United States of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 87th CONGRESS, SECOND SESSION

## HOUSE OF REPRESENTATIVES

MONDAY, JUNE 11, 1962

The House met at 12 o'clock noon.

Rev. Frank A. Erwin, minister, the Little Falls Church, Arlington, Va., offered the following prayer:

Our gracious Heavenly Father, we pause as Thy children on this day which Thou hast made and pray in behalf of this Congress of our United States. Direct their deliberations to the end that they may be true and pure; constantly remind them of their integrity, that their thoughts may be compassionate and their actions unselfish.

In the name of our Lord we invoke this blessing. Amen.

### THE JOURNAL

The Journal of the proceedings of Thursday, June 7, 1962, was read and approved.

### MESSAGE FROM THE SENATE

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

H.R. 2833. An act for the relief of Franziska Aloisia Fuchs (nee Tercka);

H.R. 3247. An act to amend section 2385 of title 18 of the United States Code to define the term "organize" as used in that section;

H.R. 3595. An act for the relief of Anna Isernia Alloca;

H.R. 3633. An act for the relief of Angelina Rainone;

H.R. 3714. An act for the relief of Janina Maciejewska;

H.R. 4655. An act for the relief of Adele Anis Mansour;

H.R. 6330. An act for the relief of Vincent Edward Hughes, his wife, Carmel Philomena Hughes, and their alien children;

H.R. 6695. An act to amend title 39 of the United States Code with respect to the transportation of mail by highway post office service, and for other purposes;

H.R. 7061. An act to amend title 39 of the United States Code to provide for payment for unused compensatory time owing to deceased postal employees, and for other purposes;

H.R. 7416. An act to authorize the Bureau of the Census to make appropriate reimbursements between the respective appropriations available to the Bureau, and for other purposes; and

H.R. 7559. An act to amend title 39 of the United States Code to provide for additional writing or printing on third- and fourth-class mail.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 6967. An act to provide for the incorporation of certain nonprofit corporations in the District of Columbia, and for other purposes;

H.R. 7532. An act to amend title 39 of the United States Code relating to funds received by the Post Office Department from payments for damage to personal property, and for other purposes; and

H.R. 10502. An act for the relief of James B. Troup.

The message also announced that the Senate had passed bills and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 367. An act to provide medical care for certain persons engaged on board a vessel in the care, preservation, or navigation of such vessel;

S. 1605. An act to authorize the Federal Power Commission to delegate its functions;

S. 2164. An act to authorize the Secretary of the Interior to cooperate with the First World Conference on National Parks, and for other purposes;

S. 2455. An act for the relief of Mrs. Elizabeth Lovic;

S. 2614. An act for the relief of Mr. and Mrs. Alfredo Hua-Sing Ang;

S. 2686. An act for the relief of Stepanida Losowskaja;

S. 2692. An act for the relief of Armand Seri;

S. 2699. An act for the relief of Roswitha Seib;

S. 2711. An act for the relief of Tasia Demetropoulou (Dimitropoulos);

S. 2837. An act for the relief of Konstantinos P. Theodoropoulos;

S. 2855. An act for the relief of Weng Chiew Wong and Moy Chong Wong;

S. 2862. An act for the relief of Mai Har Tung;

S. 2872. An act for the relief of Wen Tang;

S. 2904. An act for the relief of Stefan Zappel;

S. 2994. An act for the relief of Olaf Schaetzle Bonde (also known as Olaf Carl Schaetzle);

S. 2996. An act to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes;

S. 2999. An act for the relief of Kang Soon Yang;

S. 3025. An act to supplement certain provisions of Federal law incorporating the Texas & Pacific Railway Co. in order to give certain additional authority to such company; and

S. Con. Res. 76. Concurrent resolution withdrawing suspension of deportation of Ioannis Constantelias.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 1745. An act to amend the act of August 9, 1955, relating to the regulation of fares for the transportation of schoolchildren in the District of Columbia.

