falls down on the job, the Nation's consumers pay the price. They have no recourse.

The sad fact is that the Woodward nomination in effect repudiates the President's March 15 message on protecting the consumer's interests. In that message the President said:

Consumers are the only important group in the economy who are not effectively organized, whose views are often not heard. The Federal Government—by nature the highest spokesman for all the people—has a special obligation to be alert to the consumer's needs and to advance the consumer's interests.

These noble phrases have a hollow ring, in the light of the nomination before the Senate today. It is a matter of record that in recent years the most flagrant trampling on the consumer's interest has been in the area of gas, power, and utility prices.

Mr. President, in this case I am reminded of the famous quotation—almost a platitude—from the works of John Greenleaf Whittier:

For of all sad words of tongue or pen,  
The saddest of these: "It might have been!"

Mr. President, it might have been possible for the President to appoint to this vital fifth spot on the Federal Power Commission a man who really understood and felt for and would fight for the consumers' interests. But that has not been done.

Mr. President, because I cannot find any evidence of any substance of significance that Harold Woodward would help guarantee dynamic and forceful rate regulation in the public interest, with the consumer interest at heart, I wish to register my opposition to con-



firmation of his nomination to be a member of the Federal Power Commission.

Mr. DOUGLAS. Mr. President, I have considered for a long time what I should do in connection with this nomination.

The factual statements made by the Senator from Wisconsin [Mr. PROXMIER] are, in my judgment, correct; and the position he takes on the nomination is correct.

Both the Senator from Wisconsin and I have been very careful to keep out of the formal record any details in connection with the very deep trouble in which Mr. Woodward and his father were involved some 30 years ago.

We have done that because we believe there should be a statute of limitations upon these matters and that neither individuals nor the public should keep books forever. But I think this experience should have taught the nominee that in his public conduct he should be extremely scrupulous in observing not only the letter but the spirit of the law, and that he should be zealous to protect the public interest as distinguished from mere private interests. The facts which the Senator from Wisconsin has brought out and which are based upon the official record indicate that the nominee has not done this.

I therefore feel it my duty, and I say this with a degree of personal regret also to oppose the nomination. However, I have not chosen to invoke senatorial courtesy in this matter.

While it is my understanding that the Senator from Wisconsin will not ask for a recall, I think it is only proper that I should here and now register my opposition and announce that when the vote is cast by voice, I shall vote "No."

Mr. DIRKSEN. Mr. President, the President of the United States submitted to the Senate the nomination of Harold C. Woodward to be a member of the Federal Power Commission, and it reached the Committee on Commerce on January 25, 1962. That was 2 months ago. Before that nomination got here, he was carefully screened and the usual investigation by the investigatory authorities was carefully conducted.

It took a little while before the Commerce Committee held a hearing on the nomination. When it did, I was the only witness who appeared. As found on page 10 of the hearings, the chairman of the committee had this to say:

I want to state for the record that this nomination has been pending in the committee since January 25, and with the exception of Senator DIRKSEN no one has asked to testify on this nomination. It has been here a long time. We have given ample opportunity for anyone to appear either for or against the nominee.

Any Member of the Senate could have appeared before the committee and stated the case. I stated the case on behalf of the nominee, and when the matter was considered the vote in the Commerce Committee was unanimous to send the nominee's name to the floor for confirmation.

It is not necessary for me to comment in the remarks made today about qualifications and sensitivity and consumer regard. I think Mr. Woodward's whole record speaks for itself. He is a man

held in high esteem by all who know him. Perhaps the best thing I can say in his behalf is that, insofar as I know, the present Governor of Illinois, a very fine gentleman, a friend of mine, and a Democrat, was, as I understand, anxious to keep him with the Illinois Commerce Commission in the capacity of hearing examiner. I cannot think of any higher testimony I could offer on behalf of Harold Woodward. That is all I propose to say, and the Chair may now put the question.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Harold C. Woodward to be a member of the Federal Power Commission? [Putting the question.]

The nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask that the President be immediately notified of the confirmation of the nomination.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

#### LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate return to legislative session.

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

#### TREASURY-POST OFFICE DEPARTMENTS APPROPRIATIONS, 1963

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business, which I understand is the U.N. bond issue, be laid aside temporarily and that the Senate proceed to the consideration of Calendar No. 1273, H.R. 10526.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 10526) 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.

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

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations, with amendments.

#### SALARIES OF FEDERAL JUDGES

Mr. YOUNG of Ohio. Mr. President, recently, the distinguished junior Senator from Connecticut [Mr. DOBBS] made a brief statement in this Chamber, claiming that it was advisable, in fact essential, to increase salaries of all members of the Federal judiciary by \$5,000 each per annum. He then introduced a bill, S. 3058, which, if enacted into law, would place this additional burden on the taxpayers of this Nation.

The present salary range of judges of U.S. courts is from \$22,500 per annum for U.S. district judges, to \$35,500

for the Chief Justice of the United States. In addition, there are fringe benefits for each appointed judge, including retirement compensation at full salary following 10 years of judicial service and attainment of the age of 70, or upon retirement because of disability.

In view of all this, I cannot go along with the reasoning of my distinguished colleague from Connecticut. He states that the purposes of his bill are to compensate more justly members of the Federal judiciary and "to help make it possible to attract many brilliant legal minds who cannot now make the financial sacrifice involved in leaving lucrative private practice to serve on the bench."

The fact is that through the years and at the present time, it is my considered judgment that our Nation's ablest lawyers have always been and are now attracted to the Federal judiciary. I have heard of no complaint from any colleague in whose State there are judicial nominations to be made by our President over the lack of competent, in fact, of outstanding applicants, for these appointive positions. Nor have I personally known of any U.S. judge on either the district, appellate, or Supreme Court of the United States who resigned claiming that his salary was too meager and that he must return to the private practice of law in order to recoup his finances.

It happens that I have been a lawyer for many years and have served as president of two bar associations. It also happens that our President recently made three nominations for U.S. judges in Ohio—two for the northern district and one for the southern district—and my colleague, the distinguished senior Senator from Ohio [Mr. LAUSCHEL] and I spent many hours talking with Ohio lawyers and judges who came to Washington to confer with us and inform us fully of their qualifications for service on the Federal bench. In addition, many of our constituents wrote, telephoned, or talked with us personally, urging consideration for eminent judges and distinguished lawyers of their acquaintance. It was our duty and responsibility to give our time and effort on this important public service.

There was not a lawyer in Ohio among them, who to our knowledge would have declined an appointment to a U.S. court because of insufficiency of salary.

I think most of my colleagues, Mr. President, will agree with me when I assert there is no barrier to securing our finest and most experienced lawyers for the Federal bench and that salaries presently paid are not relatively low. In my view, a salary of \$22,500 per annum is not a "relatively low salary," to quote the words of my distinguished colleague. He made no mention of the fact that lawyers appointed to these high judicial positions serve during good behavior, which has been construed for life. In addition, upon retirement at 70 years of age or after with the completion of 10 years of service they receive the full salary of that judicial office as long as they live.

I repudiate my colleague's statement, "a judgeship carries with it many financial burdens incident to public life." To

what financial burdens incident to public life does he refer? It cannot be claimed that U.S. judges, district or appellate, entertain constituents at an expense of hundreds of dollars annually. Furthermore, I question whether they are importuned to buy advertisements in political programs or party newspapers at a cost of sometimes \$100 a page, nor are they expected to respond to requests for contributions, door prizes, \$100-a-plate fundraising dinners, for political parties, and similar requests.

Those requests to which I have referred are very familiar to those of us who are Senators of the United States. They are very familiar to those who serve in the other body. They are familiar to those who serve as elected officials throughout the land. There are no such expenses involved on the part of our Federal judges.

It is also a fact that whenever a U.S. judge travels on business, he receives mileage. We, who pay for our own transportation back and forth on business and to meet with constituents in the States we represent many times each year, may envy that privilege.

In the private practice of law, many lawyers retire at around the age of 70 years without any pension whatever other than perhaps a small social security annuity, plus annuities they have purchased during their working years as lawyers. On the other hand, those who are nominated by our President, and whose nominations are confirmed in the Senate, as U.S. district judges, judges of the U.S. court of appeals, or of the Supreme Court, have at all times the assurance that their appointment is for good behavior, and that upon retirement at the age of 70, following 10 years of service, or in event of disability following such service, they will receive as long as they live the full salary of \$22,500 to \$35,500 per year.

Mr. President, I take a dim view of the proposal to increase the salaries of judges of our Federal courts. I for one have no tears to shed over the many imaginary financial burdens entailed by a Federal judgeship and do not feel that these terrible sacrifices call for an increase in the salaries to ranges from \$27,500 to \$40,500 per annum.

I will oppose passage of my colleague's bill. I consider that our Federal judges are adequately paid. It is my view that this bill and a similar proposal pending in the other body should be permitted to gather dust in the other body and in the Senate Committee on the Judiciary. I would hope, if such a legislative proposal were to be passed in both branches of the Congress, that our President would veto the bill rather than incur further deficit spending.

Mr. President, my concern is for the taxpayers of our country and not to favor or "butter up" present Federal judges. Each member of our Federal judiciary, if he perchance regrets that he did not decline appointment or if he is dissatisfied with the salary of his judicial office and the fringe benefits, may readily avail himself of his right to resign and return to the private practice of law, or whatever profession or occupation he chooses.

I cannot believe there is any need or justification for enactment of such a legislative proposal.

Mr. DODD. Mr. President, I say to my friend the distinguished Senator from Ohio that his was a very interesting speech. The Senator always makes interesting speeches.

Mr. YOUNG of Ohio. I thank my colleague. I sent word to him I was going to speak on this subject. He and I apparently have an honest difference of opinion on this matter.

Mr. DODD. I thought it was very gracious and fair of the Senator to notify me. I look forward to reading the entire text of his speech. I was detained outside and missed a portion. I shall read it with great care.

#### CRIME AND DELINQUENCY IN THE NATION'S CAPITAL

Mr. DODD. Mr. President, those who live in the Washington area are experiencing a growing feeling of distress and frustration and even fear because the Capital of the United States is the most dangerous place in the country after dark. The District of Columbia has the Nation's highest rate of aggravated assault.

In recent weeks we have been going through another of those recurrent waves of crime in the Capital. Last month 11 persons were murdered in the District, an increase of almost 300 percent over the corresponding month a year ago. In the same period robbery was up 7 percent, petty larceny was up 34 percent, auto theft up 11 percent, and grand larceny up 9 percent.

A couple of weeks ago the country heard of a bus driver, Mr. Page M. Powell, who in the performance of his duty on the streets of the Capital was viciously assaulted by a "ratpack" of youths in front of a diffident group of passengers who did not feel compelled to rise to help defend a helpless fellow citizen.

The term "ratpack" is not mine; it is the name these young criminals apply to themselves. And "ratpacking" is the term they have coined to describe their more vicious assaults; for instance, the one in which they struck down, clubbed, kicked, and murdered 57-year-old Mr. Jess Murchison in front of his wife.

It is easy at a time like this to raise a clenched fist, to denounce the police or the younger generation or the District government. It is easy to blame the problem on race relations or softness on the part of the court system or even welfare giveaways.

The people who live in the District have every reason to feel frustration and anger at what they see going on around them. But those who are in positions of leadership in this community had better examine their own conduct before they make sweeping judgments on what is happening here.

We in the Congress share the power to govern this city and therefore we must bear a large share of the responsibility for what happens here.

The Nation's Capital ought to be the model of the Nation in every field. I say

this not just because the diplomatic leaders and press representatives from all over the world are here and tend to judge our country by what they see, nor do I say it primarily because millions of Americans flock to the Capital from all over the country and the image of the American Government which they take home is bound to be sullied by what they see.

I say it because Washington ought to be the symbol and the image of the best that we can do as a free people. It ought to represent what we hope to achieve in the country and in the world. The Nation's Capital should be the Nation's leader in education, in urban development, in parks and playgrounds, in schools, in housing, in race relations, and above all, in law enforcement.

It is therefore time to probe not only the breakdown of law and order in the District of Columbia but to probe as well the needs of the Capital and the way in which the Congress has met, or has failed to meet, those needs.

My objective today is to look at the facts and to look at the needs and to make some recommendations to the Congress, particularly in the field of juvenile delinquency, in which I have a special interest arising from my membership on the Juvenile Delinquency Subcommittee.

Let us look first at the outrages that have been committed on the 3,300 miles of sidewalks, streets, and alleys of the National Capital in the last calendar year.

During 1961 there were 82 people murdered—10 more than in the previous year. And another 22 deaths were classified as "manslaughter" or "negligent homicide."

Last year 122 District women were raped, 7 more than during 1960. In addition, there were 25 more attempted rapes.

One thousand six hundred and ninety-four people were robbed and that was 523 more than the previous year. And additional attempts were made to rob 169 other persons, 43 more than in 1960.

There is no place like home, but last year District residents had 4,737 visitors they did not want. Almost 13 times every day last year someone's home was broken into.

During the calendar year of 1961 there were 4,737 housebreakings—488 more than the previous year. And more than that, 185 additional attempts were made. That in itself was 25 more than the previous year.

Larceny, petty and grand, totaled 9,683 last year, an increase of 632.

Between 5 and 6 cars were stolen every day of 1961 for a grand total of 2,183, an increase of 230.

In almost every category of crime the trend was up.

I would like to turn for a moment to the category of juvenile crime.

Never since the turbulent years of the post-World War II era has Washington had more delinquency than today. And this is delinquency that cannot be explained as due to wartime pressures on families and youth.

In 1961, Washington had 11 cases of juvenile homicide, while in 1960 there



were only 3. Juvenile robbery increased from 276 to 418 cases and house-breaking from 681 to 806 cases.

Robberies characterized by force and violence increased by 25 percent.

Armed holdups increased by 62 percent.

Yoking robberies, among the most odious of crimes, increased by 14 percent.

In this category was 18-year-old Edward Smith, who committed 30 yokings from May to December 1961. He operated with three heavy rings, two of lead and one of brass, on the last three fingers of his right hand. "They work pretty good the way I use them," he said, and boasted that crime in Washington should go down 100 percent with his arrest.

In the lesser crime categories, there were increases in arson, destroying private property, destroying movable property, unlawful entry, and assault.

In 1959 one referral of homicide was made to the juvenile court. In 1960 there were 2 such referrals, while in 1961 the number of homicide referrals was 11. Furthermore, in the first 2 months of 1962, four cases of homicide have already been brought to the District of Columbia juvenile court.

Specific figures for specific offenses fluctuate from year to year. However, the total court referral rate in Washington has risen in a disturbing manner, in spite of new control measures which we enact periodically.

It is worth while to note that in 1955 the District established a Youth Aid Division in the Metropolitan Police Department. This Division allowed the police themselves to dispose of certain cases without official action so as not to overcrowd the court. That year the number of complaints received by the court fell from 3,900 in the previous year to 3,100. However, in 1961, in spite of the fact the police still release an increasing number of juveniles without court action, the court's complaint figure has again risen to 3,900 cases.

In spite of yearly increases in delinquency control programs, and in spite of statistical manipulations and classifications, delinquency in Washington has kept growing.

Those are the essential facts about crime in the District. What can we in this Congress do about those facts?

I believe our approach should take two directions:

First, to see to it that the needs of the Police Department and of the courts are met and to see to it that whatever deficiencies there may be in the law itself are so remedied as to make it clear to each would-be criminal that he will be swiftly apprehended and punished.

Second, we have got to step up our attack on the underlying contributing causes of crime.

I therefore urge Congress to take immediate action to build up the Metropolitan Police force to the authorized strength of 3,000 men, instead of slowly adding these men in yearly installments.

I further urge that Congress take action to appropriate the requested number of man-and-dog teams and that the police department step up its training

programs so that these teams can be placed on the streets in a period of several months, instead of years.

I feel that the juvenile bureau of the police department should have at least 10 police cruisers on the streets each night, instead of the 5 or 6 they are able to muster at the present time.

And Congress must consider ways to remove the obstacles placed in the path of effective police work by the provisions and interpretations of the Durham and Mallory decisions. According to Police Chief Murray the requirements set by the Mallory decision make law enforcement more difficult in the District than under State laws, and as a result "a number of our most heinous crimes could not be prosecuted."

Over 50 percent of the serious offenders are repeaters. This means that our correctional attempts are failing very badly and have to be reevaluated.

It has become evident not only in the District of Columbia but also across the country that correctional and rehabilitative measures applied by professional personnel in correctional institutions and as part of probation and parole supervision have thus far substantially failed to reform the criminals. They have resulted in recidivism, or repeat offenders, in approximately 70 percent of cases released, and have thus been highly responsible for the rampant crime and delinquency conditions which prevail in the District and elsewhere.

It is therefore evident that we must reevaluate present policies concerning the length of sentencing and the manner of disposition of court cases.

Your subcommittee will look at the possibility of recommending that the appropriate laws governing length of sentencing be changed to replace minimum and maximum length of incarceration. We will consider indeterminate sentencing clauses which will allow correctional administrators and boards of crime control experts to retain or release offenders strictly according to the individual merits of each case and not according to laws which fail to differentiate between a deeply disturbed and recidivism-prone offender and between a stable person, who may only once in a lifetime be influenced to crime by a unique constellation of circumstances.

Such a revision of the laws, I feel, is necessary to both insure protection of the public from a corps of dangerous and perverse criminals and lead to more successful rehabilitative and correctional practices by crime control personnel.

We must take another look at the juvenile court laws here in the District.

The juvenile court was created to help young boys and girls who have made a mistake to keep away from further excursions into crime. But today many of those who go before the juvenile bench are already hardened young criminals. These hoodlums have not just broken a few windows and stolen some apples from fruit stands; instead they have killed, yoked, robbed, and assaulted innocent people. There are many among them who can only contaminate and corrupt the immature children whom we used to call the juvenile delinquents. This I think goes against the spirit of

the juvenile law. I know that Judge Ketchum has exercised his right of waiving juvenile cases to the criminal court perhaps more than any other judge in the country. I understand that he has been criticized for this.

I think the judge has done well and we should look at the waiver procedure to see if it should be used to an even greater extent. We must make sure that those criminals on our streets who are often young in age only, but not in experience and viciousness, are met with the full force of the criminal law and are made to suffer the consequences.

An examination by the Subcommittee To Investigate Juvenile Delinquency into two matters closely related to the so-called crime wave reveals the responsibility which society as a whole bears for a good deal of criminal behavior and points to some constructive steps the Congress can take.

I have mentioned that armed holdups by youths increased by 62 percent last year. Certainly one factor in this situation is the easy availability of cheap mail-order guns. Here irresponsible adults are to blame.

During 1961 and up to the present time, we have been investigating the recipients of mail-order handguns which have been shipped into the District of Columbia through the Railway Express Agency. We have tried to determine the character and stability of the recipients of these guns and to determine if there is any correlation between the areas of high crime rate in the District and the areas in which mail-order handguns are predominantly found.

Concerning the types of persons receiving mail-order guns, subcommittee investigators have determined that 25 percent of the recipients have criminal records in the District of Columbia. These records range in seriousness from misdemeanors to felonies. Included among the more serious felonies are assaults with such deadly weapons as guns, knives, and icepicks, assaults on policemen, narcotics violations and homicide. Others have long records of disorderly conduct and drunk arrests. These records indicate substantially that an undesirable element of this city is receiving firearms through mail-order houses.

The mail-order recipients for the most part live in the so-called slum areas of the city. Many are itinerant and are economically living on a bare survival basis.

Concerning the relationship between high crime areas of the city and incidence of mail-order weapons, it was found that delivery of mail-order handguns corresponds with the high crime areas in the city.

We found that in the following five police precincts of the District of Columbia there is a higher incidence of mail-order guns delivered than in any other precincts in the city. Those precincts are the 2d, 1st, 13th, 10th, and 9th. Crimewise, these rank first, second, third, fourth, and fifth, respectively.

We are drafting legislation to deal with interstate mail-order traffic in guns and have already succeeded in obtaining the voluntary support of many of

the responsible elements in the production, transportation and sale of weapons.

One of the most significant findings of our committee concerns the increasing number of unemployed able-bodied young men in the District of Columbia. It has been estimated that there are 13,000 out-of-school, out-of-work youth here. This waste of human lives is not just the waste that results from the idleness of thousands of 16- and 17-year-olds. The damage is multiplied by the destruction created by out-of-school, out-of-work youth who become delinquents.

As unemployment increases in this age group, it is accompanied by increasing delinquency. Walter Tobriner, President of the Board of Commissioners of the District, told us:

Studies have shown that the youth employment situation in Washington, D.C., has a direct bearing on the youth crime rate here. Too many young people with nothing to do and limited job opportunities for them seems to be one of the major reasons for the increased crime rate here.

Why does this growing number of unemployed youth exist in the District? Most basic to the situation is the population explosion of the 1940's which first made the schools bulge and now swells the labor market. Our continuing technological advance means that more can be produced by fewer workers. Youth is caught in this squeeze. They lack the skills as well as the experience to enable them to compete for the diminishing proportion of jobs.

The lack of industry in the Capital creates an even greater demarcation in the types of available jobs. Primarily, there are jobs in government which require educational and technical skills or there are jobs in service industries which supply the large number of Government workers. Employers are frequently reluctant to hire youths, because of rigid and outmoded child labor laws which have not been modified to meet the needs of a changing society.

It is extremely difficult for young people to get into labor unions. It has been said that "it is harder to get into the plumbers' union than it is to get elected to Congress."

Many officials in the District are not only aware of the problem, but have taken many foresighted steps to alleviate it. However, most of these are on a limited scale due to lack of funds. For example, Mr. Hyman Perlo is working under a small grant to locate school dropouts and help them find jobs. But how can one man hope to find thousands of young men jobs?

There are many other privately sponsored projects, such as the Woodward Foundation high school scholarships or the MacFarland guidance project and the urban service corps from the Meyer Foundation. The situation has reached such proportions, however, that this effort is not enough. Despite the fact that the District of Columbia employment office has a new youth section, Mr. Fred Z. Hetzel, its director, says that essentially "all that has been done so far is only on paper." The District of Columbia is for-

tunate in having people of the caliber of Dr. Hansen and Mr. Hetzel who are capable of dealing with the problems of youth, but they are restricted by the lack of means to put their ideas into effect on a larger scale.

The Congress can help and should help in at least five specific ways.

First. The District of Columbia must have the funds for its schools which are necessary to give youth the guidance and skills needed to qualify them to compete in the labor market. Dr. Hansen has continuously spelled out what could be done in the school system.

Second. The District of Columbia employment office must have more funds to maintain a large enough staff to provide counseling aid to our out-of-school, out-of-work youth.

Third. A subsidized youth employment program should be established under the Board of Commissioners.

Fourth. A Fair Employment Practices Act should be established in the District immediately.

Fifth. There should be a review of the child labor laws and a greater effort to educate employers concerning them.

We in this Congress cannot evade responsibility for the tragedy of crime and violence in Washington. We have the responsibility of providing better police facilities, better court facilities, better laws, and improved social conditions here, and until the Members of Congress become just as concerned with the needs of the District of Columbia as they are with their own home districts or their own home States, the Nation's Capital stands in danger of becoming the Nation's crime capital.

The problem of combating criminal behavior runs far deeper than the addition of more policemen or the tightening of laws or the improvement of social conditions.

Criminal behavior cannot be explained solely in terms of social or legal concepts nor can it be solved by Government programs. We cannot ignore the responsibility of the individual, which remains when all allowances have been made for environment and circumstances. We cannot shut our eyes to the fact that the history of evil is as old as the history of man, that evil antedates all the modern social problems that can be described as contributing causes of crime. Any attempt to explain crime solely in terms of poverty or slum conditions or broken homes or insecurity or the cold war is a futile exercise.

All we can say is that in all people there is a struggle going on between the forces of good and evil and that the kind of society we have makes a great difference on the outcome of that struggle, for the individual and for the Nation.

It is true, as we are frequently reminded, that the ideal place for the preventing and handling of delinquency is in the home, the school, the church, the neighborhood. But it is precisely because these institutions have so often proved unequal to the problem that government is forced to deal with it. We have an epidemic of crime, not just in the District but throughout the country,

and we must bring to bear upon it all the resources that we have.

Our task, then, is to see to it that the society we build in the District of Columbia and in the Nation is a positive, vigorous force for good. I believe and hope that the recommendations I have made will help toward this end.

Mr. YARBOROUGH. Mr. President, I wish to take advantage of this opportunity to congratulate the able Senator from Connecticut for the very fine statement he has made on law enforcement in the District of Columbia. I have listened with great interest. I have had 5 years of experience as a trial judge, sitting in a court of general jurisdiction in my State, with one-third of that time having been devoted to criminal trials, in which I was required to impanel grand juries and to charge them and to receive their reports, and so forth. Having had this experience in the subject matter of the Senator's address, I believe he has given the Senate a very able report, and I congratulate him on it.

Mr. DODD. I am very glad to have the comment of the Senator from Texas. I know of his great experience in this field. He is, of course, an outstanding lawyer, and I am glad that he approves of the effort I made today.

#### CITY COUNCIL OF CORPUS CHRISTI COMMENDS SENATE INTERIOR COMMITTEE FOR PADRE ISLAND ACTION

Mr. YARBOROUGH. Mr. President, since 1958 I have been working to get a bill enacted into law creating a national seashore recreational area on Padre Island.

The distinguished Senator from Utah [Mr. Moss], who is now on the floor, held one of the three public senatorial hearings held on various bills on this subject that I have introduced in the 85th, 86th and now in the 87th Congress. He held the hearing at Corpus Christi in December of 1957, at which the National Park Director, Conrad Wirth, was present. Mr. Wirth heard all the testimony presented at that hearing, and at the conclusion said that there had been presented at that hearing the most overwhelming case for the creation of a recreation area that he had ever heard in his experience.

Padre Island is a 118-mile strip of beautiful beach that extends along the south Texas gulf coast from Corpus Christi south to Port Isabel, in a quarter-moon shape, with the outward sweep of the curve closest to the Texas mainland.

The potential of the largely undeveloped island for fishing, swimming, camping, picnicking, and lounging in the sun offers to the United States the finest remaining seashore area for preservation for the public.

S. 4, the bill I introduced to preserve 88.5 miles of Padre Island as a National Seashore Recreational Area, has been reported out by an overwhelming majority of the Senate Interior and Insular Affairs Committee.



The next move is up to the full Senate, and the time for the Senate to act is now. The Padre Island Seashore Area has been recommended to the Congress by the President of the United States, by the National Park Service, by the National Parks Advisory Board, by a growing number of major newspapers in Texas, and by individuals, organizations and news media inside and outside the State of Texas.

I ask unanimous consent to have inserted in the RECORD at this point a resolution passed and approved by the City Council of Corpus Christi, Tex., on March 7, 1962, expressing their strong wish for "as large as possible" a National Seashore Park on Padre Island, and commending the Senate Interior and Insular Affairs Committee for their favorable action on the Padre Island bill.

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

#### RESOLUTION 6452

Resolution in support of establishment of a national park on Padre Island, Tex.

Whereas the gulf shore of Padre Island, Tex., is a natural recreation area suitable for and available to all members of the public; and

Whereas the establishment of a national park on said seashore would be in the public interest; and

Whereas the Senate committee of the U.S. Senate, having a bill under consideration for the establishment of Padre Island National Seashore Park, has reported favorably on said bill; and

Whereas such portions of said seashore as can be established as a national park should be promptly and to the fullest extent possible established as a national park; and

Whereas the City Council of the City of Corpus Christi, as the elected representatives of the people of Corpus Christi, have continuously urged the establishment of a national seashore park on Padre Island and should, as the elected representatives of Corpus Christi, express the attitude of the people of Corpus Christi as being to the effect that it is to the best interest of the city and its surrounding area, as well as the State and the Nation, to establish a seashore national park on Padre Island and that it is proper to establish and finance such a project on the national level and urge the passage of legislation to carry out such project: Now, therefore, be it

*Resolved by the City Council of the City of Corpus Christi, Tex., That the Congress of the United States be urged to adopt such legislation as will establish a national seashore recreation area on Padre Island, Tex., and that such area be as large as feasible and reasonable; that the Senate Committee on Interior and Insular Affairs be commended for their favorable report on the establishment of a national seashore park on Padre Island; and be it further*

*Resolved, That the Representatives in Congress from the State of Texas and the Senators representing the State of Texas assert their influence in behalf of such legislation establishing such seashore park recreation area as large as possible without jeopardizing the progress of the project to the end that some seashore recreation and park area be established at this session of Congress; and be it further*

*Resolved, That copies of this resolution be furnished to our U.S. Senators and Representatives, to Nueces County Judge Noah Kennedy, to Guy Warren, chairman, and members of the Padre Island study commit-*

tee, and that all forces be urged to unite in passage of necessary legislation at the present session of the U.S. Congress.

Adopted this 7th day of March 1962.

BEN F. McDONALD,

Mayor, the City of Corpus Christi, Tex.

Attest:

T. RAY KRING,  
City Secretary.

Approved as to legal form this 7th day of March 1962.

I. M. SINGER,  
City Attorney.

Mr. YARBOROUGH. Mr. President, there is an increasing need in the United States for preservation of recreation areas for the public. In the face of population growth and rapid development, the need is undeniable.

The effort to set aside a part of Padre Island for a permanent recreation area for the public dates back to 1920. Now that the bill is out of committee, I am hopeful that more than 61 years of effort will culminate in swift enactment of a Padre Island park bill into law in this session of Congress.

At this point, I ask unanimous consent to have inserted in the RECORD an article written in the Houston Chronicle, by Mary Lasswell, entitled "Progress on Padre." The author of "I'll Take Texas" and many other books is well qualified to write on the importance of a national park to the State of Texas itself. I also ask unanimous consent to place in the RECORD at this point an editorial from the Texas Observer of March 9, 1962, containing a reprint of an earlier editorial from the Houston Chronicle; an editorial from the March 2, 1962, edition of the Beaumont Journal, entitled "Padre Island Progress"; and a resolution of March 1962 from the Cameron County Democratic Executive Committee of which Attorney Jack Skaggs, of Harlingen, is chairman, stating a sincere hope that a Padre Island National Seashore Recreational Area bill will be passed by both Houses without delay, and urging that the south part of the seashore extend into Cameron County, and that the park be "the largest possible area consistent with the requirements of private development."

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

[From the Houston Chronicle, Mar. 22, 1962]

#### PROGRESS ON PADRE

(By Mary Lasswell)

I am happy to know that Senator RALPH YARBOROUGH's Padre Island Park bill won overwhelming approval by the Senate Interior Subcommittee.

This is the biggest advance made by the Yarbrough-sponsored bill in 4 years. The Senator said that the action is a cause for rejoicing by the millions of people in Texas and in the Nation who are supporting the effort to create a national seashore on Padre Island.

I have been referred to by a wit high in the world of newspapering as "the original gal with the dragging tailpipes." Nothing personal, of course. The reference was to the fact that in my drumbeating for public recreational facilities, I mentioned that the cars seen in these areas are seldom of the latest models and always have the tailpipe dragging the ground because of the large number of passengers in the car.

#### NOT EXCLUSIVE

The folks who go to free recreation areas are not selfish. They are not exclusive. They don't get kicks out of keeping anybody else out of a place they enjoy. They are generous, just as my Latin American friends are when they go to Latin American films at drive-in theaters when the movies are in Spanish with no English subtitles.

The price is \$1.30 per car, regardless of how many people are in the car. You have never known what elasticity is until you count the "head of chillun" in those cars. Grannies, cousins, neighbors—anybody that wants to go. It takes little more gas to haul a big bunch than it does to haul one or two. The same law of commonsense applies to Boca Chica and the wild stretch of South Padre Island. The more the merrier.

Salt water is nature's greatest cure-all. Recently, in doing research on cystic fibrosis at Texas Children's Hospital in Houston, I asked the director, Dr. Gunyon M. Harrison, what spot out of all Texas he would pick for a cystic fibrosis children's hospital-camp if given his choice. Without hesitation he replied: "The south tip of Padre Island. Salt water is fine for those kiddos. Spluttering and coughing is socially acceptable in the ocean, if not at table. A fellow can always say a wave knocked him over, made him choke and spit up."

#### DREAMS OF CAMP

Dr. Harrison's current golden dream, next to a positive control for the disease, is a camp for cystic fibrosis children at South Padre. The Houston and Austin chapters are working on the idea now, soliciting funds to purchase land for a camp. It would not have to be fine or fancy. What the children need is life in the open salt air, not buildings with sealed up, permanently installed picture windows with air conditioning to filter out the lifesaving moisture.

I cannot help thinking what a splendid act it would be if Texas businessmen of the gulf coast would help the Texas cystic fibrosis organization to buy land for such a camp.

#### JUST SUPPOSE

Suppose a man like H. E. Butts, Sr., of Corpus Christi, got interested in such a project? A man with proven spiritual values, a truly public-spirited individual, would stand as a beacon light for others to follow with their donations. The basic minimum requirements would be met speedily. I feel sure, once a really big man led off.

What we need is more men like Dr. Guy Harrison, men who will go ahead and act on a dream as though it were already a palpable fact. When a man of scientific training like Dr. Guy has imagination and enthusiasm coupled with an objective evaluation of the feasible, something is going to give. I hope it is going to be rich Texans. Dr. Guy has a fine philosophy about the camp: Go ahead and act as if it were so. He bought a bunch of cots because they were only 50 cents apiece. Then he went whole hog and bought two 16-man tents. Now he's got to get that camp. Where else can he put the cots?

[From the Texas Observer, Mar. 9, 1962]

#### THE TIME HAS COME

The time for a showdown on Padre Island has arrived. In 1958 it was Senator RALPH YARBOROUGH, the Observer, and the Corpus Christi Caller-Times plugging away for national development. Today it is the vast majority of Texas' newspapers and all of our more enlightened politicians fighting George Sandlin's land developers and Senator TOWER, who has forthrightly entered the fray for the private interests and against the future generations, presumably as part of his new and daring covenant for Republican conservatism.

What, indeed, is conservatism if it fails to embrace conservation? The conservative Houston Chronicle this week endorsed YARBOROUGH's 88.5-mile area. Its sentiments on Padre Island have been the Observer's for years:

"There comes a time when fruit is ripe. It has to be picked. Later is too late.

"We've come to that ripe time as a nation with our crop of land that must be preserved for public use and enjoyment. Particularly with Padre Island.

"Padre Island, a wild and wonderful strip of seashore that curls along the gulf coast from Corpus Christi 117 miles south to Port Isabel, must be made part of the national park system.

"YARBOROUGH has a bill in the Senate authorizing purchase of 57,000 acres of Padre Island. Estimated cost: \$4 million. The National Park Service would survey, then develop this 88.5-mile sector as a national seashore. Its credentials are excellent.

"They include Cape Hatteras National Seashore off the North Carolina coast. Hatteras has something for everybody: Clean beaches, wildlife refuges, prime fishing grounds, camping facilities, and trained park rangers who run the whole thing.

"But there is more to the Padre Island situation than meets the eye. Another bill, introduced by Representative JOHN YOUNG, of Corpus Christi, and Representative JOE KILGORE, of McAllen, calls for a much smaller park, about 65 miles long.

"A smaller park leaves more land in private hands at either end. The Young-Kilgore bill would leave about 52 miles; the YARBOROUGH bill about 28. Naturally, value of this adjacent land skyrockets.

"The Park Service wants some land left for private development. It has no ambition to put up hotels, motels, grocery stores, marinas, and other facilities. But 28 miles, it points out, means an area larger than Miami Beach—surely ample.

"Padre Island is a national treasure. No point in sterilizing America into one monster roadside development.

"We must keep some of the remote and rugged lands that are like the continent once was. And will never be again."

[From the Beaumont Journal, Mar. 2, 1962]

#### PADRE ISLAND PROGRESS

In their enthusiasm to make a State park out of part of the Big Thicket, Texans should not lose sight of another recreation area moving nearer to being incorporated in the National Park Service—Padre Island National Seashore Park has been approved by the Senate Interior and Insular Affairs Committee by a comfortable majority.

Senator RALPH YARBOROUGH, who has been behind the idea for several years, feels the committee approval is the most important advance by the bill since he first introduced it in 1958. It is, he says, "cause for rejoicing" by Texans who have supported the effort to create a national seashore recreational area on the island off the Texas gulf coast. The senior Senator is right.

Congressional approval is a long step nearer. This would mean a vital addition could be made to the national parks system. Residents of Texas and other States would have another area in which they could relax and get away, at least temporarily from the workaday problems.

Senator YARBOROUGH is to be commended for his consistent efforts to have Padre Island set aside for public use. He, more than anyone else, deserves the credit for moving the measure through Congress. It's hoped he will be able to lead it all the way to final enactment this year.

#### RESOLUTION BY CAMERON COUNTY DEMOCRATIC EXECUTIVE COMMITTEE

Whereas we believe that a portion of the natural wealth and beauty of Padre Island should be preserved so that it may be enjoyed by our children and our grandchildren; and

Whereas this executive committee believes that the future growth and prosperity of this county and the entire Rio Grande Valley would be greatly stimulated by a national seashore reaching into Cameron County; and

Whereas we believe that these objectives cannot be realized unless the national seashore extends into Cameron County: Now, therefore, be it

Resolved, That this committee expresses to the Congress of the United States and all of our Representatives therein our sincere hope that a Padre Island national seashore bill will be adopted by both Houses without delay, and that there be included within the seashore that largest possible area consistent with the requirements of private development, and that in any event the south boundary of the seashore extend into Cameron County so that the people of this county may enjoy free and unrestricted access to the seashore and may benefit by having the opportunity to be hosts to the flood of visitors which will undoubtedly result from the creation of this great national recreation area.

#### SHRINE TO LORENZO DE ZAVALA, FIRST VICE PRESIDENT OF THE REPUBLIC OF TEXAS, SHOULD BE SAVED

Mr. YARBOROUGH. Mr. President, the people of Texas have turned to Congress in an effort to preserve the historic homesite of Lorenzo de Zavala, a signer of the Texas Declaration of Independence and first Vice President of the Republic of Texas.

The De Zavala homesite and private cemetery, where De Zavala is buried, is across the Houston ship channel from the San Jacinto Battleground, and is owned by the State of Texas. However, the homesite and cemetery are surrounded by federally owned land within the San Jacinto Ordnance Depot, now being offered for sale by the General Services Administration.

Mr. President, I am author of a bill, S. 3041, which would withhold 142 acres around the De Zavala homesite and make it available for development of a park by Harris County or the State of Texas. The Federal Government's sale of the remaining more than 4,000 acres of the San Jacinto Ordnance Depot would not therefore be impeded and the value of the remaining acreage would not be diminished one cent an acre by withholding this relatively small 142-acre tract, which is a tip on the east end of the larger tract.

The area sought for a park also includes the burial place of David Thomas, another signer of the Texas Declaration of Independence, who later served as the Republic's first Attorney General and Acting Secretary of War, and is the burial place of Peter Jefferson Duncan, one of the captors of General Santa Anna after the Battle of San Jacinto.

This proposed parksite has deep historical meaning to Texas and should be preserved.

Further, there is need for the preservation of park areas throughout the Nation, and this would be a step in the right direction.

The bill I have introduced has been given editorial support by the Houston Chronicle—see CONGRESSIONAL RECORD of March 12, page 3849—and by the Dallas Morning News. I ask unanimous consent to have printed in the RECORD the following editorial from the March 21, 1962, edition of the Dallas News, entitled "De Zavala Shrine."

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

#### DE ZAVALA SHRINE

The homesite of Lorenzo de Zavala, ad interim Vice President of the Republic of Texas, across the Houston ship channel from the battlefield of San Jacinto should be rescued from its present shameful neglect. It is located at the junction of Buffalo Bayou and the San Jacinto River. It has long been cut off from public access by grounds of the San Jacinto Ordnance Depot that surround it.

Now that the Federal Government is selling the depot property, Senator RALPH YARBOROUGH's request that 142 acres of it be turned over to the State or Harris County for a park should be granted. The Lorenzo home, long since destroyed, served as the field hospital where Texas heroes wounded on the battlefield were given first aid. Although separated by water from the battlefield, it is equally sacred soil and deserves to be respected by posterity.

#### COMMUNICATION SATELLITES IN SPACE SHOULD BE GOVERNMENT OWNED

Mr. YARBOROUGH. Mr. President, the only worldwide communication network today is the one operated by the U.S. Signal Corps, by the Government of the United States, if you please, and it is operated efficiently and well.

As a cosponsor of Senate bill 2890, sometimes called the Kefauver-Morse bill, or the Government space communications bill, I have been urging that the Government of the United States retain ownership of the space satellite system.

On March 18, 1962, I made a radio talk to the people of Texas in which I set out a few of the reasons why this bill, S. 2890, should pass, thereby establishing a public communications satellite authority.

I ask unanimous consent to print at this point in the RECORD a copy of my remarks to the people of Texas on March 18, 1962.

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

#### REPORT TO TEXANS FROM WASHINGTON BY U.S. SENATOR RALPH W. YARBOROUGH

For the nearly 5 years that I have been in the U.S. Senate as a representative of the people of Texas, you've been writing me asking how we would pay off the national debt, which is now about \$300 billion; and I have given a good bit of thought to this question. But up until recently, I have not seen an answer that promised any results in paying off this debt within the foreseeable future. But now, fellow Texans, there is a way. Through the development of communications by use of space satellites, this



public debt can be paid off with the profits from a space communications satellite system within a few decades if we will just retain in public hands this heritage that belongs to the whole American people. Dr. Lloyd Berkner, well known in the Dallas-Fort Worth area of Texas, as chairman of the Space Science Board of the National Academy of Sciences, said that the communications system would develop into a \$100-billion-a-year business by 1975, and a pretty good slice of that will be spent on the space satellite communications system.

Pending now before the Congress of the United States are several bills. Two bills in the Senate, upon which hearings are being held, propose to give this space satellite system away to a private monopoly where one company will dominate it and one communications company would have the right to own satellites shot up by the U.S. Government and reap the profits—the vast profits—from the sending of messages by use of those satellites.

This satellite system was developed by the taxpayers of the United States, by the Federal Government, by the expenditure of \$25 billion in rocketry research, and now the Federal Government has also spent about \$500 million in developing communications satellites alone—the vehicles out in space that receive and transmit messages, as distinguished from the rocketry which sends them up there.

One private company which seeks to get a monopoly on this through a bill passed by Congress has spent a mere \$15 million in research.

I am coauthor of a bill, S. 2890, which would establish a public communications satellite authority, to develop this as a public authority, somewhat like TVA or like the Panama Canal is owned. If the Congress hands over this space satellite communications system to a greedy private monopoly, it will make the Dixon-Yates deal look like peanuts. Space communication is so new that we do not know exactly how much is involved in the proposed giveaway. We do know that this Government has spent all of these hundreds of millions on space communications research and billions of dollars more on rocket power research development and without these expenditures no system would be possible.

I don't believe in giving away the fruits of this taxpayer investment to a private monopoly and then requiring the Government to pay for using it as they would on the navigation of ships at sea, on airplane communications, on weather communications, and weather reports.

This would result in a double giveaway.

This is worse than the Dixon-Yates deal on still another account. Here we are giving away not only vast amounts of money, but also part of the sovereignty of the United States. This is an international communications system—that would involve the right to deal with other nations.

But if we give it away now to a private monopoly, we can never get it back. On the other hand, if we keep it for now, we can better evaluate it. Giving this system away now would not speed up progress on the space communications system by 1 day. We are going full tilt with research now and will continue.

Let's give the taxpayer a break. Let's protect the American taxpayer.

#### BROTHERHOOD AWARD FOR WNEW, NEW YORK CITY

Mr. JAVITS. Mr. President, the National Conference of Christians and Jews announced yesterday that Radio Station WNEW in New York City has

won the 1962 Brotherhood Award. This is truly a signal honor for WNEW because it is the third year in succession it has won this award.

I am especially gratified to see a deserving radio station receive such recognition at a time when broadcasters are being called upon to increase their public service efforts. WNEW's efforts in public service programming, both local and national, have been outstanding. In the past 4 years, it has won a Peabody Award, the Ohio State Award and the Freedoms Foundation Award in addition to these three Brotherhood Awards.

In awarding this year's Brotherhood Award to WNEW, the National Conference of Christians and Jews stated that WNEW was being cited—

For outstanding contributions promoting the cause of good will and understanding among all the people of our Nation, thereby fostering amity, justice and cooperation among Protestants, Catholics, and Jews, helping to eliminate intergroup prejudices which disfigure and distort religious, business, social and political relations, materially aiding the work of the National Conference of Christians and Jews and bringing us nearer the goal of brotherhood of man under the fatherhood of God.

The awards for 1960 and 1961 were for programs created by Martin Weldon, who is now director of news and special events for the metropolitan broadcasting. The winning programs for the 1962 award were created by WNEW's present news and special events director, Lee Hanna. Recognition is also due WNEW's general manager, John van Buren Sullivan, and the program director, Mark Olds, for the roles they played in encouraging and developing these programs.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a synopsis of the six programs broadcast during 1961 which were cited in the NCCJ Brotherhood Award.

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

"The New Rochelle Story," broadcast on February 12, 1961, reported on the controversy over the integration of the New Rochelle schools.

Taking its microphones into public hearings, recording interviews in New Rochelle homes, seeking out all shades of public opinion, placing into perspective the views of New Rochelle's public officials, the program concluded:

"It could be, of course, that all this tumult is really the sound of opportunity for the North to show the South it means business about integration. For the people of New Rochelle to think hard and deep, and decide exactly what they believe, and what they want, and for the people in your town to do the same—because most every town sends its kids to schools in their neighborhood; and there are very few towns left which don't have some kind of ghetto, some kind of housing segregation, resulting in some kind of school segregation, whether deliberate or not."

"The Light From Lambarene," broadcast on March 12, 1961, was the story of Albert Schweitzer's work in Africa. WNEW's Mark Evans journeyed to Lambarene where he met and talked to Dr. Schweitzer and his helpers. The program, which was a compassionate and affectionate portrait of the doctor and

his work among the natives, ended with a quotation from Dr. Schweitzer himself:

"The scholar must not live for science alone, nor the businessman for his business, nor the artist for his art. If affirmation of life is genuine, it will demand for all that they should sacrifice a portion of their own lives for others."

"Eichmann," broadcast on April 9, 1961, at the beginning of the Eichmann trial in Israel, reviewed the case against Adolf Eichmann, as documented by his victims, the former inmates of Nazi Germany's concentration camps. Not merely a review of horrors in the past, but a program which pointed up the possibility of danger in the future. It left its audience with this thought:

"This, then, is the background of the Eichmann trial—the fear of forgetting, the terror of recalling, the cries for vengeance, the cautions for prudence. And down below the tumult, that mute mocking voice that tells you you can never do enough, your justice is imperfect, you cannot weigh one man against the scale of millions. He is too small, and so are you."

"But there is another voice—the world awakening from a nightmare half remembered for its terror. Should we press on, or should we stop by this hard rock and reminisce; should we remember that bad dream that was real and seek its cause? Should we explore our fearsome power further, sort out our parts, find the flaw, then bury it by the wayside and move on, to dream that awesome dream no more?"

"A View From the South," broadcast on May 28, 1961, was prompted by the freedom riders, not from the point of view of the riders themselves, but from their opponents in the South.

WNEW News sent Reporter Chip Cipolla on a 2-week tour of the South. In addition to talks with the freedom riders, he spoke with southerners in every walk of life, in an attempt to bring to a northern audience the motivation and attitude of the South toward the Negro. In reporting dramatically and graphically the views of Mississippi's Governor, Ross Barnett, its newspaper editors, radio station managers, opinionmakers, and men on the street, the program drew this conclusion:

"Tonight we've heard from Mississippi. Perhaps we should send a reply. If there's anything a good red-blooded citizen can't stand, it's an outside agitator—somebody who doesn't live here coming in and trying to change things—stir folks up."

"We've had to deal with these people before. A while back, a grown man came all the way from England to meddle in our sovereign affairs. This foreigner suggested: 'These are the times that try men's souls. Tyranny, like hell, is not easily conquered.' He had the gall to add: 'What we obtain too cheap, we esteem too lightly.'"

"Tom Paine stirred a lot of sand. We've been plagued by these outside agitators always, it seems. Way back, there was another one who admitted what he was up to when he took that last ride, from Nazareth to Jerusalem, leaving a message along the way: 'Love One Another.'"

"The House at New Hampton," broadcast on June 18, 1961, was a story which did not receive national attention. It broke into the headlines in New York only after WNEW revealed the tragic consequences of racial prejudice right in the metropolitan area's backyard. The program concerned the summer home in New Hampton, N.J., of the Bonitas Youth Service, a settlement house for Puerto Rican children of the lower East Side. Their summer refuge was burned to the ground on May 28. Since the Puerto Rican boys were unwelcome in New Hampton police suspect arson.

As a result of the program, which included interviews with the boys of Bonitas, with its

director and founder, Patrick Maloney, with friends and neighbors in New Jersey, Bonitas was able to raise funds to rebuild its home.

"The House at New Hampton" left the audience with this thought, growing out of a statement by a New Hampton resident who said there was no bigotry in his town, but the boys of Bonitas nurtured in his community resentment tempered by acceptance.

"Resentment tempered by acceptance.

"Not the best basis for human relations. But nothing new. And, highly vulnerable to time. Ask the Irish, Poles, Jews, Swedes, Italians, Germans—ask any one of the kaleidoscopic pieces of America who met resentment and often no acceptance. Yet, time prevailed—urged on a bit by men like Maloney who give the clock a determined winding.

"The boys who pitch their tents tonight beside the ruins of their house in New Hampton have a lot of company—America itself has roughed it most of the way."

### CONSUMERS' PURCHASES OF BEEF

Mr. JAVITS. Mr. President, an interesting article relating to consumers' purchases of beef, written by Samuel Grafton, was published in the March 1962 issue of *McCall's* magazine. The article raised such provocative questions that I have asked the Department of Agriculture to comment on it, and when I receive the Department's report I shall ask that it also be printed in the RECORD.

In view of my longstanding concern for participation by consumers in shaping our economy; for a joint committee on consumers to be established by Congress; and the revealing help which this article may well be to the American housewife in her buying, I ask unanimous consent that Mr. Grafton's article may be printed at this point in the RECORD.

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

YOUR FAMILY AND YOUR POCKETBOOK MAY BE HURT RATHER THAN HELPED IF YOU ARE BUYING THE "BETTER" BEEF—IT IS AS SIMPLE AS THIS: THE MOST EXPENSIVE BEEF IS NOT ALWAYS THE BEST FOR YOU

(By Samuel Grafton)

Among the things the average American fears as he once feared witches is fat. In his mind, fat probably ranks near fallout as a source of steady unease. Wrapped around his middle, it dismays his loved ones; used too copiously in his food, it worries his physician. In the light of this feeling, it is strange there should be one decisively increased form of fat intake virtually promoted, in an indirect way, by the U.S. Government.

This little drama occurs whenever a housewife, semantically stirred by an attractive word, buys beef according to U.S. Government grademark and chooses the highest grade, U.S. Prime, over the second grade, U.S. Choice, or the third highest grade, U.S. Good. In almost every case, whether she knows it or not, when she upgrades her beef-buying by these marks, she gets more fat and less protein for her money. The Department of Agriculture, which grades beef for the public, does not, of course, have the sinister intention of loading us with suet when it slaps its official purple grademark on a carcass. It is merely trying to help us select tender beef. But according to the Department's traditional and ancient standards, the most important factor in trying to predict whether a cut of beef will be tender or tough is the amount of fat in it. Other

factors being equal, the more fat distributed through the meat or curled lovingly around it, the higher the grade it will be awarded.

This is true all the way down the line through eight grades, the bottom five of which are Standard, Commercial, Utility, Cutter, and Canner. The lowest grades—lean meat sometimes cut from elderly and unbeautiful animals—do not often turn up at butchers' counters, except possibly as sausage.

Though other factors are carefully considered—the age of the animal (younger is tenderer), the shape of the carcass, the condition of the bone, the color of the meat—the fat marbling is the most decisive element. Last December, the American Heart Association, after years of research, officially recommended to the American people reduced fat consumption "as a possible means of preventing atherosclerosis (hardening of the arteries) and lessening the risks of heart attacks and strokes." Though the statement was well-hedged, in the usual careful institutional style, and conceded that final proof was still lacking, the warning was clear. And of all fats warned against, chief were saturated fats, of animal origin, precisely the ones that richly marble the Government's top-graded steaks and roasts.

A strange factor shows up when the housewife, who cheerfully pays top prices for U.S. Prime or (more often) U.S. Choice cuts of beef, buys hamburger meat at her butcher's. Though she expects the Prime or Choice beef she buys to have abundant fat marbling, she is horrified if hamburger has an abundant amount of fat distributed through it. In the case of hamburger, she will pay more to get less fat. Often, to avoid the store run of ground meat, because it might have a good bit of fat in it, she will specify bottom round, or some other fairly high cost and fairly lean cut, and have the butcher grind it.

But the heart of the matter is that beef is something of a problem meat. More often than is true of other major meats, a cut of beef can look juicy, tender, and redly appetizing and turn out to be toughly resistant to knife, fork, and teeth. The Department of Agriculture feels its grading methods are the only means now available for helping select tender beef. To the implication that the Government is encouraging Americans to buy unnecessary quantities of fat, and to consume it, R. A. Lennartson, Associate Administrator of the Agricultural Marketing Service, enters a negative: "All we do is perform a service. We don't attempt to dictate. If the housewife wants leaner meat, she can use our grades as a guide and buy the lower grades, U.S. Good and downward." (All the grades, incidentally, are equally sanitary and wholesome. Sanitation and freedom from disease are attested to by an entirely different mark, the familiar circular stamp "U.S. Inspected and Passed," or, in some cases, by a State inspection mark.)

Some meatpackers are inclined to suggest that the Government position would be more valid if simple numbers were used to designate the grades. If U.S. Choice beef became simply U.S. No. 2, it would not have quite the aura the grade name now has. Prime and Choice, say the large packers, are savory words, selling words, persuading customers to buy the fatter cuts, as numbers might not. It does seem likely that if U.S. Good, U.S. Choice, and U.S. Prime were renamed, in ascending order, U.S. fat, U.S. fatter, and U.S. fattest, the housewife might have a different attitude in making her choice of which beef to buy.

Expert buyers in the meat business use Government grades as a guide, without appearing to rely on them entirely. Steak buyers for the first two of three well-known restaurants in New York—Dinty Moore's, Manny Wolf's, and the Black Angus—said they used the Government grade, but selected within it, according to their own

specifications, frequently rejecting steaks, even U.S. Prime. The head of the Black Angus restaurant, and member of a four-generation meat family, said bluntly, "I never look at the grade marks. I look for a fine, silky texture in the marbling. If the outside fat peels away in the fingers, in layers, or if there are bits of gristle between it and the meat, I will suspect the steer has been fattened too rapidly. In a really young steer, the fat and the meat are like one."

Among beef mysteries is the fact that tenderness seems, in part, to be an inherited quality, running through certain lines of cattle. The French use a beef breed called the Charollais, which is able to produce tender steaks without visible fat marbling, even in animals as old as 5 years. Import restrictions, for fear of hoof-and-mouth disease, prevent the development of pure Charollais herds in the United States; but Armour & Co. is making a determined effort to fight its way out of the suet by breeding for tenderness selected strains of cattle. It has developed a number of promising bulls, whose offspring seem to have this desirable quality. It is a slow process and will take some years, because of the frustrating facts that a cow has only one calf a year and that it takes another year or more to know what the calf amounts to in terms of dressed beef.

Swift & Co., working in another direction to try to eliminate the suet problem, has developed what it calls the ProTen process, under which natural enzymes are injected into cattle just before slaughter; these enzymes remain inactive during storage and shipment and go to work only while the meat is being cooked, tenderizing it. The Kroger chain of supermarkets has its own Tenderay process, a controlled rapid aging under special lamps, which prevents deterioration.

There are signs of slackening dependence on Government grading. The Giant chain of supermarkets, in and around Washington, D.C., features and sells U.S. Choice beef, but runs alternate week promotions on a grade of its own, Giant Lean, a less fat meat, selected according to its own specifications. Doctors are said to be recommending it. The nationwide A. & P. chain has chosen not to use Government grades, selecting its meat, according to its own specifications, for its Superlight grade. Theoretically, grading is voluntary. A packer asks for the service when he wants to have it, and he pays to the Government a fee covering the costs. In practice, sections of the meat trade have become so accustomed to grading that its use is virtually compulsory. It was not always so. Until World War II, grading had not been widely used. When Government price control was set up during that war, it became necessary to have some basis on which to police the pricing of meats, and grading was introduced. The grades stayed on after price controls ended.

Many smaller packers are definitely in favor of Government grading, because the Government stamp on their product enables them to sell meat by a telephone call, even half a continent away. The larger packers are making a determined effort to reestablish their own brands. These are increasingly showing up in supermarkets. Packers' grades usually evidence less emphasis on marbling and fat than do the Government's grades.

This is all to the good. Dr. Ancel Keys, of the University of Minnesota, one of America's leading physiologists and a foremost heart researcher, declares that after a fatty meal, the red blood cells may tend to stick together, and tests show that the blood clots more readily than before. While all the reasons are not yet understood, he finds that "many fatal thromboses (blood-clot formations) occur 4 to 8 hours after a large, fatty meal." This statement alone calls for elimination of the present system



of Government beef grading, for it is fat, favored by such grading, not the lean meat itself, that Dr. Keys indicts. As an interim step, the Government should certainly rename beef grades realistically in the light of medical facts and present-day consumer preferences.

Asked directly whether the enticing grade names for top cuts of beef were leading people toward consuming more fat than they realized, Dr. Keys said: "I think that is abundantly clear to all of us. The public is being led by the beef grade names to believe they're getting something better: This is most unfortunate. It reinforces a dietary move in a direction most of us think is not good and hinders a move in a direction that is safer for most people. More power to McCall's for breaking the ice on this issue."

#### PURCHASE OF UNITED NATIONS BONDS

Mr. SPARKMAN. Mr. President, within the next day or so the Senate will most likely begin the consideration of the bill relating to the purchase of United Nations bonds.

At the very beginning of the consideration of the bill by the Committee on Foreign Relations, I addressed a letter to Mr. Eugene Black, who is head of the World Bank, and who I think is as well prepared as anyone in the world on the subject of international governmental financing. Mr. Black's letter was published in the hearings at page 103. I ask unanimous consent that the letter be printed at this point in the RECORD.

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

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT,  
OFFICE OF THE PRESIDENT,  
Washington, D.C., January 31, 1962.

HON. JOHN SPARKMAN,  
U.S. Senate, Washington, D.C.

DEAR JOHN: I am referring to your letter of January 26 in which you asked for my personal views on the subject of the United Nations bond issue.

At the time of his appointment as Acting Secretary General, U Thant personally reviewed the financial position and prospects confronting the United Nations. In the course of this review the Acting Secretary General consulted me concerning the possible issuance of United Nations bonds to resolve the financial crisis faced by the Organization. I informed him that I thought the idea was a sound one, that it would have my full support, and that in a personal capacity I would be happy to do whatever I could to assist in the implementation of the proposal and in the sale of the bonds.

Under the resolution passed by the General Assembly of the United Nations on December 20, 1961, the bonds will have a 25-year maturity and carry a rate of interest of 2 percent. They may be issued in U.S. dollars or in any other currency as determined by the Secretary General. Each bond will be paid off in 25 annual installments rising from 3.1 percent at the end of the first year to 5.1 percent at the end of the 25th year. There is a provision for prepayment in whole or in part at any time, partial prepayment to be applied equally and ratably to all bonds outstanding. The bonds will be offered to states which are members of the United Nations, of the specialized agencies, and of the International Atomic Energy Agency and to the official institutions of these states. It is contemplated that they will be transferrable but only to governments or institutions to which the bonds may be offered pursuant to the resolution. Agree-

ments for the sale of the bonds must be concluded before the end of 1962 but these agreements may provide for delivery of and payment for the bonds at any time on or before December 31, 1963.

In my opinion a very important feature of the resolution and one that gives the bonds considerable security is that the bonds will be serviced through the regular budget of the United Nations. To that end the General Assembly decided to include in the regular budget of the Organization annually, beginning with the budget for the year 1963, an amount sufficient to pay the interest charges on the bonds and the installments of principal due.

Recently I addressed communications to the finance ministers of member governments of the International Bank in which I urged them to give most serious consideration to the purchase of United Nations bonds in order to solve the present financial predicament of the United Nations. And during a recent visit to several European countries I had an opportunity to discuss this matter further with certain governments. I am sure you are aware that several governments have already given indications of favorable consideration and announced their intention to propose to their legislators that they be authorized to subscribe to the bonds.

I hope these views will be useful to you.  
Sincerely yours,

EUGENE R. BLACK.

Mr. SPARKMAN. Mr. President, I also had correspondence with Mr. Henry Cabot Lodge. At the time Mr. Lodge was a Member of the U.S. Senate, he was also a delegate to the Fifth General Assembly of the United Nations, in 1950. I myself had the good fortune to be a member of the delegation in that year. Henry Cabot Lodge was a member of the Fifth Committee. That was the Committee which dealt with the making of financial arrangements. I believe Mr. Lodge became well qualified in that work.

In addition, when the Republican administration came into office in January 1953, Mr. Lodge was named as the U.S. Delegate to the United Nations and was given Cabinet status. He served in that position for 8 years. He knows the United Nations, and he understands the problems and complications of financing that organization.

Mr. President, Mr. Lodge wrote a very interesting letter to me. It is published on page 316 of the hearings. I ask unanimous consent that the letter be printed at this point in the RECORD.

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

FEBRUARY 26, 1962.

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

DEAR JOHN: This is in reply to your letter of February 15, asking me for my views with respect to the proposal now before the Foreign Relations Committee, which would authorize the President to purchase \$100 million worth of United Nations bonds, and asking me whether I believe the purchase of such bonds will serve the national interest.

I do believe that purchase of these bonds, as part of a vigorous U.S. policy to put the United Nations on a sound financial footing, would serve the national interest and I say so for these reasons:

1. The United Nations faces many dangers—including unremitting Soviet hostility and a tendency of other countries to flout it whenever it suits their conveniences. But inadequate funds is the greatest single danger to its continued existence at this time. The fact that only a few nations are in ar-

rears on their payments to the regular budget does not alter the other fact that failure to provide enough funds for the great peacemaking activities of the United Nations in the Gaza Strip and in the Congo would drastically destroy its influence and its value and would make the world an infinitely more dangerous place. Either we believe in the United Nations and intend really to make it work, or it will vegetate for awhile and then wither away. Financial support is thus the crucial test in 1962.

2. The continued existence of the United Nations is a vital American interest. World stability would be much less without it—which is surely one reason why the Soviet Union continually harasses it—and the United States is vitally interested in a stable world. When the United States came to the defense of Korea in 1950, we were very much aided by United Nations support. During my service as U.S. representative, the United Nations played a vital part in bringing about a cease-fire and withdrawal at the time of the dangerous Suez crisis in 1956, and the creation of the United Nations forces in the Gaza Strip has converted that area from an explosive to a quiet one. The United Nations validated our action in Lebanon in 1958—a decision of great value. And the creation of the United Nations presence in the Congo has so far prevented that country from becoming the cause of a confrontation between the great powers with the great danger of world war, which such a confrontation would entail.

3. The United Nations must not be supported exclusively, or predominantly, by the United States. Senator Vandenberg well said that if the United States paid most of the bills and the other member states did not pay their share, it would mean that other members did not consider that their membership was valuable—which in turn would mean the United Nations would eventually be without value for the United States. This has been one reason in recent years for our American effort to bring about a steady diminution in the percentage which the United States pays of United Nations expenses. In the future, the United States should clearly confront United Nations members with the solemn decision as to whether or not they—the members—want the United Nations to continue. No one must think that we will in the future pick up the check and make up the deficit. It is well to be patient and generous, but eventually no nation can continue to evade its responsibility to the United Nations. For its own sake, the United Nations must not become dependent on any one great power.

4. The proposed bond issue is a good way to handle the United Nations financial crisis because interest and amortization are to be covered by the regular United Nations budget. A nation loses its voting rights in the General Assembly if it fails to pay its share of the regular budget—and, perhaps for this reason, the record of payment of the regular dues is good. But, regrettably, a nation does not now lose these rights if it fails to pay its share of the expense incurred for the United Nations forces in the Gaza strip and the Congo; and, perhaps for this very reason, the record of payment for these activities is bad. Financing of the proposed bond issue out of the regular budget means that our American share of funds to repay the bond issue will be 32 percent. This is currently our assessed percentage for regular budget activity. It means further that failure to pay interest and amortization charges will bring about loss of voting rights in the General Assembly. It seems to me a constructive way of handling the matter.

5. We must be realistic—and not sentimental—about the United Nations. It is certainly not perfect. It is sometimes annoying. When it sanctions the use of force other than in self-defense in order to achieve

national ends, it stultifies itself dangerously. Its judgments could conceivably become so reckless and so immature as utterly to destroy confidence in it. But this has not happened yet and, in addition to what I listed in paragraph 2, there is much in the United Nations which is hopeful and which justifies a cautious optimism.

Much of the work of the Security Council, for example, has tended to promote peace and security. The late Secretary General did much to prevent disputes from becoming acute and the present Secretary General has made an auspicious beginning. And the work done in the fields of health, food, technical assistance, and economic aid generally are both a healing and a constructive world influence.

While the United Nations renders indispensable services, it obviously cannot be our sole reliance for building a peaceful world and the case grows ever stronger for further steps to bring about the cohesive unity of the free world. But, the fact remains that, generally speaking, we Americans have done very well at the United Nations. For the Communists, on the other hand, it is a constant worry. We should stay in it and try to build it up. The pending proposal is the best way to do this at this time.

With best wishes.

Very sincerely yours,

HENRY CABOT LODGE.

Mr. SPARKMAN. Mr. President, another man who testified before our committee concerning the purchase of United Nations bonds was Mr. James A. Wadsworth. Mr. Wadsworth is the distinguished son of a former Member of this body, Senator Wadsworth, of New York, who later served as a Member of the House of Representatives. The distinguished Senator from Virginia [Mr. ROBERTSON], who is now in the Chamber, well remembers Mr. Wadsworth as a distinguished Member of Congress and a statesman. Jerry Wadsworth is a worthy successor of his father.

During the Eisenhower administration, Jerry Wadsworth served in the United Nations. Of his own accord, he appeared before the Committee on Foreign Relations and testified in behalf of the purchase by the United States of \$100 million of United Nations bonds. I shall not ask that his testimony be printed in the Record, because it is rather lengthy; however, I refer Senators to his testimony, which begins at page 249 of the hearings.

I recommend to Senators a most careful reading of the statements of these three experts, two of whom served the United Nations throughout the Eisenhower administration, and the third of whom has served as president of the World Bank from the early days of its formation.

I think the Senator from Virginia [Mr. ROBERTSON], will corroborate my statement that Eugene Black probably knows as much about international governmental financing as does anyone else in the world. He has rendered outstanding service in his position with the International Bank. It was he who helped to formulate the United Nations bond plan. He says in his letter that he is satisfied it is the best plan that can be devised. I think his views should be carefully considered. I commend to the Senate a careful reading of Mr. Black's recommendations and those of Henry Cabot Lodge and Jerry Wadsworth, as well.

## RESETTLEMENT OF CUBAN REFUGEES

Mr. HART. Mr. President, I invite the Senate's attention to a short article written by Inez Robb and published in the New York World-Telegram of March 1, 1962. Miss Robb's article relates her experience with a Cuban refugee in New York City, and describes again the admirable qualities of Cuban refugees in this country. Above all, the article is a graphic expression of the meaning of freedom for those who have had it denied them, summed up so well in these words of the refugee: "We are free and not afraid."

As Miss Robb points out, Cuban refugees are but another indication that we live in an age of migrations.

In some historic footnote—

She writes—

the 20th century will surely be known as the age of displaced persons. Millions of innocent and hapless men, women and children have been torn up by their roots and scattered by wars, revolutions and the general savagery of our times.

We do, indeed, live in a century of refugees. Ever since the large scale refugee movements during the Balkan wars early in this century, the number of refugees has mounted rapidly and the conditions which produce them have become more intense. Today no area of the world escapes refugee problems.

I only hope, Mr. President, that we in this country will never take our freedom for granted, nor fail to share our many blessings of liberty with oppressed peoples throughout the world. America's great task, of course, is to apply positively our democratic credo in the international arena, and thus help to eliminate the conditions which produce the pathos of refugee existence. This thoughtful expression by one of the most widely read and respected American observers should help enormously in developing awareness and response. For this reason I ask unanimous consent that Miss Robb's article be printed at this point in the Record.

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

### REFUGEES AND FREEDOM

(By Inez Robb)

The 20th century has been called many things including some that cannot be printed in a family newspaper. It has been christened everything from the century of the common man to the age of astronauts.

However, in some historic footnote, the 20th century will surely be known as the age of displaced persons. Millions of innocent and hapless men, women, and children have been torn up by their roots and scattered by wars, revolutions, and the general savagery of our times.

There have been and still are so many refugees that the world, alas, has become accustomed to their old, sad stories, so much alike, and to their misery and their heart-break. In the past four and a half decades, since the Russian revolution, the displaced have tended to blur, to become another statistic.

We have all read about the indigestible clot of Cuban refugees from Castro communism who huddle around Miami.

But the problem took on life, color, and personal dimension within the past week

when I went into one of the city's big department stores to buy new kitchen equipment. A pretty woman in her early 40's, with an accent I could not quite place, waited on me with a sweetness, patience, and competence that was heartwarming.

I placed an order, left the department, and was back 30 minutes later to add two items I had overlooked on my list. When I walked into the department, the face of my unknown friend with the accent lighted up like a beacon.

She had forgotten to ask me the number of the apartment I lived in, she explained. And she needed it, as well as my address, to fill out the store forms. Then she added, apologetically, "This is my first job of work and sometimes I am stupid and make mistakes."

In answer to my questions, she said that she, her husband, and their three children were Cuban refugees. The five of them had managed to get to Spain, where they arrived with exactly \$100. With the aid of friends they had managed to reach New York with their worldly capital still intact.

"But \$100 does not go so far in New York, no?" she said, and managed a smile. They made the discovery that innumerable refugees have made over the years—that it is easier for the woman of the family to get a job than for the man. Her husband, head of a large industrial firm (which she did not want identified since both have close relatives still in Cuba), had finally gotten a job of sorts in the shipping department of a small New York factory.

"At first, after all day on my feet, I could hardly get home to make myself cook dinner," she said and could smile about it. "I never before had to cook, either," she continued, as if that were a good joke on herself, "and my family suffered at first."

"But now I get more and more used to the job, and I get cookbook and learn to cook. So everything gradually gets better," she went on. "My youngest boy is 13, so I do not have to worry about small children at home. He works as grocery delivery boy after school and on Saturday, and so does his older brother."

"My daughter keeps apartment clean. So we get along. It is only my husband I worry about. He does not say anything. But I know it hard on him not to take care of his family. But this is the United States and someday it will work out. And, in meantime, we are free and not afraid."

Free and unafraid in the century of the refugees.

## CANYONLANDS NATIONAL PARK

Mr. MOSS. Mr. President, tomorrow the Subcommittee on Public Lands of the Committee on Interior and Insular Affairs will open hearings on my bill to establish a Canyonlands National Park in southeastern Utah.

I speak today both as a Member of the U.S. Senate and as a citizen of Utah who is vitally concerned with the conservation of this awesome and splendid area bequeathed to us by a loving Creator. It is an unparalleled natural heritage which belongs to all of the people. It must be honored for spiritual and economic reasons of major importance to Utah and the Nation.

Two great space races now confront us. On the one hand, there lies a great challenge of outer space; on the other, there is the problem of play and living space for the American people. We dare neglect neither.

I am entirely confident that the outer space race will be won. The outer space challenge has already aroused the finest



emotions of mankind. By the turn of a decade we will certainly have placed a man upon the moon and returned him to Mother Earth.

The race for outer space places new demands on us. It makes peace in our time—to be kept for all time—an imperative. There is hope that in groping for the infinite, man will find new dimensions for peaceful living down here.

Over the next decade, the American people will be called on to spend at least \$40 billion to conquer outer space. Few question the value of this expenditure. Few deny that the Nation with its present \$550 billion output can afford it.

But it will gain us little to win the moon, only to lose our earthly heritage. Our populated globe yearly grows ever more crowded. Yet the cost of preserving a share of our land for play and recreation is small. We can well afford the relatively few millions needed to set aside, here on earth, areas of natural beauty for play and communion.

The United States now has one of the highest birth rates in the world, and each year the lifespan increases. By the year 2000, there will be 350 million of us. The implications press upon us from all directions. Not the least of these is the contraction of recreation space in the highly populous East and Midwest.

Fortunately, time has not yet run out on us. In the East and the Midwest, there are still some lands which can be set aside, if we act now. In the West, opportunity awaits to be grasped.

Our States of the West, however, depend on income-producing uses of our public lands in order to provide a significant portion of our material prosperity. Recreation is only one of the uses that is important to us. We cannot afford to devote lands to recreation if this reduces the economic benefits that flow from them. Fortunately, the experience with the areas in which our great national parks are situated has proved that the development of tourist attractions is in itself a land use of the greatest economic value.

Every summer weekend there comes from our cities an outpouring that taxes to the limit the capacity of our highways. Almost every foot of public space within a hundred miles or so of our urban centers becomes a place to go and play. Each year, more millions pile into family cars, to visit the great outdoors; and, each year, there seems to be less of the outdoors in which to play.

The rush to get away from it all—to find an open space in which to restore body, mind, and spirit—has hardly begun. It seems that the more the world faces crises, and the faster the pace of daily living, the more man must seek nature, in order to maintain his personal stability.

It may seem that all America is now on wheels; but, actually, not more than half the Nation ventures more than 200 miles from home in a given year. The main reason is economic. Our new technology must inevitably raise living standards if it is not to push us into history's dustbin.

Along with more money, America will have, in the future, more time to travel. We hear predictions of a drastically shorter workweek. A Columbia University professor, who is also a labor arbitrator, recently outlined a formula which looks toward a 20-year work span, instead of the reduced workweek which automation is threatening to force on us. Either way, we shall have a new kind of world; and it behooves us now to prepare, if technology is truly to mean progress.

I cannot believe that America will permit its workers to become unemployed victims of a new machine age. We must win the race for park and recreation space. We must prepare ourselves for the great onrush of tourists. An important part of that preparation lies in adding suitable areas to our national park system.

In recent years, we have not done a good job. In the Truman administration, only 73,000 acres were added to the Federal parks. Under General Eisenhower, the figure dropped to about 19,000. An effort to get moving again in this important sphere is very much in order.

It would be hypocrisy to claim that Congress has already provided an adequate stock of national parks. Thanks to the addition of Cape Cod National Park last year, we now have a total of 30 national parks, of which 2 are shoreland.

In 1961, some 50 million Americans made almost 80 million visits to these national parks. By 1970, that number is expected to double. It is little wonder, then, that today's facilities are overcrowded, and that campers must often make reservations almost a season ahead.

The National Park Service has built a fine tradition, and has given the people great pleasure. But not even the best of traditions and the finest esprit can accomplish the miracles that will soon be required unless more lands are added and developed as national parks.

President Kennedy has proposed the addition of 1.1 million acres in 10 more national parks. The greater part of the land is federally owned, and most of it is in acres remote from industry and commerce. In view of the need, the request is quite modest.

It is against this background that I ask support of Canyonlands, an area far off the beaten track in southeastern Utah. I introduced the Canyonlands bill last August, after a special inspection visit to the area. Passage of the measure would be consistent with the recommendations of the President, the Interior Department, the National Park Service, and the recommendations of the Outdoor Recreation Resources Commission.

The cost of acquiring all 10 parks proposed by President Kennedy would be \$63.7 million—in this day of space exploration, a small investment in the Nation's future. The cost of acquiring Canyonlands would be little or nothing. All but a small part is federally owned, and the area which is outside the Federal domain is owned by the State of Utah. The State will be able to select Federal lands of equal area and value, in

exchange for the State lands surrendered—a right which in the past has enabled Utah to acquire for our school fund lands with proven and potential minerals.

Last summer, Secretary of the Interior Udall and Secretary of Agriculture Freeman led to the Canyonlands the expedition which preceded the introduction of the Canyonlands bill. Secretary Udall called the entire area surrounding canyonlands the golden circle of national parks, since it embraces at least eight existing and proposed national parks and monuments in the four-corners section—the only spot in the Nation where four States meet: Utah, New Mexico, Colorado, and Arizona.

To enter Canyonlands, we traveled by helicopter, jeep, boat, and "shank's mare." Local people "jeeped" in, to swell the expedition to the largest group ever to visit this remote area since the Indians vanished, leaving behind their mysterious petroglyphs, arrowheads, and cliff dwellings.

Once Secretary Udall saw the area, he ordered the National Park Service and the Bureau of Land Management to protect the surrounding area from indiscriminate land use. The order was intended to preserve invaluable prehistoric Indian ruins from vandalism and to protect the natural wonders from commercial damage.

The most spectacular of the scenery and some of the best preserved of the prehistoric Indian ruins center around the confluence of the Green and the Colorado Rivers; and it is here that my bill proposes to set aside an area about 30 miles long and varying in width from 10 to 20 miles—or in all about 500 square miles—for our own and future generations to have and to hold, unsullied and unspoiled, as the Canyonlands National Park. It is an area unlike any other on earth.

Words cannot describe the beauty and the grandeur that is Canyonlands. Here time, the rivers, erosion, and the still desert air have combined to fashion cathedrals, minarets, spires, needles, domes, mesas, and canyons. Here nature has proven herself the supreme architect.

In his famous *Kubla Khan*, Coleridge describes the area—

Where Alph, the sacred river, ran  
Through caverns measureless to man.

Beside the Great Khan's "stately treasure trove." It would, perhaps, take Coleridge to describe adequately the stately treasure trove that nature has fashioned in Canyonlands, where the Green and the Colorado wind endlessly, through deep gorges, toward the far-off sea.

Here is the land of sandstone and basalt—the barren rock from which all earth was formed. Two rivers have worn away the rock inch by inch, eon after eon. In the heart of Canyonlands, the rivers make confluence with a mighty swirl. Two thousand feet down, below the canyon rim, two distinct colors join to become the mighty Colorado, which, 200 miles southward, has carved out Grand Canyon.

This is Canyonlands. I know I grow rhapsodic; but the picture of what God has fashioned here stands out sharply in the mind's eye. Here man's individual insignificance is sharply impressed on all who may visit. Here man stands small, beside the spectacular monuments fashioned by the Creator.

This is the land of the needles, spires of rock towering above the desert floor. Navajo Baby, a smaller needle, marches along with his elders. In the desert, a lone needle stands starkly against the cloudless blue sky. Here, in the Land of the Standing Rocks, stand great edifices that tower high above the benchland.

Graceful arches and towering domes defy the imagination. Angel Arch, Druid Arch, Castle Arch—the very names bring to mind vivid images, but they must be seen if one is to appreciate nature's sweep. Each is unique. Each is equal to any of the better known wonders of our world.

This is a land of cohesive forces and massive contradictions. Suddenly there are placid reaches bordered by colorful flowering desert plants. Everywhere, there are canyons. Always, far off at the horizon's end, the LaSal, Henry and Abajo Mountains stand as mute, blue guards of the treasure trove.

Across the Colorado on the western rim, a broad bench, laced by narrow canyons, extends for miles. Within the wilderness of windswept rock, a network of such canyons is known with good reason as the Maze.

Each day is a mass of ever-shifting colors. The cliffs are soft-pink at sunrise, and blood-red at noon. At evening, the shadows play tricks with the naked eye, as reds, oranges, and pinks fade into deeper twilight hues.

Agas ago, the now forgotten Anasazi Indians made their homes amidst these formidable cliffs, and developed a civilization of high order. These were the forebears of the Pueblo Indians, who came out of such canyons almost 3,000 years ago.

Thanks to the dry desert country, the story of the Anasazi has been preserved upon the red rocks. At Newspaper Rock, in Indian Creek, the story is chiseled and painted in graphic detail, awaiting the patient work of some modern scholar. Throughout the canyons, there are invaluable archeological discoveries to be made, including camp sites occupied perhaps 25,000 years ago, when our civilization was not even a dream.

From almost any vantage point, the view is breathtaking. From Grandview Point, one looks out from a mighty red-rock formation, properly named the Island in the Sky, onto Standing Rock Basin, and sees below the twisting water ribbons of silver, edged by the only green visible in the ochered pallisades of sandstone. Elsewhere are Upheaval Dome, the Devil's Pocket, the Gong, Candlestick Spire, the Fins, Doll House, Elephant Canyon. The very names bring exciting visions.

One who explored the area wrote:

This constant change of experience is one of the things that permits the whole Utah wilderness to have such a great impact. You are swept from a scenic wonder to an historic

one; from an exposed geologic fact to an extraordinary geographic one.

The area is a single whole, and must be treated as a unity. It deserves national park treatment and the care that the National Park Service will bestow on it.

Every man has the desire to accomplish something outstanding in his career, and we in the Senate are no exception. To my mind, nothing could be more satisfying for this Senator from Utah than the creation of Canyonlands. I should like to be remembered for any small part I might play in bringing these wonders to a world much in need of their majestic sweep and timelessness.

But the words "national park" seem to stir up the acquisitive instincts of some among us. This is particularly the case in connection with areas of high population density, such as the Indiana Dunes and the Sleeping Bear.

It would be thought that an area so remote as Canyonlands would escape this kind of attack. But here, too, the proposal to create a national park for the people has brought forth cries of anguish. I intend to deal here with the objections raised, and, I hope, to quiet them.

Canyonlands—as I am sure some will point out—makes up about one-fifth of the proposed parks' area included in President Kennedy's list. It is also presently the least accessible. But the area is small, indeed, when compared with the land area in my State.

Utah's Gov. George Clyde and the senior Senator from my State, Mr. BENNETT, have objected to the size of the proposed park. In seeking to magnify that size, they have talked only in terms of acreage.

The Governor has said:

I note that the total area involved is somewhat larger than 300,000 acres. I respectfully urge you to reconsider this year, as it is, in my judgment, far too large.

Mr. President, how much is 300,000 acres? It is proper, indeed, to put the question of size into context. The area is roughly from 10 to 20 miles wide by 30 miles long—about 500 square miles, as I have already pointed out. This amounts to less than three-fifths of 1 percent of Utah's 54.3 million acres. It is less than eight-tenths of 1 percent of the 40 million acres of federally owned land in the State.

Utah has two other national parks: Bryce Canyon and Zion. Together, these are 233 square miles in area. With the addition of Canyonlands, only some 750 of Utah's 84,990 square miles will have been set aside as national parks.

True, the north end of Canyonlands abuts Dead Horse State Park, where Utah now guards for the people scenic grandeur of great magnificence. But Dead Horse State Park is only 7 square miles of park. Even with Canyonlands, Utah will hardly be overburdened with park land area.

Canyonlands, Bryce, Zion, and all of Utah's State parks combined would be lost in Yellowstone's 2.2 million acres. In view of the economic benefits of Yellowstone, I doubt that Wyoming and Montana would want to change the status of these acres.

Some, who put commercial gain first, claim there may be large-scale oil and mineral wealth beneath our rugged rocks at Canyonlands. At the request of the National Park Service, the Bureau of Economic and Business Research of the University of Utah has recently completed an analysis of the impact of the proposed Canyonlands National Park on the economy of the surrounding area. The report indicates that there well may be some mineral deposits within the park. No one ever knows what lies deep below the surface. There are, however, no known commercial deposits. The park area has been thoroughly prospected for uranium, and the last production was in 1957. There very likely is some potash, but the new Texas Gulf Sulphur Co.'s \$30 million potash mine and operation north and east of the park should take care of our potash needs for some time.

Almost the entire area is under oil and gas lease. Ten dry holes have been drilled, and an 11th has just brought in a producing well on the northern boundary of the proposed park. Although the well could be operated under the provisions of my bill, I am introducing an amendment to remove this area from the park boundaries.

Because it is entirely possible that there may be mineral deposits of commercial value in the park, the Moss bill recognizes all existing rights and leases, and permits further exploration for minerals, including oil and gas. Such wealth could be extracted, but not on an uncontrolled basis. Development would be subject to general regulations issued by the Secretary of the Interior, so that scenic, scientific, and recreational values of the park would not be impaired or destroyed. There is precedent for such permissive mining in the national parks, in the Senate-passed bill to create a Great Basin National Park, in Nevada. In Mount McKinley National Park, in Alaska, and in a number of national monuments we permit mining. Such mining would not be inconsistent with the National Parks Act. The Moss bill seeks to meet the park's opponents halfway and to guard the wealth that could advance the economic welfare of Utah.

Yet the bill is subject to continuing attack as a "land grab." The reason is crystal clear. Park opponents want to mine and exploit and despoil without limit, if that would suit their purpose. No scenic treasure would be sufficiently valuable to deter an uncontrolled attack on these wonders. I say that if this bill is a "land grab," it is unique in history, in that it is a "grab" for the people—and it is land already owned by the Federal Government.