The message also announced that the Vice President has appointed Mr. JOHNSTON and Mr. CARLSON members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the U.S. Government," for the disposition of executive papers referred to in the report of the Archivist of the United States numbered 62–19.

### SUBCOMMITTEE ON IRRIGATION AND RECLAMATION OF THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. OLSEN. Mr. Speaker, I ask unanimous consent that the Subcommittee on Irrigation and Reclamation of the Committee on Interior and Insular Affairs may be permitted to sit during general debate today.

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

There was no objection.

### WOMAN'S RIGHT TO EQUAL PAY FOR EQUAL WORK

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

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

There was no objection.

Mr. LANE. Mr. Speaker, the Equal Pay Act of 1962 seeks wage justice for working men and women. What that really means is that employers will be prohibited from paying women smaller wages for doing the same or comparable work as men.

There is no need to debate a woman's right to be paid on an equal basis with a man, when her job is the same as his; because that right is self-evident.

We are concerned in this bill, with legislation that will educate, and require employers to honor that right. In this free country, and in this modern age, there are areas where the dead hand of the past, its prejudices and its outmoded customs hold back progress.

When woman first entered the labor market, she became the victim of exploitation. Unscrupulous employers took advantage of her patience, her willingness to work, her distaste for fighting back. The male, seeing that woman could do many jobs just as well or even better than man, decided to put her in



AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

her place by paying her less than a man for the same type of work.

With 24½ million women now in the labor force, they have become indispensable to economic progress. Wage discrimination that tries to keep them in an inferior status is unjust, out of date, and productive of the resentment that undermines the morale and the efficiency of women workers.

Offending employers must be persuaded or required to abandon these discriminatory practices by means of the Equal Pay Act of 1962.

Public opinion in support of this bill is almost unanimous, as reflected in the testimony given before the Committee on Education and Labor. It indicates that the proposed remedy is long overdue.

The prohibitions to eliminate wage differentials based on sex are directed to employers engaged in commerce or in the production of goods for commerce and are concerned solely with the treatment that an individual employer accords his own employees. It is not intended that any comparison will be made between the wage practices of different employers.

Three acts of discrimination are prohibited:

First. Any covered employer would be forbidden to pay wages to any employee at a rate less than the rate at which he pays wages to any employee of the opposite sex for work of comparable character on jobs the performance of which require comparable skills.

Higher wage rates to employees of one sex than the opposite sex for comparable work involving comparable skills, which are made pursuant to a seniority or merit increase system or bona fide job classification program, do not constitute discrimination on the basis of sex.

Second. An employer within the scope of this act is also forbidden to reduce the wage of any employee for the purpose of eliminating the prohibited differential in wage rates. This means that an employer may not subvert the effect of the proposal by cutting the wage rate of those employees receiving a higher wage rate than the employee entitled to equal wage rates under the mandate of H.R. 11677.

Third. Finally, employers are prohibited from discharging or discriminating against any employee for any action taken to invoke, enforce, or assist in the enforcement of the proposal.

It is the intent of H.R. 11677, unless voluntary restitution and compliance has been achieved, that the rights which it creates will be achieved only through the remedies of court action initiated by the Secretary of Labor under section 6, and it is so provided in section 6(h).

The proposal in section 9 imposes on employers subject to the act the duty of posting excerpts from the act and regulations issued thereunder on their premises in order to inform employees of their rights under the act.

In major respects, the definition of "employer" is the same as that contained in the Fair Labor Standards Act; however, it should be noted that this definition excludes from the term "employer" any person having fewer than 25 employees.

Such sums as may be necessary to carry out the provisions of this act are authorized to be appropriated, except that for the fiscal year ending June 30, 1963, not in excess of $1,500,000 is authorized.

Equal pay for equal work is essential for the development of economic democracy, and to provide incentives for more women to contribute their skills to our Nation's economic progress.

---

## STATEMENT OF COMMISSIONER OF INTERNAL REVENUE

Mr. HARSHA. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

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

There was no objection.