Southeastern Utah has elk, deer, mountain lions, and chukar partridge. Hunters have complained that a national park would cut off their right to track down this game. It is true that if left unchecked, wildlife sometimes multiplies too rapidly, and, without proper management, sows the seeds of its own destruction. Although the carrying capacity of the foliage resources of the lands within the parks is limited, and the area could never sustain large herds or flocks of game, the Moss bill provides



for a controlled hunt by properly licensed Utah hunters, so as to bring game into proper balance, should this become necessary. The provisions of the bill on this score are clear. They are intended to preserve wildlife over the long pull, and are based on the principles now operating successfully in the Grand Teton National Park, in Wyoming.

The bill would also protect present grazing rights in the area for at least 25 years. Again, because the land cover is sparse, grazing is not a major industry in the area. At the present time the area encompassed by the proposed park is sustaining about 10 sheep and 1 cow for every 500 acres, for part of the year.

There are those who say that the Moss bill, while insisting that the primary use of the land be for a national park, goes too far in permitting multiple use. I wish to point out that my bill is fully consistent with the multiple-use principles suggested by the Outdoor Recreation Resources Review Commission. Changes in our society are making necessary changes in our concepts regarding the use of areas set aside for national parks.

But I do not agree that the proper approach is the half park, half recreation area recently suggested by the senior Senator from Utah [Mr. BENNETT] in concert with Governor Clyde. This is a vast retreat from the original proposal made by Senator BENNETT, which called for three widely separated tiny parks, with a combined area of about 11,000 acres. The new approach, with about 100,000 acres of national park, surrounded by 200,000 acres of recreation area, is an unnatural division which would keep the area from being treated as a unified whole, and would offer no guarantee—as required under the National Park Act—that the scenic and historic wonders and wildlife shall be left unimpaired for the enjoyment of future generations.

I favor national recreation areas where scenic and scientific wonders are not necessarily to be preserved for all time, and where the natural habitat of wildlife might have to be unduly disturbed by the commercial activities of man. The difference is illustrated very well by the Glen Canyon recreation area, cited by the sudden converts to this course. This recreation area will be manmade, born of the building of the Glen Canyon Dam. In gouging out this dam and filling Lake Powell, natural wonders and habitat will be destroyed. We are taking advantage of the great manmade lake to build around it a recreation area, which, incidentally will impinge almost on the southern borders of Canyonlands, and will help to bring visitors to the park.

But a recreation area to surround a small Canyonlands park is something else. Responsible officials of the National Park Service have emphasized that scenic overlooks which are national park, and which look out across a view that is recreation area, are virtually impossible to administer. There would be scenic and scientific resources which they might be powerless to protect. Undoubt-

edly, even an overlook park would open up the area to tourism. But there would be no effective way to prevent for long the despoiling of the natural wonders by a honkytonk of roadside stands and motels, or by oil derricks or slag heaps, outside the overlook park limit.

Congress has never yet authorized a half park, half recreation area as a substitute for an integrated national park. Those seeking to foist such a substitute on us fail to reckon with the deep measure of responsibility which most of us feel to our natural heritage. The Moss bill seeks to protect and foster the great dream embodied in the National Park Act.

As a unified national park, Canyonlands can be intelligently developed for tourist and camper purposes, without harm to the treasures now locked up there. It is proposed to build, at appropriate places, picnic grounds, cottages, modern campsites, primitive campsites for the more adventurous, a lodge, stores, a visitors' center, an observation building, a district headquarters, and other essential physical facilities. There would also be jeep tours, saddle horse rides, and boat tours. Nothing is more wondrous than a trip on the Colorado River or the Green River, while looking upward at the magnificent cliffs and spires that tower above the canyon floor.

The American Automobile Association has estimated that last year some 4 million tourists stayed in my State for an average of 2.2 days. Arizona had 16 million tourists. Nevada had 15.5 million who stayed 2.6 days each. Obviously, Utah is failing to take advantage of its tourist assets.

Although Canyonlands is relatively inaccessible, it is not far from main highways. To the northeast is the town of Moab, and to the southeast is Monticello. These are on main, traveled highways. The new Interstate Highway U.S. 70, the main transcontinental link between Denver and Los Angeles, will traverse Utah within 40 miles of the northern border of the park. Millions of dollars will be spent in access roads to open up the park. It has been estimated that an outlay of \$15 million for such roads will open up this treasure to man. It is now locked up to all but a hardy few.

The tourist trade is already of key importance to Utah, since it brings in perhaps \$100 million annually—about \$100 per capita. There is ample opportunity for Utah to prosper further. The secret of expanded tourism is the unique, the different, the wonderful. Canyonlands is all of these. It could attract perhaps half a million tourists annually, within a very few years. Eventually, it could attract millions, each year, as tourism continues to expand. It is worth far more to Utah, in economic terms alone, than any small amount of mineral wealth which possibly might be foregone in order to protect its great heritage.

Secretary Udall, after seeing Canyonlands, described the area as one which may be of worldwide significance. The day may well come, with the growth of living standards abroad, when this and other U.S. scenic wonders will attract tourists from abroad by the thousands. In a world of gold-outflow prob-

lems, wisdom would dictate the preservation of our scenic wonders for the enjoyment of all people, through the decades.

Where the great rivers join in eastern Utah, to form the surging Colorado, which plunges then through Cataract Canyon in its rush to the sea, lies this unique area, which defies adequate description for color, geologic wonder, and heroic view. For centuries it has lain almost unnoticed; but with awareness of the coming tide of Americans seeking outdoor beauty, we now should open it, make it ready for use, and preserve it to future generations, unimpaired as a scenic, scientific, and recreational national park.

#### MINNESOTA PEACE CORPS VOLUNTEERS

Mr. HUMPHREY. Mr. President, today the Foreign Relations Committee acted favorably on the proposal to extend the Peace Corps, and also acted favorably on the proposal to enlarge the scope of the activities of the Peace Corps, by means of the amendment to extend the life of the Peace Corps and to increase the authorization for it.

Mr. President, as an American, I am immensely proud of what two of our youngest Government agencies have accomplished in their first year of life. I am referring to the U.S. Disarmament and Arms Control Agency and to the Peace Corps, which celebrated its first birthday on March 1. Together, these two organizations can make a unique contribution to world peace and to the success of U.S. foreign policy. The Disarmament Agency, under the able leadership of Mr. William Foster, has made significant contributions to our country's negotiating position at the forthcoming Geneva disarmament conference. A number of important research projects are either underway or in the planning stage. Disarmament, however, is a subject which has to be threshed out virtually in private. Our disarmament officials and their staffs do not seek publicity, nor indeed could they operate efficiently in the glare of publicity. Although their work affects the vital interests of the people, they cannot expect public recognition or acclaim.

The Peace Corps, too, neither seeks nor gets headlines at home. Nevertheless, it is making a real impact on the 12 countries which have accepted Peace Corps volunteers. Each of these countries wants more volunteers, and it wants them for projects more important than leaf raking.

In fact, the Peace Corps has in the space of 1 year created a reservoir of good will and unsatisfied demand in the underdeveloped countries. This demand for the services of talented but representative Americans is the best answer I know for those who once sneered at the very idea of the Peace Corps, who called it kid stuff and a refuge for beatniks.

As an example of the high-minded dedication of our Peace Corps volunteers, Mr. President, I ask unanimous consent to have printed in the RECORD a letter from a young Peace Corps leader now serving in the Philippines. His

name is David Ziegenhagen, and he happens to come from my own State of Minnesota. He writes that four other Minnesota volunteers are serving on the Philippine island of Panay. His letter is completely unsolicited; and I am therefore all the more happy to share it with my colleagues, for I believe it shows what our young Americans can accomplish when they work with a sense of mission among the people of foreign lands.

Note what these volunteers have done. They have studied the difficult languages of their area. They have brought a new spirit to the cultural climate around them. They are participating in the life of their communities. They do not lord it over the Filipinos; but, instead, they try to learn from the people around them. They realize that their paramount task is the creation of mutual understanding. And they can do this without PX's and automobiles, without isolating themselves in American ghettos.

In short, Mr. President, I think this letter shows that the Peace Corps has become an essential arm of our foreign policy. It is doing what it was intended to do. All of us are indebted to these young volunteers. All of us will gain when they come home to add their experience and practical idealism to the mainstream of American life.

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

PEACE CORPS,  
Pavia, Iloilo, Philippines,  
FEBRUARY 28, 1962.

Senator HUBERT H. HUMPHREY,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR HUMPHREY: When we met in Washington late last August, our Minnesota volunteers were just beginning training for the Philippine project of the Peace Corps. I thought you would be interested in hearing about a few of the many events which have filled our lives since that time.

Training for the Philippine project included 4 weeks at the Peace Corps field training center in Puerto Rico, 10 weeks at Pennsylvania State University, and 5 weeks at the University of the Philippines College of Agriculture. We received intensive training in Tagalog and Hilgaynon, the two main languages spoken in the area to which we have been assigned. Another important course was an introduction to Philippine culture, taught by Filipinos and Americans who have spent considerable time in the Philippines. Since we were to be educational aids, working with Philippine teachers in rural elementary schools, we concentrated on a linguistic analysis of both English and Filipino languages and on methods of teaching science through the use of natural materials gathered locally.

No amount of study is sufficient to thoroughly familiarize a person with another culture, so by the time we arrived in the Philippines, although we had received very adequate training, we were perhaps just ready to begin learning about the Filipinos. We knew enough about the culture to feel at ease from the moment we arrived, and this, I believe, should be the objective of any Peace Corps training program.

As educational aids our principal commitment is to the elementary schools of the Philippines. This job alone presents tremendous challenges and opportunities, and volunteers can be found working in all

grades and in nearly all subjects. Even in the short time we have been at work very real gains have been realized in helping the Filipinos to work with its language problems. Volunteers are working with Philippine teachers in the classroom and also conducting special study classes for the teachers themselves. Many Philippine students are gaining a new appreciation for their environment through the science classes, where Peace Corps volunteers are teaching and demonstrating general science concepts with the aid of materials gathered locally. Another important result of both science and English classes is the release of creativity among the students. Many teachers and school officials have told us that our presence has encouraged the students to think more independently and creatively, rather than to rely on rote memorization as was the case in the past.

The project potentially could have a tremendous effect on the educational system of the Philippines, updating and revitalizing the work done by the Thomasites—the American volunteers who gave the modern school system its start just after the turn of the century. These people are still remembered and are often referred to by name in many of the communities in which we are working. We hope that our contributions will be as valuable and as lasting.

Our work as educational aids extends beyond the schools and encompasses a wide variety of activities which might be termed community education or community aid. The volunteers bring many interests and abilities into the communities and the range of potential contributions is unlimited. Already there have been a few notable accomplishments. One woman invented a loom and a method for weaving a new material from a part of the sugarcane plant which has always been discarded. One of the men has worked out totally new furniture designs using local materials, and at least one local furniture maker has adopted the plans and found his business booming. Another girl gets up at 5 o'clock each morning to mix dried milk for a community which never before realized the benefits derived from drinking milk.

In many communities volunteers have found that they can show the people how to use equipment which was previously made available through various technical aid programs. Several community libraries have been started by volunteers, and in nearly every community the Peace Corps volunteers' home has become the reading and information center.

But all these activities only mention what we hope to be able to give to the Philippines. If the Peace Corps were only a giving organization, it would certainly fall short of its goals. Mutual understanding, of course, is the essential ingredient, and I believe we have accomplished much in this area. By living at the same level as the Philippine teachers, by learning the local language, by dedicated work in the schools and communities, and by demonstrating a sincere interest in learning about and understanding the Philippine people, the Peace Corps volunteers have laid a firm foundation for a deeper relationship between the Philippine and American people. We tell the Filipinos that what we learn about their country and their outlook will result in a greater understanding of the Philippines when the volunteers return home. We tell them that we hope to learn as much or more than we give and that mutual understanding will be the most important result of the Peace Corps presence in the Philippines. I become more and more convinced of the truth of this each day. If the accomplishments of the first 2 months here in the Philippines are any indication, the potential effect of the Peace Corps on future foreign relations is much greater than most of us imagined.

Strangely enough, as my Peace Corps experience deepens and as I become more and more enthusiastic about the potential of the Peace Corps, I find it increasingly difficult to look back and explain to someone why I originally volunteered for the Peace Corps 1 year ago. As each day passes I discover several more reasons why I should have volunteered, and usually an explanation of my reasons for volunteering turns into an explanation of why there should be a Peace Corps. This indicates to me that the Peace Corps is the dynamic, precedent-shattering organization which we all hoped it would be. I am very proud to be a part of it.

One of my duties as volunteer leader in the provinces of Iloilo and Antique is to supervise and coordinate the activities of the 32 volunteers located in this area. This in itself is a very challenging job and one which I believe is important to the success of the project here. By carrying ideas from one Peace Corps household to another and by keeping the volunteers informed about the progress of the entire project, we are able to achieve much better direction and job satisfaction on the individual level.

One of the volunteers in my area is Bob Hoyle, from Minneapolis. He and his companion, Mike Menster, from Ohio, are probably the outstanding Peace Corps team on the island of Panay. Bob is finding tremendous challenges in his community and he has been quite successful in using his role of Peace Corps volunteer to meet them. I'm certain he would appreciate hearing from you when it is convenient for you.

Best wishes from the Minnesota volunteers on Panay—Bob Hoyle, Jan Karon, of Duluth, Sue Thompson, of Moorhead, and myself. For your information, Bob is living in Dumangas, Iloilo; Jan is in Sibalom, Antique; and Sue is in Alimodian, Iloilo.

Sincerely,

DAVID ZIEGENHAGEN.

#### THE SINO-SOVIET SPLIT

Mr. HUMPHREY. Mr. President, the signs of mounting disarray in the Soviet empire are adding up to a fundamental change in the world balance of power. In the 9 years since the death of Stalin, peaceful coexistence between Communist China and Soviet Russia has become increasingly difficult to maintain. In the last few weeks we have seen evidence of a real crisis in Sino-Soviet relations. In the face of this split, many hundreds of man-hours have gone into working out a strategy for the West. But to this day we have no clear idea of how to make the Sino-Soviet split work out to our advantage.

There is reason to believe, however, that a Sino-Soviet split could be to our advantage. If the split occurs, the centralized Soviet empire might never be the same again. The results would be far more serious than those of the Stalin-Tito break of the late 1940's. Already Moscow is on the defensive in the Communist camp.

With the defection or outright hostility of China, the cohesiveness of the Communist bloc would be broken, perhaps forever.

But other factors should deter us from taking sides in the dispute, from trying to influence it directly, or from counting our chickens before they hatch. For some time I have said that there can be no workable international disarmament agreement without the participation of Communist China. I still hold to this



position. I recognize, however, the extreme difficulty of getting Communist China to sit down at the same table with its Soviet rivals, let alone with the West. Neither side would be willing to expose internal Communist differences to Western eyes. Even if the Soviet Union were willing to sign a disarmament or nuclear test-ban agreement, the Chinese Communists would hardly follow suit—for this would be capitulating to Khrushchev's doctrine of peaceful coexistence with the West, at the expense of Communist revolutionary strivings. On the other hand, Chinese intransigence might impel Khrushchev to reach an understanding with the West, so as to leave his hands free to deal with China and factional divisions within the Communist movement.

Mr. President, the Soviet position in this dispute with China is clearly the more rational one. Although I am not taking sides, I see certain merits in the Soviet arguments. This is because the Soviet Union is arguing from the point of view of a relatively affluent society, of a society which has a stake in the present and a stake in the future. Like us, the most rational leaders of Soviet Russia would not like to see their hard-won economic gains thrown away by the neo-Trotskyite doctrine of world revolution.

The Russians appear to recognize the facts of nuclear warfare; namely, that it would set mankind back a hundred years or more. The Chinese do not recognize the full destructive implications of nuclear warfare; or if they do, they think that China will rise unharmed from the ashes of destruction. Khrushchev seems to believe that the Communists can win votes, that they can come to power through evolutionary or parliamentary channels.

I could cite many more examples of the Sino-Soviet rift, which now has grown too serious to be papered over by compromise resolutions. The split is now so deep that the only apparent outcome is the surrender or defeat of one side or the other. Neither side is disposed to surrender. In fact, Russia has apparently made little headway in getting other Communist parties to line up solidly against the Chinese, and the Chinese themselves are fiercely resisting the economic and other pressures imposed upon them by the Russians.

With the crisis building up to the breaking point, I was glad to note the cover article in the March 26 issue of Newsweek, which contains one of the best summaries and analyses of the Sino-Soviet split that I have seen. Researcher Fay Willey and Senior Editor Eldon Griffiths have done a fine job in bringing this important story to the attention of the American public. I ask unanimous consent to have printed in the RECORD the article entitled "Moscow and Peking: How Wide the Split?"

Let me say, further, that the recommendations under the heading "Policy for the West," deserve the most careful study by our policymakers. It would be tragic if a division of any magnitude occurred and found us unprepared for the consequences. In every aspect of this complicated and baffling situation, we

must keep American interests steadily in mind. Above all, we must give neither communism, in general, nor the Chinese Communists, in particular, an opportunity to speak for the non-European world.

I also ask unanimous consent to have printed in the RECORD the full text of Dr. Brzezinski's article published in the March 26 issue of the New Republic. His views and recommendations deserve the widest circulation. He does not prescribe pat solutions to complex problems; rather, his recommendations are clearly designed to turn the complexities of interbloc relationships to our benefit and, consequently, to the benefit of the free world. Mr. Brzezinski's formula for an active, dynamic policy of peaceful engagement should be studied and, if possible, should be implemented by our responsible officials.

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

#### MOSCOW AND PEIPING: HOW WIDE THE SPLIT?

(For years the United States has tended to tackle the cold war from a position of psychological disadvantage. The divisions of the Western alliance have been accepted as inevitable; those of the Communist world often have been ignored.)

(Today, a profound change is taking place in each of the great power blocs. While the Western Powers are pulling closer together, the two biggest Communist powers are visibly pulling apart.)

(The polarization of Communist China and Communist Russia is a fact of profound importance to every American. It could transform the worldwide balance of power. The full dimensions of the rift still are shrouded in mystery. Yet it already has fragmented the Eurasian monolith of Joseph Stalin's day and crumbled the Communist Party's once-bright certitude that its eventual triumph is assured.)

(How deep is the split between China and Russia—and how long will it last? In this special report, Newsweek probes the origins of the Sino-Soviet feud, evaluates its significance, and projects some of its consequences for U.S. policy.)

As the Geneva Conference on Disarmament got underway last week, there were empty chairs at the table—the chairs reserved for France. The French were boycotting the Conference because it was too big. This was not the only rift in the West. The United States and Britain had their differences, too.

Once again, it seemed, the Western allies were meeting the Communists in a state of disarray. Opposite them sat Soviet Foreign Minister Andrei A. Gromyko and delegates from four Communist European nations. Not a ripple of difference disturbed their unity.

Then, two things happened. A news report from Tirana, the capital of Albania, said that Communist China, Russia's strongest ally, would soon explode its first nuclear bomb in a Tibetan desert. There was no confirmation of the Albanian report, but diplomats in Geneva were quick to note that Gromyko greeted it with a cold and sullen silence. Then, as the delegates read the Russian's opening statement, they noticed a conspicuous omission. For the first time, the Soviet Union made no request to include Red China in the Conference.

Taken together, these two subtle points were an acknowledgment—in diplomatic terms—that the Communist camp is by no means so united as it looks. On the contrary, the Soviet Union seemed relieved that its Chinese allies were not at the Geneva

parley. For the two biggest nations of the Communist bloc no longer are friends, but rivals.

Outwardly, the Russians and Chinese still loudly proclaim that their unity is indestructible. But all such protestations have the sound of a record stuck in a groove. The big new fact is that where once the writ of the Kremlin extended from the Elbe to the Mekong, today it has little authority beyond the eastern frontiers of the Soviet Union. And where less than 6 years ago, the Communists could boast that 1 billion people—a third of mankind—were members of the Socialist camp, today 700 million Chinese, and millions more in Asiatic parties, take orders from a Chinese Government that denounces Nikita S. Khrushchev.

#### BARRAGE OF INSULTS

The buildup of tensions between the Russian and Chinese parties has convinced some Western observers that there soon may be an overt rupture. Those who think so point to the increasing barrage of official insults, exchanged in public, by leading members of both parties. Last week, for example, Anastas I. Mikoyan announced in Armenia that the Soviet Union's plans for disarmament had been attacked by "left-wing theoreticians." This is the standard Soviet euphemism for the Red Chinese.

Mikoyan's attack was only part of a concerted ideological offensive now being mounted by the Russians against the Peking regime. Opening his speech before the recent party plenum in Moscow, Khrushchev—without naming them—ridiculed the Chinese for believing that communism is "a table set with empty plates, around which sit high-minded and fully equal peoples." Ivan Spiridonov, head of the Leningrad party, went even further: "To misuse the principles of communism in planning a great leap forward is subjectivism and idealism, which make failure inevitable."

The formal Chinese reply to these Soviet strictures is likely to be given at the upcoming opening of the Chinese Parliament. But its main lines already have been made apparent. Nei-bu Hsiao-hsi, a Chinese party news sheet, recently called the leaders of Russia cowardly devils and revisionists. Ching Pao, a Chinese Communist mouthpiece in the colony of Hong Kong, described Khrushchev as "an opportunist decked out in earth satellites, a man of small deeds, more stupid than Chiang Kai-shek." On a more authoritative level, the Chinese leaders still prefer to wrap up their attacks on their allies in the same indirect language the Soviets use. But Western demonologists, who spend their lives poring over the texts of Communist pronouncements, have been struck by a theme that increasingly seems to dominate Chinese propaganda. Its key word is "self-reliance," and the argument that goes with it is that the great Chinese people have no need of their faltering allies.

"If certain countries will not give China nuclear weapons," said Chou En-lai in a recent speech, "we will accomplish our own breakthrough."

Determined to go their own way, the Chinese have openly broken with their Russian allies in many key areas of the cold war. Two specific examples:

#### India

"You have only to shout across the mountains and we shall be by your side," Khrushchev told Nehru in 1955. Since then, the Chinese Communists have attacked India's northern province of Ladakh. Moscow responded to New Delhi's appeal for help with 16 helicopters and 8 planes. "Moscow," says an Indian official, "is on our side."

#### Latin America

The Chinese first began moving into Latin America by grace of the Soviet Union. Having an embassy only in Cuba, they were

forced to operate through the missions the Soviets maintain in the other Latin American countries. The Russians described the Chinese as friendly Socialist competitors. All that was soon to change.

By 1960, the Chinese were rivaling the Russians in their overall propaganda effort—exchanging more delegations (52 Latin delegations visited China in 1960, compared with 20 to Russia), and openly maintaining that Mao's path to socialism was better adapted to Latin America than that of the Soviets. Last year, the Soviets withdrew the diplomatic facilities they had granted their allies. Not one Chinese delegation was able to visit Latin America in 1961.

Closer to home, the Chinese and Russians attack one another's policies over their radio stations—Peking beaming Russian-language broadcasts to the Soviet Union which condemn peaceful coexistence; Moscow advising the Chinese—in its Mandarin-language broadcasts—that their communes will not work. Sino-Soviet trade is also running down fast. The total was down 25 percent last year, and today Soviet exports of machinery are being diverted to the European satellites and even to the neutralist countries (e.g., India). Meanwhile, the hungry Chinese have turned to the West for help. They have bought 2.5 million tons of grain from Canada, 2.2 million from Australia, and last week, they were angling for 6 million tons of U.S. wheat and barley over the next 3 years.

The effect of the Sino-Soviet feud on worldwide Communist diplomacy has been equally conspicuous. Soviet and Chinese diplomats cold shoulder one another at receptions, support opposing factions of local Communist parties, frequently lobby against each other's policies with remarks like "the Chinese are fanatics" and "you can't trust these Russians. They're Europeans, you know."

Such remarks prove the existence of a Sino-Soviet rivalry that is far older than communism—the animosity of the Slav for the Mongol, of the Asian for the European. In part, these antagonisms are a product of geopolitics. The eastern half of the Soviet Union is a vast empty land, teeming with untapped resources; China's population, which will pass the 1 billion mark by 1980, is bursting out of its own frontiers. Asked what he thought about the Chinese pressure on Siberia, a young Russian in a Moscow cafe said angrily last week: "The Chinese must keep out." A Red army veteran added: "The East is our second front."

#### IMPORTANCE OF IDEOLOGY

In themselves, such differences between Communist states need not make any difference to the overall solidarity of the bloc. The Western alliance, too, encompasses deep-seated differences between Japanese and American, Canadian and Turk. What makes the Sino-Soviet rupture deeper is the difference between the two main Communist Parties over the philosophical cement that is supposed to hold them together. That cement is ideology—the basic adhesive of all Communist societies.

The importance of ideology to the Communist is little understood in America. Yet it is vastly more important than was Hitler's "Mein Kampf" to the Nazis. Ideology is the taproot of the Communist system; it inspires every Communist policy and commands every Communist action. Once let the Communist world split over its doctrines, and the consequences can be as bitter as were those that followed Martin Luther's breach with the Roman Catholic Church.

The heart of Marxist-Leninist ideology is the claim that the Communists have discovered the science of history. This means—in Communist eyes—that it is possible to define the exact balance of world forces at any given point in time. Armed with this clairvoyance, the Communist can diagnose

the scientifically correct approach that needs to be applied to hasten history along to the ends imagined by Karl Marx.

Few things have generated more friction between the Russians and the Chinese than this question of definitions, on which, says Nikita Khrushchev "everything depends." Unfortunately for Khrushchev, his view and that of the Chinese are worlds and decades apart. To the Chinese, the mid-20th century is "an epoch of wars and revolutions." World communism must therefore press on with the destruction of imperialism—by force. Khrushchev, however, defines the present era as "an epoch of the transition to socialism." Wars are therefore unnecessary because the economic advance of the Soviet Union will inexorably swing support away from capitalism.

From these widely differing interpretations of "scientific communism" the Chinese and Russians have drawn a variety of contradictory conclusions:

Can communism be achieved without violence?

KHRUSHCHEV. Yes. These [nuclear] bombs will not distinguish between Communists and non-Communists.

MAO. No. On the debris of [war], we shall build a new civilization a thousand times higher than the old.

Are material incentives indispensable?

KHRUSHCHEV. Yes. You cannot build communism while offering only machines and nonferrous metals.

MAO. No. [The only way] is revolutionary struggle.

Should Communists support "bourgeois parties"?

KHRUSHCHEV. Yes—when it suits their purpose. A proletarian people's state (can be set up) in parliamentary form.

MAO. No. A group of nationalist states under the administration of national bourgeoisies has emerged in Afro-Asia. These nations must undergo another serious struggle before the tasks of anti-imperialism are fulfilled.

#### ORIGINS OF THE RIFT

The origins of these ideological differences are embedded in the facts of Communist history. China is the only country—outside Russia—where the local Communist Party seized power under its own steam. In Eastern Europe, communism was carried forward on the tank treads of the Red army, but, in China, the Communist victory was a uniquely Chinese affair. It was won by a Chinese peasant army under the command of a vigorous Chinese revolutionary who had never been to Moscow and who owed little, if anything, to Russia.

Mao Tse-tung is often described as a "Stalinist." In fact, he had little love for Stalin, who, during the 1920's advised the Chinese Communists to join forces with the Moscow-trained Chiang Kai-shek. Chiang took the opportunity to decimate the Communists and later drove them from their base in the south to the northern province of Shensi. There they built up the power which led to final victory.

Once Mao had won, the Russians welcomed him to Moscow and signed a treaty of friendship. But Stalin never accepted the upstart Chinese as an "equal"; to the last, he thought of China as a satellite, not a partner. While Stalin lived, Mao did not dispute the primacy of the Soviet Union, whose support he urgently needed during the Korean war. But when Stalin died, and the Soviet Government was incapacitated by the jarring struggle for power among Malenkov, Beria, Bulganin, and Khrushchev, the Chinese pressed their claim that Mao is the "greatest contemporary theoretician of Marxism-Leninism."

The high point of Peiping's ideological ascendancy came in 1956. Khrushchev had just made his first onslaught against Stalin and his attack set off a series of upheavals

that shook the Communist world. Poland under Gomulka began moving away from Soviet control. The Hungarians revolted—and had to be suppressed by Soviet tanks. Immediately, the Chinese moved onto the European stage in the role of mediators—between the Russians and their restive satellites. After Chou En-lai toured the capitals of Eastern Europe early in 1957, no one could mistake the fact that it was the Chinese who had helped Khrushchev to restore the tattered fabric of the Soviet empire.

Thereafter, the two giants began to move apart. Determined to industrialize China in a single generation, the Chinese leaders imposed Draconian controls on their people. They adapted Stalinism because only through compulsion could Mao extort the sacrifices that would be needed to achieve his great leap forward. The Soviet Union, simultaneously, was moving in the opposite direction. Having committed himself to catch up with the United States, Khrushchev quickly recognized that the scientists and managers on whom he depended to run an increasingly sophisticated economy no longer would rest content with shabby homes, a workhouse diet, and the rigid obscurantism of a Stalinist bureaucracy. Khrushchev therefore began to dismantle Stalinism.

It was precisely this dismantling process that brought the rift between Khrushchev and Mao to the point of an open break. For Khrushchev's sweeping revisions of Communist orthodoxy conflicted with the basic necessities of Red China's advance. Khrushchev gave orders that the transition to communism (1) must be gradual, (2) must be achieved not merely through idealistic fervor but through better living standards, and (3) must permit each country in the Socialist camp to advance at its own pace. The Chinese were horrified.

Simultaneously, Khrushchev revised the standard Stalinist line in Soviet foreign policy. Having moved the Soviet Union into the era of nuclear missiles, he understood—as the Chinese did not—the awesome facts of atomic war. Khrushchev's reaction was to seek a truce with the West—not out of any retreat from his belief that communism eventually will rule the world, but because he was now convinced that the Soviet Union could win by economic means.

To the Chinese, this was sheer heresy. For Khrushchev's brand of peaceful coexistence—dramatized by his trip to see President Eisenhower at Camp David—meant that Russia was more concerned with negotiating with the West than with helping the Chinese to recapture Formosa and liberate southeast Asia. China's fears were borne out when Russia refused to supply the fuel for Chinese fighters, that sought to master Chiang Kai-shek's air force over Quemoy and Matsu. The Communist air force lost.

On the 90th anniversary of Lenin's birth, the Chinese brought their ideological anxieties into the open. In a series of five formal statements they condemned peaceful coexistence as illusory and proclaimed in its place Mao's doctrine of rising in revolution and smashing the imperialist yoke. Khrushchev's sharpest reply—which finally set the seal on the Sino-Soviet split—was delivered at last year's 22d Congress of the Communist Party. As the delegates listened to his all-out attack on Stalin, Molotov, and Enver Hoxha of Albania, it soon became apparent that in the twisted language of Communist disputation he was really attacking Red China. The Chinese, said Khrushchev, are "hopeless dogmatists who, having learned by rote the general formula about imperialism, stubbornly turn away from life. They have become a brake and a ballast."

#### PUBLIC DISPUTE

When China's Chou En-lai rose in the Kremlin hall to answer Khrushchev's charges, any lingering pretense that the Communist bloc was still "united" was



cast out the window. For Chou split with Khrushchev all the way along the line. Where the Russian had denounced Stalin, the Chinese praised him—and went out of his way to lay a wreath on the old man's tomb. Where Khrushchev had spoken openly of a possible reconciliation with the United States, Chou denounced America as "the most vicious enemy of peace." Chou reserved the bitterest part of his speech for Khrushchev's attack on Albania. "To bare a dispute between fraternal countries," he said, "can only gladden the hearts of our enemies." And with that the Chinese delegation flew home to Peiping.

Since then, the ideological rift between Peiping and Moscow has steadily grown wider. When Khrushchev broke relations with Albania, China praised Hoxha as "our glorious friend" and signed a treaty of economic cooperation for 1962. Thus encouraged, the Albanian Communists moved under the Chinese wing, and from this protected position, charged Moscow with "anti-Marxist revisionism, no better than Tito's." Ever since, it has been virtually impossible for Chinese and Russian Communists to meet without attacking each other's doctrines. Some recent examples:

At a meeting of the Communist-dominated World Federation of Trade Unions, Khrushchev announced that those who do not understand the principle of coexistence should "clear their brains." The Chinese delegation therefore issued a separate statement that insisted on "unremitting struggle" against American imperialism.

In Stockholm, for the recent World Peace Council meeting, the Russians asked support for Khrushchev's disarmament proposals. The Chinese announced it was wrong to "beg for peace from the imperialists."

In Cairo, where the Association of Afro-Asian Writers held its congress last month, the Chinese delegation taunted the Russians with such questions as: "Are you for peace or for African independence?" A Russian delegate shot back: You are "distorting our stand."

Such is the evidence—and the etiology—of the Sino-Soviet rift. But for the West this remains only a part of the story. What matters more is to evaluate its significance, and to project, if possible, the likely effects of Sino-Soviet differences on Communist—and free-world—policies.

As yet it is hard to guess how wide the gulf may yawn. The tensions building up between the two party leaders have led some observers, mainly in Washington, to conclude that a break is a "50-50 possibility" within the year. One nagging crisis that could bring this about is the war in South Vietnam, where the United States is now committed to destroying the Communist Viet Cong. As most U.S. experts see it, America has both the power and the determination to crush the Viet Cong guerrillas; the Viets will therefore face a desperate decision: Either to accept defeat, or to apply to their sponsor, Ho Chi Minh of North Vietnam, for more men and equipment. Ho is thought unlikely to accept the risks of openly opposing the United States in South Vietnam without first getting a commitment from his Big Brother in Peking. And the Chinese, though chanting loudly about "hurling U.S. imperialism into the sea," are unlikely to get involved in a struggle with the United States without first ascertaining the attitude of the Soviet Union.

It is this "reverse domino effect" as one Western strategist described it, that may well confront the Soviet Union with an agonizing dilemma. Khrushchev would be caught between his desire to negotiate a détente with the West (so as to reduce the burdens on Russia), and his ideological ob-

ligation, as a Communist, to go to the aid of a revolutionary movement backed up by his principal ally. In the past, as in Laos, Khrushchev has managed to counsel restraint—without making any hard and fast choice. In the case of Vietnam, neither President Kennedy nor Chairman Mao will let him stay on the fence.

The United States is apt to say: "If you want peace with the West, hold back your allies in Vietnam."

Mao is apt to say: "If you do not help in Vietnam, we can only assume that a détente with capitalism is more important to Russia than the solidarity of the Communist movement."

What would happen if Khrushchev "let down" his Communist friends?

There are many who believe that this would be the signal for Mao to denounce Khrushchev as a "traitor to the Communist camp" and break off relations.

#### POLICY FOR THE WEST

Such a break, if it came, would be similar to the parting of the ways with Tito: A bitter ideological conflict, while government-to-government relations were continued. On the surface this could mean an enormous gain for the West. But it would be a mistake to expect, as some Congressmen have suggested, that this would quickly lead to the "defeat of communism." "A true split between the Soviets and the Chinese Communists," says one U.S. expert, "will be nothing for the free world to rejoice about. At least for the short haul the world would almost certainly be a more dangerous place to live in."

The Soviets, this man argues, would be "bending over backward" to prove to the Chinese that they are not selling out to the West. To prove this, they must be tougher, not softer. The Chinese, too, would be increasingly intransigent—if only to prove that they are the true inheritors of revolutionary zeal.

Over the long haul, however, the split, if it becomes permanent, could give the West a decisive advantage. Divided, communism may not fall, but it could be far easier to handle. U.S. experts are therefore studying—in Washington, at the Harvard Russian Research Center, and at the Rand Corp.—how best the United States can respond to the Sino-Soviet split, in order both to extend it, and simultaneously to reduce the risk of war. Prominent among these experts is a sharp-spoken young professor named Zbigniew Brzezinski, director of the Research Institute on Communist Affairs at Columbia University. Brzezinski, whose ideas have impressed Washington's top policymakers, offers his recommendations in the current issue of the *New Republic*. He suggests the West should respond to the differences within the Communist world by a policy of differentiated amity and hostility. Some main points of this policy:

1. The West should fraternize with the Soviet leaders.

"Good-will visits of heads of State," Brzezinski argues, "can contribute to further differences within the Communist world, so long as they do not lead to substantive concessions on our part."

2. The United States should at present continue to ostracize Communist China.

"American isolation of China is desirable," Brzezinski says, because "intense Chinese Communist hostility to America feeds back into the Sino-Soviet relationship and strains it." U.S. efforts to establish contacts with the Chinese could have the opposite effect—"inducing the Soviets to compete with us for Chinese favor, thus making the Soviets more militant."

3. The United States should recognize the Republic of Mongolia.

"Mongolia [was] established by the Soviets at the direct expense of the Chinese. Recognition of Mongolia by the United States as

a form of accommodation with Russia would inevitably aggravate the Sino-Soviet relationship."

4. The United States should discourage Western pressure on the Albanians.

"It would be a bad precedent indeed," writes Brzezinski, "if the assertion of independence from Moscow by any Communist regime were to be followed immediately by the fall of that regime. This would inhibit further breaking up of the Soviet bloc."

The main point of this policy of differentiated amity and hostility is that the West should offer the various countries of the Communist world viable alternatives to bloc loyalty. Western statesmen should therefore "discuss publicly the problems with which the Communist societies contend—be it with agriculture or with their youth or with their political institutions—and should offer constructive suggestions for improvement." Such suggestions "would stimulate great interest particularly among the youth, and would have the effect of destroying the greatest domestic asset which the Communist leaders enjoy—namely, that since they have a complete monopoly on policymaking opposition to them, in effect, means opposition to social development and economic growth."

Whether the Western alliance, which does not lack for divisions of its own, can apply such a complex policy is open to serious doubt. Any efforts by the United States to exacerbate the rift between Russia and China might achieve just the opposite—driving the two parties to heal their differences. Yet even if bloc solidarity can be preserved, the national and ideological differences of the two great Communist Parties seem certain to persist. For in releasing Russian desires to live as well as the West while discarding the Maoist concept that revolutionary ardor can conquer the world in an age of nuclear weapons, Nikita Khrushchev has destroyed, irrevocably, the unified bloc of Stalin's day.

That is perhaps Khrushchev's greatest service—not to communism but to the Western World. That, too, is the real significance of the Sino-Soviet rift.

[From the *New Republic*, Mar. 26, 1962]

#### A POLICY OF PEACEFUL ENGAGEMENT—HOW WE CAN PROFIT FROM COMMUNIST DISUNITY

(By Zbigniew Brzezinski)

The purpose of containment was to prevent Soviet expansion; the purpose of liberation was to roll back Communist frontiers. These policies have ceased to be relevant. Both were based on the premise that there is a united Soviet bloc. In the sixties, however, the unity of the Communist camp is strained by the increasingly open Sino-Soviet dispute. In recent days the Poles have taken the unprecedented step of republishing a secret speech delivered by Luigi Longo in December, 1960, in Moscow, during which Longo charged the Chinese with slanderous attacks on Khrushchev; and Suslov, writing in *Kommunist*, has labeled support for the Albanians as "alien to the spirit of Leninism." The escalation of the Sino-Soviet dispute is evident.

From a defense point of view, one can perhaps still speak of a bloc in the sense that an attack by the imperialist enemy on any one member of the bloc would provoke ultimately a reaction from the others. But offensively, it is no longer a bloc. Rather, there are two constellations within it: the Soviet Union and the East European states, and the Chinese-Albanian alignment—supported on some issues by the North Koreans and North Vietnamese, although these last two parties prefer to maintain a neutral position insofar as the Sino-Soviet breach is concerned.

From the standpoint of Western policy, it is dangerous to assume that the internal conflicts of the Communist world will necessarily lead to a relaxation in international

tensions. The short-range consequence of a Sino-Soviet split might be to intensify Soviet tendencies to unilateral, go-it-alone behavior. If an open split takes place it will presumably involve mutual accusations, and the Soviets will be charged by the Chinese with excessive moderation. The split will produce factional struggles in most of the Communist Parties, and the Soviet leadership may find it necessary to demonstrate its revolutionary primacy by adopting a more rigid and violent policy toward the West. Indeed, it could be argued that as long as the two parties are linked by a relationship of divergent unity, the Chinese articulate more radical policies than those that they actually pursue, and the Soviets more moderate ones, in order to influence each other. A split might produce, at least in its immediate wake, greater Soviet militancy and, conversely, greater Chinese moderation. The short-range consequence could thus be an intensification of world tensions. Nonetheless, the long-range consequences of a split are bound to be advantageous to the West, and might break the backbone of international communism and shatter its sense of inevitable triumph.

Secondly, it is always important to remember that Soviet inclination to placate Washington rather than Peking is very much dependent on the Soviet assessment of the existing balance of forces, particularly of the American capacity to deal punishing blows to the Soviet Union in case of war. If the recent Soviet nuclear tests were to give the Soviet Union relative invulnerability from an American nuclear strike, it is quite likely that the Soviet leadership would be very much tempted to adopt a more aggressive policy toward the West, thereby closing the breach with the Chinese. Thus a situation of relative invulnerability from an American attack, with America still more or less vulnerable to Soviet missiles, would be a most unstable one. It would give the Soviet leadership every reason to favor more militant policies in hope of reunifying international communism.

It follows from the preceding that it would be hazardous to make concessions to Khrushchev on the assumption that he is to be preferred to other, possibly more militant Communist leaders. The paradox of the present situation is that concessions to Khrushchev weaken his argument with Mao by seemingly proving Mao's proposition that the West will yield if pushed hard enough. If the West had not been firm with Khrushchev in the past, it would have weakened his arguments and would have provided him with no impetus for risking an open break with the more militant Communists. As long as we remain credibly committed to fighting the Soviet Union whenever the Soviet Union attacks our vital interests, we give the Soviet leaders the survival-inducement to take chances even with Communist unity.

The Soviet leadership would prefer to have both Communist unity and peaceful victories. Our policy of firmness forces it to choose between the two, and, indeed, it may result in denying both objectives to it. Accordingly, it is essential that firmness, and a willingness to take even a higher degree of risk, should continue to characterize Western policy.

It is also misleading to assume that Khrushchev's fall from power would result in his being replaced by a Stalinist successor. The changes that have taken place in Russia since Stalin's death are very profound and Stalinism as a form of government is most unlikely to return. Indeed, Khrushchev, the innovator who had broken with Stalinism, is himself increasingly being challenged by a younger group of leaders who are beginning to view him as a man still tarnished with the Stalinist past. These younger leaders are not "Western-type liberals" in any sense of those words. They do, however,

want a rational, efficient, highly centralized and modern Soviet system, which can mobilize popular support and initiative from below without yielding to it any degree of authority and policymaking. These leaders come from a post-Stalinist generation and it is among them that a struggle for succession is likely to take place if Khrushchev suddenly dies or is removed.

Furthermore, his removal at this time would probably be followed by a most debilitating struggle for power, given Soviet domestic dilemmas as well as the existing problems within international communism. In fact, these could come together and could result in bitter clashes, with many Communist parties from the outside participating for the first time in the internal resolution of Soviet politics. Soviet foreign policy would remain paralyzed for a long period, while the long-range consequences of such a struggle could be of far-reaching significance and could perhaps involve profound changes in the nature of that system.

In view of all this, it is very important that the policies we adopt toward the Soviet Union and the bloc encourage neither excessive militancy, nor optimism on the part of the various Communist leaderships, nor through excessive rigidity and hostility reverse some of the desirable trends already noted, both within the bloc and the Soviet Union itself. Since the Communist world has become very differentiated, it is extremely important that Western responses also differentiate between the various Communist countries. The policy of differentiated amity and hostility must have as its purpose to consolidate differences within the Communist world, to promote those trends which we view as desirable, and to discourage those which are dangerous to us. Specifically, I would recommend the following:

1. While maintaining firmness and yielding nowhere to Soviet pressure, it is desirable at present to adopt a policy of fraternization on the basis of firmness with the Soviet leaders. Exchanges of personal visits, common appearances on television, at some point even good-will visits of heads of state, can all contribute to further differences within the Communist world, so long as they do not lead to substantive concessions on our part. Indeed, so long as the West is firm in not yielding to Communist pressure, there is no reason why the West could not be the initiator of such contacts and exchanges. The option of whether to accept such invitations would be up to the Soviets, who would then be torn by conflicting desires. Frustrated by our unwillingness to yield, but unwilling to take risks because of the consequences of a war, the Soviet leadership might be tempted to accept such contacts in the hope of eventually wearing down Western determination. This calculation has to be considered and weighed seriously, but on the whole the advantages of such undertakings might well outweigh the disadvantages, provided that Western leadership succeeds in communicating to their own people the necessity both of firmness and of limited fraternization. In the meantime, the more militant Communist elites would be outraged by such Soviet-American contacts and this would further aggravate their relations with Moscow.

2. The application of the policy of differentiated amity and hostility to China would involve, in the present phase at least, the continued ostracism of the Chinese. American isolation of China is desirable as long as the Chinese continue their bitter ideological quarrel with the Soviets within the framework of pro forma unity. Intense Chinese Communist hostility to America feeds back into the Sino-Soviet relationship and strains it. The American willingness to repel by force Chinese aggression in Quemoy and Matsu in 1958, undertaken against Soviet advice, or at least without Soviet support, had the effect of shaking

Chinese confidence in the utility of their alliance with the Soviets. At this stage it would be idle to try to establish contacts with the Chinese or to undertake economic relations with them. Initiatives of this sort could even have the effect of inducing the Soviets to compete with us for Chinese favor, thus making the Soviets more militant. Such initiatives would amount to rewarding the militants and punishing the moderates in the Communist world movement. More specific steps could involve informal urgings to the Indians to request Soviet arbitration of the Chinese-Indian frontier dispute, which would inevitably embarrass all the Communist parties concerned.

If an open Sino-Soviet split does take place, then sometime later it might be advisable for the United States to consider adopting a two-China policy. It is likely that such initiatives would be rebuffed by the Chinese. But if the Sino-Soviet split were to involve mutual accusations of heresy, it is possible that Moscow might be more sympathetic to such initiatives. Any ambivalence in the Soviet reaction to our two-China policy would further aggravate Sino-Soviet conflicts. In addition, at such a point it might be advisable to encourage our allies to trade more with the Chinese in order to break down the Soviet isolation of the Chinese and to make the Chinese less susceptible to Soviet economic pressure. But even here it would be important to avoid the impression of rewarding the militants within the Communist movement. It is to be remembered that at such a juncture the Soviet leadership would be under enormous pressure to redeem its revolutionary standing, and hence it will be imperative that we not give the Soviets cause to rush ahead with risky actions.

3. It is desirable for the United States to recognize Mongolia and to undertake official relations with it. The Soviet Union has been pledged to bring Mongolia into the international community, while the Chinese have shown a considerable lack of interest in this particular undertaking. Mongolia is a Soviet satellite, established by the Soviets some 40 years ago at the direct expense of the Chinese, and the increasing sense of Mongolian nationalism involves potential territorial claims against China, where many Mongolians reside.

Recognition of Mongolia by the United States as a form of accommodation with Russia would inevitably aggravate the Sino-Soviet relationship. It is to be noted that the American-Soviet arrangement in the United Nations, whereby Mongolia was admitted in return for a Soviet commitment not to veto Mauritania must already have strained Soviet-Chinese relations, since the consequence of this arrangement was that the United States gained some 20-odd French-speaking African votes against the admission of Red China. In effect, "objectively speaking," to use a Marxist category, the Soviet Union was collaborating with the United States in preventing the admission of Red China into the United Nations. A United States recognition of Mongolia would have a similar effect on Chinese national interests.

4. The United States should discourage any pressure on Albania from its Yugoslav and Greek neighbors, particularly efforts to overthrow the existing Albanian regime or to partition the country. It would be a bad precedent indeed if the assertion of independence from Moscow by any Communist regime, even an extremely anti-Western one, were to be followed immediately by the fall of that regime. This would inhibit further breaking up of the Soviet bloc, which is not in our interest. As things now stand, it might even be desirable to encourage some Western countries to aid the Albanian regime.

5. Nuclear weapons should not be given to the West German Army, since this pro-



vides Eastern European Communists with an extremely useful emotional argument for tightening links with the Soviet Union. Given the historical legacy of the Second World War, the West Germans should realize that it is incumbent upon them to minimize East European fears. The acquisition of nuclear weapons by the West German Army would intensify such fears, thereby consolidating bloc unity.

6. The Poles and the Czechs should be reassured about frontiers. Here, too, the West Germans could make a useful contribution by accepting existing territorial arrangements. The West Germans must realize by now that German reunification is not possible unless there is a substantial change in the relationship of East Europe and the Soviet Union. The days when the East German question could be resolved in isolation from that of East Europe are gone forever. Hence, whatever contributes to closer ties between East Europe and the Soviet Union contributes to the perpetuation of the division of Germany. Anything which weakens these ties brings unification closer. Western acceptance of the existing territorial arrangements would make Polish and Czech national security less dependent on the Soviet army.

7. Given the magnetic attraction which West European development has for East Europe, it would be useful to offer East European countries Western European and U.S. aid for their economic development, based on the principle of closer European socio-economic ties. Such offers could stress that the existing socio-economic division of Europe (leaving political matters aside) is unnecessary and harmful to the interests of the peoples, and that the West is willing to aid Eastern Europe so as to close the gap between our respective standards of living. Such offers would generate a great deal of popular sympathy and might even be welcome in some of the Communist elites, provided they were voiced without political overtones. They would certainly be viewed with suspicion by the Soviet Union, and they would be bound to provoke an outraged Chinese reaction. If accepted, they would contribute to the further differentiation of the Communist world. If rejected, they would again increase East European hostility to Russia, since most East Europeans would assume that Russia was responsible for the rejection. Such offers would also create increased popular pressure on the local Communist elites for improving living standards, and would presumably lead to louder demands for Soviet help in development. Either the refusal or the acceptance of our offer would be desirable from the standpoint of the West, since it would have the effect of either tying a part of the Communist bloc to the West, or of increasing the divisive forces already at work within it. An initiative of this sort would indicate directly the West's peaceful intentions in East Europe, an area of great Communist vulnerability.

8. The West, and particularly the United States, must increasingly address itself to the ideological and social problems which the Communist societies are facing. In discussing the future, the Communists never hesitate to offer prescriptions and guides to action. Today, the Communists world is facing a mounting ideological debate with many Communists engaging in sincere self-doubt and criticism. The dilemma which many of them face, however, is that there appears to be no alternative to their existing socio-economic and political system. The West should join in this dialog. Western statesmen in their speeches, which increasingly penetrate the Iron Curtain, should not hesitate to discuss the problems with which the Communist societies contend—be they with agriculture or with their youth or with their political institutions—and should offer not only criticisms but constructive

suggestions for improvement. These suggestions could stress the compatibility of socialism and pluralism, of national ownership and personal freedom, and should try to stimulate a dialog concerning the future development of Communist societies.

The West has tended to abdicate discussion of the future to the Communists, and merely to restrict itself to negative criticisms of current Communist reality.

Authoritative statements by Western leaders, including the President of the United States, on the future development of Communist societies, would obviously be rejected by the Communist leaders as interference in their domestic affairs, but this rejection in itself would be a reflection of their sense of insecurity and of their fear of an open dialogue with the West. It would stimulate great interest among the youth, and might have the effect of destroying the greatest domestic asset which the Communist leaders now enjoy—namely, that since they have a complete monopoly on policymaking and on all sources of policy information, opposition to them, in effect, means opposition to social development and economic growth. An opponent of the Communist regime is normally without an alternative. To be against communism is to be against everything and to stand for nothing. By opening up such a dialogue, the West could change this.

The foregoing recommendations would allow the West peacefully to promote and exploit some of the major new trends within the Communist bloc. The policy of peaceful engagement requires both firmness, based on American power, and elasticity, derived from an understanding of the changing situation in the Communist world. Some left-wing critics of American policy would abandon the element of power. The rightwing abjures elasticity. An effective policy requires both.

#### ORDER OF BUSINESS

Mr. KEATING obtained the floor.

Mr. HUMPHREY. Mr. President, let me ask whether the Senator from New York is about to address himself to the unfinished business, or is he about to speak in regard to another matter?

Mr. KEATING. In regard to another matter.

Mr. HUMPHREY. I thank the Senator from New York.

#### PRESIDENT'S ECONOMIC GOALS UNREALISTIC

Mr. KEATING. Mr. President, our free economy is a most amazing phenomenon. Today, it is strong and vibrant. Over the years it has provided our country with greater abundance and prosperity than any other economic system ever devised.

We know from the great farm crisis behind the Iron Curtain and from the lack of consumer goods in that so-called workers paradise that our competitive economy is a great blessing. However, one of the most difficult things about a free economy is that, because everything is not planned and directed by the state, it is difficult to predict just how our economy will behave at any given time.

As all of us know, we tend to go through periodic adjustments, which in recent years have become increasingly more mild. While we must do everything possible to avoid recessions as well as periods of overrapid boom, I doubt that we can ever expect to eliminate

them altogether. This is one of the costs of freedom. That is to say, there are certain things which are not predictable if men are allowed to do what they want to do and live in the way that suits them best. Freedom is not predictable, because freemen and their behavior are not necessarily constant.

Mr. President I should like to discuss today a serious situation regarding the performance of our economy which merits greater attention than it has recently received. The President in his Economic Report to the Congress this year made a number of strong and, I believe, overoptimistic predictions about the progress of our economy in 1962. He stated that our gross national product would reach a rate between \$565 and \$570 billion in the first 6 months of 1962. His economic report of January 22, 1962, says:

In the first half of 1962, we may therefore expect vigorous expansion in production and incomes, with GNP increasing to a range of \$565 to \$570 billion in the second quarter, employment continuing to rise, and the unemployment rate falling further.

In 1961, our gross national product was \$521.3 billion, so this is a terrific increase.

We are now receiving the data on the performance of our economy for the early weeks of this year. It is clear from the figures thus far available that our economy is not advancing with the rapidity which the President so boldly anticipated in January.

The opening weeks of 1962 have been characterized by a slight economic slowdown, which is not unusual in the early part of the year, but which will certainly not have a favorable effect on our economy, and more specifically on our gross national product.

Recent statistics show that business buying has not been growing as rapidly as the administration estimated. Industrial production has not increased at as fast a pace as it did in the comparable period of the 1958-59 economic upsurge. Similarly, the housing market has not improved as dramatically as had been hoped. Only limited gains have been recorded in heavy machinery, plant, and equipment spending.

Federal spending, too, has not grown as quickly as it did in fiscal 1961, during the early weeks of the fiscal year.

With regard to our international balance of payments, imports are rising while exports are slipping. Retail sales have also shown only limited improvement. A recent news story on retail sales by Myron Kandel of the New York Times says:

The present level of the Nation's retail sales—up, but not much, from last year's figures—has left many retailers and economic analysts disappointed but not depressed.

Finally, unemployment, the most important human economic indicator, has remained remarkably steady in recent months. Our unemployment rate is now 5.6 percent. This indicates slight, but not marked, improvement. This rigidity in the number of jobless Americans is a cause for deep concern. It will take a lot of doing to bring our unemployment rate back into line. At present, there is unfortunately little evidence that we are making sufficient headway.

Mr. President, it appears that we are up against a new kind of gap, an economic gap between prediction and performance. We all want our economy to grow and prosper, and should support measures which will help it to do so within the context of our competitive enterprise system. But a fact is a fact. I believe it is extremely unwise and misleading to set economic goals that are so high that they are not likely to be attained.

Several weeks ago Secretary of Commerce Luther H. Hodges said that our economy would hit at least a \$560 billion gross national product in the second quarter of 1962. This is \$5 to \$10 billion short of what the President predicted.

I ask unanimous consent to include in the RECORD at this point an article from this morning's New York Times in which Secretary Hodges is quoted again to the effect that the administration's 1962 economic goals are not likely to be attained.

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

**ECONOMY IS FOUND BELOW ESTIMATE—HODGES PLACES TOTAL OUTPUT UNDER BUDGET FORECAST**

WASHINGTON, March 27.—Secretary of Commerce Luther H. Hodges said today consumer spending had picked up but the economy was operating below the level predicted in President Kennedy's budget message.

This may mean a deficit in the 1963 administration budget.

Mr. Kennedy proposed spending \$92,537 million in the fiscal year beginning July 1. He estimated record revenues of \$93 billion and a \$463 million surplus in fiscal year 1963.

Mr. Hodges told a news conference the gross national product—the value of all goods and services—would fall below the projected annual rate of \$553,500 million predicted by Mr. Kennedy for the first 3 months of 1962. He said it would reach about \$550 billion for the first quarter.

**DROP NOT SERIOUS**

However, he said, the drop is "not enough to be disturbing."

Mr. Hodges said it was unlikely the economy would hit the \$565 to \$570 billion level forecast for the second quarter.

In estimating revenues for fiscal year 1963, Mr. Kennedy predicted a gross national product for \$570 billion for 1962. Administration sources now say the likely figure for 1962 will be \$565 billion. This would mean about \$1 billion less revenues than was predicted for the year.

"I think, generally speaking," Mr. Hodges said, "the pattern of consumer spending, about which we have worried in the past few months, has gotten a little brighter."

He said personal income was at record levels and auto deliveries were 25 percent higher than a year ago.

Congressional action is expected to trim the President's budget. The House Appropriations Committee has already cut \$290 million from five money bills.

However, the President yesterday proposed a new public works program that would add \$350 million to spending. A tax revision bill awaiting a House vote would trim another \$350 million from revenues.

Administration officials place their hopes for a balanced budget on increased consumer spending and a rise in capital investments by business.

Mr. Hodges also said the United States would probably reject any official request by either Communist China or North Korea for U.S. wheat and barley.

Last Friday, Mr. Hodges announced rejection of an American exporter's request for a license to ship \$400 million worth of grain to those two Asian countries.

Asked if the license would have been granted had it come from official Chinese or Korean sources, he said:

"I couldn't answer you positively. My own feeling as of now is that we would probably turn it down."

Mr. Hodges announced that the Commerce Department planned to open a permanent trade center in Frankfurt, West Germany. No date was given for the opening. A similar center was opened in London last June. Another is scheduled for opening in Bangkok, Thailand, May 8.

Mr. KEATING. Mr. President, Secretary Hodges has had a hard time explaining this divergence. There appears to be a great deal of uncertainty within administration circles as to how our economy is doing and whether or not we are living up to the goals set by the President.

There is entirely too much second guessing going on. It is not healthy for our economy to be operating on speculation by the President of the United States. Businessmen frequently make their purchases on the basis of how our economy is doing. Investments in new products, new homes, and new machinery are keyed to their assessment of how our economy is doing. It must be recognized that sensitive psychological factors have a lot to do with the performance of our economy. This is true to a limited extent of consumer buying patterns.

Even though our economy is doing quite well at the present time, the fact that we are considerably behind the President's goals could make some businessmen and consumers decide against investments which they should actually make. This would be most unfortunate. We must deal in facts, not in predictions.

Mr. President, while our economy appears to be doing well, there are some who seriously believe that we could be in for a mild readjustment this year. As an example, a bulletin by the Industrial Union Department of AFL-CIO says:

Despite the optimistic predictions of the administration's economic advisers, the possibility of a new inventory recession later this year cannot be lightly dismissed. Such a recession—starting with today's high jobless rate—could be devastating.

Further on this subject, Forbes magazine, in a recent comment on the economy, noted that the so-called forward indicators which generally give an advance indication as to how our economy will do, are, to put it in their words, "acting a little queasy."

I read again:

When President Kennedy sent his annual Economic Report to Congress in January, he lined up firmly with the optimists, projecting a 10-percent gain in gross national product for 1962 (to an annual rate of \$570 billion) and a \$600 billion GNP by 1963.

Last month, however, many of the optimists were having second thoughts. In January, the latest month for which detailed figures were available, the recovery had definitely faltered. Such key measures as industrial production, retail sales and personal income were all down from their highs of the previous 6 months. But what was most

discouraging was that the famous "forward indicators"—the statistical measures that are supposed to tell where the economy is going rather than where it has been—were acting a little queasy.

Looking at the forward indicators, one of the United States most eminent statistical economists, Leonard Lempert, concluded that the current resurgence may not last as long as most businessmen had hoped. Said Lempert, who runs a private service that analyzes economic indicators: "I think that there is a good chance that the forward indicators have already peaked out. In fact the chances are 7 in 10 that the economy will hit its actual peak sometime this year." Lempert was especially concerned by the fact that the majority of the economic pacesetters were below their highs of the past 6 months.

Mr. President, this technique of "goalsmanship," if I may call it that, on the part of the new administration is a brandnew departure. President Eisenhower did not follow this procedure. He deliberately declined to set annual goals, because he recognized that there would be serious consequences if we fell short of what he had predicted.

Mr. President, the new administration should take careful note of the discrepancy between promises and performance to which I have referred. I strongly urge that the President abandon his overheavy reliance upon economic predictions. Our economy does not operate on wishful thinking. It operates on the bases of investment, jobs, wages, consumer buying, and on the basis of hard work. These things cannot be fully predicted in a free economy.

There is a real danger in "goalsmanship," that is, building up expectations that are too optimistic. If we fall short of the President's goals in the early months of 1962, there is always the possibility that some sort of a business panic could be brought about by this fact alone. People are more sophisticated than this, but still we must tread lightly on the serious facts of economic life.

Mr. President, there is one further aspect of "goalsmanship" that is worthy of our attention. If our economy does not live up to the President's goals because these goals are too high, this will also mean that the Federal budget will undoubtedly be out of balance for fiscal 1963—July 1, 1962–June 30, 1963. Secretary Hodges hinted at this in the article above from the New York Times. On January 21, shortly after the President's fiscal 1963 budget was announced, I stated that I was very skeptical that it would balance.

Recently, there has been considerable evidence that the relatively small surplus which the President predicted is slipping away like sand in a windstorm. The President's \$500 million surplus was predicated on several assumptions. First, that Federal revenues would be \$93 billion and gross national production would be \$570 billion, which many experts feel is too optimistic; second, that Congress would increase first-class postal rates, which is by no means a certainty; third, that tax revenues would be based strictly on existing tax schedules, which eliminates the possibility that if the Congress passes new tax legislation, there may be a resulting net decline in Federal revenues. All three assump-



tions are shaky. Furthermore, the budget does not take into account the possibility of a drop in tax receipts because of anticipated administrative action to liberalize certain depreciation allowances, as was done recently in the case of textiles.

The President's balanced budget does not seem to me to be balanced as far as the accountants and statisticians are concerned; although it may be balanced for the newspapers. This is a very serious matter. With today's complicated world economic situation, the soundness of the almighty dollar is of "A No. 1" priority. We cannot afford unbalanced Federal budgets in prosperous times, for we cannot risk the concomitant possibility that this would bring about inflation here at home.

Today, the financing of our Federal Government is not just a matter of domestic concern. Unwise economic policies and unfavorable developments at home have time and again resulted in an almost spontaneous outflow of gold from the United States to Europe.

We must not be narrowminded about budget balancing. We must recognize that when times are bad, the Federal Government can and should stimulate economic activity by means of a certain amount of deficit financing. But, this makes it absolutely vital that when times are good, we make up for these deficits.

Mr. President, let us have less wishful thinking on matters of such grave importance to our Nation as the level of national production and the condition of our Federal budget. This economic whistling in the dark is too dangerous for my money, and for everyone else's too; and we should place more reliance on what has been done and what we can do to improve the situation than upon these overoptimistic predictions.

#### RESOLUTION—ASHFORD ATOMIC DEVELOPMENT

Mr. KEATING. Mr. President, the Cattaraugus County, N.Y., Board of Supervisors recently expressed its interest and enthusiasm in the future progress of the Ashford atomic development site, with the hope that this site will become an important facility in the atomic program of New York State and the Nation.

The residents of this county favor this site, which they believe will add to the development of this area, provide substantial employment and economic assistance, and serve the best interests of the area.

I ask unanimous consent that their resolution be printed in the RECORD.

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

#### RESOLUTION 113

Resolutions expressing interest of Cattaraugus County in the Ashford atomic development program

Whereas there has been established in the State of New York an office of atomic development; and

Whereas a site for atomic development has been established in the town of Ashford, Cattaraugus County, N.Y.; and

Whereas the development of the Ashford site will add very materially to the develop-

ment of the area and will provide substantial amounts of employment and economic assistance to Cattaraugus County; and

Whereas the future development of the Ashford atomic development site will substantially serve the best interests of the people of Cattaraugus County: Now, therefore, be it

*Resolved*, That the Cattaraugus County Board of Supervisors does hereby express its interest and enthusiasm in the future progress of the development of the Ashford atomic development site; and be it further

*Resolved*, That the Cattaraugus County Board of Supervisors does hereby express its desire to be helpful and to extend every reasonable effort and assistance to the development of the Ashford site program, with the hope that this site will become an important facility in the atomic program of the State of New York and the United States of America; and be it further

*Resolved*, That the clerk of the board forward certified copies of this resolution to Gov. Nelson E. Rockefeller, to the director of the Office of Atomic Development of the State of New York, to the U.S. Office of Atomic Development in Washington, D.C., to Senator Pierce, to Assemblyman Moriarty, to Representative Goodell, and to Senators Javits and Keating.

#### TREASURY-POST OFFICE DEPARTMENTS APPROPRIATIONS, 1963

The Senate resumed the consideration of the bill (H.R. 10526) 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.

Mr. ROBERTSON. Mr. President, I wish to address the Senate on the pending bill, H.R. 10526, the appropriation bill for the Treasury and Post Office Departments, Executive Office of the President, and certain independent agencies for fiscal year 1963.

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

Mr. ROBERTSON. I will yield with the understanding that I shall not lose my right to the floor.

Mr. HUMPHREY. The Senator from Virginia knows that some of our colleagues wished to be notified when the Senator started his speech, so I suggest the absence of a quorum.

Mr. ROBERTSON. Mr. President, I ask unanimous consent that I may yield for that purpose without losing my right to the floor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Virginia? The Chair hears none, and it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair). Without objection, it is so ordered.

Mr. ROBERTSON. Madam President, the Committee on Appropriations has authorized me to present a statement in regard to the pending bill. I therefore wish to present to the Senate, and for the permanent RECORD, a brief summary of what is in the bill.

The agencies covered by this bill have the responsibility of administering a total of nearly \$15 billion of budgeted items. More than \$9.4 billion of these items, however, are fixed and permanent indefinite appropriations which are not carried in the bill. The 1963 estimates in this category total \$9.431 billion. Of this amount, \$9.3 billion is for interest on the public debt, an increase of \$400 million over the 1962 estimate.

The bill which is recommended to the Senate provides total appropriations of \$5,526,558,000. This amount is an increase of \$64,887,000 over the House allowance, \$213,700,000 over the appropriations for 1962 and \$48,828,000 under the estimates for 1963.

I repeat that statement. The amount is nearly \$50 million under the estimates for 1963.

Increases over the House figures were approved by the committee on the basis of what it regarded as convincing testimony presented by competent departmental witnesses in support of their requests and in the belief that failure to appropriate the additional funds would seriously impair the capabilities of the agencies to perform their missions effectively and economically.

#### TITLE I—TREASURY DEPARTMENT

Appropriations totaling \$983,135,000 are recommended in the accompanying bill for the regular annual requirements of the Treasury Department for fiscal year 1963. This is a decrease of \$23.2 million in the estimates and an increase of \$30.3 million over the House bill. The amount recommended is \$53.9 million more than the 1962 allowance.

A large part of the increase mentioned was applied to the Internal Revenue Service. The committee recommended an appropriation of \$492 million for salaries and expenses. As is stated in the report, the committee recommended a \$17 million program increase over the House bill, consisting of \$12 million in additional funds included in the bill by the committee and \$5 million already in the House bill. This latter sum had been approved by the House for transfer to the Social Security Administration for reimbursement of costs of issuing taxpayer account numbers. It was the committee's belief, however, that these cost estimates were not yet firm and that reimbursement should not be made this year, although the \$5 million was retained in the bill. This additional \$17 million will provide for 2,034 average positions over the House allowance of 1,697 average positions, for a total increase of 3,731 average positions for 1963 over fiscal year 1962.

For emphasis I wish to repeat that figure. The bill we are recommending to the Senate carries funds for the Internal Revenue Service for 3,731 average positions more in fiscal year 1963 than were provided in fiscal year 1962. The additional cost of the 2,034 average positions is calculated at \$14,921,000, and the difference of \$2,079,000 will be available for career development grade changes, equipment improvement, training, and other maintenance expenses.

Testimony presented at the hearings amply supported, in the opinion of the committee, the request for restoration of these funds. The House had based its reduction on the premise that utilization of high-speed automatic data processing equipment should permit the Service to handle a greatly increased workload with fewer personnel. The reverse is true, according to information supplied at the hearings, when it was indicated that automatic data processing will increase—not decrease—staffing requirements due to the vast quantity of information processed by the machines which, in turn, will require more auditing and enforcement personnel.

Another major increase was contained in the Coast Guard appropriation for "Acquisition, construction, and improvements." The committee recommended an increase of \$14 million over the House allowance of \$25 million. The House bill had virtually eliminated the vessel replacement program while supporting completely the aviation program. It was the committee's judgment, however, that Coast Guard witnesses factually documented the agency's request for restoration of funds for the vessel replacement program and the committee recommends the full budget request of \$39 million.

With respect to the operating expenses of the Coast Guard, the committee approved an additional \$2,500,000 over that allowed by the House. These funds were appropriated to finance as rapid and complete a recovery as possible from the effects of the severe storm which damaged Coast Guard stations, boats, piers, and equipment of all types along the Atlantic seaboard earlier this month.

Madam President, I ask unanimous consent to have printed at this point in the body of the RECORD a letter from the Secretary of the Treasury, the Honorable Douglas Dillon, addressed to me as chairman of the subcommittee, which presents a preliminary assessment of the destruction to Coast Guard installations and equipment, and indicating that repair costs may exceed a total of \$2.7 million.

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

THE SECRETARY OF THE TREASURY,  
Washington, D.C., March 15, 1962.

HON. A. WILLIS ROBERTSON,  
Chairman, Subcommittee on Treasury-Post  
Office, U.S. Senate, Washington, D.C.

DEAR SENATOR ROBERTSON: Along with great damage done to privately owned property, the recent March 6-7 severe storm has caused extensive damage to Coast Guard units along the Atlantic seaboard in the 1st, 3d, 5th and 7th Coast Guard Districts and at the receiving center at Cape May. These districts include the coastal States of Florida, Georgia, the Carolinas, Virginia, Delaware, Maryland, New Jersey, New York, and the New England coast. Many sections of the coastal areas are still sanded in and flooded, and it will be some time before the full extent of the damage done can be evaluated. However, it is deemed advisable to report, at this time, that preliminary estimates indicate that costs of repairing damage may exceed a total of \$2.7 million.

While damage has been substantial in the Seventh Coast Guard District (Florida, Georgia, South Carolina), damage was par-

ticularly heavy from Oregon Inlet in the fifth district northward. The majority of coastal stations in this district suffered serious sand and water damages to vehicles, boats, and heating plants. About one-third of the major structures are seriously damaged or undermined and an equal number suffered beach erosion, threatening future damage unless controlled. Small buildings, docks, and piers are destroyed at about half the stations. Telephone land lines suffered major damage throughout the areas. Almost all stations require extensive clean-up of debris and sand, and water in some cases is several feet deep in and around buildings. Chesapeake light vessel and the Cherokee suffered damages to superstructure.

In the third district, the Indian River and Bonds Inlet Lifeboat Stations are considered total losses. Other stations suffered structural damages, destruction of docks and utilities systems, undermining of structures, flooding of buildings and basements, loss of fuel oil tanks, filling in or erosion of boat basins, and miscellaneous other damage. A total of 13 unmanned lights and radio beacons and 17 buoys were lost or sufficiently damaged to be considered a total loss. Boats at lifeboat stations suffered extensive hull damage and damage by submergence, and three boats were lost. Electronics and communications equipment were damaged or lost, while vehicles at lifeboat stations were badly damaged by sand and salt water.

Although damage was relatively light along the New England coast in the first district, the Cape May Receiving Center suffered extensive damage from flooding, beach erosion, and wind and wave action. Piers were undermined, roofing and structural damage incurred, while two small buildings were totally destroyed. Great quantities of sand were deposited about the station.

A recapitulation of current estimates of damage, by type of unit, is as follows:

Structure, vehicles, and buoys	\$2,262,100
Electronic equipment and land lines	197,700
Vessels and boats	230,750

Total preliminary estimate	2,690,550
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In addition to the damage on the Atlantic coast from the March storm, Hurricane Carla of last September likewise caused extensive damage to Coast Guard facilities. The estimated cost of repairs of such damage is \$1.2 million, of which \$438,000 will be required to replace Port O'Connor Lifeboat Station, Tex.

It will be some time before a complete assessment can be made of additional fund requirements that may be needed to cover all of the above storm damage repairs. However, it is considered advisable to bring the matter to the attention of your committee at this time to describe an unusual and unforeseen event which has created additional demands on the Coast Guard. A similar letter is being sent to the chairman of the House Appropriations Subcommittee.

Sincerely yours,

DOUGLAS DILLON.

Mr. ROBERTSON, Madam President, for "Retired pay," the committee allowed the full budget request of \$32.7 million. This \$700,000 increase over the House bill was approved as a result of testimony that the reduction proposed in the House bill would require postponement of retirements to which military members are eligible pursuant to existing law.

For the "Office of the Secretary," the committee provided \$4,540,000, an increase of \$60,000 over the House bill. This additional sum will finance five top-

level positions, which the Secretary requested and which the committee felt were fully justified in testimony presented before it.

With respect to the Bureau of Customs, the committee recommended \$65,300,000, \$700,000 over the House allowance. This increase will provide for 100 additional enforcement officers, plus funds for 25 additional police-type automobiles and related equipment, which testimony revealed were necessary to provide enforcement coverage at presently unmanned or undermanned sea and air ports. The committee was advised that four of the major enforcement problems confronting the Division of Investigations and Enforcement are the smuggling of narcotic drugs and marihuana, the smuggling of watches and watch movements, the smuggling of diamonds, and the unlawful exportation of merchandise to Cuba. There has been an increase in the smuggling of all drugs with the exception of heroin, where there has been a decline.

For the Secret Service, "Salaries and expenses," the committee has allowed \$5,650,000, an increase of \$850,000 over 1962 and \$350,000 above the House bill. This \$350,000 will finance the cost of 30 additional positions, including 25 more agents, and will provide for 15 additional police-type automobiles, as well as Presidential travel, supplies, and equipment costs. These funds were approved to strengthen the agency's capability to curb the increase in counterfeiting and to reduce the growing backlog of check and bond forgery investigations.

Other Treasury items included in the bill and for which no restoration appeals were made appear in the report which is before the Senate.

#### TITLE II—POST OFFICE DEPARTMENT

The committee recommended appropriations for the Post Office Department totaling \$4,528,100,000. This is an increase of \$159.6 million over 1962, \$34.5 million over the House amount, and \$25,594,000 under the estimates for 1963.

Regarding the budget request of \$247.8 million for "Payment for public services," the committee agreed with the House in disallowing this request because of pending legislation on the subject. The committee in its report did, however, specifically reserve the right to consider the matter at a later date in the event the substantive legislation does not remove the responsibility of the Appropriations Committees to fix the amount for public services.

For "Research, development, and engineering," the committee approved \$12 million, \$2 million over the House allowance. The committee is of the opinion that this amount is required to implement a sound and well-balanced research program to develop new methods and equipment for the postal service.

For "Operations," the committee approved an additional \$13.5 million over the House allowance of \$3.535 billion, to provide funds to handle an estimated increase in mail volume of 3.9 percent. The House allowance had been based on an increase of only 2.9 percent, but the committee felt that this estimate was too low. The sum recommended by the com-



mittee will thus finance 592,537 average positions, an increase of 12,514 over the fiscal year 1962 figures, an increase of 2,817 over the House bill, and a decrease of 2,816 in the budget estimate.

An additional \$9 million over the House allowance of \$590 million for "Transportation" was provided in order to finance essential transportation requirements based on a mail volume increase estimated at 3.9 percent.

For "Facilities," the sum of \$173 million has been appropriated, an increase of \$6 million over the House bill, but \$4 million under the budget estimate.

For "Plant and equipment," the committee recommended an appropriation of \$120 million, including restoration of \$4 million of the \$6 million reduction proposed in the House bill, which reduction, the committee was informed, would have been applied against new major post office buildings and the replacement of a number of the so-called mailsters.

#### TITLE III—EXECUTIVE OFFICE OF THE PRESIDENT

##### TITLE IV—FUNDS APPROPRIATED TO THE PRESIDENT

The total appropriations recommended for titles III and IV of the bill, Executive Office of the President and funds appropriated to the President, amount to \$12,864,000, \$21,000 over that appropriated in 1962 and \$77,000 over the House bill.

The latter sum of \$77,000 was restored by the committee to the Bureau of the Budget in approving the full budget request of \$5,677,000. This restoration does not provide funds for the hiring of additional personnel, but simply permits the Bureau to maintain its present employment level, which would not have been possible under the House allowance.

Amounts appropriated for other items in title III of the bill, Executive Office of the President; Title IV: Funds appropriated to the President; and Title V: Independent agencies, including the Tax Court of the United States, are detailed in the committee report which is before the Senate.

Madam President, I thank the members of the Treasury and Post Office Appropriations Subcommittee for the very valuable aid that they gave in preparing the report and recommendations for the full committee, which was accepted with very little change. I particularly wish to pay tribute to the Senator from Nebraska [Mr. HRUSKA] for the fine work he did on the subcommittee and the help he gave us in the subcommittee and in the full committee in bringing to the Senate the report I have presented.

Mr. HRUSKA. Madam President, all Members of this body are well aware of the many fine qualities and attainments of the junior Senator from Virginia who serves as chairman of the Appropriations Subcommittee on Treasury, Post Office, and Executive Office. He has a vast reservoir of knowledge as to operations and other detail pertaining to the many activities embraced in all of the Federal Government's branches, departments, and agencies.

In the past several weeks he demonstrated his particular proficiency in the area of the operations of the Treasury

and Post Office Departments. It was a pleasure to participate with him during the hearings and deliberations pertaining to the financial allocations to be made to these two Departments for the fiscal year 1963.

I should like to commend and to congratulate him upon the net results which are set forth in the bill and in the report. Also I should like to express my personal gratitude for the courtesy, the patience, and the understanding which he unflinchingly extends to the Senator from Nebraska at all times but especially during our subcommittee deliberations.

This bill is one of the larger of some 14 or 15 appropriations bills which the Congress will act upon this session. It calls for a total of almost \$15 billion—\$14,957,635,000.

This total includes, however, almost \$9.5 billion—\$9,431,077,000—permanent appropriations fixed by law over which we have no direct control. In fact, \$9.3 billion is for the estimated interest on the public debt in fiscal year 1963, an \$800 million increase over last year's original estimate.

Later in these remarks I shall have some comments to make on this.

The distinguished chairman of our subcommittee has outlined the principal points and amounts of this bill. He has done so well. At the risk of some repetition, the following items are called to the attention of the Senate.

#### TREASURY DEPARTMENT

For the regular activities of the Treasury Department—as distinguished from its permanent appropriations—a total of \$983,135,000 is recommended by the Senate Appropriations Committee. This is \$23,208,000 below the President's request. But it is \$30,310,000 above the amount of the House bill.

Two classes of items account for the bulk of the difference between the Senate and the House bills:

Enforcement personnel:	
Bureau of Customs.....	\$700,000
Internal Revenue Service.....	14,921,000
Secret Service.....	195,000
Total.....	15,816,000
Coast Guard:	
Operating expenses.....	2,500,000
Acquisition, construction, and improvements.....	14,000,000
Retirement pay.....	700,000
Total.....	17,200,000

There were miscellaneous increases over House allowances. There was also a reduction of \$5 million reached by elimination of the amount the Internal Revenue Service sought for transfer to the Social Security Administration for the cost of issuing taxpayer account numbers. Since the exact cost of this operation cannot yet be determined, it was felt by our committee that the Social Security Administration should eventually secure funds for this operation directly, instead of an advance through the Internal Revenue Service.

#### ENFORCEMENT PERSONNEL

Very extended and detailed justifications were made by the Bureau of Customs, Internal Revenue Service, and

Secret Service for an increase of personnel for enforcement activities. In all fairness it must be said that each of these agencies is confronted by increased workload.

For example, the Bureau of Customs must accommodate a great increase in air travel and shipment which has added much to the demands on their manpower. The Internal Revenue Service is engaged in a long-range plan to increase their capacity to deal effectively with the ever-increasing number and complexity of tax returns. The President's budget request for 4,514 additional personnel for the coming fiscal year represented a 7.1-percent increase in personnel over fiscal year 1962 as part of the 9-year program calling for a 96-percent increase in personnel. And in the case of the Secret Service the large and disquieting increases in counterfeiting activities and in bond forgeries, together with increased travel of the Presidential family in a world of acute tensions impelled a request for 80 additional positions consisting of 58 agents and 22 clerks.

That some increase in enforcement personnel in these three agencies should be made was not questioned by the committee, even though this meant increasing the regular budget a great deal over last year. The difficult question to resolve is as to the rapidity with which new personnel positions will be added. The House-approved bill recommends an increase of approximately 2,000 new positions. Our committee reached the decision that this was inadequate to satisfy the requirements detailed in the several justifications. The total of \$15,816,000 allowed by our committee will furnish 100 additional enforcement officers for the Bureau of Customs, 2,034 average new positions for the Internal Revenue Service, and 25 additional special agents and 5 clerks for the Secret Service, over and above the smaller additions allowed by the House.

These new positions were decided upon after a thorough discussion in the full meeting of the Appropriations Committee. There was argument advanced for even greater increases by some of its members. It is hoped, however, that no attempt will be made to increase the numbers actually allowed as already indicated.

#### COAST GUARD

The Senate Appropriations Committee recommends restoration of the \$2.5 million for operating expenses cut by the House. In reality, the committee concurred in the House bill total of \$217.5 million for this item. However, between passage of the House bill and the markup of the Senate bill, the devastating storms in the Delaware, Virginia, and Maryland coastal areas occurred, resulting in sufficient damage to warrant the addition of \$2.5 million in the recommendations of our committee.

The item of \$14 million for acquisition, construction, and improvements was added by the Senate committee upon presentation by Coast Guard witnesses of detailed programing for vessel replacement, the previous lack of which impelled the House to omit this entire

amount. That House action was by way of a rap on the knuckles to get the Coast Guard to come up with a detailed, long-range vessel replacement program similar to their House-approved aircraft replacement program. This has now been done to the committee's satisfaction.

Before going on to briefly mention some items in the Post Office Department budget, I would call the attention of my colleagues to the largest single item in the whole bill and, after funds for defense, the largest item in our national budget—the \$9.3 billion for payment of interest on the national debt. Over this sum, as I have said, we do not have direct control. Your Committee on Appropriations cannot set the amount, or even the limit—interest on the debt must be paid.

But we do have a direct responsibility in the Senate as a whole, as well as on the Appropriations Committee, to exert every effort to control the growth of the national debt so that the permanent appropriation in this bill for payment of interest on the debt does not grow out of all proportion to our regular budget. The last Eisenhower budget, which was for fiscal year 1962, estimated the interest payments on the national debt as \$8.5 billion. That last budget was planned to be a balanced one. However, increases in expenditures effected since January 20, 1960, have put that budget seriously in the red. One of the many serious results of this fiscal imbalance, which most estimates now put at about \$7 billion, has been an estimated increase of \$400 million in debt-interest payments. For this upcoming fiscal year the Kennedy administration estimates interest on the debt will again increase by \$400 million.

This constant rise in interest costs is the result not only of greater deficit spending but of substantial increases in interest rates, particularly long-term loan interest rates, set by the Government. Of the estimated \$400 million rise in fiscal year 1962 interest payments in the debt, Representative CURRIS of Missouri has stated that roughly \$124 million of this resulted from an increase in the debt and the remaining \$276 million resulted from the increase in interest rates on outstanding bonds. As to increasing the interest rate, I note that the Treasury has resorted to the unusual and very unbusinesslike practice of calling in low-interest bonds—2½-percent bonds, which have as much as 10 or 12 years before they mature, and refinancing them with 3½-percent long-term bonds.

Thus, even if the Kennedy administration did not increase the amount of the public debt—and let me interpose here that I shall not care to make such a prediction—under the present administration policy of increasing interest rates on long-term loans, the numbers of which are also being increased in relation to short-term loans, the interest payments on the debt will continue to rise, year by year. The fact is that long-term loans are being substituted for short-term loans at even higher interest rates and this does not square with the announced intention of this administration to hold interest rates down.

This is not speculation, it is fact. We also know as fact that the Kennedy administration seeks to raise the debt limit; that if the final \$8 billion raise in the limit is voted before June 30, 1962, as requested, the limit of the national debt will have been raised by \$15 billion in 1 year. Of course, we are told that this administration actually plans to have a surplus in the budget now under consideration. This does not square with the request for a higher debt limit—up to \$308 billion.