Mr. HARSHA. Mr. Speaker, several days ago I was advised the Commissioner of Internal Revenue Service made the statement before the Farm Editors Association that the American farmer failed to report an estimated $4 billion a year in taxable income.

In my opinion this was a rather serious charge against the American farmer. Having had the pleasure of meeting Mr. Caplin, a man who, in my opinion, is one of the most qualified appointees of this administration, I wrote to Mr. Caplin asking him for either an apology or a clarified statement. The Commissioner promptly answered my inquiry stating that he had been quoted out of context. He provided me with an outline of his remarks which did not contain any such charge and an excerpt from his speech.

I am including at this point in the RECORD Mr. Caplin's letter to me and the excerpt which he provided just to set the record straight:

MAY 23, 1962.

HON. WILLIAM H. HARSHA,
*House of Representatives,*
*Washington, D.C.*

DEAR CONGRESSMAN HARSHA: I believe you have been misinformed regarding my remarks before the Farm Editors Association. As the enclosed excerpt from the transcript of my speech and a copy of the outline I used will bear out, I did not state the American farmers fail to report an estimated $4 billion a year in taxable income.

I did refer to $12 billion in unreported business and farm profits. The overall revenue gap figures were used to give the audience some idea of the dimensions of the problem and in this way heighten the significance of the essential theme of my talk—our new broad-based plan to work with farmers in an effort to further improve the quality of reporting by farmers.

Last December, in a speech in Des Moines entitled "Tax Administration and the American Farmer," I did cite figures in an attempt to separate the unreported farm profits from the unreported business profits. At that time I made it eminently clear that we do not "have accurate figures * * * but some of our studies would indicate that the farm gap is in the neighborhood of $5 billion a year—or an estimated annual revenue loss of approximately $1 billion." I further stated: "I won't attempt to defend this figure and it may be too high. Yet, it is reflected in some of the studies that have been made."

The main basis of the $5 billion figure is the comprehensive paper on "Coverage of Entrepreneurial Income on Federal Tax Returns" prepared for the House Ways and Means Committee in 1959 by Dr. C. Harry Kahn of Rutgers University and the National Bureau of Economic Research. (Pp. 1439–1459 of the Tax Revision Compendium, published by that committee.)

Even though Dr. Kahn's work in this area is highly regarded, I stressed in my Des Moines speech that the Service would not attempt to defend the $5 billion figure. Unfortunately, my remarks were taken out of context at that time in certain newspaper stories. I made no breakdown of the $12 billion of unreported business and farm income in my speech before the Farm Editors Association.

I hope, Congressman, that this answers your questions and that the copy of my Des Moines speech, as well as the outline and excerpt from the farm editor's speech, will set the record straight about the Service's thinking regarding underreporting and some of the things we are doing about it. As you can see from the tenor of both of my speeches regarding tax compliance by the farm community, I am gratified and encouraged by the improving trend. I believe the root of the problem with farmers is certainly not tax evasion, but inadequate information regarding not only their obligations, but their rights under the tax laws. If there is anything more in this regard that I can do, please feel free to call.

Sincerely,

MORTIMER M. CAPLIN,
*Commissioner.*

---

EXTRACT FROM NATIONAL NEWSPAPER FARM EDITORS' ASSOCIATION, MAY 14, 1962

I was asked to testify before Mr. MCCLELLAN'S committee about 8 months ago, and he raised the question, What is the revenue gap in this country? Well, we have some estimators in the Treasury Department, and have called in many outside consultants. The income gap—and let's be clear about this—the amount of income, not tax, the amount of income unreported is about $24.4 billion. And $24.4 billion, translated into tax, that's close to $5 billion a year revenue loss. Remember our gross is about $95 billion and there's about $5 billion more that the Treasury estimators think ought to be collected.

Now, how does this break down? Almost 50 percent of the gap—and that's on income—about 50 percent of that $24.4 billion is from business and farm profits not reported, about $12 billion. In other words, your people—the people that you're talking about and writing about—are linked in one of the biggest revenue gaps we have in the law. The second big category is $6.5 billion in unreported wages and salaries, and that's with withholding. The next big category is interest and dividends—almost $4 billion. And then it goes into some $600 million in annuities and about a billion and a half miscellaneous rent, royalties, and capital gains not reported. That adds up to about $24½ billion.