I am gratified that the chairman of the Senate Committee on Finance, the distinguished Senator from Virginia [Mr. BYRD], has stated that he and his committee will conduct a thorough examination of the financial position of the United States in connection with the request for an \$8 billion raise in the debt limit.

I am gratified that other members of his committee plan to join with him in making "an exhaustive study" of this issue, and I join with them in supporting his contention that "continually raising the debt limit is only temporizing with dangerous deterioration in the Government's basic fiscal condition." All Members of this Congress, and the public, are entitled to know what Senator BYRD has called the "hard facts as distinguished from fiscal fantasy" on this most important issue.

Madam President, I have digressed, but I could not let this budget item of \$9.3 billion for payment of interest on the national debt be voted by the Senate, even though it is automatic under our laws, without calling attention to the fiscal threat to our economy represented by this ever-increasing, seemingly never-decreasing, budget item.

I will now conclude with some comments on the Post Office Department section of the bill before us.

#### POST OFFICE DEPARTMENT

The total recommended by your committee for this Department is \$4,528,100,000. This is an increase over the appropriations for the current fiscal year of almost \$160 million—\$159,600,000. It is almost \$26 million—\$25,594,000—below the President's budget request, but it is \$34,500,000 above the House bill.

The increase above the House bill is accounted for by the following items:

Research, development and engineering.....	\$2,000,000
Operations.....	13,500,000
Transportation.....	9,000,000
Facilities.....	6,000,000
Plant and equipment.....	4,000,000
Total.....	34,500,000

The largest of these is the item of \$13,500,000 for operations. The total amount for this activity is based upon the estimate of mail volume. This estimate in turn pretty much reflects the projections of the estimator as to business conditions. The President's estimate of a 4.9 percent increase in mail volume was obviously much too optimistic for those who were responsible for passage of the House bill. They did not think that business would flourish sufficiently to warrant the conclusion that there would be an almost 5-percent in-

crease in the mail volume. The figure chosen by the House was considerably less, in fact, only 2.9 percent, which is \$27 million less than the President's budget request. Restoration of one-half of this amount was deemed wise by your committee. This will accommodate a mail volume increase of 3.9 percent. In this same category is the item for transportation where the House cut of \$11,500,000 under the President's estimate was considered much too severe. In fact, to the extent of \$9 million, which was the amount restored.

The \$6 million increase for facilities is recommended by your committee notwithstanding some misgivings which exist in regard to the building program.

The funds for facilities will provide for adequate lease-purchase of buildings and, with proper selections of sites for new build-lease situations, modernizing and improving services in areas long overdue for such treatment will go forward.

The \$4 million increase in plant and equipment applies especially to the number of mailster vehicles which are now reaching a stage calling for replacement in large number.

Madam President, that concludes my remarks on the Treasury-Post Office appropriation bill. I do not think the remaining items in the bill need be elaborated. I again wish to express my admiration for the leadership provided the subcommittee by the distinguished chairman from Virginia.

Mr. ALLOTT. Madam President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. ALLOTT. The Senator from Nebraska [Mr. HRUSKA] has just made a statement in which he gives great praise to the Senator from Virginia for the work he has done in the committee and as chairman of the subcommittee. I wish to add my commendation. As a whole, I believe the bill represents a sound piece of work on an extremely difficult appropriation. I shall discuss one phase of the appropriation bill a little later, not with a view to changing it in any way, but to bring out some matters that should be called to the attention of the Senate.

Mr. ROBERTSON. I thank the Senator from Colorado. A very efficient staff member on the committee, Mr. Tom Scott, worked very hard through all the hearings. He has been most helpful in every respect.

Mr. HUMPHREY. I extend my thanks to the distinguished subcommittee chairman, the Senator from Virginia [Mr. ROBERTSON] for the able manner in which he undertook the heavy responsibilities of managing the pending appropriation bill. It is a hard task, and, sometimes, a thankless one. As usual, the Senator has done an extraordinarily good job. I join in his commendation to Mr. Scott. The Appropriations Committee is blessed with a good staff, and no member of it does a finer job than Tom Scott.

I am confident that the Senate will support the Appropriations Committee in its recommendations on the pending Treasury-Post Office appropriation bill. But there is one part of this bill that re-



quires special consideration. That is the appropriation for the Internal Revenue Service.

The administration has requested funds to hire 4,513 new employees. The House allowed for an additional 1,697 positions and the Senate Appropriations Committee provided for 2,034 positions over the House increase, for a total of 3,731.

Secretary Dillon told the Senate Appropriations Committee:

The 1963 budget estimates provided approximately \$27.2 million for increasing the number of positions (in the Internal Revenue Service). Of this amount, \$11 million was needed simply to keep up with normal growth in the workload; that is, to maintain the current level of enforcement. Another \$16.2 million was requested to expand the staff to increase audit coverage and raise the enforcement level.

In my judgment, Madam President, Secretary Dillon made a most convincing case for these additional positions. I was disappointed at the House action and I regret that the Senate Appropriations Committee did not see fit to grant the full money request. When we considered this matter in committee I expressed concern over the failure to grant the full request—especially in view of the fact that when this bill goes to conference it is safe to assume that the House conferees will try to cut back on the Senate-passed increases. I earnestly express the hope that the Senate conferees insist on maintaining the Senate figure as a minimum.

We cannot afford a cut-rate tax agency. If we do not spend enough to have an efficient and effective tax agency, we will not collect the revenues we thought we provided when we enacted the tax laws. Our unequalled system of voluntary self-assessment will work only so long as our fellow citizens have reasonable assurance that everyone is paying his fair share. This leaves us no choice but to have a strong administrative and enforcement program.

Now I know that there is a practical limit to how big the tax agency force should be. But the facts are clear that we are far from that point. The facts are first, the present number of employees in Internal Revenue—about 58,000—is less than it was 16 years ago; and second, tax enforcement is spread so thin that the experts estimate approximately \$24.4 billions of income which should be reported on income tax returns does not actually show up. This means that the vast majority of American taxpayers, who conscientiously pay their taxes, are in effect shouldering an additional burden.

It is well known that every dollar spent on tax enforcement brings in many times what it costs. Secretary Dillon told our committee that for every dollar spent in tax enforcement, the Government realizes a return of \$6. A 6 to 1 return, that seems to be a sound investment—especially to anyone interested in fiscal responsibility and in balancing the budget.

It is argued that the new automatic data processing machines now being installed in Internal Revenue will take

the place of many of the people asked for by the Service. The new electronic machines are indeed wonderful. But they do not take the place of people in examining returns, making investigations, and doing the many other complex tasks which are essential to tax administration. Basically, the machines will take over and do a better and faster job of the paperwork functions heretofore done by clerks. Some of the machine operations will be of great assistance to the enforcement people. By comparing lists of those who should have filed tax returns with those who actually did file, the machines will provide quick clues which human investigators will have to run down. Similarly, the machines will be able to compare outside information with information on tax returns and will be able to detect figures that are so out of line that they warrant inquiry. But there is nothing that the machines will do—I repeat—which will lessen the need for trained professional internal revenue agents, revenue officers, intelligence agents, and other skilled personnel. Rather, the clues furnished by the machines will provide more work.

If this were a temporary problem I would be less concerned. But this is a long-range problem and I urge the Senate to take a stand today, not only for the 1963 appropriation but also for the years ahead. A few years ago, the Treasury Department made some studies to determine the minimum requirements for tax enforcement which were calculated to maintain the voluntary self-assessment system of which we are so proud. Out of these studies came the basic concept that the Internal Revenue Service should be auditing or investigating at least 10 percent of the income tax returns. This required very large increases in trained personnel. In fact, the increases were obviously larger than could be recruited and trained within a single year. Accordingly, the Treasury came to us a few years ago with a long-range plan designed to hire and train people over a period of years so as to reach the necessary level of enforcement.

At the present time, only 5.9 percent of the returns are being audited or investigated. The President estimated that if we appropriated the funds he asked for fiscal 1963 it would increase the percentage to 6.3 percent.

In this connection we must bear in mind that the population is growing, the economy is expanding, and this is producing larger numbers of tax returns every year.

Actually, half of the additional personnel requested by the President for the Internal Revenue Service for 1963 is merely to keep enforcement even with the growing number of returns.

The House-passed measure not only eliminated all of the money needed to expand the enforcement program, but also failed to provide enough people to maintain the existing level of enforcement.

Madam President, I do not enjoy paying taxes any better than anyone else. We all understand that our defense programs and other essential programs re-

quire vast amounts of money. This money must come from taxes.

The American people have demonstrated over and over again that they will support taxes which are fairly levied and uniformly collected.

We are, of course, paying high taxes. The President and the Congress all hope that the day will come when we can reduce them. In the meantime, the least we can do is to back up our tax enforcement agency so that everyone is paying his fair share and no one is required to carry another man's burden.

A substantial part of the tax that is evaded is due from racketeers and crooks. An important part of the funds being asked by the Internal Revenue Service are dedicated to cooperating with the Department of Justice in an organized crime drive which has as a double purpose the curbing of crime and the collection of the taxes owed by the criminal element. I am sure that no one would want this program hindered in any way.

There are, in addition, thousands of other cases that need auditing. In a great many cases, there are honest mistakes to be corrected. In many other cases there is petty chiseling to be thwarted.

I hope the Senate will not get from my remarks a pessimistic view of tax collection. The facts are that in the past year, 97 percent of our revenues have come in through the regular voluntary, self-assessment channels. Only 3 percent were collected through direct enforcement efforts. This is a high tribute to the integrity of the American people. But we cannot expect them to maintain this kind of a record unless we provide the enforcement which assures them that every reasonable and practical effort is being made to prevent others from avoiding their fair share.

I urge the Senate to support the committee's recommendations in this bill, and when the bill goes to conference I hope the Senate conferees will stand firm for the Internal Revenue appropriation contained as approved by the Senate.

I shall not offer an amendment or any proposal to restore the full amount, because I feel that once the committee has acted after due deliberation on an issue of this kind and has exercised its valued judgment on it, we should support the action of the committee.

However, I wish to emphasize one point to my good friend from Virginia. Knowing what magnificent work he did on this issue a year ago, I hope that when the Senate conferees go into conference with the conferees of the other body, the Senate conferees, under the generalship of this great, stalwart gentleman from Virginia, will stand firm and that the Senator from Virginia will stand with the militancy of a General Marshall or a General Stonewall Jackson—the Senator can pick one of those able commanders from either century—and support the action of the Senate.

I say this seriously, because I believe that the number of enforcement agents bears directly on the amount of money the Treasury Department is able to collect. Moreover, this increase in the

number of agents is needed in the fight against organized crime. I believe the record is very clear on that subject.

The Senate committee restored some of the funds, and that action was commendable. However, I should like to hear from the Senator from Virginia, in his own clear, honorable, and straightforward manner, a statement of his views on the proper attitude of the Senate conferees on this particular item.

Mr. ROBERTSON. Madam President, in the first place, I thank the distinguished Senator from Minnesota for the very fine compliment he has paid me in attempting to bring a satisfactory bill to the floor of the Senate. I also want to say, in connection with my thanks to the Senator from Nebraska [Mr. Hruska], that one does not always find Republicans who will say, "Let us increase the number of jobs that will be filled by a Democratic administration."

Mr. HUMPHREY. Very seldom; but it is refreshing to hear it.

Mr. ROBERTSON. We were convinced that there would not be any politics in connection with these appointments. We cannot guarantee it, of course.

Mr. HUMPHREY. But we will try.

Mr. ROBERTSON. On the basis of the assurances we could obtain, the appointments will be made strictly on a merit basis. The testimony was that each man would collect \$6 in revenue for each dollar invested. We cannot guarantee that, either, but if they can collect that much, that will be quite a sum. Considering last year's record, it was said, "You cannot recruit and retrain these men." We recruited and trained the men. This year it was said that the agency should not get these men because computing machines made them unnecessary.

The answer to that is that the computing machines are revealing so much about what people are not paying that we need more agents to examine the facts revealed by the machines. As a result, it is hoped to get more tax revenue into the Treasury.

So we said we would compromise.

I appreciate the Senator's reference to Stonewall Jackson. He saved the First Battle of Manassas for the Confederacy. Generals Bee, Bartow, and Evans all had been driven in. Then Bee, with his hat off, rushed up to Jackson and said, "General, they are driving us back."

Jackson said to him, "We will give them the bayonet!"

General Bee galloped back to his troops and, rallying them, said, "Look, there stands Jackson like a stone wall. Rally behind the Virginians."

The only trouble is that I shall probably meet another Virginian from the House in the conference committee, and I may have to give a little. However, I plan to stand firm and try to bring back what the Senate has done on this item.

Mr. HUMPHREY. Having been in the company of two very able and distinguished Virginians, the junior Senator from Virginia and the senior Senator from Virginia, who is my seatmate in the Senate, I have no doubt about the durability, the ability, the competence,

and the generalship of these Virginia gentlemen. I have tasted defeat at their hands. On the other hand, I have been filled with joy whenever we have stood together in victory. This time I have all the confidence in the world that the Senator will stand like Stonewall Jackson and that his conferees will rally behind him.

Mr. ROBERTSON. We will do the best we can. We feel that our cause is just. We will insist on the amount allowed by the Senate. The Senator from Nebraska and I agreed on this amount and said that we would stand for it. We agreed that this was not a trading figure, but one which we could support in conference.

Mr. HUMPHREY. As the Senator will recall, the Treasury Department hoped to be able to audit about 10 percent of the income tax returns. Last year about 5.9 percent were audited and investigated. In fiscal year 1963 the request from the Treasury Department was that they be permitted to audit about 6.3 percent. But the new figure that has been agreed upon by the Senate committee would permit around 6 percent of the audits. This plus the automatic computer machines to which the Senator has referred ought to improve the enforcement program. From all I have observed, I think this is a good, wise investment, as has been stated. I hope that we shall be able to come out of conference with the Senate figure.

Mr. ROBERTSON. When the hearings on the tax bill started this year, we were led to believe that there would be some reduction in taxes. Now it appears that the reduction will not amount to very much. It is hoped to collect about \$600 million of interest and dividends that had been omitted by taxpayers from their returns. It had been testified last year that the Government would lose about \$4 billion by the non-collection of taxes. What easier and better tax relief could there be than to require everyone to pay what he owes? Then the grand total can come down somewhat under the present rates.

Mr. HUMPHREY. The Senator is correct.

Mr. ROBERTSON. We are not trying to make it tough or to harass any honest person. But when 10 percent of the returns are examined, and a taxpayer does not know whether he will be among the 10 percent, he gives a very close look at his return before he mails it; before he says: "This is my honest, just return, so help me God."

He does not have to go before a notary or take an oath on the Bible; but when he signs his return, he signs it aware of the fact that he has committed perjury if he has falsified it.

Mr. CLARK. Madam President, will the Senator from Virginia yield?

Mr. ROBERTSON. I yield.

Mr. CLARK. I commend the Senator from Virginia for indicating that his back will be as stiff as that of Gen. Stonewall Jackson during the many brilliant battles which that fine soldier fought many years ago on the terrain of Virginia. With the Senator's permission, I should like to buttress the Record a little, so that when the Senator goes to

conference there will be even a few more things to pinpoint in addition to those which the distinguished Senator from Minnesota has been able to point out.

First, the Senator from Virginia may recall that for the third year in a row, I believe, and under date of March 7, 1962, a group of Senators—the Senator from Oregon [Mr. MORSE], the Senator from Alaska [Mr. BARTLETT], the Senator from Michigan [Mr. McNAMARA], the Senator from Idaho [Mr. CHURCH], the Senator from Ohio [Mr. YOUNG], the Senator from Colorado [Mr. CARROLL], the Senator from Missouri [Mr. SYMINGTON], the Senator from Wisconsin [Mr. PROXMIER], and I—wrote the Senator from Virginia, urging him to endeavor to have the full amount of the Treasury request restored so as to provide for additional Internal Revenue Service personnel.

Madam President, with the permission of the Senator from Virginia, I ask unanimous consent to have that letter printed at this point in the Record.

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

U.S. SENATE,

Washington, D.C., March 7, 1962.

Hon. A. WILLIS ROBERTSON,  
Chairman, Subcommittee on Treasury and  
Post Office, Senate Committee on Appro-  
priations, Washington, D.C.

DEAR MR. CHAIRMAN: We support the Kennedy administration's appeal to your committee for restoration of \$28 million of the funds cut by the House of Representatives from the amount requested for the Internal Revenue Service in fiscal 1963 to permit the hiring of 4,334 new personnel (instead of only 1,517 as provided by the House). According to the Treasury's estimate, the restoration of these funds would bring in more than \$150 million additional revenue largely as a result of stepped-up enforcement activities. It would be hard for Congress to find a better investment in terms of return (6 to 1).

The need for more IRS employees is demonstrable in many ways. Due in large measure to unwise and uneconomic personnel cuts early in the preceding administration, there were 4,864 (8 percent) fewer employees in the Service in 1961 than there were in 1946, although IRS collected 2½ times more revenue and handled 15 million (30 percent) more income tax returns in 1961 than it did 15 years earlier.

When these statistics are considered in conjunction with the statement of Secretary Dillon before your committee last year (hearings, p. 175) that "the total income that should have been reported that is unaccounted for on tax returns comes to a total of \$24.4 billion \* \* \* which is 7 percent of total reportable income" for a revenue loss of "at least \$4 billion" (id., p. 182) the need for the new enforcement personnel requested is clear.

Thanks largely to the actions of your committee last year in providing funds for the hiring of new men, the Service has been able to improve its audit coverage from 5.2 to 5.9 percent of the income returns filed. Employment of the new personnel requested in the budget would permit coverage to improve to 6.3 in fiscal 1963. Commissioner Caplin told your committee last year that 10 percent audit coverage would be "about proper to maintain satisfactory compliance" (id., p. 190). If the House cut is allowed to stand, present enforcement coverage would actually drop, because more new men are required just to maintain current levels than provided for by the other Chamber due to the increased return and collection expected.



In view of the latest economic projections showing that the estimated narrow budget surplus for the coming year is in jeopardy, it would seem shortsighted in the extreme for the Congress not to try to insure a surplus by approving the requested appropriation for better tax enforcement in full, thereby increasing revenues owed but not otherwise collected by more than \$150 million.

We are confident that when your subcommittee has weighed all testimony on the Treasury-Post Office appropriation bill (H.R. 10526) it will once again recommend to the Senate the full appropriation for the Internal Revenue Service sought by the administration.

Respectfully submitted.

JOSEPH S. CLARK.  
WAYNE MORSE.  
E. L. BARTLETT.  
PAT McNAMARA.  
FRANK CHURCH.  
STEPHEN M. YOUNG.  
JOHN A. CARROLL.  
STUART SYMINGTON.  
WILLIAM PROXMIER.

Mr. ROBERTSON. Madam President, I am glad to have that letter in the RECORD, because that was very helpful to us last year. We told the House conferees, in effect, "These are the Senators who are determined that this is as far as they are going to yield. We are not going to take this back to them. So this is the best we could do to cut it away down. Substantially the same Senators feel that we should make a firm stand."

Mr. CLARK. The Senator from Virginia is correct. I think we picked up a couple of recruits during the course of the last 10 months. I am happy to know that the Senator from Virginia is content to have that letter in the RECORD.

I call the attention of the Senator from Virginia to the House report on that subject. The House committee stated:

The committee feels that the tremendous increases in the Internal Revenue Service are out of proportion to actual needs.

They questioned whether the Government would actually get back \$6 for every \$1 invested in new enforcement personnel. They referred to the utilization of high-speed, automatic data processing equipment, saying:

The committee feels that the utilization of high-speed, automatic data processing equipment should permit the Service to handle a greatly increased workload with fewer personnel, and therefore cannot agree that the tremendous increases in personnel are essential.

I recall to the attention of the Senator from Virginia, what I am sure he remembers very well, that at the Senate hearings Secretary of the Treasury Dillon testified:

I am aware of the House position. It is erroneous in that our records show that this \$6 figure is substantiated by past experience. The \$20 figure must be related not to overall personnel increases but to increases per agent actually out in the field. If you wanted to just put the entire revenue collection on the revenue agent in the field, that figure might be the right one but we think it is better to take the overall one, counting the people back in the offices.

That is the one figure which the House said had not been substantiated, but which Secretary Dillon told the Senate

had been substantiated by the experience over a period of years.

With the permission of the Senator from Virginia, I should like to read the reply which Secretary Dillon made to the distinguished junior Senator from Oklahoma [Mr. MONROE] in response to a question dealing with the recapture of additional taxes. Mr. Dillon said:

Partly that, yes, Senator, and also partly because of the increasing full-time effect of the additional enforcement that we were allowed for 1962. This will not have its full effect in this year because the agents were just hired during the course of the year but will be on full time next year.

So, of course, last year's experience cannot be expected to be correct; but it is, I think, quite significant. The Senator from Oklahoma then asked:

This, I understand, will be directed at credit card living, maintenance of racehorses, and unnecessary corporation expenses, and other means of tax evasion that have slipped through because of the lack of checking or sampling as many returns as possible; is that correct?

Secretary DILLON. That is correct.

That testimony appears at page 24 of the Senate hearings. If the Senator from Virginia will bear with me for just a minute or two more, I wish to read from the testimony of Mr. Mortimer M. Caplin, Commissioner of Internal Revenue. At page 48 of the Senate hearings, Mr. Caplin said, referring to the criticism by the House of the \$6-to-\$1 ratio:

The 6-to-1 ratio relates the total cost of a balanced increase in staff to the additional revenue: including clerks, equipment, training provision for processing assessments, settling appeals, handling additional fraud investigations, etc. Actually, there has probably been relatively little fluctuation between comparable ratios over the last 10 years. It is very clear that from a purely return-on-investment standpoint, additional examinations continue to be a highly profitable investment for the Government.

Again, in the same statement:

We are far from reaching the point of diminishing returns in our efforts to improve compliance with the tax laws, when we are standing in the presence of almost \$25 billion of unreported income. We also know that we are collecting over \$3 billion each year from our enforcement efforts. We know from our tests and experience that our audit examinations are still too few in number and in percentage of returns and in scope of coverage. We know that the automatic data processing system will produce considerable evidence which we must be prepared to investigate.

Then Mr. Caplin asks for the full restoration of the amount of the Treasury figure.

One more point, and I shall be through. The distinguished Senator from Nebraska [Mr. HRUSKA], who, as the Senator from Virginia has properly said, played a fine part in connection with the hearings on the bill, asked Mr. Caplin a question with respect to the new processing machines which the House said should save substantial money and make additional personnel unnecessary. At page 68 of the Senate hearings, Mr. Caplin said:

SUMMARY OF ACCOMPLISHMENT OF MACHINES

Mr. CAPLIN. My first answer was substantially correct, that we do not expect there

will be any savings in personnel as a result of the installation of data processing, that the new people needed to handle the key punch operations and the electronic computers and all the related equipment will offset the savings in personnel that we have in manual processing, but there will be an enormous increase in what they are doing.

For example, instead of doing a slight sampling of 350 million informational documents, they may be matching all of those 350 million informational documents against a master file at one time, 78 million in one place, which has never been possible in the history of our tax system.

Senator HRUSKA. So that there will be a net increase in employees but the workload done by them will be tremendously larger?

Mr. CAPLIN. That is right, sir.

In short, and in conclusion, it seems clear to me that a substantial additional amount of money can be legitimately collected for the Treasury without any unfair treatment of any taxpayer if the additional personnel is employed. I point out that the cost of collection of the Federal income tax is one-half cent for every dollar collected. In many States of the Nation which collect their State taxes the comparable figure is 10 cents.

I commend the distinguished Senator from Virginia for his determination to stand firm. I shall support him to the utmost of my ability.

Mr. ROBERTSON. I thank the distinguished Senator from Pennsylvania for his compliment. It would not be difficult for the chairman of this subcommittee to justify the full amount of the budget estimate. But after discussing the subject with the Senator from Nebraska [Mr. HRUSKA] and other Senators, it was felt that we should make some concessions to the conflicting viewpoint, and to make some concessions to what we shall be up against in conference. Therefore, we added only \$12 million to the House allowance of \$480 million. But by taking the \$5 million they had earmarked for Social Security and we added \$17 million, which, as the Senator from Pennsylvania has said, can be more than justified. Mr. President, that is still several million dollars less than the budget request.

Mr. PROXMIER. Mr. President, at this point will the Senator from Virginia yield?

The PRESIDING OFFICER (Mr. PELL in the chair). Does the Senator from Virginia yield to the Senator from Wisconsin?

Mr. ROBERTSON. I yield.

Mr. PROXMIER. I wish to join the Senator from Minnesota and the Senator from Pennsylvania in warmly congratulating the distinguished junior Senator from Virginia [Mr. ROBERTSON] for acting as he has in this regard, in restoring \$17 million to the budget of the Internal Revenue Service, so it will be possible to employ additional agents. I understand that the increase will be \$17 million because there is a \$12 million appropriation increase, plus a \$5 million shift from the funds to be transferred to Social Security. Is that correct?

Mr. ROBERTSON. That is correct.

Mr. PROXMIER. As I read the committee report on page 7, there is an indication that this item represents a cut of

\$21 million below what the administration requested. Is that correct?

Mr. ROBERTSON. Not when we consider funds for social security purposes which would not be transferred under the Senate bill.

Mr. PROXMIRE. So with that addition, it is a cut of \$16 million below what they requested, is it not?

Mr. ROBERTSON. No, \$11 million. The House took out \$5 million and the Senate deleted the remaining \$5 million which was intended to be transferred to the Social Security Administration. It was felt Social Security could be reimbursed from the general fund after the exact cost could be determined rather than now when the estimate is uncertain.

Mr. PROXMIRE. It is difficult for me to reconcile the figures, because on page 7, when we compare what the Appropriations Committee did with the administration's estimate for 1963, it is called here \$21 million below; but if we subtract \$5 million, we reach a figure of \$16 million.

Mr. ROBERTSON. The House took out \$5 million for Social Security; and then we took out the remaining \$5 million. I believe that is the answer.

Mr. PROXMIRE. I see.

Then, Mr. President, I would simply say to the Senator from Virginia that I earnestly hope he is able to stand by this figure in conference. As he has pointed out, he could easily justify the entire request of the administration.

Furthermore, as the Senator from Pennsylvania stated so well, the ratio of the revenue recovered by these agents to the full cost of hiring additional agents should be far more than \$6 to \$1, for \$6 to \$1 is a very conservative figure. It may be that the Federal Government is to get back \$20 for every dollar invested.

Furthermore, I think we must keep firmly in mind that this money belongs to the Federal Government. The people who have this money have it illegally and improperly, and have no right to it; and it seems to me that the millions of honest taxpayers in the country—the vast majority of the people, who do pay their taxes—deserve to have the Government be sufficiently responsible so that there will be the necessary personnel and the necessary audits and the necessary machinery, in order to reduce tax evasion to an absolute minimum.

This is the only way in which we can expect people voluntarily to pay their taxes in the future, as they have paid them in the past. If once they lose faith in that system, if once they feel that there is widespread and serious evasion, we shall be in real trouble.

Mr. ROBERTSON. In that connection I think of the common-law maxim, "No law rises above its enforcement."

For example, when the 18th amendment to the Constitution was in effect, most of the people of the country did not like it, and most of the States did not even try to enforce it; and thus there was so much corruption, and so forth, that the repeal of that amendment went through quicker than the poll-tax repeal bill which the Senate passed yesterday. In short, the 18th amendment to the Constitution was not enforced.

If our tax-collection system is to be a success, first of all, the people should be honest; and, in the second place, everyone should pay the taxes he owes. In that event, the tax rates can be reduced.

I repeat that the additional agents to be employed are not to be political hacks or "flat tires," or persons like the one who asked President Abraham Lincoln for a job. It is said that when a certain man went to see President Lincoln, he said to him, "Mr. President, I want a job."

Mr. Lincoln replied, "All right, Bill; what kind of a job do you want?"

The reply was, "I want one of those kinds of jobs they call sine cure."

But, Mr. President, all these positions will be under the civil service; and, as I have said, the total number is expected, overall, to reduce very greatly the amount we are required to spend for this tax-collection service.

Mr. PROXMIRE. Mr. President, I am most impressed by the documentation the Senator has given this afternoon on this issue. I think it is the best, most concise description that I have heard of the need for increased personnel in order to obtain increased revenue; and the Senator's statement has been so well expressed and is so convincing that I hope all our colleagues in the Senate will read it, and I hope the Members of the other House will also read it.

Mr. ROBERTSON. Mr. President, I wish to pay tribute to the assistance given us by the senior Senator from Kansas [Mr. CARLSON], the ranking minority member of the Committee on Post Office and Civil Service, who is an ex officio member of this subcommittee. He helped draft this bill; and I understand that a little later he will speak on this matter.

Mr. ALLOTT. Mr. President, will the Senator from Virginia yield?

Mr. ROBERTSON. I yield.

Mr. ALLOTT. I should like to address myself to some of the remarks made in the last few minutes by the Senator from Pennsylvania [Mr. CLARK] and the Senator from Wisconsin [Mr. PROXMIRE], because I think this matter must also be put into another context. I think those Senators believe as well as I do that anyone who fails to pay the taxes he owes is simply putting a greater tax burden on all other Americans. That is the basis of this collection.

However, I think it would be unfair to Mr. Caplin and it would be unfair to the Internal Revenue Service to put this matter completely on the basis of a production of revenue. Recently, I received a letter from Mr. Caplin; and he also pointed this out at the hearings, in response to questions from me—namely, that it is wrong to consider this matter solely on the basis of revenue production. We shall reach a point where the production per agent will increase. But thereafter we shall inevitably reach a point where the production per agent will level off.

The trouble with using this criterion—from the standpoint of the Internal Revenue Service and from the standpoint of

the taxpayers—is that it produces a false basis of taxation.

Mr. President, I raise no question about the items for these particular agents, for I supported the addition of these; and if I am a member of the conference committee—and I assume that I may well be, inasmuch as I am next in seniority, I believe, to the Senator from Nebraska, who is the ranking Republican member of the subcommittee—I certainly will support the Senator from Virginia in his efforts to keep what we have.

But I believe we should point out that we cannot forever and forever add additional agents and expect those added agents to increase the production of revenue accordingly. If the figure is now \$6, there will come a time when it will decline to \$4.

Mr. CLARK. Will the Senator from Colorado yield to me, if the Senator from Virginia is also willing to yield?

Mr. ALLOTT. Certainly.

Mr. ROBERTSON. I yield.

Mr. CLARK. Let me say that I completely agree with my friend, the Senator from Colorado [Mr. ALLOTT]; and, if I may have his permission to do so, I should like to read into the RECORD a brief paragraph on this point, from the testimony given by Mr. Caplin when he appeared before the Senate committee.

Mr. ALLOTT. May I ask the page number?

Mr. CLARK. Certainly. It is on page 48 of the Senate committee hearings, and I shall read beginning with the second full paragraph:

We do not audit tax returns for the purpose of making additional assessments. We examine returns to see if the tax laws have been obeyed. And if the return is faulty, it is corrected. If too much has been paid, it is refunded. And if additional tax is due, it is assessed. But we don't stop there. We instruct and advise and assist the taxpayer to understand the laws and their application so that his compliance in the future years will be improved. We also know that if we didn't audit returns public confidence in our self-assessment system would deteriorate.

And two paragraphs later, in response to another comment by my friend, the Senator from Colorado, Mr. Caplin testified:

We are far from reaching the point of diminishing returns in our efforts to improve compliance with the tax laws, when we are standing in the presence of almost \$25 billion of unreported income.

I agree with the Senator from Colorado that when that amount is down to perhaps \$1 or \$2 billion, then it will be time to stop considering making provision for additional enforcement.

Mr. ALLOTT. The Senator has certainly quoted what Mr. Caplin said. However, in a letter to me, he recently pointed out the fallacy of basing a decision entirely on increased production.

That leads me to my second thought, which is that if agents are placed upon a production basis, we perform a disservice to every taxpayer in the Nation, and we perform a disservice primarily if we place a quota on the agents. We perform a disservice primarily to the average man or woman who does not



have regular counsel or accountants, or who lives remote from areas where tax agents or the main offices are located. They are the people who suffer.

Mr. Caplin, in his testimony, agreed that this was the wrong criterion. There is no question that everyone should pay his taxes. But we do not want revenue agents all over the country under a quota system.

I was happy when Mr. Caplin said in the hearings, and also in the recent letter to me to which I have referred, that the production standard no longer applied to the agents, and that they were expected to do their job without regard to quota.

Mr. CLARK. Mr. President, will the Senator yield so I may make a comment on what the Senator from Colorado has said?

Mr. ROBERTSON. I yield.

Mr. CLARK. I agree with what the Senator from Colorado has said. I invite attention to page 264 of the Senate hearings, on which appears the letter to Mr. Caplin's associates in the service, in which he abandons once and for all the quota system, which I wish had never been initiated. The fact still remains that we need the revenue.

Mr. ALLOTT. Is there any argument about that?

Mr. CLARK. No.

Mr. ALLOTT. The Senator from Pennsylvania made the statement. I thought he was implying that I felt differently.

The third point is that the new machines are not going to reduce by a single employee the number in the Revenue Service. It is clear to me that that is true. We shall gather much information and find many mistakes and omissions, which will result in increased revenues, but we cannot operate with fewer personnel in the Revenue Service.

Mr. ROBERTSON. Mr. President, ever since the junior Senator from Virginia has been in Congress he has again and again deplored many additions to the number of Federal employees because many times they have been unnecessary. The only reason he has gone along with this increase is that it was shown that there was an appalling loss of revenue by reason of the activities of those who are cheating the Government. It was felt that this was the only practical way to obtain that revenue and find out what was owed and by whom. But the House committee pointed out that possibly we were reaching the point of diminishing return in building up this Service.

In any event, I do not think a man's value to the Government should be based on how many people, justly or unjustly, he can bring before some commissioner, charged with a crime. I had the privilege for 6 years of operating the Game Department of Virginia. I told my wardens that I was not judging them on the basis of the number of people they arrested, but that I wanted them to induce the people voluntarily to obey the game laws and conserve our game under the law, and be honest about it.

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

Mr. ROBERTSON. I yield.

Mr. CARLSON. First, I express my appreciation to the Senator from Virginia and to other members of the subcommittee for the fine work they did in bringing this appropriation bill before the Senate. I have a particular interest in the postal appropriation, but before I go into it I wish to commend the committee for providing for additional agents in the Revenue Service.

It was my privilege to serve on the Finance Committee when Mr. Caplin appeared in connection with his nomination to be Commissioner of that office, and he impressed me then. He said he would endeavor to have a little of the milk of human kindness in the Service. I think he has done so. He has been a good Commissioner.

I wish now to discuss one or two items in the postal service. One of them deals with facilities.

Mr. ROBERTSON. We added an amount for facilities beyond the House request, but considering the fight we shall have in conference, that is all we thought we should provide.

Mr. CARLSON. If I were to offer an amendment, I would offer one to provide for better facilities. I wish to read from page 313 of the hearings. This quotation is taken from the House report:

While the committee notes that the Department has reduced the number of newly constructed or remodeled leased facilities from 2,000 in 1961 to approximately 1,000 in 1963, it considers that the program is still slightly too ambitious. The cost of building occupancy has increased from \$87,714,000 in 1961 to an estimated \$122,137,000 in 1963. The increase over 1962 for building occupancy is estimated to be 21.6 percent, while the increase for the facilities appropriations as a whole is 16.1 percent. The committee believes that these increases are too great.

That statement concerns me greatly as to what will happen when the chairman and other Senators go into conference. The budget recommended \$177 million for this item.

Mr. ROBERTSON. The House allowed \$167 million and the Senate committee recommends \$173 million.

Mr. CARLSON. I commend the chairman for the amount that has been recommended. There were 2,000 new facilities in 1961. If I wished to be partisan, I should say that that was under the Eisenhower administration. There were 1,000 last year. The President recommends \$600 million for public works. I cannot think of any place where we could better scatter the money over the Nation than by getting facilities started to improve the postal service and help employment over the country. Therefore, I am sorry we do not have a larger item in this particular place in the bill.

Mr. ROBERTSON. I share the viewpoint of the Senator. The House cut \$10 million from the item. We restored \$6 million of it. If we are to have a public works bill—and the Senator from Virginia is not in favor of one—he would like to earmark this item for

that purpose, which would really help matters.

Mr. CARLSON. That is my contention.

Mr. ROBERTSON. It would help employment and also the postal service.

Mr. CARLSON. The Senator from Virginia is familiar with it. It happens that I have served with the Senator from South Carolina [Mr. JOHNSTON] for many years on the committee. I am familiar with the problems confronting the Post Office Department. This is one place where we could improve the service. All we furnish is money for equipment of the offices. I am disappointed in the size of the appropriation. I urge the distinguished Senator from Virginia to stand firm. I shall not offer an amendment.

Mr. ROBERTSON. The Senator from Kansas is an ex officio member of the committee, and attends its meetings when he can. He is a very busy man, but he is always present when he is able to be there.

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

Mr. ROBERTSON. I yield.

Mr. HUMPHREY. I wish to add a word as a means of associating myself with what the Senator from Kansas has said. I thoroughly agree with him as to the necessity for improvement of facilities. One can go into almost any small town or village in the United States and find that the physical plant is inadequate to the tremendous volume of mail and service required in that plant. I feel that to cut back on this item is not economy. It brings about inefficiency in the postal service. Frequently the cost of maintenance, repair, and renovation is exorbitant because of the inadequacy of the facilities and their obsolescence.

If a public works program is authorized—and I hope it will be, in contradiction to the hope of my good friend from Virginia—I hope that the postal requirements will be given very favorable consideration and made one of the priority items.

As the Senator from Kansas well noted—in this he has the concurrence of the Senator from Virginia—that action would spread the benefits of such works program rather broadly throughout the country. I thank the Senator for his alertness to these matters and for his constructive comments.

Mr. CARLSON. Mr. President, will the Senator from Virginia yield again?

Mr. ROBERTSON. I yield to the Senator from Kansas.

Mr. CARLSON. I express appreciation for the comments made by the Senator from Minnesota. I am sure it is true of every Member of this body that, as he travels over his district or over his State, he sees offices in which personnel are really laboring under difficulties in the handling of mail expeditiously. That is true in many areas. We could increase the construction of such facilities so that the personnel could handle the mail with greater efficiency and could give the Post Office Department greater service.

I am sure the Senator from Virginia would agree that is one place we might be able to improve.

Mr. ROBERTSON. I agree with the Senator.

Mr. President, I ask unanimous consent that the committee amendments to the pending bill be considered and agreed to en bloc, and that the bill as thus amended be regarded for the purpose of amendment as original text, provided that no point of order shall be considered to have been waived by reason of agreement to the order.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Virginia? The Chair hears none; and, without objection, the committee amendments are agreed to en bloc and the bill as so amended is considered, for the purpose of amendment, original text.

The committee amendments agreed to en bloc are as follows:

On page 2, line 9, to strike out "\$4,480,000" and insert "\$4,540,000".

On page 2, line 20, after the word "of", to strike out "fifty" and insert "seventy-five"; in line 21, after the word "which", to strike out "forty" and insert "sixty-five"; in line 22, after the word "including", to strike out "forty" and insert "sixty-five", and on page 3, line 5, after "(22 U.S.C. 401)", to strike out "\$64,600,000" and insert "\$65,300,000".

On page 4, line 15, after "(5 U.S.C. 2131)", to strike out "\$217,600,000" and insert "\$220,000,000".

On page 5, line 20, after "(5 U.S.C. 55a)" to strike out "\$25,000,000" and insert "\$39,000,000".

On page 6, line 5, after "1953", to strike out "\$32,000,000" and insert "\$32,700,000".

On page 7, line 4, after the word "exceed", to strike out "two hundred" and insert "two hundred and fifty"; in line 5, after the word "which", to strike out "eighty" and insert "two hundred and fifty"; in line 12, after the word "exceed", to strike out "\$12,000,000" and insert "\$12,600,000", and in line 13, after the word "employment", to strike out "\$480,000,000" and insert "\$492,000,000".

On page 7, line 21, after the word "exceed", to strike out "seventy-four" and insert "eighty-nine", and on page 8, line 3, after the word "vehicles", to strike out "\$5,300,000" and insert "\$5,650,000".

On page 11, line 6, after the word "program", to strike out "\$10,000,000" and insert "\$12,000,000".

On page 11, line 17, after the word "law", to strike out "\$3,535,000,000" and insert "\$3,548,500,000".

On page 12, line 14, after the word "mail", to strike out "\$590,000,000" and insert "\$599,000,000".

On page 12, line 24, after the word "Government", to strike out "\$167,000,000" and insert "\$173,000,000".

On page 13, line 7, after the word "plans", to strike out "\$116,000,000" and insert "\$120,000,000".

On page 15, line 15, after the word "individuals", to strike out "\$5,600,000" and insert "\$5,677,000".

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

Mr. ROBERTSON. I yield.

Mr. MONRONEY. I should like to ask the distinguished chairman of the subcommittee a question in regard to what I am sure he finds and what I find, as a member of the Appropriations Committee, to be true. In respect to each succeeding budget we see a vast propagation of Government personnel in almost every department which comes forward.

The distinguished senior Senator from Virginia [Mr. BYRD] long has specialized in the field of growth of personnel in the many branches of Government. The work the Senator has done to call attention to the continuing overpopulation of Government employees throughout every department continues year after year.

I have found that when the slightest additional duties have been imposed upon departments by law always the additional duties have resulted in a demand or request for additional employees, ranging from 25 to 500 or 600 people.

I have discussed the problem privately with officials of the Bureau of the Budget. They tell me they are much concerned about the problem. They say that in the overall budget examination it is very difficult to examine the personnel closely and to be certain there are genuine needs and that there are no Government employees in those departments who could be shifted to assume the new duties which new legislation imposes upon the departments.

I regret that I was unavoidably absent from the city at the time the bill was marked up. I wonder if it would be feasible at this time to consider an amendment which would authorize the Bureau of the Budget to use funds to provide a very small group or panel of three or four experts to carefully screen and evaluate the problem, and to require an absolute justification for additional personnel who are requested in almost every appropriation bill that comes before any of the appropriations subcommittees.

Because of the inadequacy of staff, it is difficult for the Appropriations Committee to go as thoroughly as it should into the question. If there were a separate screening process through which personnel requests could be put, to be examined under a microscope and thinned down, I believe we could render a great service by avoiding to some extent the constant increase in the numbers of Government employees, which, in effect, lessens the effective use of money necessary to administer many of the activities which are required in the process of Government.

Mr. ROBERTSON. The Bureau of the Budget ought to be appreciative of the attitude stated. The committee restored \$77,000 in the budget, because it was said there was a vital necessity to retain five employees. It is the duty of the Bureau of the Budget to do what the Senator has stated. If the distinguished Senator from Oklahoma will write the chairman a letter, the chairman will forward it and will say, "We want you to report on this subject."

I think that could be done. Of course, there may be some question about whether the Senator's suggestion would represent legislation on an appropriation bill.

Mr. MONRONEY. I am not offering the amendment at this time. I think perhaps it can be covered in the deficiency appropriation bill or the supplemental appropriation bill.

Mr. ROBERTSON. Next week we shall consider a supplemental appropri-

ation bill affecting all departments of Government. They never have enough. They come back two or three times a year.

Mr. MONRONEY. A part of the problem is caused by the additional personnel which is provided.

Mr. ROBERTSON. That is a part of the problem.

Mr. MONRONEY. I hope something can be done to stop the overpopulation.

Mr. ROBERTSON. The Senator has made an extremely vital point. Before the Senator came into the Chamber, I deplored the mushrooming of bureaus, which frequently are overstaffed. I stated that I yielded with respect to the Internal Revenue Service because a vast amount of money was not being collected, to see if an increase would do any good and whether the money could be collected.

The Senator is correct. We can consider the problem when the supplemental appropriation bill comes to us next week. We could write a letter to the Bureau of the Budget. If the Senator will write me a letter I will forward it. I think it is the duty of the Bureau of the Budget to do as the Senator says.

Mr. MONRONEY. It seems to me that a screening by three or four, or even five men, who would devote their entire time to requiring an absolute justification for personnel increases, would be a safety valve with respect to what today is an extremely difficult problem. There is often a necessity, properly, to expand the Federal Government because of duties which are absolutely required. Such a group as I have in mind could say "No" once in awhile with respect to the increase in bureaucracy which has led to the popular conception of Parkinson's law.

Mr. ROBERTSON. The Senator from Oklahoma is an able and distinguished member of the Committee on Appropriations. The Senator knows how department heads come before the committee and say, "This is the budget estimate. Our needs have been studied. These amounts are certified as being necessary for us." The Senator remembers such statements. The department heads always make such representations. I am sure they do not make close scrutiny of some of the increases. We shall be glad to call upon them in this regard.

Mr. President, I yield the floor.

Mr. ALLOTT. Mr. President, at the outset I wish to express my deep appreciation to the junior Senator from Virginia, the distinguished chairman of the subcommittee, for his cooperation and help in the work which was done in connection with the report. It is not my intention to offer an amendment, but I wish to comment on one or two items which occurred during the hearings, which I think exhibit an unfortunate general trend in Government.

On page 17 of the hearings Secretary Dillon gave his statement before the committee. I read from it, in part:

#### U.S. SECRET SERVICE

The House bill accorded a reduction of \$550,000 in the 1963 estimate of \$5,850,000 for the U.S. Secret Service.

There appears to have been some misunderstanding in our request for 58 additional



special agents and 22 additional clerk-stenographers. Although these positions were going to be assigned to the field for regular investigative duties, they also are counted on to form an integral and vital part of the protection of the President and his family.

#### NUMBER OF AGENTS NEEDED

In this connection, whenever Presidential travel is contemplated, seasoned special agents from various field offices are summoned to augment the headquarters White House detail prior to and during the period the President is visiting locations in the United States or abroad.

For example, in situations of foreign Presidential travel, depending upon the number of countries visited, the special agents regularly assigned to the White House detail are assigned to the necessary advance preparations, and, to replace them, the experienced field special agents are withdrawn from their regular criminal investigative activities. Their temporary assignment to the headquarters White House detail are for varying periods of time, depending on the length of the Presidential trip involved.

#### WHITE HOUSE DETAIL

The size of the White House detail is set to cover the requirements for Presidential protection while the President is in Washington. Additional agents are required whenever Presidential travel is involved. We have not thought it efficient to assign these men to Washington when their full-time service is not required.

Instead, men who augment our regular protective detail are stationed in the various field offices where, when their services are not required for Presidential travel, they are effectively utilized in combating the ever-increasing activities of organized crime as it pertains to counterfeiting and check and bond forgery. They are sorely needed in these field offices. The number of counterfeiting cases jumped 60 percent during 1961, as compared with 1960. During the same period, there was a doubling in the number of cases involving forgery and fraudulent negotiation of Government bonds.

Unless we receive these extra positions, the added manpower requirements for Presidential protection which must be met when the President travels at home or abroad, will require us to denude our local offices at a time when counterfeiting and forgery are rising rapidly. The additional agents which we have requested are imperative if we are to meet the increased needs for Presidential protection and the growing menace of counterfeiting.

Subsequently, as shown on page 31 of the hearings, I asked the Secretary of the Treasury how much of the increase in the number of additional agents was occasioned by reason of additional Presidential travel. I read the question and the answer:

Senator ALLOTT. On page 9 of your statement with respect to the Secret Service you asked for 58 special agents and you place great emphasis upon the protection of the President and his family. Why does it require 58 more special agents now than it did under the former President?

Mr. DILLON. The President travels more. The other factor is that these people we are talking about do double duty. They are in field offices except when the President travels and then they have to be pulled back for Presidential protection assignment.

Thereafter I asked the Secretary to provide me with a breakdown of the figures to show how much of the additional expense was occasioned by Presidential travel. From the previous answer the Secretary gave me, I think it is perfectly obvious that the President is doing

a great deal more traveling than has been done in the past. I recall that over the period of the past few years we Republicans in the Senate often listened to members of the other party berating us about the travels of the then President Eisenhower and how much such travel was costing the taxpayers of our country. The tables which the Secretary supplied for the record in response to my request were a mass of gobbledygook, so it was necessary for me to go directly to the Secret Service to obtain the figures requested.

First, I wish to say that the Secret Service was very cooperative in trying to furnish the information which was desired.

Let me also make this point clear. No one in the United States—and that certainly includes me—has any desire to see the President and his family less than adequately protected. Whatever party we may be affiliated with, and even though it were President Eisenhower in office at that time rather than President Kennedy at this time, loss or harm to the President or to any member of his family would be something that no American could tolerate. However, I wish to bring out the fact that the burdens on the Secret Service, by reason of the extensive travels of the President and his family, have increased greatly since President Kennedy took office.

For example, in the fiscal year 1959 the total number of employees was 272. In 1960, the total was 298. In 1961, when a Republican was in office for approximately half of the fiscal year and a Democrat President for the other half of the fiscal year, the figure jumped to 305. In 1962 it jumped to 325, and the request for this year was 383.

With respect to the total number of man-hours devoted to Presidential protection, I think the figures are rather significant. I was provided with the figures by the Secret Service itself.

In 1960 the figure was approximately 197,518 hours. In 1961 the figure jumped to an approximate 250,495 hours. In the hearings on the appropriation bill last year the Secret Service was very careful to point out that the increase in fiscal year 1961 was occasioned primarily by the fact that during a good portion of the year the Secret Service had to cover not only the President and Vice President and their families—President Eisenhower and Vice President Nixon and their families in the initial instance—but that immediately upon the election of a new President it was necessary to cover also the newly elected President and Vice President and their families. So we could expect a substantial boost in work at that time.

But in 1962, the current fiscal year, and the first fiscal year under the new President, through January 31, which is a period of 7 months, we have already accumulated a total of 143,230 man-hours devoted to the President and his family; and, as Mr. Dillon very succinctly and adequately said in response to my questions of him, that increase was due to the fact that the President travels a great deal more.

So if we project the figure of 143,230 into the full fiscal year, I think we shall end with a figure for the protection of the President and the Vice President and their families which will be somewhere near the amount required in the fiscal year 1961 to protect not only the then President and Vice President and their families but also the newly elected President and Vice President and their families.

In view of all the talk we have heard in the past in the Senate Chamber about the peripatetic qualities of President Eisenhower, I think it is only fair, particularly in view of some of the statements the President made during his campaign about how he intended to conduct himself and remain on duty in his office, to examine the actual performance. The figures I have given for fiscal year 1962 do not include the recent trip of Mrs. Kennedy, which required sending 15 advance agents to India and Pakistan for her protection.

It does not include a possible trip of the President to the summit, if it should occur, and it does not include any projection of the President's trip to Mexico or any other Latin American country.

Some other very interesting comparisons can be made with respect to the cost of travel and transportation of persons. In the fiscal year 1959, when President Eisenhower was in office, Presidential travel costs were \$109,859. In 1960, which was a year when President Eisenhower was still in office, the costs were \$285,302. In 1961 they dropped to \$250,717. In 1962 President Kennedy's first full year in office, \$325,000 has been asked, including \$200,000 which is being requested in the coming supplemental appropriation bill. In the fiscal year 1963 we are asked for \$325,000. The amounts for 1962 and 1963 are both greater than the amount that was required when the same service had to protect not only the President and his family and Vice President, but also the elected President and his family and the elected Vice President, in 1961.

I believe that these figures make the point that the traveling qualities of the President and his family have placed a great additional burden upon the U.S. taxpayers.

I have just had called to my attention an article published in the Washington Post of March 21, which shows that instead of hiring a news cameraman to cover the present trip of the First Lady, the USIA employed some high-priced people from Hollywood, at a total cost of \$45,807.50. That figure includes \$6,000 for a director, at \$1,000 a week, and \$8,425 for two cameramen. This compares with a former cost of \$425 a week plus traveling expenses.

I would say to the Senate that probably I would not have brought this matter up on the floor of the Senate if it had not been necessary for me to go to considerable trouble to get a clear-cut answer from the Secretary of the Treasury. I know there are a great many people in the Senate who did not graduate from Harvard, as he did; perhaps there are even a great many of us who have not quite the perspicacity and

understanding of world problems and monetary problems that the Secretary of the Treasury possesses. Nevertheless, he will have to put up with us, and try to answer our questions because the people of Colorado and Kansas and Maine and Minnesota, Illinois, and Idaho, and the other States elect 100 persons to represent them in the Senate. Even though the Secretary of the Treasury made honest answers—although some of them could be called circumlocuted answers—to the questions that were asked of him, he was not responsive in furnishing the material requested for the hearing record.

The Secretary of the Treasury spent three-quarters of his one-page statement in making a justification for 58 additional agents.

He made that justification, he said, on the basis that these additional agents were needed for the protection of the President and his family. I asked him how much of it was needed for the protection of the President and his family. This he was unwilling to give, or he did not know. He said he would supply the figures. Certain figures were inserted in the hearings, and it is very obvious that they do not answer the question. The Secretary of the Treasury may some day learn that he will have to answer with succinctness and clarity the questions which Senators ask of him in the performance of their duties and the performance of the job which the people of their respective States send them here to do.

**MR. HUMPHREY.** Mr. President, I should like to respond at least in part to the Senator from Colorado. I call attention to the record of the hearings on the appropriation bill now before the Senate, and to the fact that the Secretary of the Treasury was very responsive to questions that committee members asked of him. Also, I would like to say that the Secretary of the Treasury, whatever may be his habits or his attitude, is, it should be remembered, a Republican.

**MR. ALLOTT.** I do not wish to claim him, if that is agreeable to the Senator.

**MR. HUMPHREY.** The Senator is entitled to that observation. This is the same man, the same Mr. Dillon, who served for several years in the former administration. He was always regarded as a very fine and able man; I thought he was then and I think he is now, regardless of what may be his political persuasion.

The Secretary of the Treasury in his statement before the Senate Treasury Subcommittee took note of the need for additional personnel, as reflected on page 17 of the hearings.

With respect to the number of agents used for protective investigative work, he testified that this number was 325. The additional number requested was 58. The number approved by the House of Representatives was 20. The number approved by the Senate committee was 45. The point needs to be raised with respect to the amount of work these agents do and the amount of work that has not been completed.

The average current investigative caseload is 137 cases per agent. The re-

quest for 58 additional agents would have enabled the Secret Service to have reduced the average caseload to 105 cases in fiscal year 1963, 80 during fiscal year 1964 and 61 during fiscal year 1965. This is still a heavy average caseload, but it would be of manageable proportion.

The increase sought by the Secret Service is needed to meet these developments which have their origin in changes and events starting 10 years ago. The additional manpower sought would in effect only meet the manpower requirements which experience of the past several years has shown to be essential.

Failure to provide these men will mean that it will be necessary to continue to draw from the field offices manpower to provide the essential Presidential protection at the expense and detriment of the statutory responsibilities of the Secret Service for suppressing counterfeiting and other offenses against the obligations of the U.S. Government.

**MR. PRESIDENT,** I do not think anyone has ever accused the Secret Service of being partisan. The Secret Service has responsibilities which are imposed upon it by law. It has a responsibility for the protection of the President, over which the President himself has nothing to say. This is a directive from Congress.

I may add that the way the Secret Service now protects the President of the United States and his family is by calling upon the manpower of its investigative offices out in the field to come and fulfill the protective services which the Secret Service itself feels are necessary. The President of the United States does not say, "I am going to take a trip. I think I ought to have 10 or 15 more men to protect me." No; the President is not consulted about those matters. The head of the Secret Service determines the number of men who are to be utilized for the protection of the President. Until Congress changes the law which provides that the Secret Service shall supply protection to the President, the Vice President, and their respective families, it seems to me we ought not to interfere with what is the legitimate request of the Secret Service for the manpower to make this protection a reality.

I should say also that if any Democrat has ever been critical of the Secret Service protection or the amount of personnel required for a Republican President, then that Democrat ought to make a public apology. Frankly, I think the President of the United States, whoever he may be—and the Senator from Colorado [Mr. ALLOTT] stated this very clearly—should be protected and his family should be protected. Whatever the requirements are, they should be fulfilled. We ought to be thankful for the competence of the Secret Service. The Secret Service performs amazing work. It does so with a very limited number of people.

The other point that needs to be raised concerns counterfeiting—an old practice among some people. It is an old crime. Many people like to get into the moneymaking business. The Secret Service finds itself rather busy checking

up on those who would invade the jurisdiction of the Bureau of Engraving and the Department of the Treasury. Therefore, the number of counterfeiting cases which the Secret Service is required to investigate has increased substantially. It is a figure which the Senate needs to know.

But let me say a further word about the protection of the President and his family. With the use of airplanes, advance preparations and protection have necessitated the use of more Secret Service manpower. The use of jetplanes has increased the requirements of the Secret Service personnel considerably. For example, we saw from the figures supplied by the Senator from Colorado that there was an increase over the number of agents employed in the previous administration. In 1959, the figure was 272. If I am wrong, I will stand corrected. In 1960, it was 298, an increase of 26. I imagine the reason for the increase was the increased use of jetplanes. In 1961, the figure was 305. In fiscal 1962, the number was 325. Obviously, the reason for the increase in personnel is travel requirements, due to the speed of travel and to the number of places which the President of the United States visits. What those numbers will be can only be projected uncertainly, because we have no immediate way of knowing exactly where the President of the United States will be in the next 3, 4, or 5 months.

Not only was there more travel, both within the United States and overseas, but the speed of the planes posed new problems for the Secret Service. It was no longer possible, for example, to have agents leapfrog and thus utilize the same manpower at various stops along the way. With the use of older types of transportation, such as trains and slower planes, it was entirely possible for the President of the United States to go from one part of the country to another and have five Secret Service men stationed, for example at Topeka, Kans., and then, when the President arrived, to have the plane take the same five men to Omaha, Nebr., and have a considerable period of time in which to do their work. But with the use of jetplanes, the time required for traveling great distances has been reduced by many hours. Therefore, it is necessary sometimes to duplicate the protection force in several of the communities which may be visited. The use of jetplanes in the past few years has required the Secret Service to provide three times as many men to make advance security arrangements for Presidential protection when the President is traveling.

The White House detail remains at more or less an even number of men. Therefore, it has been necessary during the past 8 years, when the President travels, to supplement the White House detail with agents from the various field offices. As a consequence, the agents so used were not constantly available to perform investigative responsibilities. This has increased the backlog of their work. The request for additional manpower is to meet these responsibilities of Presidential protection and of investiga-



tion. Under the Secret Service system, a great elasticity permits the Service to withdraw agents from investigative duties and to use them on advance protective details.

The fact is that Presidential travel has increased markedly since 1958. During the same period, the backlog of uninvestigated cases has grown tremendously. Many of the cases are counterfeiting cases, and all of them reflect upon the obligations of the Government of the United States.

For example, in fiscal year 1958, the number of uninvestigated cases was 12,992; in 1959, it was 19,060; in 1960, it was 29,515; in 1961, it was 28,921. The main reason—and this, by the way, occurred during the period about which the Senator from Colorado [Mr. ALLOTT] has spoken—was that the Secret Service had heavy obligations of Presidential protection.

For fiscal year 1962, on a basis projected over the first 8 months, there will be a backlog of 38,696 uninvestigated cases dating back to 1958.

The additional personnel are required for no other reason than to investigate those cases, many of them cases of counterfeiting, and regardless of the protection required for the President and his family.

During the recent appropriation hearing, Chief Rowley testified as to the responsibilities of the Secret Service and the need for additional personnel. He stated that the primary responsibility of the Secret Service is the protection of the First Family. This responsibility takes precedence over all of the other duties of the Secret Service, important as they may be. Changing world conditions since 1958 have resulted in a greater amount of Presidential travel; therefore, the responsibilities and requirements of the Secret Service for this purpose have increased.

Let us face it. The President of the United States and his family will travel more, and they should. As for Mrs. Kennedy, if the Secret Service used 15 agents for her advance protection, it was the best investment this country ever made, because the First Lady's trip to Asia and Europe has been a phenomenal success. It has been a personal triumph for her, if she needed one, and a great triumph for the American people and the American Nation. It has been a remarkable trip, a remarkable achievement of a gracious, lovely, beautiful, competent, intelligent woman. If it took 15 Secret Service agents to provide protection for the First Lady of the land, never was there a finer duty; never was there a better investment. Never was there a more successful trip. What is more, the Secret Service is to be complimented upon the manner in which the protection was afforded.

If all 58 of those agents were needed just to help the First Lady of the land, it would have been good for America, because this lady is rendering outstanding service to the country.

That was true of the other ladies of the Presidents—Mrs. Eisenhower, Mrs. Truman, and Mrs. Roosevelt. Those ladies performed duties for our country

which ought to command the respect, the affection, and the admiration of every American—and they do.

I must say that we can expect more travel by the Chief Executive. We have a young President; we have a virile President; we have a President who will be called upon to go from one area of the world to another. I am not at all certain that the figure of 58 additional agents will be even adequate in the light of the backlog of cases for which agents are needed.

And there are other duties. I asked a member of the staff of the majority leader to secure information as to some of the accomplishments of the Secret Service agents in the field of counterfeiting, and I have just received it. Already, in fiscal year 1962, a record amount of \$3,500,000 in counterfeit money has been seized by Secret Service agents. That is one of its major responsibilities—namely, the apprehension of counterfeiters.

So it seems to me that even when regarded from an economic point of view—solely from the point of view of protecting the value of the U.S. currency—in addition to regarding it from the point of view of apprehending crooks—the addition of 58 personnel would be a wise and prudent investment, made in the exercise of good judgment.

Mr. President, when the President of the United States is in Washington, where there is a normal White House Secret Service detail which has been rather constant in number, the Secret Service obviously does not assign the same number of men to the White House detail as the number who would be used when the President travels about the country and abroad, because their service with the White House detail does not require their full-time services. Generally speaking, Mr. President, this is also true when the President is traveling to Hyannis Port, to Palm Beach, to Middleburg, and so forth. Therefore, the plan the Secret Service has developed is to assign personnel to its regular investigative duties in its field offices; and, as I have said, these duties include the suppression of counterfeiting and bond and check forgery.

So these additional personnel will be assigned to the field offices; and when they are needed for the primary responsibility of the Secret Service, they will be called to that duty; namely, the protection of the President and his family.

When extensive Presidential travel is undertaken, then, as I have stated, such additional agents as may be necessary will be drawn from the field offices and will be assigned to the White House detail, to provide additional protection to the President, because of his travel.

The use of field agents for this purpose has added to the ever-growing backlog of cases, which now number more than 37,000. In that connection, I emphasize that the number of cases which now need to be investigated—cases already on the docket, cases already known, because of violation of the Federal statutes—has grown to such an extent that the backlog is now more than 37,000 cases; and counterfeiting alone has increased 60 percent since 1958.

The apprehension of counterfeiters is one of the main responsibilities of the Secret Service; and, as I have stated, counterfeiting has increased more than 60 percent since 1958. Furthermore, since there were 272 agents in 1959, and since the request for the fiscal year 1963 is for a total of 383 agents, that represents an addition of 111 agents, or an increase of approximately 33 percent in the number of field service personnel; but it is also to be noted that the increase in counterfeiting alone has been 60 percent.

Mr. President, major changes in the mode of travel during the past 10 years, in addition to the increase in counterfeiting and the increase in check forgery, have placed heavy demands upon the Secret Service. I think every one of us knows that prior to 1952, for example, Presidential travel was almost entirely done by train, which required a relatively small number of agents.

A review of past appropriations reflects that frequently it has been necessary for the Secret Service to request Congress to make supplemental funds available in connection with Presidential travel. This year, in the appropriation requested in order to forestall this possibility, an additional sum of \$200,000 was included. When that is added to the estimate in connection with Presidential travel in 1963—in the amount of \$125,000—we find that the total is \$325,000. I mention this because it was referred to by the Senator from Colorado.

Mr. President, my projection of the hours of work required in order to protect the President indicates that on the basis of the last 7 months up to January 31, the total was 143,230 hours; and the indication is that the total for the fiscal year 1962 will be approximately 253,430 hours, which will be slightly more than the 250,495 hours in the fiscal year 1961.

So it is quite obvious that much of the work of these agents will be devoted to the activities of the apprehension of counterfeiters, the apprehension of check forgers, and the apprehension of those guilty of other Federal offenses.

I know the Senator from Colorado has every right to be concerned if comments are made about the former President of the United States and his travels. I never was very much concerned about President Eisenhower's travels or about his vacations. I think Presidents are entitled to them. President Kennedy is also entitled to them, and President Eisenhower was entitled to them; and Mrs. Eisenhower, one of the loveliest ladies ever to grace the White House, was certainly entitled to every possible consideration; and whenever anyone attempted to cast any reflection upon the First Family, I was one of the first to disagree. I believe we can disagree politically without becoming personal about the matter. And I believe that the deduction of this item, which is for the protection of the President and his family, is really something we should forego, because the President is doing a great job for the Nation, and I hope he will travel even more—for example, not only to Mexico, but also to every country in

Latin America, and also to many countries in the Far East, where he should go as the leader of our great Republic and as the leader of the free world. If he makes those trips, it is essential that he have the protection of the most efficient protective force in the world, the U.S. Secret Service, which has a record second to none. And if the Chief of the Secret Service, Mr. Rowley, believes he needs these additional men, certainly I will not say he does not need them, because I do not want it on my conscience or on my hands that we in any way denied the Secret Service the manpower it needs in order to fulfill the demands, requests, and orders of the Congress of the United States that it protect the President of the United States and his family.

Mr. ALLOTT. Mr. President, we have just heard a very fine speech by one of the cleverest orators in the Senate, which has answered a part, but left unsaid a great part, of the issue raised by me in my former remarks.

I am sure everyone appreciates the great ability with which this gentleman and distinguished Senator argues his case. I will not argue at great length, but I do want to set certain things straight for the Record, first of all. As the Senator has so ably said, it is not a question of adequate protection for the President and his family. As a lawyer of many years, respect for the law and the legal processes of our Government and what it means to me are deeply impressed on me. That is not the question.

No one would want to deprive the President and his family of adequate—and I do mean adequate—protection. The Senator has raised the question of the adequacy of the Secret Service. I have raised no question about the Secret Service being political. I have never considered it as being a political organization. Some of the men at the White House today were guarding President Eisenhower and his family. That is true, and it should be that way. Congress, in its wisdom, and under the Constitution, is responsible for the agency.

A point has been made about the great load on the Service because of counterfeiting. Here is where we get to the kernel of what we are talking about. From what occurred subsequent to the hearings, I know personally, from talking to Mr. Rowley and members of his staff, there is a real, fundamental job to be done in combating counterfeiting in this country. I am sympathetic to their having sufficient agents to do the job. Then, for heaven's sake, why did not the Secretary say that, instead of devoting three-fourths or seven-eighths of his statement to justifying it on the basis of the protection of the President and his family? All we want is direct answers, and Members of the House and the Senate are entitled to them.

I am very happy to have had laid out for me the blueprint of future activities of the President and his family, and that they are going to do considerably more extensive traveling, because over the period of the 7 years that this Senator has been here, and particularly his first

6 years, he heard many, many bitter speeches on the floor of the Senate about the travels of the former President, Mr. Eisenhower, and his wife.

I think, in view of the statements of President Kennedy when he ran for office, and the speeches about the peripatetic—and I use that term again—habits of President Eisenhower, it is only fair to call attention to the fact that use of the Secret Service for the President and his family has increased greatly because of the increased traveling of the President and his family.

It is interesting to learn from the distinguished Senator from Minnesota that we have seen only the beginning of it, and that we are going to see a lot more of it.

I wish now to read a statement from Mr. Rowley on this subject which appears at page 448 of the House hearings. I read only a part of the question of Mr. Gary, because his full question is half a page long. The question ends up in this way:

How does your present staff for that purpose measure up?

He is talking about the Presidential family.

Mr. ROWLEY. On the White House detail?

Mr. GARY. Yes.

Mr. ROWLEY. In addition to the present staff, we could use another shift. We were contemplating establishing what we call a fourth shift because of the activities of President Kennedy. As you know, he is moving back and forth almost every weekend.

This, of course, has been confirmed as his future program by the distinguished Senator from Minnesota.

The Senator has used one other comparison that I think I ought to call attention to. He used the period of 1959 and 1960 as compared with 1961 and 1962 in referring to jet travel. In 1959 and 1960 President Eisenhower had a jet plane, and he used it. So there really is not any difference.

Mr. HUMPHREY. Mr. President, if the Senator will yield for a correction, I used the year 1958-59 as a period in which there was jet travel, and the increase for those years, as compared with earlier years, to indicate there was an increased need for personnel. Furthermore, I said that the increase in jet travel and its wider use made it necessary to have more personnel because of the speed of travel and the inability to send one group of Secret Service agents to cover several spots during Presidential trips.

Mr. ALLOTT. I do not have the specific figures for 1958, because they were not supplied to me by the Secret Service; but so far as travel is concerned, the same situation existed in 1959 and 1960 as existed since President Kennedy took office a year ago in January.

This is not an attack upon the Secret Service. I would be the last to feel any such attack was justified in any degree. That simply is not this Senator's point of view. In view of the great degree of counterfeiting, it is hard for me to understand why the Secretary devoted all of his justification on another ground; namely, that of the protection of the President and his family.

I make two points in summation and in reply. First, the activities of the President—who stated he was going to stay in his office and take care of his business and not travel around—have not come to pass in that way. Instead the activities of the Secret Service have been increased greatly, as shown in my former statement, by reason of the travel by the President. Second, a point which should be of vital concern to every Member of the Senate, is the fact that when we ask questions of department heads we have a right to expect reasonable, clear, and direct answers, either in the first instance, or in being supplied for the hearing record.

To this latter point I devote myself especially, because of the lack of direct answers which occurred. I wish to say also in this respect that I am indebted to the junior Senator from Virginia for helping me to procure this information, and to Mr. Rowley, who was completely frank, completely aboveboard, and who did his best to supply me with the information he had. The estimates and figures I have given were obtained from him. They are the best estimates he can make now, because he cannot project into the future.

I wished to straighten these matters out and to make the two points I have made, both in the first instance and now in restatement.

Mr. HUMPHREY. Mr. President, I shall be brief.

The Senator commented about the Secretary's response to his question. I am not here to defend the Secretary. I only say that when Secretary Dillon responded about the protection of the President's family as being the basic argument for the additional Secret Service agents he was doing exactly what the law required in respect to the priority of the work of the Secret Service. The main obligation of the Secret Service, if it does nothing else and if it has to set aside every other obligation it has, is the protection of the President and the President's family. That is No. 1.

I note that on page 34 of the hearings the Senator from Colorado questioned the Secretary, Mr. Dillon. The question and the response are as follows:

Senator ALLOTT. Mr. Chairman, then if that is the situation, why can't we have a breakdown of the items starting on page 9, as to the added agents that are necessary for the protection of the President and his family—none of us want to forgo adequate protection in this respect—and the added number necessary for the ordinary duties of the Secret Service which the Secretary emphasized in his last sentence.

Mr. DILLON. We would be glad to do what we can on that but as I pointed out the same men do both jobs. We will be glad to give you a complete breakdown where the men are needed and why they are needed in these individual places, and so forth.

The information on Secret Service begins on page 180. It runs through page 192, with a complete analysis of information which was requested from the Secretary of the Treasury.

Mr. President, the Secret Service is not at issue. There is not any doubt about that. Mr. Rowley, the Chief of the Secret Service, testified in behalf



of these additional men. I am sure he testified in behalf of the request because he thought he needed what was asked.

The only reason I can see for this debate is to emphasize that President Kennedy is using more man-hours of the Secret Service for family protection than a previous President did. I say that that is a very poor argument as to the soundness or lack of soundness, as to the justification or lack of justification of the request for 58 additional personnel.

I did not give any blueprint as to President Kennedy's future plans. I said I hoped the President would travel, that I would expect the President to travel, and that I would expect the President to take care of the business of the office of the President by doing what the business of the office of the President requires in 1962, 1963, 1964, and so on, because the office of the President today is not in the White House. The office of the President is wherever the President of the United States is. The President of the United States will be where he is required to be by the requirements of national security and the duties of the executive office of the President of the United States.

I ask Senators what the country would feel and how the country would react if anything should ever happen to that precious little daughter, Caroline? Think what an outburst there would be.

I think the RECORD ought to be manifestly clear, so that no one can possibly misinterpret it. I wish to protect my good friend from Colorado and everyone else. No one here for a single minute should be raising his voice against adequate Secret Service protection as requested by the Chief of the Secret Service. The Chief of the Secret Service is not an empire builder. The Chief of the Secret Service is not trying to pad payrolls. The Chief of the Secret Service is only doing what he thinks is necessary to be done to fulfill the requirements of his job, which is to protect the most important man in the world, the President of the United States, and to protect the President's family.

It appears to me that the only purpose for this argument is apparently to get even, if somebody did anything in the past for which one ought to feel a motivation to get even.

I hope that no one will ever criticize the former President of the United States for having used Secret Service agents. I hope that no one will ever criticize the former Vice President of the United States for having used Secret Service agents when he traveled. He needed them when he went to South America. Thank goodness he had them. I say this in all respect.

The Vice President of the United States now needs these agents, even if he says he does not. He is not a private citizen any more; he is a public official.

The President of the United States needs these men, and his family needs them. I think it is really not in very good taste to indicate anything else but a need for them.

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

Mr. HUMPHREY. I yield.

Mr. ALLOTT. Is the Senator implying that I anywhere in my statement said that they did not need them?

Mr. HUMPHREY. No.

Mr. ALLOTT. Or that my chief concern was other than to see that they were adequately protected?

Mr. HUMPHREY. No. The Senator did not say that.

Mr. ALLOTT. If he is so implying, I think the Senator owes me an apology.

Mr. HUMPHREY. The Senator did not say that. I said to the contrary, that I knew the Senator from Colorado knows the Secret Service needs these agents.

What I am trying to find out is why the Senator is arguing about it at all, if they are needed. The Senator knocked the grounds out from under his own argument. The Senator says that the President needs them, that the Secret Service needs them, and that he wants the President to have adequate protection. He reminds us of the number of hours the President has been traveling, and the number of hours' protection given to the President's family.

It seems to me that the argument of the Senator from Colorado is very clear that the President needs the protection, that the Secret Service needs the agents; but, somehow or other, we ought to make a little politics out of it. I think that is the whole thing.

Mr. WILLIAMS of Delaware. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

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

The LEGISLATIVE CLERK. On page 18, after line 18 it is proposed to insert:

#### GENERAL PROVISION

No part of any appropriation contained in this or any other Act, or of the funds available for expenditure by any individual, corporation, or agency included in this or any other Act, shall be used for publicity or propaganda purposes designed to support or defeat legislation pending before Congress.

No part of any appropriation contained in this or any other Act, or of the funds available for expenditure by any individual, corporation, or agency included in this or any other Act, shall be used to pay the salary of any civil service employee who appears before public groups for the purpose of supporting or opposing the administration's position on pending legislation.

Mr. WILLIAMS of Delaware. Mr. President, the reason I offer this particular amendment at this time is in an attempt to override a recent ruling of the Chairman of the Civil Service Commission, Mr. Macy, wherein Civil Service employees will be used to promote the administration's legislative proposals.

The first part of the amendment has on previous occasions been approved by the Congress. It was approved as section 509 of the General Government Matters and Department of Commerce and Related Agencies Appropriations Act of 1962. It was approved on the

3d day of August 1961. It is now Public Law 87-126.

Most of us at the time felt the language was adequate. However, I found that the Chairman of the Civil Service Commission, Mr. Macy, had issued a new ruling this year. I incorporated this into the RECORD under date of March 1, 1962, at which time I called the ruling to the attention of the Senate.

The Commissioner has agreed that there is no precedent for this ruling, which if left unchallenged will destroy our civil service system. It is an entirely new ruling. I should like to read it. I shall skip the first part of the ruling in which the Commissioner repeats the same understanding we have always had as to the rights of civil service employees; namely, that they can very properly make speeches explaining and interpreting a current law and identifying its purpose. But that authority relates to existing law.

However, from time immemorial the law has been very clear that career civil service employees were not permitted to lobby on behalf of proposed legislation or for the policies or programs of any administration prior to the time such measures were enacted. The law has been very specific in that respect. Recognizing that point, the Commissioner still ruled, and I quote:

A more difficult decision is faced when new or changed programs are pending before Congress in the form of proposed legislation. Definitive statutory language prohibits the use of appropriated funds for "publicity or propaganda designed to support or defeat legislation pending before Congress." Such language clearly limits the career official's position of possible support of or opposition to new or amendatory legislation. Aware of these implications, however, the career official may explain the position of the administration in the proposed legislation before interested public groups.

I am quoting from Commissioner Macy's recent ruling. I again quote from his ruling in which he clearly recognizes that existing law prohibits such action. I quote the key part of Mr. Macy's ruling:

Definitive statutory language prohibits the use of appropriated funds for "publicity or propaganda designed to support or defeat legislation pending before Congress."

Mr. Macy admittedly recognizes that such is the law but apparently he and Attorney General Kennedy feel that their administration can make their own rules. We now have a ruling that career officials may as they say "explain" the position of the administration before interested public groups. Recognizing the seriousness of this decision I am offering the amendment here today to nullify the ruling. Our failure to act could result in the complete breakdown of our civil service system which for years we have all supported.

Under date of February 27 I have directed a letter to Hon. Robert F. Kennedy, Attorney General of the United States, asking him to rule on the legality of this ruling which had been rendered by the Chairman of the Civil Service Commission.

In the letter I stated that if his ruling upheld the legality of the new ruling of

Mr. Macy, my next question was as follows:

Could the same career civil service employees appear before interested public groups and support a position in opposition to the administration's proposal?

In other words, if we are to have a ruling that civil service employees may appear before public groups and support the position of the administration, may a career civil service employee who differs with that position likewise appear before a group and express his own private opinion although it is different?

Yesterday, I received a reply to my letter to Attorney General Kennedy. The letter was signed by Mr. Nicholas Katzenbach, Assistant Attorney General. In a three-page letter he got around the point by saying that perhaps they should not engage in such activity, but under the ruling they could do so, and it is perfectly legal for such employees to appear before interested public groups and explain the position of the administration as long as they do not oppose the administration.

But what is more interesting is the position of the Assistant Attorney General with respect to the second question. If career civil service employees could explain the position of the administration or defend administration policies and legislative programs, even before such programs were enacted, what would happen if such employees were to speak against the programs?

I quote from the letter of the Assistant Attorney General:

The legal considerations pertinent to your question concerning a career employee's publicly expressed opposition to an administration's legislative recommendations are to a large extent the same as those discussed above. But, granting the legality of such public action in a particular instance, I believe it would nevertheless constitute a serious impropriety.

In other words, civil service employees may speak for the program of the administration, but it would be a serious impropriety if they should speak against it, which is another way of saying, "You will be fired, demoted, or denied promotions."

I continue reading from the letter:

But, granting the legality of such public action in a particular instance, I believe it would nevertheless constitute a serious impropriety. Although a career official is entitled and expected to present his independent views to his superiors, they in turn are entitled to his cooperation and support in respect of a policy once it is settled. And they are entitled to that cooperation and support from him even though he may not agree with the policy. Whatever may be proper for such an official acting in a clearly private capacity, I think it would be a distinct breach of his duty as a career official to use his official position publicly to oppose the policies of the administration he serves.

In other words, the ruling is that even though a civil service employee does not agree with the administration or its policies, he is expected to disregard his own opinions and speak on behalf of the administration in defense of its policies.

I continue to read from the letter:

Whatever may be proper for such an official acting in a clearly private capacity, I

think it would be a distinct breach of his duty as a career official to use his official position publicly to oppose the policies of the administration he serves.

The ruling is very clear. It is a complete departure from any policy we have ever had so far as civil service is concerned. We have always recognized that the establishment of the civil service has been one of the most constructive steps ever taken for the protection of Government employees. Yes, they give up the right to participate in political activities. That is understood. But in return they are accorded security in their jobs without regard to which political party may have control of the administration; and their right of promotion is supposed not to be jeopardized by their political affiliations, nor is it supposed to be jeopardized by their refusal to make public speeches in behalf of a program with which they may disagree.

Mr. Macy's and Attorney General Kennedy's policy would return our civil service system to the pork-barrel patronage era.

As I stated, the first half of the amendment I have offered is a repetition of that which has previously been approved by the Congress in appropriation bills. The latter part of the amendment would cancel the recent ruling to which I am referring. The latter part of the amendment is designed for one purpose only: namely, to override this ruling of Mr. Macy. It would put the career civil service employees back to where they were before—in a position in which they could not be used as political pawns by any administration. But I certainly do not think we wish to adopt the policy that an administration may instruct career employees that they must make speeches on behalf of any program, or say to them, "You may disagree with it, but your public statements must be in support and in defense of our programs. You can tell your superior about it; but if your superior gives you a different order you had better change your position, and publicly you must say, 'I am for it,' otherwise you get no more promotions."

I am sure that the chairman of the subcommittee will agree fully with what we are trying to achieve by the amendment. I hope the amendment can be unanimously approved by Congress.

Mr. SCOTT. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield to the Senator from Pennsylvania.

Mr. SCOTT. Mr. President, in addressing I assume that the Senator from Delaware agrees with me that even the office of the Attorney General is familiar with the first amendment to the Bill of Rights, which provides:

Congress shall make no law abridging the freedom of speech.

As I understand, the present situation, notwithstanding the passage of legislation which would prohibit civil service employees from propagandizing, the Attorney General now confronts them with an edict from the Civil Service Commission which in effect would suborn and subvert the civil service employees into

propaganda agents for the administration. Is that statement correct?

Mr. WILLIAMS of Delaware. Yes. There is a distinct inference in the ruling of the Attorney General that civil service employees may be ordered to speak for, explain, or defend the position of the administration's legislative program or its policies.

But the Attorney General makes it clear that he thinks and I quote:

I think it would be a distinct breach of his duty as a career official to use his official position publicly to oppose the policy of the administration.

Attorney General Kennedy is saying that all civil servants had better be for us and that it will be considered "a serious impropriety" for anyone to dare to speak against them.

Mr. Khrushchev may be able to give his government employees such orders, but not here in America.

I do not believe that civil service employees should be used by any administration to influence either the defeat or the passage of any legislative program. That is not their job. Certainly they can very properly explain how a law works once that law is placed on the statute books. That is proper procedure. Whether I agree with the law or not, once the law is enacted it is the law of the land, and they have a duty to help explain it and to help make it work. But they should not be used as pawns to propagandize legislation or to bring influence to bear on Members of Congress in order to enact some controversial legislative program.

I was astonished that the Attorney General would dare suggest such a dictatorial procedure.

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

Mr. WILLIAMS of Delaware. I yield. Mr. SCOTT. Does the Senator agree that this in effect mobilizes the civil servants as active agents to propagandize or to propagate the administration's program all up and down the line, even though the man who has been ordered to address people and to support a program may himself entirely disagree with it? In other words, does not such a person have to dissemble and deceive as to his own opinion, if he once gets an order from someone in the administration to do what is contemplated by this ruling? In short, he must support the administration's program whether he likes it or not. Does not the Senator agree with my statement?

Mr. WILLIAMS of Delaware. That is my understanding of the ruling.

Mr. SCOTT. Therefore, does not the Senator agree that under this ruling, for the first time, the civil service employees can be compelled to go out and do just that? Let me cite a specific situation. Let us consider the aid to education bill. The President has stated that aid to parochial schools under the aid to education bill, in his opinion, is unconstitutional. There are some Members of the Senate who do not entirely accept the President's conclusion on that point. If a civil service employee in the Department of Health, Education, and Welfare were instructed to lecture on the Presi-



dent's aid to education program, would he not be compelled to say, since the President has said aid to parochial schools would be unconstitutional, that, even though he feels that aid to parochial schools is constitutional, that it is unconstitutional, because that is the administration's view?

Mr. WILLIAMS of Delaware. I will answer the Senator's question by quoting the Attorney General's ruling:

They are entitled—

They are speaking of the administration here—

They are entitled to that cooperation and support from him even though he may not agree with the policy.

Mr. SCOTT. Therefore, does not the Senator further agree that the penalty for disagreeing with any of the President's proposals, whether it be aid to education or any other proposal of the administration, and for expressing his opinion as a free American citizen, as well as in his position as a civil service employee, and for saying out loud what he believed, to anyone but to his superior, because it would be considered a gross impropriety, would be his dismissal? In other words, he could be fired for committing what the Attorney General has designated a gross impropriety, or, if not fired, being sent to a remote area or otherwise punished if he tried to stand up like a freeman and state his own opinion. If in answer to a question from the audience he was addressing he said, "I admit I have some reservations on this point, and I do not entirely agree, even though the administration has told me to speak in favor of it." He could lose his job by saying that, could he not?

Mr. WILLIAMS of Delaware. They may not go so far as to fire him because there may be some fear of public reaction to such a severe penalty but certainly he could be demoted or refused promotions. I would say that if any civil service employee does not take cognizance of what is being ruled here, unless we do something about it here in Congress, he would jeopardize any possibility of promotion or bettering his position as an employee if he fails to support this administration. Under this ruling a career official who differs with them should present his views to his superior; however, once the superior has established a policy, then whether the employee agrees with it or not, they are in effect saying that it becomes his duty to go out and defend that program and to help get the law enacted. For any employee to express a different opinion is considered to be a gross impropriety.