This, obviously, must be of concern to us, To the extent that one segment of the public—some individuals—are not paying their tax, someone else has to foot the bill. There was a real concerted drive within the administration, before the Berlin crisis, to plan for tax reduction. Now the whole foundation for tax reduction, of course, depends upon the state of our national needs and our economy. But to the extent that there's $5 billion not being collected, you are footing that bill and denying yourself the potential of a tax reduction, and perhaps, sometimes, a tax increase if the demands of the day call for this.

## THE EFFECT OF AUTOMOBILE EXHAUST FUMES ON PUBLIC HEALTH

Mr. SCHENCK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. SCHENCK. Mr. Speaker, a Special Subcommittee on Highway Traffic Safety was authorized by this House of Representatives early in 1956 and our distinguished colleague, the Honorable KENNETH ROBERTS, was appointed chairman. It has been my privilege, Mr. Speaker, to serve with the gentleman from Alabama [Mr. ROBERTS] and our colleagues since the origin of this committee, although the name of the committee was changed several years ago to the Subcommittee on Health and Safety of the Committee on Interstate and Foreign Commerce.

Under the very capable leadership of our chairman, the gentleman from Alabama [Mr. ROBERTS], many achievements in the field of automobile and traffic safety have been achieved. Some have been achieved through the approval of legislation, but very important achievements have resulted from the cooperation within the industry itself, its engineers, and allied organizations.

Mr. Speaker, the Surgeon General of the U.S. Public Health Service today has submitted to Congress a report on automobile exhaust fumes in compliance with Public Law 86–493, known as the Schenck Act.

Public Law 86–493, signed into law June 8, 1960, directed the Surgeon General to make a study and report to Congress within 2 years of the effect of automobile exhaust fumes on the public health.

This legislation grew out of a highway accident study made in 1956 by the Special Subcommittee on Traffic Safety, of which I was a member. First, we heard testimony on the subject in Dayton, Ohio, when Dr. Robert E. Zipf, president of the Ohio Coroner's Association, suggested the need for a research program. Then, we observed research in progress by the automobile industry in Detroit. After studying the rather meager available data on the subject, I introduced legislation which became Public Law 86–493.

Although much of the information contained in the report filed today is based on studies still in progress, the report clearly indicates that pollutants discharged into the air by automobiles, trucks, and buses have harmful effects on man, vegetation, and many materials. Referring to research on laboratory animals exposed to ozonized gasoline and influenza infection, the report states:

> It would appear, therefore, that there is evidence that air pollutants, related to vehicular emissions, play a role, at least as a cofactor, in the production of lung cancers under these conditions.

Although extensive further study of the problem is needed, the Surgeon General does not favor waiting until that research is completed before trying to do something.

> As in other problems affecting the public health—

The Surgeon General says in his report—

> it is important that, as needed research proceeds on the problem of pollution emissions from motor vehicles, all practicable steps be taken to minimize such pollution rather than waiting until the results of needed research are available.

The report represents intensive study by leading experts in the field.

After enactment of Public Law 86–493, physicians, engineers, and scientists of the Public Health Service's Division of Air Pollution immediately began preparations for the comprehensive research called for in the legislation. New facilities and equipment had to be designed and constructed, including a completely new laboratory to permit study of the effects of irradiated exhaust on animals. The artificial irradiation of vehicle exhaust produces a smog similar to that produced in the open air when sunlight reacts with pollutants from motor vehicles.

To carry out other aspects of the study, contracts were awarded for a number of research studies, including a joint project with the Los Angeles County Air Pollution Control District and the University of Southern California to study health effects produced in animals exposed to the air near heavily traveled throughways in Los Angeles.

Another project at Wayne State University in Detroit was concerned with the effects on laboratory animals of exhausts piped from a busy city street.