Mr. SCOTT. If an employee of the Department of Health, Education, and Welfare goes out and says something, which, in the opinion of the Attorney General of the United States, would be a gross impropriety, it would not do his own health and welfare as a civil servant much good, would it?

Mr. WILLIAMS of Delaware. He would be in trouble.

Mr. SCOTT. He would be in trouble. He would be in the bucket.

Mr. WILLIAMS of Delaware. There is no question about that.

Mr. SCOTT. Then does not the Senator from Delaware agree that what the Attorney General and the Civil Service Commission are trying to do for the first time in our history is to create a vast propaganda machine to tell the people of the country that everything the administration proposes meets with the full approval of every person speaking as a civil servant?

Mr. WILLIAMS of Delaware. That is true. I asked Chairman Macy to check the record to see if such a ruling had previously been issued or if there was a precedent for such a ruling. I quote from Mr. Macy's letter of February 15, 1962:

To the best of my knowledge the text of this statement has not been previously distributed.

Mr. SCOTT. I close with the words which all of us learned when we read Cicero's famous oration, and which I now express to the Attorney General and to the Chairman of the Civil Service Commission:

How long, O Catiline, will you continue to abuse our patience?

Does the Senator believe that the American people would stand for this kind of encroachment on the civil service if they were aware of what was being done?

Mr. WILLIAMS of Delaware. I do not believe they will. I do not think Congress will either. That is the reason I have offered the amendment. The amendment is an exact restatement of the law which was previously enacted. That is so far as the first part of the amendment is concerned. The last half of the amendment is designed to override the recent decision of Attorney General Robert Kennedy and Mr. Macy. In my opinion, civil service employees should not be obliged to either support or oppose the administration.

The adoption of this amendment would not affect in any way any employee's right of petitioning Congress or expressing his opinion to congressional committees as is provided under present law. We are not affecting or breaching that right at all. We are trying to protect the employees in a manner in which they have always been protected in the years past. I quote from title 18, United States Code, section 1913:

This shall not prevent officers or employees of the United States or of its Departments or Agencies from communicating to Members of Congress on the request of any Member or to Congress, through the proper official channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business.

The employees have a perfect right to come before the committee or to petition any Member of Congress. No one suggests that we restrict them further in that regard. We do not want to make it possible, however, for any administration—and I would feel the same way if a Republican administration were in office—to mobilize a large number of civil service employees and order them to go out and advocate and support all the policies of the administration without regard to whether or not they believed

in them. I do not believe any Member of the Senate will take the position that this should be done. I certainly hope that we can settle this issue now by the approval of the amendment.

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

Mr. WILLIAMS of Delaware. I yield.

Mr. SCOTT. The Senator feels then that a vote for his amendment will protect the civil service from undue and improper and political pressures in support of a political program, and that a vote against the amendment is a vote for weakening the civil service. Is that correct?

Mr. WILLIAMS of Delaware. Yes. The defeat of the amendment would uphold the ruling of the Attorney General. The Attorney General's ruling upholds the legality of the order of the Chairman of the Civil Service Commission. I will ask that all of these rulings be incorporated in the RECORD later in my remarks. The decision of the Attorney General goes even further than the Senator suggests because the Attorney General has stated that a civil service employee is expected to support the administration's policy and that it would be an impropriety for such an employee to express any public opposition to anything that the administration proposes.

But in effect he says they can be ordered to disregard their own opinions and support the administration's legislative program.

Mr. SCOTT. I hope the Senator from Delaware will press his amendment and will ask for the yeas and nays.

Mr. WILLIAMS of Delaware. I will ask for a yeas-and-nays vote if that is necessary; but I hope the amendment will be adopted unanimously. If there is no opposition to it I hope it will be adopted tonight.

Mr. ROBERTSON. Mr. President, has the Senator from Delaware concluded?

Mr. WILLIAMS of Delaware. I hope the Senator from Virginia will not make a point of order but will accept the amendment. If such a point is made the amendment can be reworded to comply with the rules.

Mr. ROBERTSON. I am constrained by the general instructions of my committee to make a point of order against legislation on an appropriation bill. The Senator from Delaware and the Senator from Pennsylvania have spoken about how outrageous the rulings of the Attorney General are. It is all in the RECORD. Now I am about to make a point of order because, in 1931, the Committee on Appropriations adopted a resolution positively instructing every member of the committee who handled an appropriation bill on the floor to make a point of order against amendments which are legislation on appropriation bills.

The junior Senator from Virginia is entirely in sympathy and accord with what the Senator from Delaware seeks to do. If a civil service employee came to Virginia and made speeches against my reelection, that would come under the Hatch Act. But if he merely wanted to sprinkle a little rat poison concerning what I was attempting to do, that would not come under the Hatch Act.

I do not think civil service employees should make speeches. But this is not the time or place to amend the Hatch Act.

Senators will recall that in the early days of our country, each committee handled its own appropriation bill. That developed a great deal of partiality and favoritism. Each committee stressed the importance of its own work. So the rule was changed. One Committee on Appropriations was established to handle all appropriations; but it was provided that before the committee could act, it would be necessary to have an authorization so as to make certain that the Committee on Appropriations would not legislate.

The Senate adopted rule XVI, relating to amendments to appropriation bills. That rule is as plain as the nose on anyone's face. The language is also contained in the Reorganization Act. It provides that legislation may not be written into an appropriation bill. The Committee on Appropriations had attempted to legislate on appropriation bills. First it said that we could not have this or that unless we did so and so. That provision stood up. Then, it said that if a Member wanted a road to go by his house, the road money would not be provided unless a road were built by someone else's house.

Or it was said that the money would not be made available if in the future a Member attended public meetings and spoke either for or against some pending legislation. I do not know of anything that could be plainer.

I am very happy that presiding over the Senate now is a very erudite, distinguished scholar. I am sure he knows the English language; and fortunately this provision is written in English. It is in very plain English. Section 2 provides:

The Committee on Appropriations shall not report an appropriation bill containing amendments proposing new or general legislation or any restriction on the expenditure of the funds appropriated which proposes a limitation not authorized by law if such restriction is to take effect or cease to be effective upon the happening of a contingency.

What is the contingency? We appropriate money for civil service employees in the Treasury Department. If they go out and speak either for or against a tax bill, or for or against a trade bill, or advocate a free tariff on textiles, which some people in New England might not like, they will not get their money. But if they keep their mouths shut, that is all right. Is that a contingency, or is it not? I do not see how the language could be plainer. I regret to have to raise this issue. It was not mentioned to us in the subcommittee; it was not mentioned in the full committee.

The language in the first part of the Senator's amendment is contained in an appropriation bill, every year. It is nothing new. It was included in the appropriation bill for general Government matters last year. It will be in this year's appropriation bill for the independent offices, now being considered by the House.

The proposed amendment would not become effective until July 1, anyway; it applies to all bills. Some of the appropriation bills such as the appropriation bill for the Department of Defense, have not been introduced.

The amendment of the Senator from Delaware seeks to do just what this body, in formulating its rules, has said may not be done in an appropriation bill. It is not allowed to place a limitation in the bill providing that the money may be used up to a certain point, but that if a certain contingency happens in the future, such as a civil service employee going before a public meeting, the money will not be forthcoming.

I shall not argue the point further, because I feel it would be an insult to the intelligence of the very wise gentleman who is now presiding over the Senate. I make the point of order for the RECORD.

A supplemental appropriation bill which will provide funds for almost all departments will come before the Senate next week. Then there will be other bills which will include the first part of the Senator's amendment. We have a right to do that.

So under the circumstances, and considering the instructions under which I must operate, instructions dating back to the day when my predecessor, Carter Glass, served on the committee, I must make the point of order.

I am in sympathy with what the Senator wishes to do. But it is necessary to raise the point of order, and I make the point of order.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DIRKSEN. Is a straight limitation on the general use of funds in an appropriation bill in order under the standing rules?

The PRESIDING OFFICER (Mr. PELL in the chair). According to Senate precedents, a straight limitation is in order.

Mr. DIRKSEN. I ask the distinguished Senator from Virginia whether he will point out in the amendment the offensive language which is contrary to the existing rule.

Mr. ROBERTSON. It prohibits the payment of a salary to any civil service employee who does something in the future. And what is that? If he appears before public groups for the purpose of supporting or opposing legislation.

Of course, I agree with the Senator from Pennsylvania. If a person is to appear before a committee, let him claim not the fifth amendment, but the first amendment, and speak in his native tongue on either side of the question. I do not believe civil service employees ought to appear at all. But here is the contingency, as clear as it can be spelled out:

The employee can receive his salary unless and until something happens in the future. If the contingency occurs, he loses his salary. This is what the rule was intended to prevent; and the amendment of the Senator from Delaware flies squarely in the teeth of that rule.

The PRESIDING OFFICER. In answer to the basic point raised by the Senator from Virginia, under the precedents of the Senate the inclusion of the words "or any other act" removes the amendment from the scope of a limitation and places it in the category of legislation. Therefore, it is subject to a point of order. The Chair sustains the point of order raised by the Senator from Virginia.

Mr. WILLIAMS of Delaware. Mr. President, do I correctly understand that the point of order was made against the four words "or any other act?"

The PRESIDING OFFICER. The Chair sustains the point of order raised by the Senator from Virginia because of those four words.

Mr. WILLIAMS of Delaware. I recognized that this was broad language, but I point out it will be a simple matter to make this change. I should like to have the amendment adopted in broad language because I think it is essential. It has been done before by Congress.

The Senator from Virginia makes a valid point when he says that I had not taken up this question with the committee but I did not get a chance. I advanced as fast as I could, but the bill was reported by the committee on March 10, and at that time I had not yet heard from the Attorney General. He was still out of the country. I examined his ruling only yesterday. That is the reason why no notice was filed. However, I think it will be found that there is a proper method of drafting such an amendment which will be in order as far as this appropriation bill is concerned. We are talking about restrictions to be placed on funds which are provided under this act. We can today deal with appropriations for the Treasury and Post Office. We can place limitations in this bill with respect to employees of those two agencies alone. I fully concede the point that we cannot move now with respect to other agencies except by unanimous consent. But if it is necessary in order to accomplish this objective, a similar amendment can be offered to every appropriation bill this year. I am determined that the Congress face this issue. Let us decide whether we wish to uphold the policy that this administration may put all its civil service employees under the New Frontier with orders for them to go out and speak for the administration but that they dare not open their mouths in opposition.

It would be easier to act on the amendment in broad terms now, but if necessary it can be offered separately to every appropriation bill acted upon this year.

In a few minutes, after a quorum call is had, I shall submit a new amendment. But first I wish to yield to the Senator from Illinois, and then I shall suggest the absence of a quorum.

Mr. DIRKSEN. Mr. President, the distinguished Senator from Virginia [Mr. ROBERTSON] assigned, among other reasons why the point of order should be sustained, the reason that this payment would be based upon a contingency. The Chair did not rule on that point. I



am of the opinion that this amendment does not violate the rule, insofar as the contingency feature is involved. So I believe that question should be settled now.

The PRESIDING OFFICER. The Chair did not rule upon that point.

Mr. DIRKSEN. That is true. But the Senator from Virginia did take the position that the contingency feature was one basis—among others—for the point of order.

Mr. ROBERTSON. My position is that one good basis for the point of order is enough; but I am glad to have more than one.

Mr. DIRKSEN. I should like to have the Chair clarify this point, for the sake of precedent.

The PRESIDING OFFICER. With the language of the amendment as it is, the Chair cannot make a decision until the first part is in final shape.

Mr. DIRKSEN. But the Senator from Virginia addressed his remarks relative to the point of order to the language now before the Chair.

Mr. WILLIAMS of Delaware. Mr. President, in order to facilitate the ruling—because we clearly understand that so long as the words "or any other act" are included, the rule would be violated—I resubmit the same amendment with the words "or any other" stricken out—which leaves the language applicable only to the provisions of this act and the appropriations made under it.

Mr. DIRKSEN. Mr. President, I have put my question to the Chair; and since the contingency feature was assigned as a reason for making the point of order, I believe that the Chair should dispose of that question, because I do not believe that feature of the amendment would sustain a point of order.

The PRESIDING OFFICER. In answer to the question raised by the Senator from Illinois, the Chair rules, after an examination of rule XVI, paragraph 4, that the second paragraph of the proposed amendment would seem to be in contravention of the express provisions of the formal language of the rule; namely—

Nor shall any restriction on the expenditure of the funds appropriated which proposes a limitation not authorized by law be received if such restriction is to take effect or cease to be effective upon the happening of a contingency.

In the opinion of the Chair there seems to be a clear contingency in this case; and, accordingly, the Chair sustains the point of order in relation to the second paragraph of the amendment.

Mr. ROBERTSON. Mr. President, if I may—

Mr. DIRKSEN. Mr. President, first, I wish to perfect the record at this point. Therefore, I most respectfully appeal from the ruling of the Chair. However, I shall not press my appeal. Nevertheless, I want the record to show that I appeal from the ruling of the Chair, because I do not believe there is here involved the kind of contingency which would warrant the sustaining of such a point of order. But I leave the record in that way.

The PRESIDING OFFICER. The Chair thanks the Senator from Illinois.

Mr. ROBERTSON. Mr. President, the amendment is limited to this bill, for I understand that the Senator from Delaware has stricken out the words "or any other."

Mr. WILLIAMS of Delaware. Yes; I now limit the amendment to this bill only.

Mr. ROBERTSON. If the Senator removes the reference to the Hatch Act—which reference has been ruled by the Chair to be legislation—I shall be willing to accept the amendment. That is as far as I could legally go, and perhaps is beyond my jurisdiction. But such a provision has been in the law for many years. So let the Senator from Delaware get the credit for being the first to put it in, this year, if he wishes to.

Mr. PASTORE. Mr. President, will the Senator from Delaware yield to me?

Mr. WILLIAMS of Delaware. I yield.

Mr. PASTORE. Let me ask what all the argument is about.

Mr. WILLIAMS of Delaware. Mr. President, I ask that the Chair direct the clerk to read the amendment as it now is at the desk, with the words "or any other act" deleted.

The PRESIDING OFFICER. The amendment will be read.

The amendment, as modified, was read, as follows:

On page 18, after line 18:

#### "GENERAL PROVISION"

"No part of any appropriation contained in this act, or of the funds available for expenditure by any individual, corporation, or agency included in this act, shall be used for publicity or propaganda purposes designed to support or defeat legislation pending before Congress.

"No part of any appropriation contained in this act, or of the funds available for expenditure by any individual, corporation, or agency included in this act, shall be used to pay the salary of any civil service employee who appears before public groups for the purpose of supporting or opposing the administration's position on pending legislation."

Mr. PASTORE. Let me ask the chairman of the subcommittee whether that language was in the appropriation bill last year.

Mr. ROBERTSON. Yes—the first part of it was. But the second part is an amendment to the Hatch Act and has not been included in appropriation bills in the past.

Mr. WILLIAMS of Delaware. The second part does not amend the Hatch Act in any way at all.

Mr. ROBERTSON. But it is legislation in an appropriation bill, and it is out of order.

However, I have said that I am willing to take the first part of the amendment, which is the part of the amendment on which it is permissible for this body to act—although I do not even have specific authority from the committee to do that.

Mr. PASTORE. Let me ask what the Senator from Delaware thinks of the proposition of the Senator from Virginia.

Mr. WILLIAMS of Delaware. As has been pointed out, the first part of the

amendment has previously been included in appropriation bills and has been supported unanimously, I believe, by the Congress, and I favor that part.

The reason why I have offered the second part is that the Civil Service Commissioner, Mr. Macy—and he admits that there is no precedent for it, and that this is the first time in history it has been proposed—takes the position that now civil service employees may be called upon to explain the position of the administration on pending legislation. I should like to read from his ruling. In the first part he points out that the law clearly allows civil service employees to appear before interested public groups to explain a law, even though the law may have been controversial prior to its enactment. On that point I agree. In other words, once a law is enacted it is the law of the land, and then it is the duty of all public officials—both civil service officials and others—to support it and to be willing to explain it.

But I quote now from the next part of the Commissioner's letter which contains a startling change in policy:

#### 2. PENDING LEGISLATION

A more difficult decision is faced when new or changed programs are pending before Congress in the form of proposed legislation. Definitive statutory language prohibits the use of appropriated funds for "publicity or propaganda designed to support or defeat legislation pending before Congress." Such language clearly limits the career official's position of possible support or of opposition to new or amendatory legislation. Aware of these implications, however, the career official may explain the position of the administration in the proposed legislation before interested public groups.

The last sentence is added by the Commissioner.

Mr. PASTORE. In other words, if a group of people from Rhode Island come to my office and wish to know something about the Post Office Department, and if I ask Mr. Brawley to come there, to explain it to them, if he did so he would be violating the law, and it could be charged that he was engaging in propaganda?

Mr. WILLIAMS of Delaware. Oh, no; not at all. This amendment would not affect such activities. I quote the law in this regard which will still be on the books:

But this shall not prevent officers or employees of the United States or of its departments or agencies from communicating to Members of Congress on the request of any Member or to Congress, through the proper official channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business.

This amendment in no way restricts civil service employees from cooperating with Congress or from making such appearances when requested, and we are not trying to prevent such appearances.

What I am complaining about is that the Attorney General has ruled that civil service employees are expected, on the direction of their superior, to speak in behalf of the administration's program.

He went further. He said they are expected to speak in favor of the administration's program but that to say anything publicly against it will be considered a serious impropriety.

I do not think they should be able to direct a civil service employee to appear before a Rotary Club or any other organization and speak either for or against a proposed law. I am not trying to restrict them one iota more than they have always been in previous years as the Senator and I have understood the law, but I do not think this administration or any other administration should be allowed to order that they go out and appear before various groups in defense of their programs.

No administration should be able to tell the career civil service employees they have to go out and speak on behalf of a proposal of the administration even though they may disagree with it. That is going too far, and I do not think the Senator from Rhode Island, any more than I, wants to do it.

I would not limit them one iota more in what they have been able to do in the past. Even the Senator from Virginia has agreed with the objectives of my amendment.

I agree with him that when I used the words "or any other act" we were trying to make this general legislation. But the second paragraph does not amend the Hatch Act as the Senator has said. This amendment is merely a limitation on an appropriations act that they cannot use it to pay the salary of any civil service employee who appears before outside public groups and speaks either for or against a pending legislative proposal.

All we are trying to do is to keep the Civil Service removed from the realm of politics.

Let us not go back to the old pork-barrel patronage system.

Mr. PASTORE. The only trouble I find with the proposed amendment is that, first of all, it is far-reaching, and the method being employed in sponsoring it at this time, I am afraid, is going to lead to possible confusion and error. There are many ramifications involved. Take the State Department. If high officials in the State Department go around making speeches—I am not saying whether it is right or wrong—it might affect them. I think the Senator has a point. I think the proposal should be brought before the Post Office and Civil Service Committee and ought to be fully investigated and studied. I am not for relaxation of the Hatch Act with regard to activity of civil service employees in politics. I agree with the Senator, but I do not think this is the time to do it. I think we ought to confine our efforts to the language we have accepted, and that the proposal which has been suggested should be studied. I do not think it should be done at the present time.

Mr. WILLIAMS of Delaware. The Senator from Rhode Island has referred to the State Department. The officials of the State Department and the other employees to whom he has referred are not civil service employees. They are members of the executive branch, and

under all administrations they have been speaking on policies. I am confining this proposal solely to career civil service employees.

Mr. PASTORE. There may be some employees who are civil service employees and who have been making speeches, but I do not think we ought to resolve the matter this afternoon at this late hour without knowing all the facts.

Mr. MANSFIELD. Mr. President, I ask unanimous consent, after consultation with the appropriate Senators, I believe, that a time limitation be set on the amendment now pending; that when the Senate convenes at 11 o'clock tomorrow morning it agree to vote on the pending proposal at 12:30.

The PRESIDING OFFICER. The Chair reminds the Senator that the point of order of the Senator from Virginia was sustained.

Mr. MANSFIELD. It is my understanding that another amendment has been offered by the Senator from Delaware.

Mr. WILLIAMS of Delaware. It will be offered, but, Mr. President—

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Montana will state it.

Mr. MANSFIELD. Has the Senator from Delaware appealed from the ruling of the Chair?

Mr. WILLIAMS of Delaware. No.

The PRESIDING OFFICER. The Senator from Delaware has not.

Mr. WILLIAMS of Delaware. If the bill goes over until tomorrow—and I hope it will because I was planning to restrict this amendment somewhat so that it will comply with the rules of the Senate—I shall file notice of a motion to suspend the rules. The reason why the notice was not filed yesterday was that I did not have the Attorney General's letter in time, but I give notice tonight of my intention to file a motion for suspension of the rules.

Whether I move tomorrow to suspend the rules or whether I offer the amendment in a different form will be a decision that will be made overnight.

Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Delaware will state the parliamentary inquiry.

Mr. WILLIAMS of Delaware. As I understand it, if the bill goes over until tomorrow, I can serve notice tonight of my intention to make a motion to suspend the rules and then tomorrow I can make the motion to suspend the rules. Is that correct?

The PRESIDING OFFICER. The Senator from Delaware is correct. One day's notice must be given.

Mr. WILLIAMS of Delaware. I give that notice now.

The PRESIDING OFFICER. The notice is to be served in writing.

Mr. WILLIAMS of Delaware. It will be served in writing before the Senate adjourns.

Mr. MANSFIELD. Mr. President, I renew my unanimous-consent request that the vote, if any, be taken at 12 o'clock tomorrow.

Mr. WILLIAMS of Delaware. Mr. President, what time is the Senate to convene tomorrow?

Mr. MANSFIELD. Mr. President, may we have the request put and ruled upon?

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that there be printed at this point in my remarks a copy of the letter, February 15, 1962, from Mr. Macy, Chairman of the Civil Service Commission, together with a copy of his ruling followed by a copy of my letter to the Attorney General and a copy of his reply thereto, in which he upholds the Commissioner's ruling, followed by a copy of the two laws dealing with this subject.

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

U.S. CIVIL SERVICE COMMISSION,  
Washington, D.C., February 15, 1962.

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

DEAR SENATOR WILLIAMS: In response to your request of January 29, I am enclosing a copy of the memorandum of guidance I forwarded on January 10 to department and agency heads concerning the role of the career official in support of Federal programs.

I believe it will be helpful to you in reviewing this memorandum to know that it was developed purely as staff guidance in response to requests from both career executives and Presidential appointees. The document was distributed for whatever use department and agency heads might wish to make of it. It was in no sense a directive nor a formal action of the Civil Service Commission. The absence of guidance of this type prompted the preparation of the document, and, to the best of my knowledge, the text of this statement has not been previously distributed although frequent reference has been made in the past to legal responsibilities of career officials.

To place the guidelines in the proper frame of reference, I think it important to invite your attention specifically to the second sentence in the paragraph preceding the guidelines which reads as follows: "Discretion and judgment must be applied by both Presidential appointees and career officials within the context of each problem as it arises."

Please let me know if there is additional information which you desire on this subject.

Sincerely yours,

JOHN W. MACY, JR.,  
Chairman.

#### RULING: ROLE OF THE CAREER OFFICIAL IN SUPPORT OF FEDERAL PROGRAMS

The extent to which Federal career officials should publicly support current and discuss proposed programs of their departments and agencies requires thoughtful judgment by all concerned. The role of the career official is still evolving within our system of government with the consequence that the precedent of longstanding tradition is not available. It is understandable, therefore, that uncertainty exists regarding the role the career official should play in program advocacy. This uncertainty has prompted requests from career officials, particularly in the field service, and from department and agency heads for guidance.

No definitive standard can be enunciated to define this role. Discretion and judgment must be applied by both Presidential appointees and career officials within the con-



text of each problem as it arises. With this in mind it may be helpful, nevertheless, to consider the following guidelines:

1. Programs already authorized by law or Executive order: When a Federal program is based on law or Executive order, every career official has a positive obligation to make it function as efficiently and economically as possible and to support it as long as it is a part of recognized public policy. This means that a career official may properly make speeches explaining and interpreting a current program, identifying its public purposes, citing its achievements, defending it against uninformed or unjust criticisms, pointing out need for possible corrective action or soliciting views for improving it. The fact that the program was the subject of partisan controversy during the stages of enactment or development would in no sense lessen this obligation although the career official should exercise care in divorcing his remarks from a strictly political context.

2. Pending legislation: A more difficult decision is faced when new or changed programs are pending before Congress in the form of proposed legislation. Definitive statutory language prohibits the use of appropriated funds for "publicity or propaganda designed to support or defeat legislation pending before Congress." Such language clearly limits the career official's position of possible support of or opposition to new or amendatory legislation. Aware of these implications, however, the career official may explain the position of the administration in the proposed legislation before interested public groups.

Frequently, career officials are requested to testify on pending legislative proposals before congressional committees. Presidential appointees should recognize potential political involvement in assigning responsibility for legislative testimony to career officials. In most instances, the career officials should be used to present factual or technical testimony with policy advocacy reserved for presentation by the Presidential appointee.

A special circumstance arises when congressional committees request the technical services of career officials to assist in drafting bills or reports. Even in politically controversial areas such an assignment is appropriate if it is understood that the career official is serving as a technical expert to assist in committee work under the direction of committee leadership.

JOHN W. MACY, Jr.,  
Chairman, U.S. Civil Service Commission,  
JANUARY 10, 1962.

FEBRUARY 27, 1962.

HON. ROBERT F. KENNEDY,  
The Attorney General,  
Washington, D.C.

MY DEAR MR. ATTORNEY GENERAL: Under date of January 10, 1962, Mr. John W. Macy, Jr., Chairman of the U.S. Civil Service Commission, issued a new ruling (a copy of which is enclosed) which grants to career officials as well as to Presidential appointees the right to propagandize—or as he says "explain"—before interested public groups the position of the administration on proposed legislation.

In connection with this ruling I would appreciate an answer to the following question:

1. In the opinion of the Department of Justice is this ruling legal?

Should your Department uphold the legality of this ruling I would appreciate answers to these questions:

1. Can career employees who may differ with the position of the administration speak before interested public groups in opposition to the administration's position on pending legislation without any fear of retaliation or without jeopardizing the security of their position?

2. In the Commission's ruling reference is made to the right of career employees to speak before interested public groups. Would not the term "interested public groups" include political meetings, since we all recognize political groups as being most interested in all legislative proposals?

Yours sincerely,

JOHN J. WILLIAMS.

MARCH 22, 1962.

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

DEAR SENATOR WILLIAMS: This is with further reference to your letter of February 27, 1962, concerning the appearances of career employees of the Government before public groups to explain the position of the administration on proposed legislation.

Your main question is whether such appearances are legally permissible, and arises from a comment on this subject made by John W. Macy, Chairman of the Civil Service Commission, in his advisory memorandum of January 10, 1962, to the Government departments and agencies.

The two laws which have the most bearing on the activity you inquire about are section 9 of the Hatch Act (5 U.S.C. 1181) and the appropriations act provision referred to by Mr. Macy, section 509 of the General Government Matters, Department of Commerce and Related Agencies Appropriation Act, 1962 (Public Law 87-125). I find nothing in the language of these statutes which renders it illegal for a career official to make an explanation of an administrative legislative proposal or position to a public gathering. And I find nothing in the legislative histories of the statutes which points to the conclusion that an informational presentation of this kind was intended to be prohibited. Moreover, other acts of Congress point to the opposite conclusion since they plainly recognize the necessity for and authorize informational and educational activities on the part of executive departments and agencies.

Administrations going back many years have utilized career officials to inform the public concerning pending legislation, for these officials are often the only ones available or the ones best qualified for this work. It must be remembered in this connection that the President has constitutional responsibilities in the legislative arena. He has a duty to report to the Congress from time to time, to recommend legislation and actively to seek its enactment. Unless career employees may be given educational and informational assignments in this area of Executive endeavor, the President will be hampered in the discharge of his responsibilities and the public itself will suffer.

The legal considerations pertinent to your question concerning a career employee's publicly expressed opposition to an administration's legislative recommendation are to a large extent the same as those discussed above. But, granting the legality of such public action in a particular instance, I believe it would nevertheless constitute a serious impropriety. Although a career official is entitled and expected to present his independent views to his superiors, they in turn are entitled to his cooperation and support in respect of a policy once it is settled. And they are entitled to that cooperation and support from him even though he may not agree with the policy. Whatever may be proper for such an official acting in a clearly private capacity, I think it would be a distinct breach of his duty as a career official to use his official position publicly to oppose the policies of the administration he serves.

In relation to your third question it is to be noted that section 9 of the Hatch Act and civil service rule IV prohibit career employees of the executive branch from engaging in political management or in political

campaigns of a partisan character. The Civil Service Commission has held that those subject to the act and the rule may not address a political club, group, or organization on political-party matters. Thus a career official should refrain from public appearances before such groups under conditions which suggest participation as a partisan in matters of concern to political parties and their candidates.

Considering Mr. Macy's memorandum in the light of the foregoing, I believe you will find it reasonable. He was careful to note the impact of the General Appropriation Act and pointed out that a career official may "explain" an administrative position. I find no suggestion in this statement that a career official may safely embark, or be asked to embark, on a course of partisan or high-pressure activity.

I trust that the foregoing discussion will be of interest and service to you.

Sincerely,

NICHOLAS DEB. KATZENBACH,  
Assistant Attorney General, Office of  
Legal Counsel.

The two laws dealing with this subject:

Section 509 of the General Government Matters, Department of Commerce, and Related Agencies Appropriation Act, 1962, approved August 3, 1961 (Public Law 87-125):

"No part of any appropriation contained in this or any other Act, or of the funds available for expenditure by any individual, corporation, or agency included in this or any other act, shall be used for publicity or propaganda purposes designed to support or defeat legislation pending before Congress."

Section 1913, Lobbying with Appropriated Moneys, from title 18 of the United States Code:

"No part of the money appropriated by any enactment of Congress shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress, to favor or oppose, by vote or otherwise, any legislation or appropriation by Congress, whether before or after the introduction of any bill or resolution proposing such legislation or appropriation; but this shall not prevent officers or employees of the United States or of its departments or agencies from communicating to Members of Congress on the request of any Member or to Congress, through the proper official channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business."

"Whoever, being an officer or employee of the United States or of any department or agency thereof, violates or attempts to violate this section, shall be fined not more than \$500 or imprisoned not more than one year, or both; and after notice and hearing by the superior officer vested with the power of removing him, shall be removed from office or employment." (June 25, 1948, ch. 645 62 Stat. 792.)

#### MESSAGE FROM THE HOUSE— ENROLLED JOINT RESOLUTIONS SIGNED

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled joint resolutions, and they were signed by the President pro tempore:

S.J. Res. 152. Joint resolution to provide for the appointment of Dr. Caryl P. Haskins as Citizen Regent of the Board of Regents of the Smithsonian Institution; and

S.J. Res. 153. Joint resolution to provide for the reappointment of Dr. Crawford H. Greenwalt as Citizen Regent of the Board of Regents of the Smithsonian Institution.

#### ORDER TO RECESS TO 11 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate recesses tonight, it recess until 11 o'clock tomorrow morning.

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

#### NOTICE OF NO MORNING HOUR TOMORROW

Mr. MANSFIELD. Mr. President, for the information of the Senate, there will be no morning hour, and, therefore, this bill will be before the Senate after the Journal is disposed of.

Mr. ROBERTSON. Mr. President, will the majority leader yield?

Mr. MANSFIELD. I yield.

Mr. ROBERTSON. Witnesses are scheduled for tomorrow on an appropriation bill, but it is only \$50 billion, and we will have an hour. We will be here at 11 o'clock.

Mr. MANSFIELD. I thank the Senator. I knew he would be here with "bells" on.

Mr. DIRKSEN. Mr. President, I trust no committees will ask to meet after the hour of 11 o'clock.

Mr. MANSFIELD. Mr. President, I hope the minority leader will not press that request, in view of the arrangement we have arrived at, with a view to assisting committee members. If committee members are needed, I hope they will get here, but at this time I hope the Senator will not object to committee meetings.

#### ORDER FOR CALENDAR CALL ON TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the consideration of the pending business there be a calendar call beginning with Order No. 1197, S. 1180.

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

The unanimous-consent agreements, as subsequently reduced to writing, are as follows:

##### UNANIMOUS-CONSENT AGREEMENTS

Ordered, That on Thursday, March 29, 1962, during the further consideration of H.R. 10526, the so-called Treasury and Post Office Appropriation Act, 1963, during the pendency of the motion to suspend the rules offered by the Senator from Delaware, Mr. WILLIAMS, debate shall be limited to 1 hour, to be equally divided and controlled by Mr. WILLIAMS and the majority leader.

Ordered further, That at the conclusion of the consideration of H.R. 10526, the Senate shall proceed to the consideration of bills on the calendar to which there is no objection, commencing with Order No. 1197.

#### STOCKHOLDERS DESERTING TOBACCO INDUSTRY

Mrs. NEUBERGER. Mr. President, I wish to invite the Senate's attention to

a curious phenomenon. Although the tobacco industry persists in its ostrich-like refusal to accept the conclusive proof that cigarette smoking causes lung cancer, tobacco company stockholders are not so certain. On the contrary, these stockholders have apparently become so convinced that the cigarette smoking-lung cancer link is inescapable that they are selling their shares in rapidly increasing numbers. Last week, in London, tobacco shares broke sharply, following a strong attack on smoking by the leader of the House of Lords. Yesterday, the New York Times reported heavy selling and a substantial drop in tobacco share prices on the New York Stock Exchange. Continued decline is reported today. This followed the announcement that a congressional subcommittee heard testimony from the National Cancer Institute that cigarette smoking not only caused lung cancer but also apparently was responsible for greater death rates in coronary disease and for birth defects in infants whose mothers were smokers.

While I do not pretend to be an expert stock market analyst, I might suggest that perhaps another factor has entered into the heavy selling of tobacco shares, both in this country and in London. These stockholders, who undoubtedly represent a typical cross section of the stockholding public, may very well be experiencing revulsion at the callous immorality of the tobacco industry's response to the evidence of smoke-caused lung cancer.

#### THE OREGON DUNES

Mrs. NEUBERGER. Mr. President, the March 26 New York Times carried an editorial dear to my heart. The title of the editorial was "The Oregon Dunes Belong."

The \$2 million report of the Outdoor Resources Review Commission, recently submitted to the President, urged national seashore status for the Oregon Dunes, but when the President's conservation message came to the Congress the Oregon Dunes was notably missing.

I questioned the Secretary of the Interior about this because the dunes seashore is of great interest to me and to the people of my State. Under the Eisenhower administration and under Mr. Eisenhower's Secretary of the Interior, Mr. Seaton, the Oregon Dunes always had top billing as the outstanding example of sand dunes in North America. The sand has not changed. Nor has the topography changed. Yet, all of a sudden, the Oregon Dunes are not deemed worthy of the great honor of being a national park.

I firmly believe that the downgrading of the Oregon Dunes was a concession to the Department of Agriculture to give the Forest Service one beautiful area to develop for recreation. I have no quarrel with the Forest Service, except that the people who go into forestry are trained in timber management rather than recreation. I believe that to make the maximum use of this remarkable natural phenomenon, it would be best developed under the National Park Service.

The Times editorial states:

There are encouraging signs that local controversy is giving way to general public approval of preservation of the Oregon Dunes as a national seashore. Recently the State division of the Izaak Walton League, strongest of the sportsmen's groups in Oregon, changed its position and is now supporting Senator MAURINE NEUBERGER's bill.

There is more of pride than substance in the opposition of the U.S. Forest Service, around which the lumber industry and certain other commercial interests have rallied. There is little timber of commercial importance on the 14,000 acres of dunelands which, under the Neuberger bill, would be transferred from Forest Service to Park Service jurisdiction to round out a 35,000-acre preserve. Under the Neuberger bill, which follows the Cape Cod pattern, hunting if appropriate could be permitted. The area thus would not become a national park, but rather a recreation preserve.

Unanimous and bipartisan support by Massachusetts Congressmen was one of the keys to passage of the Cape Cod act in the last session. Is it too much to hope for similar unanimity in the Oregon delegation? Experts in a position to make comparisons agree that the Oregon area is perhaps the greatest of our seashore dunelands, and that in scenic and recreational value and potential public usefulness it deserves equal rank with Cape Cod and Cape Hatteras on the Atlantic Coast, Padre Island on the gulf, and Point Reyes on the Pacific.

Mr. President, it was with extreme pleasure that I received a Christmas card this year from the senior Senator from Massachusetts [Mr. SALTONSTALL], not only because I delight in my Christmas cards from many Senators, but also because the card carried a picture of the Cape Cod Seashore Park. The caption under the picture was "Massachusetts' Gift to the Nation." This indicates the pride which that State takes in its new national park.

Of course, I chided the senior Senator from Massachusetts somewhat by saying that perhaps the caption should have read, "The Nation's Gift to Massachusetts," because it is of at least equal value to the State.

An interesting point regarding the Oregon Dunes is that my Governor has never been active in supporting it. It was hard for the Senate Interior Committee to understand why a park was necessary to the State if the Governor did not wish to have it. A very interesting remark was made by my Governor after the message came from the President. The Governor expressed "great disappointment" that the Oregon Dunes had not been included. I am now asking my Governor to come to the Capital and to appear before the Senate Interior Committee with me in support of the proposal to make the Oregon Dunes a national park—a status which it justly deserves.

#### MILTON-FREEWATER, OREG.: AN ALL AMERICA CITY

Mrs. NEUBERGER. Mr. President, I am indeed pleased to report that the city of Milton-Freewater, Oreg., has been selected by a distinguished panel of public leaders as one of the 11 cities to receive the All America Cities Award sponsored by the National Municipal League and Look magazine. Milton-Freewater,



with a population of some 4,500 people, has the honor of being the smallest city selected for this award.

I am personally well acquainted with Milton-Freewater, since in years gone by I headed the physical education department at McLoughlin Union High School, and also taught English.

Milton-Freewater, until 1950, was two separate cities with intense rivalry and strong feelings separating their respective citizens. The cities are now consolidated into a modern, progressive community under able civic leadership. It is a pleasure to salute Milton-Freewater, and its selection as 1 of 11 outstanding cities chosen for the All America Award.

Mr. President, I ask unanimous consent to have printed at this point in my remarks in the CONGRESSIONAL RECORD an article by James Schick, which appeared in the March 14, 1962, issue of the Oregonian, describing the accomplishments of Milton-Freewater, together with the citation from the April 10, 1962, issue of Look magazine.

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

ALL AMERICA CITY  
(By James Schick)

MILTON - FREEWATER. — Milton - Freewater, Oregon's only hyphenated city, could point with pride Tuesday.

This eastern Oregon community of about 4,500 became Oregon's second All America City and the smallest city in the United States to win the distinction this year.

Salem won the title in 1960.

The program that catapulted Milton-Freewater to national fame started in 1948 with a move to consolidate two communities that for 50 years had adjoined but remained separate.

A consolidation club of determined citizens grew from informal beginnings, and on November 14, 1950, the voters approved the consolidation, and Milton and Freewater became one community with a hyphen.

At first, the making of one city out of two only compounded the problems. But some of the individuals most opposed to consolidation became some of the most active individuals in working for improvements and progress in the one city of Milton-Freewater.

But in the official entry of the city in the 1961 All America City contest, primary importance was placed on another major field besides the consolidation. This was the labors of the committee of 1959, through which the citizens studied capital improvement needs of the city and finally accomplished the improvements.

PROGRAM TOUGH

The problems of the new city gradually drew the people together and also drew many people formerly not working in the city's interest into definite, even vigorous, activity, one city official said.

The capital improvement program was not an easy thing to accomplish. In 1959, a citizens' committee of 59 people was appointed under the chairmanship of the late Richard Yantis. This committee was to survey improvement needs of the city and submit recommendations for solving those needs to the city council.

Five months later the committee's report went to the council with the request that six formal recommendations in the report be placed on one election ballot. The voters turned it down 2 to 1.

PETITIONS OUT

Leaders of the committee circulated initiative petitions to place the recommenda-

tions before the public again, but as separate issues.

Two of them passed—\$150,000 bond issue for a 2-million-gallon reservoir and a \$33,000 bond issue for repair or replacement of three bridges. Meanwhile committee members convinced the council the city could find money for some of the improvements. The result was that the city started a sanitary fill garbage disposal program and a fire department improvement program—two of the defeated issues.

Construction of a new swimming pool and development of a park were the other two defeated issues. The committee of 59 members with the support and aid of the Junior Chamber of Commerce, circulated petitions for a special election on a \$175,000 bond issue for the pool and park development. The vote was favorable.

The three bond issues, passed within a 10-month period, totaled \$358,000. The new swimming pool and park were dedicated July 4, 1961, and named in honor of Richard Yantis.

Leigh Price, former mayor of the city, and J. R. Castner, city manager, presented the city's case before the All America City Awards jury in Miami Beach, Fla., last December 1.

In commenting on the award, Price said: "People were not used to spending or voting money for the improvement of the town. Their final vote of confidence producing the Milton-Freewater of today builds great confidence in the people for the future."

"We had to be reborn as people," said J. L. Yantis, former mayor and present council member. "Any unhappiness has now been healed, resulting in united effort."

There are many sides to the face of Milton-Freewater and the people present profiles indicative of varied interests.

The Rotary Club of 57 members has six current State association presidents. They are J. T. Monahan, president of the Oregon State bar; Roscoe Lee, district governor of Rotary; Dr. Al Herndobler, president of the Oregon Optometric Association; J. R. Castner, president, Oregon City Managers Association; John Yantis, president of the Independent Bankers Association; and Henry Kaye, vice president of the District Judges Association.

PAST GLAMOROUS

But the present is not without its important and often glamorous past. The city hall was formerly the administration building of Columbia College. Classrooms now serve as administrative offices. The city dormitories burned and the school, beset with financial troubles, joined another school.

The old college auditorium is still on the third floor including the front "curtain" inscribed with advertisements and scenes from earlier days.

Miss Eunice McEwen, chief clerk in the city's business office, graduated from Columbia College and now works in rooms where she once attended college classes.

At the same time the two towns voted to consolidate, they also approved the council-manager form of government.

In 1959 a new two-bay fire station was constructed and in 1960 the city acquired a new pumper with a capacity of 750 gallons a minute.

With the new swimming pool completed last year, major attention has now turned to development of the new park.

Three bridges, two of them single-lane affairs, have been replaced or repaired through bond issue funds to handle the ever-increasing traffic flow in the city.

Milton-Freewater's electric system, 70 years old in 1960, is the oldest municipal electric system in the State. For a time after consolidation, there were two systems but in 1959 the city purchased the distribu-

tion facilities of Pacific Power & Light Co. which originally served Freewater.