Other universities and research organizations participated. Research included studies on animals, human beings, plants, bacteria, and insects.

In addition, a new continuous air-monitoring program was established, which insures automatic and continuous collection and analysis in eight cities of seven gaseous pollutants emitted by motor vehicles.

In a letter transmitting the report, Dr. Luther Terry, the Surgeon General, points out:

> Of necessity, a longer period of time will be required to obtain the quantitative research information needed to serve as a basis for equitable and appropriate judgments as to the limitation of discharges of various pollutional substances from motor vehicles. Much of the needed work for this purpose is now underway or is planned to be undertaken during the next several years.
>
> Because results of research to date have provided evidence of a qualitative nature that automobile emissions do produce effects on human beings and other biological systems, the Public Health Service will accord a high priority to the additional research work which is needed.

We have known for several years that some of the pollutants discharged from motor vehicles could affect health and cause economic damage. It is known that damage to agriculture from auto exhaust costs many millions of dollars. To determine, however, the extent of the actual damage to people, plants, and property is an exceedingly complex problem. Merely to measure the amounts and kinds of pollutants discharged by the average automobile is extremely difficult. The manner in which an automobile is driven, the condition of its engine, the composition of its fuel—these and many other variables affect the output of potentially harmful pollutants. Another important factor is the chemical change which occurs when pollutants are exposed to sunlight. Photochemical reactions in the air are known to increase the degree of irritation and potential harmfulness of some pollutants.

I mention these to indicate the complexity of the problem. Until these and many other factors have been more fully explained, science will be handicapped in defining the precise extent to which motor vehicle pollution poses a threat to human health and welfare. Nonetheless, the report states:

> There is increasing evidence of objectionable levels of automotive pollution in a number of localities each year. As the number of cars adds up, the signs of trouble may be expected to multiply.

In transmitting the report, Dr. Terry points out that the motor vehicle is not the only source of air pollution. In many areas, he said, other sources are of greater consequence:

> The motor vehicle, is, however, an important pollution source throughout the country.

Dr. Terry added.

As the report states, one important first step to meet the problem already has been taken. The automobile industry has agreed to install "blowby" devices on all cars manufactured beginning in 1963. These devices, which trap and recirculate vapors otherwise discharged from the crankcase, will help to control the sources of about 25 percent of the hydrocarbon pollutants from autos.

The greater problem, however, and one for which an adequate solution has not yet been found is the pollution which comes from the tailpipes of more than 75 million motor vehicles now in use in this country. Dr. Terry urges that all organizations, both public and private, which have responsibilities relating to the problem of automotive exhaust accelerate their efforts toward solutions.

The report includes the following summary of conclusions:

> The adverse effects of air pollution are many and varied—ranging from economic damages, reduction of visibility, injurious effects on crops and animals, to illness and death in people. The precise role of emissions from motor vehicles in producing these adverse effects is far from fully defined. The presence in the air of pollutants originating from motor vehicles has been demonstrated beyond doubt. A large number of these polluting substances have undergone changes because of photochemical reactions produced in the air, and there is evidence that these reactions make many of the substances more highly reactive and possibly more injurious than they are when first emitted.
>
> Vegetation can be severely damaged by some of the substances produced by photochemical reactions. This has been demonstrated in the laboratory, using automotive emissions which have been irradiated. Damage of the same type is found in many areas of the United States. In these localities the presence of the suspected agents has been confirmed by measurements.

The significance of photochemical reactions is further emphasized by evidence from the laboratory that irradiated automotive exhaust produces more marked effects on experimental animals and on human subjects than does unirradiated exhaust.

Increasing public awareness of the importance of the air pollution problem has resulted in a rapidly augmented and expanded research program on the relationship of automobile emissions to the air pollution problem. Considerable effort and time were required to carefully plan and develop the expanded program. The time available for actual studies related to the biological effects of contaminants has been limited, and at this moment only preliminary study results are in hand. Nevertheless, on the basis of the studies thus far conducted, it is evident that components of automobile emissions produce biological effects. These include eye irritation in people, changes in pulmonary function, and reduction of spontaneous activity in animals, as well as damage to vegetation.