Outstanding among the city's annual accomplishments are the annual pea festival, usually held in May, and the Migrant Ministry sponsored by the Council of Churches.

Floats entered in the pea festival parade also capture top awards in parades held in much larger cities of Oregon and Washington. The floats are constructed and decorated by individuals who donate their time and skills.

The Migrant Ministry operates 3 months of the year, providing recreation and education for the children of migrant workers. This includes religious instruction in addition to the academic subjects.

CANNERIES VITAL

Milton-Freewater, an agricultural community, is located in the productive Walla Walla Valley. The city's primary payrolls are from three canneries, two freezing plants, a manufacturing plant which makes large food processing equipment and three fruit packing plants.

MILTON-FREEWATER, OREG.

Citizens of this newly consolidated community are overcoming years of bitter rivalry.

The smallest of this year's winners, Milton-Freewater swapped several dubious distinctions for its hyphenated name. Until 1951, Milton and Freewater were separate, adjoining cities. Each had its own electric power system and fireplugs that couldn't accommodate hoses from across the borderline. Linemen from Milton were arrested when they followed electrical wires across the street into Freewater.

Political and commercial rivalries persisted until the 50-member Consolidation Club managed to get its plan for a merger put to a vote. The plan won by 36 ballots. During the next decade, consolidation was gradually accomplished. A committee of 59 citizens was appointed by Mayor Leigh Price in 1959 to study city needs and recommend capital improvements. Voters have not been enthusiastic about voting funds, but some long-needed improvements have been made, including new firefighting equipment, an improved water system and a storm-drainage system. A new swimming pool has just been completed, too, and City Manager J. R. Castner is confident it will drown whatever rivalries persist. "Compromise," he says, "is our only answer."

WEST VIRGINIA RANKS SIXTH ON THE LIST OF OUR 50 STATES IN PERCENTAGE OF VOTER PARTICIPATION TABULATED FOR THE 1960 PRESIDENTIAL ELECTION

Mr. RANDOLPH. Mr. President, the Members of the Senate on yesterday, by the necessary majority of two-thirds of those present and voting, passed the joint resolution for a proposed constitutional amendment which would remove the poll tax as a prerequisite for voting for Federal officers.

The vote on this vital legislation was 77 yeas and 16 nays. The distinguished senior Senator from Florida [Mr. HOLLAND], as I expressed during debate on the measure, deserves the acclaim of our citizens generally for his patience and effective leadership as the chief author of this proposal. It was a genuine privilege to have cosponsored and actively supported the legislation.

Mr. President, it is my primary purpose today, however, to again publicly and officially congratulate the citizens of West Virginia for their high degree of

citizenship responsibility as manifested by their use of the ballot. In our State, we do not levy a poll tax.

In a compilation of the record of our 50 States, ranked in accordance with their percentage of voting by eligible voters in the 1960 presidential election, West Virginia was in sixth position. Only Idaho, New Hampshire, Utah, North Dakota, and South Dakota were ahead of the Mountaineer State. Our eligible voting population was 1,085,000, and of this number 837,781 persons exercised the right and responsibility of the franchise of freedom. The percentage participating was 77.214 percent, which was slightly under the highest attained in the 80.766 percent recorded by Idaho.

West Virginians, in high degree, practice what they preach. Our State motto is "Mountaineers Are Always Free," and the men and women in our hills and valleys believe that with the freedom of choice comes the responsibility of choice. They well know that it is not enough to "let George do it," for to do so would lessen the process of true elective government which we provide for the benefit and the protection of all our people. They have once more proven that they are full partners in the commission of a working and enlightened citizenry.

#### PICTURE TUBE MANUFACTURING

Mr. KEFAUVER. Mr. President, some days ago, I received a telegram from Mr. Gilbert Sherman, vice president of Calvideo Electronics in Compton, Calif. Mr. Sherman claims that the large picture tube manufacturers are attempting to drive the independents out of business.

I do not have all of the facts with respect to this situation, but I have found that the FTC has been investigating the industry, has almost completed its investigation, and a final report should be coming before the Commission for disposition in the very near future.

If the Commission does find that the large manufacturers have either been conspiring or employing unfair trade practices to drive the independents out of business, the situation would be highly illustrative of the need to give the FTC the power of a temporary cease and desist order prior to final determination. I say this because during the lengthy FTC procedures the very companies which may be the subjects of conspiracy or unfair trade practices are dropping by the wayside before any conclusion can be reached by the FTC. It would be a Pyrrhic victory, indeed, if the FTC concluded that they had been driven out of business illegally. It would be cold comfort, indeed, to have their large competitors finally disciplined.

I ask unanimous consent to have Mr. Sherman's telegram printed in the RECORD at this point.

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

COMPTON, CALIF., March 15, 1962.

Senator ESTES KEFAUVER,  
Washington, D.C.:

All independent picture tube manufacturers implore your help. Sylvania, General Electric, and RCA continuing their price war aimed at independent picture tube manufac-

turers. They have just reduced their prices effective March 14, 1962, an additional 20 percent, making the overall price reduction almost 60 percent since January 1959. During this period 40 percent of the independent manufacturers have gone into bankruptcy. This week two of the largest independents—Pioneer of Los Angeles, Promise of New Jersey—closed their doors. This conspiracy program to sell below cost until the independents are eliminated is in its final stage. The Federal Trade Commission is actively in the field investigating this situation; however, if action is not taken immediately to make the major producers cease and desist their unlawful act in the next 60 days there will not be an independent left. A public statement by Rand Dixon or yourself, I feel, might have a deterrent effect and give some relief and save whatever independents are left. So far 36,000 people, manufacturers of tubes, and suppliers of same have lost employment over this situation. A like amount will lose employment now if action is not forthcoming. We implore you for action.

GILBERT SHERMAN,  
Vice President, Sales,  
Calvideo Electronics.

(At this point Mrs. NEUBERGER took the chair as Presiding Officer.)

#### TRIBUTE TO SENATOR DOUGLAS

Mr. PELL. Madam President, I rise to offer warm congratulations and felicitations to one of the U.S. Senate's most distinguished Members, the senior Senator from Illinois who celebrated his 70th birthday the day before yesterday.

PAUL DOUGLAS is an outstanding scholar who has actively contributed to public life. As a professor, marine, alderman, governmental consultant, and now Senator, he has been a fearless fighter for justice, truth, and principle. His fairness and determination have won the respect of all who have had the honor of being associated with him. We sorely need more men like PAUL DOUGLAS. And I, for one, know of no man whose views I more respect and by which I am more guided. The Senate and the country are indeed fortunate to have his service and I am pleased to have this opportunity to extend my warmest congratulations.

Mr. CLARK. Madam President, I join my distinguished colleague from Rhode Island in my tardy encomium to the senior Senator from Illinois [Mr. DOUGLAS] at whose feet I have sat ever since I came to the Senate, and whose courage and wisdom I admire as much as that of any of my colleagues.

Under date of March 26, the Washington Post paid a deserved tribute to Senator DOUGLAS in an editorial entitled "Political Professor." I ask unanimous consent that the editorial may be printed at this point in my remarks.

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

#### POLITICAL PROFESSOR

When PAUL DOUGLAS switched in midcareer from professor to politician, he brought to the U.S. Senate the best fruits of an academic background and of experience as a fighting member of the U.S. Marine Corps. These embraced an exceptional blend of intelligence and education, of courage and toughness. Few Members of the Senate match his grasp of public affairs; few rival his readiness to do battle valiantly for so

great a variety of causes—civil rights and conservation, tax reform and governmental economy, social security, and economic development.

For a quarter century, PAUL DOUGLAS was an eminent member of the University of Chicago's Economics Department, a distinguished writer in his professional field and a lively participant in local efforts to create good government. He joined the Marines as a private in 1942, when he was 50, for a characteristic reason—because he couldn't bear to stay safe at home when he had urged others to fight—and came out a lieutenant colonel, having been wounded twice, at Peleliu and Okinawa. Few men better exemplify the ideal of the Marines expressed not long ago by its commandant, Gen. David Shoup, as a corps of men who fight, without hate, for what they believe to be right.

Senator DOUGLAS will observe his 70th birthday today in his 14th year as a U.S. Senator. We congratulate him warmly; and we wish the country many more years of his useful service.

#### ASIA AND AFRICA IN OUR FOREIGN POLICY

Mr. PELL. Madam President, we all know that the new nations of Asia and Africa have increasing importance for our foreign policy. In this connection, I ask unanimous consent that an article by Prof. Zygmunt J. Friedemann, of Providence College, which appeared in the Providence Evening Bulletin on February 14, 1962, be inserted in the RECORD.

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

#### NEGLECTING BASIC ISSUES PUTS THE WEST IN ERROR ABOUT AFRICA AND ASIA (By Zygmunt J. Friedemann)

Among the vital issues in today's world—perhaps the most vital—is the emergence of new nations in Africa and Asia. Because of their impact on the world and on individual nations, particularly the United States and Soviet Russia, and because they represent the flowering of self-assertion, they have become a fundamental world issue.

Unfortunately the conclusions reached by the West's experts with regard to the forces at work in the emergent nations are superficial, to the neglect of the real issues.

It is the intent of this article to examine the real issues.

First, however, the apparent issues must be considered. They are nationalism, anti-imperialism (or anticolonialism), neutralism, democracy (liberalism), and pacifism.

#### POWERFUL FORCES

Nationalism expresses itself in the awakening of a political consciousness of a distinct culture. It generates enthusiasm, transforms the lethargy, apathy, and fatalism of the past, and promotes human dignity and a sense of unity.

Anti-imperialism, once directed against white overlords only, is a force that already has changed its nature, becoming a xenophobic opposition to all alien elements such as Indians and Chinese and even against Africans of different tribes as well.

Neutralism is the belief in the emergent nations that the cold war does not affect them. It is based, or perhaps rationalized, on the propositions that the emergent nations are geographically outside the perimeter of the cold war struggle and that ideologically, they have nothing to gain from the support of either side.

Democracy, the fourth force cited, is explained as the substitution for aristocratic social patterns of a structure providing for



greater fusion between the rulers and the ruled.

And lastly, there is pacifism, cited as a salutary choice for the emergent nations and based on the reasoning that war could mean the loss of the new independence and, like neutralism, on the grounds that siding with the one side might mean difficulties with the other.

Undeniably, these are powerful forces. They are not, however, the basic forces. Beneath them are other forces which have, in fact, produced for them racism, colorism, and religion.

In the United States, the press, commentators, and analysts seldom have referred to the issues of "racism," "colorism," and religion on the emergent nations. Yet the solidarity of race and color is probably the most potent force behind self-determination, nationalism, neutralism, and pacifism.

To exemplify, Ceylon and Burma have no past history nor national future; they possess no particular ideology and have no common racial ties, nor linguistic unity. The only thing that ties these two countries together is their solidarity on the nonwhite issue.

This mystical fraternity of color among the Asians and Africans constitutes a barrier to understanding.

Although irrational and discredited in recent history, this approach is a basic factor which expresses itself in the rebellious attitudes of the weak but potentially mighty Asians and Africans. It takes the form of violent fist-shaking and some eagerness to play their long denied role in history, independent of others. One easily can discern the shallowness of logic on the part of the emergent nations. They try to abstain from the historical dynamism and hide behind the doctrines of neutralism and pacifism, yet they are vocal and demonstrative in wanting to play a historical role—as they demonstrated in the United Nations last year.

Behind the clichés of self-assertion, there is the attitude of ousting the whites. Ousting of whites from their heretofore dominant political, social, and economic positions is insufficient. What is actually wanted is literal, physical removal.

The fact that racial tensions do overshadow all other aspects of African and Asian life is known to all who are deeply interested in the problem of the emergent nations and investigate their problems through travel or meaningful research.

The racial issue affects not only the white people, as evidenced by the Mau Mau movement in Kenya and Nyasaland, but also the Asian community, which in Uganda, for example, is larger than the European community.

#### EXAGGERATED CLAIMS

The same applies to the nations of Asia. In southeast Asia, for instance, necessary economic functions were and are performed by other Asians, primarily the Chinese and the Indians, both of whom are characterized in the Asian framework of reference as a cheap and good labor force, and having for Asia unusual marketing abilities.

These Asian minorities, which fostered the wealth of the societies in which they functioned and lived, now are facing anti-foreign attitudes expressed in confiscation of their wealth and sometimes deportation.

A recent article in German periodical *Die Kultur* (translated into English in the June issue of the *Atlas*) points to the expressions of the irrational feelings of the African race superiority in the writings in Ghana, which claim, for example, that the foundations of architecture, discovery of paper, stenography, medical science, and chemistry were made by the Africans. They claim, too, that such artists as Beethoven and Haydn were Negroes.

Such exaggerations are surely too pretentious, and the only justification for making

them is that they serve to fill the psychological gap, making up in form what the emergent nations lack in content.

#### RELIGION OVERLOOKED

Behind these psychological gymnastics is national pride—but such a fraudulent and false pride in the long run must be self-defeating. This would become, I hope, more obvious to the Africans and Asians once they begin to perceive that they already have adopted foreign political, economic, cultural, and spiritual systems.

The factors have to be reassessed coldly, not only by the Africans and Asians themselves, but by those in the United States and in the West who, in the fervor of romantic idealism, conveniently forget the realities of underdevelopment (defined not narrowly in economic terms, but encompassing the totality of ideological, spiritual, and cultural wealth.)

Another factor usually overlooked is religion.

Arab nationalism, for example, is much more than the national self-assertion of the Arabic States. Beneath it is Islamism. There are reports from Africa that the conversions to Islam are outpacing conversions to Christianity. This occurrence per se would not be so disturbing, if the fundamentalist type of Islamism did not serve as an antislavery vehicle on the one hand—and on the other as a justification for the extensions of political rule.

In Moslem areas of Africa, the fundamentalist Moslem theology and institutions stimulated in the past and at present national movements which are basically destructive. The fomenting of rebellions in northern Africa is a case in point, and the vision of Africa under political leadership of Egypt, expressed in President Nasser's own book "Egypt's Liberation," is another.

It is not so much the question of the relative impact of Islamic influence on Africa and conversely a retreat of Christianity that is here involved, but the clear neglect of realization that the very emancipation they seek is the net result of the values ingrained in the Judea-Christian and Greco-Roman civilization. Thus, although accepting the Western value system, the emergent nations embrace Islam for the purpose of eliminating all traces of the former white mastery, and thus armed with spirituality turn against other color aliens, Christians and Buddhist minorities.

The factor of revolutionism is also detectable in most of the recent national movements. In re, this is not a negative aspect, but if the revolutionism is promoted, and there are evidences that it is, by Soviet communism or Chinese revolutionary successes, then of course this type of revolutionism takes a different outlook.

The factors discussed above are only keys to understanding Africans and Asians, not the complete answer to the infinite complexity of Asian and African life with its tribal diversity, religious multiplicity, linguistic Babel, and mutual relationships. These complexities definitely have been overlooked in mapping out the future of the emergent nations. With their independence, the problem of tribal loyalties, transcending the boundaries of the newly established nations, reappeared. They create internal instabilities of irredentist minorities who then suffer the burden of the irrational nationalism and racial prejudice which seems to go far beyond that displayed by the whites. Through the internal instabilities, external ones are cropping up.

#### MORE COMPLEXITIES

Added to the complexities is a revival of precolonial social patterns. It is true that this problem was created by the colonial powers which paid no regard to ethnic realities in their scramble for Africa. But while

the colonial powers were able to restrain the eruption of tribal rivalries, the indigenous government create a situation of unfreedom for their own colored brethren. This is the case in Nigeria, the Congo, and Tanganyika. Even President Nasser, in trying to unite Africa under his leadership, does not take into consideration the historical, cultural, religious, ethnic, and linguistic differences which divide the Arabic North African from the sub-Saharan Negro. The same can be said for President Khrushchov and Emperor Selassie, who compete with Nasser for the unification of Africa under their respective leadership.

Thus, the neglect in understanding the racial and spiritual issues of Africa and Asia makes other issues superficial, and this the West must realize soon.

Mr. PELL. Professor Friedemann is a particularly able and distinguished political scientist, whom I know and admire. He makes a number of most interesting and stimulating comments concerning important but seldom discussed factors which affect our relations with these areas and which I believe deserve consideration.

#### UNITED NATIONS BONDS PURCHASE

Mr. CLARK. Madam President, we are about to engage in a serious debate respecting whether Congress will authorize the President of the United States to subscribe to \$100 million of 2 percent 25-year bonds of the United Nations. I strongly support the authorization for that purchase in the form that it came to the floor of the Senate from the Senate Committee on Foreign Relations. I expect to speak in greater detail on the subject during the course of the debate. However, at this point I ask unanimous consent that an extremely able column printed in the *Washington Post* on January 27, 1962, entitled "The Sickness of the U.N." written by that distinguished commentator, Walter Lippmann, be printed at this point in my remarks.

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

#### THE SICKNESS OF THE U.N.

(By Walter Lippmann)

Recently, the U.N. has come under sharp criticism from some of its old supporters, notably Senator Aiken and Senator Jackson. Their criticism comes at a time when the U.N. itself may be said to be successful but insolvent, to be achieving a great purpose but bankrupting itself in the process. The U.N. is on the way to being successful in its most difficult experiment, which has been to pacify the Congo and prevent a confrontation of the great powers. It is insolvent because a group of nations, and particularly the Soviet Union and France, are refusing to pay their share of the costs of the experiment.

In this condition of affairs the Senate is about to debate and vote on the proposal to fund the deficit and provide working capital to keep the U.N. afloat during the next year or so.

With Senator Aiken, who is the chief critic of the bond plan, there can be no dispute when he says that "the sickness of the U.N. is not financial sickness alone. It can be cured only by drastic action at an early date, action which will continue the U.N. as a truly multilateral organization and not permit it to become constantly dependent upon the beneficence of the United States."

This is the precise reason why the bond plan was put forth by our officials and it is the crucial reason why so many of us favor the plan. For there is no other plan before us which deals directly with the problem of making all the members of the U.N. pay their share of operations like the Congo and Palestine, and ending the grossly corrupting fact that we now pay nearly 50 percent of the cost of these operations. For although we would loan one-half of the money, we will bear only one-third of the cost of bond retirement.

"The sickness of the U.N." is that some members are refusing to pay their assessments, other members cannot pay them, and others are a mixed bag of countries who want to pay, cannot pay, and are waiting to see. As of February 28, 1962, the U.N. was owed \$77 million on assessments for Palestine and the Congo. The chief countries refusing to pay were the Soviet Union and the East European satellites, France, Belgium, and Cuba. Their total delinquency was \$56 million, of which \$44 million were owed by the Communist bloc, about \$10 million by France and Belgium, and about one-half million by Cuba. Besides this, nearly \$8 million were in default by Nationalist China, not because it refuses to pay but because it cannot.

This accounts for over 80 percent of the deficit. The problem of curing the sickness of the U.N. is to find ways of compelling, inducing and enabling all members to pay their share. The more I have studied this problem with its massive documentation, the more I am convinced that if there is any solution, the bond plan will meet the problem.

How will it solve the problem? The plan is based on the assumption that during the summer the World Court will declare in an advisory opinion (which has been requested by a two-thirds vote of the General Assembly) that assessments to pay for operations like Palestine and the Congo are within article 17 of the charter "expenses of the organization" which "shall be borne by the members as apportioned by the General Assembly." Senator AIKEN, I might say at once, is one of those who confidently believe that this will be the ruling of the World Court. If it is not the ruling, then all bets are off and there is no way now in sight by which the special operations of the U.N. can be financed.

If, however, it is the ruling, then article 19 of the charter begins to bite: a member "shall have no vote in the General Assembly if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years." Unless the U.N. figures are wrong, this will mean, we believe, that if the Soviet Union continues to refuse to pay, it will in 1964 be disqualified to vote in the General Assembly.

There has been some misunderstanding in the Senate on this crucial point. For example, Senator KEATING, of New York, asked "if the Soviet Union should decide that it will not pay its assessed portion of these operations, would (it) not lose its right to vote until the period of many, many years had passed," perhaps, said Senator KEATING, "10 or 20 or 30 years."

Senator AIKEN's answer that this was indeed the case was not correct, unless he assumed an unfavorable Court decision. In 1963 the sum of the Soviet Union's past 2 years' assessments will be nearly \$50 million, and if it rejects the expected ruling of the World Court it will be \$46 million in arrears. Its margin of safety will be down to \$3.6 million. In the following year, 1964, the Soviet Union's assessments for the past 2 years will be down to \$37 million. But its delinquency will be \$46 million and it will be \$9 million to the bad, even if it pays its full regular budget assessment. Under the charter the Soviet Union will lose its vote in the General Assembly.

This is the compulsion behind the U.N. bond plan. There is also a moral compulsion. Some of the deliberate delinquents, for example France, argue that the General Assembly has no legal power to raise money for operations like the Congo. Presumably, if the World Court decides against the French contention, France as a law-abiding country will pay up.

What the Soviet Union will do is anybody's guess.

Last but not least, the bond plan makes it easy for every member to participate. It does this by keeping the interest low and making the bond payable over a long time. This is the way, if there is a way, to make the United Nations that "truly multilateral organization" which Senator AIKEN wants it to be.

Finally, it has been said that we ought not to lend money to the United Nations at 2 percent when the money our Government borrows costs 4 percent. The answer to this is that frequently, when we have felt that the national interest was involved, we have lent money at 2 percent.

Immediately after World War II we loaned the British \$4 billion at 2 percent. The lend-lease settlements were on the basis of 2 percent. In the Marshall plan we loaned money at 2.5 percent. Our development loans through the Development Loan Fund and the foreign aid organization are at "low or no interest." So it all comes down to the question of whether it is desirable to keep the United Nations in business as an organization able to deal with certain kinds of threats to the peace of the world.

Mr. CLARK. Madam President, in my judgment Mr. Lippmann has most succinctly and ably marshaled the argument in support of the position of the President of the United States as endorsed by the Senate Committee on Foreign Relations in connection with the purchase of these United Nations bonds.

#### SERVICE OF RABBIS AS CHAPLAINS IN THE U.S. ARMY

Mr. CLARK. Madam President, this year marks the centennial of President Lincoln's signing an act which for the first time enabled rabbis to serve as chaplains in the U.S. Army. The act was signed by President Lincoln on July 17, 1862, and the commission of the first Jewish military chaplain was signed by President Lincoln on September 18, 1862. It is a matter of pride to us from Pennsylvania that the first chaplain was a Pennsylvanian—Rev. Jacob Frankel, cantor of Rodeph Shalom congregation, Philadelphia.

Another historic event took place in Pennsylvania in July 1863 when Chaplain Ferdinand Sarner was wounded at the Battle of Gettysburg in the Civil War. Chaplain Sarner, of the 54th New York Volunteers, was the first Jewish chaplain casualty in American military history.

To mark the centennial of the Jewish military chaplaincy 11 national Jewish organizations have developed plans for a series of special events and the publication of a number of interesting materials. The opening event of the observance will be the first session of the National Jewish Welfare Board's national biennial convention on April 4. Dr. Bertram Korn of Philadelphia, spiritual leader of Reform Congregation Keneseth Israel, a past president of the

American Jewish Historical Society and the leading authority on the history of the Jews in the Civil War, will be one of two principal speakers. American Jewish History Week, to be sponsored April 1-8 by the American Jewish Historical Society, will have the chaplaincy centennial as its theme. The April issue of the Jewish Digest will be entirely devoted to the story of Jewish military chaplains. B'nai B'rith is setting up an exhibit in the B'nai B'rith Museum in Washington this spring. I urge all of you to see that exhibit which should open about April 1. The museum is located at 1640 Rhode Island Avenue.

I ask by unanimous consent that the release by the National Jewish Welfare Board be printed in the RECORD at this point.

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

#### ELEVEN JEWISH ORGANIZATIONS IN AD HOC COMMITTEE MAP PLANS, EVENTS AND PROGRAM RESOURCES FOR JEWISH MILITARY CHAPLAINCY CENTENNIAL

NEW YORK.—Eleven national Jewish organizations have developed plans for a series of special events and the publication of an array of program materials and resources in connection with the celebration of the centennial of the Jewish military chaplaincy in the United States.

Announcement of the plans was made by an ad hoc committee of representatives of these 11 groups which has been meeting periodically since August 1961, to consider how the celebration should be observed. The organizations are: American Association for Jewish Education, American Jewish Committee, American Jewish Congress, American Jewish Historical Society, Anti-Defamation League of B'nai B'rith, Association of Jewish Chaplains of the Armed Forces, B'nai B'rith, Jewish War Veterans of the United States, National Community Relations Advisory Council, National Jewish Welfare Board, and the Synagogue Council of America.

Sanford Solender, executive vice president of the National Jewish Welfare Board, who has been acting as chairman of the ad hoc committee, said that the plans would be presented to representatives of a larger group of national Jewish organizations at a meeting to be held in the JWB offices, 145 East 32d Street, New York, on March 8 at 3 p.m. JWB has been acting as a clearinghouse for the developing program in observance of the Jewish military chaplaincy centennial. Rabbi David Max Elchorn, director of field operations of JWB's Commission on Jewish Chaplaincy, is serving as secretary.

The celebration will mark the 100th anniversary of the historic act of Congress signed by President Lincoln on July 17, 1862, which for the first time enabled rabbis to serve as chaplains in the U.S. Army.

The first Jewish military chaplain commissioned by the U.S. Government—and in fact by any government—was the Rev. Jacob Frankel, cantor of Rodeph Shalom Congregation, Philadelphia, whose commission was signed by President Lincoln on September 18, 1862. Rabbi Bernhard H. Gotthelf, of Louisville, Ky., was the second to be commissioned, his appointment being dated May 6, 1863. Both of these Jewish chaplains served in military hospitals. The first Jewish military chaplain to serve with troops was Rabbi Ferdinand Sarner, formerly of Rochester, N.Y., who was elected chaplain of the 54th New York Volunteers in 1863.

The Civil War Centennial Commission has voted to cooperate with the ad hoc committee developing the plans and programs for the Jewish military chaplaincy centennial.



The opening event in the observance will take place at the first session of JWB's national biennial convention in Miami Beach, Fla., on April 4. The speakers will be Maj. Gen. Frank A. Tobey, the Army Chief of Chaplains, and Dr. Bertram W. Korn, spiritual leader of Reform Congregation Knesseth Israel, Philadelphia, former president of the American Jewish Historical Society and the leading authority on the history of the Jews in the Civil War.

American Jewish History Week, to be sponsored April 1-8, 1962, by the American Jewish Historical Society, will have the chaplaincy centennial as its theme. The society is also dedicating its 1962 annual meeting in April to the Jewish chaplaincy's 100th anniversary.

The Synagogue Council of America is planning to proclaim November 11, 1962, as Jewish Chaplains Sabbath, when rabbis throughout the country will be asked to preach on the significance of the Jewish chaplaincy. B'nai B'rith is setting up an exhibit in the B'nai B'rith Museum in Washington in the spring. The Central Conference of American Rabbis (Reform), Rabbinical Assembly (Conservative) and Rabbinical Council of America (Orthodox) will observe the centennial during their 1962 national conferences.

The Jewish War Veterans and the Association of Jewish Chaplains of the Armed Forces are planning a 1-day pilgrimage to the Gettysburg battlefield in July 1963 to mark the centennial of the day Chaplain Ferdinand Sarnier was wounded at the Battle of Gettysburg in the Civil War. He was the first Jewish chaplain casualty in American military history.

Sometime in August 1962, the new Jewish chapel at the U.S. Air Force Academy, Colorado Springs, Colo., will be dedicated as part of the chaplaincy centennial year program.

On September 2, in New York, the Association of Jewish Chaplains of the Armed Forces will hold a chaplaincy convocation as part of its national convention.

Program materials prepared for the centennial include: a sourcebook edited by Rabbi A. Elihu Michelson of JWB's Commission on Jewish Chaplaincy; a program guide edited by Rabbi Philip Goodman of JWB's Jewish Community Center division staff; two pamphlets, a bibliography and a poster prepared by the American Jewish Historical Society; a program manual compiled by B'nai B'rith; a book entitled "Rabbis in Uniform," edited by Chaplain Louis Barish and to be published by Jonathan David Co., New York, for the Association of Jewish Chaplains of the Armed Forces; and the April issue of the Jewish Digest, whose 96 pages will be entirely devoted to the story of Jewish military chaplains.

#### ECONOMIC EFFECTS OF DISARMAMENT

Mr. CLARK. Madam President, recently there have been a number of interesting studies dealing with the economic effects of disarmament should disarmament come. One of them was an able study sponsored by the Arms Control and Disarmament Agency made by a panel chaired by Mr. Emil Benoit of Columbia University.

The second was a study prepared under the auspices of the United Nations. Both of those studies make it perfectly clear that with adequate national planning, disarmament, far from being a disability to our country which would dislocate industry unemployment would, on the contrary, be a positive boon in enabling us to reduce taxes and to spend

vast sums of money for projects needed in the interest of our national security and well-being.

#### MILITARY SPENDING

Mr. CLARK. Madam President, in the Washington Post of this morning appears a fine column entitled "A Touchy Topic: Military Spending," written by the distinguished columnist Marquis Childs and published in the Washington Post of March 28, 1962. I ask unanimous consent that the article be printed in the Record at this point in my remarks.

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

[Washington Post, Mar. 28, 1962]

#### A TOUCHY TOPIC: MILITARY SPENDING

(By Marquis Childs)

No subject is treated with more tender concern in the Congress and in the country than the degree to which the economy is sustained by defense spending, currently running well above \$50 billion a year. To talk about it is to risk documenting the Communist charge that munitions payrolls and profits are so vital that the United States cannot afford disarmament.

This fear is aptly illustrated by a long controversy over a study prepared by the Senate Disarmament Subcommittee analyzing 370 companies doing a major part of defense contracting. The study completed last fall is still locked in the files of the Senate Foreign Relations Committee because some Senators believe it might give aid and comfort to the Communists.

The chairman of the Disarmament Subcommittee, Senator HUBERT HUMPHREY, insists that, on the contrary, the study shows that with some exceptions in areas such as southern California the adjustment from defense to peacetime spending could be made with comparative ease. He is pushing hard for release of the report, recently making a Senate speech on disarmament in which he argued the case for the full light of publicity.

The study cost perhaps as much as \$50,000 and it took thousands of hours of time by the 370 defense firms that answered a lengthy questionnaire. Since it covers figures for 1959 and defense spending has been jacked up to a new high, it may be outdated.

But HUMPHREY believes the conclusions are still valid. While the fact that 70 percent of total defense sales made by the 370 firms went to 24 prime contractors is not desirable from the standpoint of public policy, the Senator says, nevertheless, the concentration is not as great as it has been made to sound.

Of the 24 companies only 8 had higher receipts from commercial production than from defense production, according to HUMPHREY. Yet the total of \$16 billion in defense sales represented for the 24 only 38 percent of all the business that they did. Obviously, HUMPHREY says, any program of adjustment to a comprehensive arms control agreement must begin with these 24 giants.

The aircraft companies, the Humphrey report shows, are those most deeply involved. With \$10 billion in defense sales covered by the survey, the aircraft industry accounted for almost half of Government expenditures for defense procurement and research and development in 1959. Only 15 percent of the aircraft companies' business resulted from commercial sales.

No company replying to the questionnaire suggested that the problem of adjusting from defense production to peacetime production was a reason for not trying to achieve disarmament, HUMPHREY points out. Many replies stress the need for joint action by the

Federal Government and private enterprise on an industrywide basis to cushion the changeover for industry and workers. The overwhelming majority of the companies indicated, however, that they believe the primary responsibility rests with private industry.

If what is happening in Geneva is any criterion, disarmament is a long way off. But the fear of some observers here is that with the spiraling of defense expenditures and the increasing pressures of the military-industrial complex, any serious effort to scale down the ever-growing mountain of armaments will meet with serious resistance.

How these pressures work has been shown in an account recently prepared by Edward K. Mills, Jr., an Eisenhower appointee as Deputy Administrator of the General Services Administration, which acts as watchdog on Government spending. Together with Franklin Floete, Administrator of GSA, Mills set out to cut down rate charges of the American Telephone & Telegraph Co. which he was convinced were running \$25 million a year too high for the 10-year life of A.T. & T.'s contract to service the SAGE early warning system. Not only Sherman Adams in the White House but a battery of Republican and Democratic Senators opposed GSA, as A.T. & T. district managers all over the country contacted their Congressmen. After being stymied once, Floete and Mills persisted and the rate charge was finally cut \$15 million a year for a saving of \$150 million on a system that is now largely obsolete.

To military and industrial pressures a third must be added—political pressure. With the persistence of hard-core unemployment and with the Congress likely to block the President's measures to cushion or prevent another recession, the easy way out is through more defense spending.

#### ENROLLED JOINT RESOLUTIONS PRESENTED

The Secretary of the Senate reported that on today, March 28, 1962, he presented to the President of the United States the following enrolled joint resolutions:

S.J. Res. 152. Joint resolution to provide for the reappointment of Dr. Caryl P. Haskins as Citizen Regent of the Board of Regents of the Smithsonian Institution; and S.J. Res. 153. Joint resolution to provide for the reappointment of Dr. Crawford H. Greenwalt as Citizen Regent of the Board of Regents of the Smithsonian Institution.

#### RECESS TO 11 A.M. TOMORROW

Mr. CLARK. Madam President, pursuant to the order heretofore entered, I move that the Senate stand in recess until 11 o'clock tomorrow morning.

The motion was agreed to; and (at 5 o'clock and 40 minutes p.m.) the Senate recessed, under the previous order, until tomorrow, Thursday, March 29, 1962, at 11 o'clock a.m.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate March 28, 1962:

#### U.S. MARSHAL

Cornelius J. McQuade, of West Virginia, to be U.S. marshal for the southern district of West Virginia for the term of 4 years.

#### FEDERAL POWER COMMISSION

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

## OFFICE OF EMERGENCY PLANNING

Irvin Stewart, of West Virginia, to be an Assistant Director of the Office of Emergency Planning.

## ASSISTANT POSTMASTER GENERAL

Sidney W. Bishop, of California, to be an Assistant Postmaster General.

## POSTMASTERS

## ALABAMA

Melvin G. Minyard, Brookside.  
Curtis C. Gauntt, Talladega.

## ALASKA

Maude I. Wright, King Salmon.  
Frederick J. Baughn, Sitka.

## ARIZONA

Nellie I. Freihage, Fort Huachuca.  
Laura V. Guthrie, Gadsden.  
Katherine L. Wallace, Mammoth.  
Nancy L. Terry, Oracle.

## ARKANSAS

William C. Capps, Harrison.  
Charley E. Wahlquist, Mammoth Spring.

## CALIFORNIA

Thomas J. Lawlor, Beverly Hills.  
Lewis J. Gray, Crockett.  
Clarence H. Rengstorff, Felton.  
Howard E. Bradley, Hamilton Air Force Base.

Helen S. Kinderman, Ludlow.  
Charles R. Parker, Lynwood.  
James V. Praino, Malibu.  
Winifred L. Lausten, Mount Eden.  
Carroll A. LaJaunie, Palm Desert.  
Daniel J. Stanton, Redlands.  
George R. Fortney, Standard.  
Martin H. Scheeper, Stateline.  
Jim H. Mann, Yucaipa.

## COLORADO

Bill L. Bowden, Dolores.  
William H. Farnum, Jr., Glenwood Springs.

## FLORIDA

Rosa A. Nash, Belle Glade.  
Charles H. Hendrix, Cantonment.  
Earl R. Hooker, Haines City.  
Blanche B. Clyatt, Micanopy.  
Warren W. Parrish, Pompano Beach.  
Robert L. West, Stuart.

## GEORGIA

Annie M. Carroll, Allentown.  
Thomas H. Mills, Fort Gaines.  
Howard L. Crews, Hoboken.  
H. Rhodell Dunn, Jr., Richland.  
Charles R. Sprayberry, Trion.  
Mary C. Townsend, Wildwood.  
Thomas O. Fowler, Woodstock.

## ILLINOIS

Hazel M. Craig, Alma.  
Walter D. Stephens, Rushville.

## INDIANA

Noel A. Booher, Albany.  
John F. Johnson, Beech Grove.  
Arthur E. Hiester, Bremen.  
William C. Summers, Hardinsburg.  
James W. Chase, Lagrange.  
Wilbur W. Amick, Scottsburg.  
Charlotte L. Hudson, Spencerville.  
Dorothy M. Jiles, West Terre Haute.

## KANSAS

Mildred L. Staats, Coats.  
I. Miller Wilson, Easton.  
Milton H. Christian, Lindsay.  
Douglas G. Porter, Peabody.  
Lois M. Bleidissel, Scranton.  
Paul J. O'Connell, Jr., Shawnee Mission.

## KENTUCKY

Dillie C. Hutton, Berry.  
Florabelle H. Wells, Bloomfield.  
Thomas B. Tichenor, Brandenburg.  
Robert S. Reed, Cynthiana.  
Edna C. Everidge, Garrett.  
Julia W. Garvey, Glencoe.

Charles E. Cecil, Hazel Green.  
Leonard G. Gooch, Waynesburg.  
James E. Thomas, Wilmore.

## LOUISIANA

Ella T. Ewing, Batchelor.

## MAINE

John R. Fortin, Portland.

## MARYLAND

Edward W. Young, Pocomoke City.  
William E. Schwartz, Reisterstown.  
Emory L. Leonard, Salisbury.

## MASSACHUSETTS

Joseph F. Smyth, Grafton.  
Arthur H. Boutiette, South Grafton.

## MINNESOTA

Raymond G. Meier, Bird Island.  
Cecil W. Sundquist, Hopkins.  
Orville J. Mortensen, Lyle.  
Ralph A. Nelson, Spring Park.

## MISSISSIPPI

Clyde C. Parker, Calhoun City.  
John T. Lingle, Crystal Springs.  
Joy S. Riels, Jayess.  
Louise N. Prowell, Jonestown.  
Mary L. Castle, Kilmichael.  
William L. Barbee, Lula.  
Thomas F. Stevens, Noxapater.  
McHaven Clanton, Slate Spring.  
Ruth Black, Tutwiler.

## MISSOURI

John K. Timlin, Fenton.  
Robert H. Theiss, Warrensburg.

## MONTANA

Clinton L. Sennett, Lewistown.

## NEBRASKA

Robert L. Hoins, Fairfield.  
Alfred A. Jorgensen, Fairmont.  
Ronald D. Hostetter, Murray.

## NEVADA

Walter L. Neal, Hawthorne.  
William A. Morby, Sparks.

## NEW JERSEY

William D. Hand, Edison.  
George P. Johnson, Lake Hiawatha.  
Joseph A. Amorosa, Raritan.

## NEW MEXICO

William Fitch, Jr., Grants.

## NEW YORK

Margaret E. Bolton, Candor.  
James D. Curcio, Chappaqua.  
James D. Donahue, North Creek.  
Audrey L. Manzo, Ocean Beach.  
Thomas J. Reilly, Warsaw.  
Edna M. Mulvey, Wilmington.

## NORTH CAROLINA

Albert K. Dickens, Castalla.  
Roy H. Cartner, Mocksville.  
Henry B. Fountain, Rocky Mount.  
D. Herman Jones, Jr., Smithfield.  
Edwin A. Howland, Sr., Tillery.  
Leslie T. Fowden, Williamston.  
Ruby M. Dawson, Zebulon.

## OHIO

Joseph R. Wysocki, Avon.  
Lyman D. Wise, Hillsboro.  
Fred H. Bonker, Northfield.  
Ruth B. Hartsel, Polk.  
Raphael J. Reasbeck, Salem.  
John M. Tertel, Toledo.  
Charles F. Seither, West Richfield.

## OKLAHOMA

Grady F. Cope, Hollis.  
Hobart G. Waters, Sayre.  
Rex E. Pettijohn, Stigler.

## OREGON

Lyle J. Chase, Rainier.  
Frank G. Ryan, Tillamook.

## PENNSYLVANIA

Thomas P. Lowry, Blue Bell.  
Agnes M. Smith, Dunlo.

David C. Miller, High Spire.  
Kathryn L. Fessler, Muir.  
Marie A. Leo, New Albany.  
J. Perry Hockersmith, Shippensburg.  
John J. Bocnec, Tarentum.  
Esther T. Williams, Thorndale.  
Edward A. Lynch, Titusville.

## PUERTO RICO

Moises M. Graniela-Ramirez, Boqueron.

## RHODE ISLAND

Ellen L. Costanza, Bradford.  
John J. Bento, Tiverton.

## SOUTH CAROLINA

Huron A. Gray, Allendale.  
Mozelle M. Thompson, Inman.

## TENNESSEE

Joe B. Campbell, Blaine.  
Fred R. Lockett, Jr., Mountain Home.

## UTAH

Ethel N. Jones, Corinne.

## VIRGINIA

Ernest R. Johnson, Alberta.  
Alvis T. Davidson, Jr., Faber.  
Walter L. Waleski, Glenallen.  
E. Guy Smith, Gloucester.  
J. Spencer Rogers, Melfa.  
G. Hoyt McCartney, New Castle.  
Virgil S. Abel, Jr., Quantico.  
Horace B. Ridenour, Williamsburg.

## WASHINGTON

Ada M. Conboy, Glenwood.  
Keith E. Hand, Malott.  
Elvin L. Jorgensen, Onalaska.  
Sheldon P. Sageser, Poulsbo.  
Harold C. Cochran, Snohomish.  
Florence C. Blaisdell, Snoqualmie Falls.  
Lillian R. LaRue, Stellacoom.

## WEST VIRGINIA

George E. Nolte, Bethany.  
Virginia L. Kyle, Hendricks.  
John W. Waskey, Sandyville.

## U.S. CIRCUIT JUDGE

J. Skelly Wright, of Louisiana, to be U.S. circuit judge for the District of Columbia circuit.

## HOUSE OF REPRESENTATIVES

WEDNESDAY, MARCH 28, 1962

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

The text of John Wesley's last sermon, Isaiah 55: 6: *Seek ye the Lord while He may be found, call ye upon Him while He is near.*

Ever blessed God, we rejoice that Thou art found by those who truly seek Thee, known by those who love, and seen by all whose hearts are pure.

Grant that daily we may be numbered among the seekers and finders of God and thus have our lives become aglow with the light and joy of the things that are worthy and eternal.

Show us how we may conserve and utilize wisely the hours of each new day and keep alive our faith in the moral and spiritual values.

Lift us out of all cynical and cold tempers of mind and heart and make us receptive and responsive to the divine call to seek Thee lest we become too despondent to hope for better days and too willful to follow Thy leading.

Hear us in the name of Jesus Christ, our Lord. Amen.