In addition, available statistical evidence also suggests possible relationships between illness and photochemical smog. There is, for example, a strong statistical association between air pollution and emphysema and there are indications that the clinical status of this disease is affected by photochemical pollution. The rising death rate ascribed to emphysema is a matter of real concern. Furthermore, the evidence with respect to the production of lung cancers is such as to require further study as expeditiously as feasible.

The results of research conducted to date have provided evidence of a qualitative nature that automobile emissions do produce effects on human beings and other biological systems. Further research studies will be required to develop quantitative information on these relationships.

The report runs to 518 typewritten pages and contains much information of value and interest, especially to scientists working in the air pollution field. It is planned to have the report printed and made available for general distribution as soon as possible. In the meantime, the only copy of the report available for inspection is in the office of the clerk of the Committee on Interstate and Foreign Commerce.

The letter accompanying the report follows:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, PUBLIC HEALTH SERVICE,
*Washington, D.C., June 7, 1962.*

Hon. JOHN W. MCCORMACK,
*Speaker of the House of Representatives, Washington, D.C.*

DEAR MR. SPEAKER: I am pleased to submit a report, in three parts, entitled "Motor Vehicles, Air Pollution, and Health," prepared in compliance with the provisions of Public Law 86–483.

In accordance with that act the Public Health Service has undertaken, through its Division of Air Pollution, a thorough study for the purpose of determining, from the standpoint of human health, the amounts and kinds of substances which may be safely discharged to the air from motor vehicles. The report forwarded herewith includes discussion of various aspects of the problem and of studies which are underway or have been completed, and outlines progress which has been made toward solutions.

The motor vehicle has had great influence in changing the living habits of the population of this country in this century. A way of life has developed which could not be sustained without the flexibility of transportation afforded by the family automobile, the bus, and the truck. Inevitably, as it has reached its position of importance, the automobile has likewise brought problems. One of these is a threat of health through pollution of the air. The present seriousness of this threat is a question about which there is not unanimity of opinion. There is little question, however, that the pollution will intensify in the future as our increasing population puts ever more vehicles into operation, unless appropriate preventive steps are taken.

The motor vehicle is not the only source of air pollution. In many areas other sources are of greater consequence. The motor vehicle is, however, an important pollution source throughout this country.

The nature of the health problems associated with vehicular pollutant emissions are complex. Of necessity, a longer period of time than has been available since the enactment of Public Law 86–493 will be required to obtain the quantitative research information needed to serve as a basis for equitable and appropriate judgments as to the limitation of discharges of various pollutional substances from motor vehicles. Much of the needed work for this purpose is now underway or is planned to be undertaken during the next several years. Because results of research to date have provided evidence of a qualitative nature that automobile emissions do produce effects on human beings and other biological systems, the Public Health Service will accord a high priority to the additional research work which is needed. Similarly, other organizations, both public and private, which have responsibilities relating to this problem, should accelerate their efforts toward solutions. As further progress is made in the studies on this general subject by the Public Health Service, the results will be promptly reported and thus made available for public use and benefit.

As in other problems affecting the public health, it is important that, as needed research proceeds on the problem of pollution emissions from motor vehicles, all practicable steps be taken to minimize such pollution rather than waiting until the results of all the needed research are available. Some progress has already been made in the development of devices and procedures appropriate to these purposes and some steps are already being taken in their practical application. The Public Health Service will continue to use all available methods of cooperation, and coordination of its activities, with other organizations, public and private, engaged in research on the problems of pollution emissions from motor vehicles and the practical application of procedures for minimizing the effects of such pollution.

Sincerely yours,

LUTHER L. TERRY,
*Surgeon General.*

Mr. SCHENCK. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. ROBERTS] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. ROBERTS of Alabama. Mr. Speaker, the gentleman from Ohio [Mr. SCHENCK], a very active and valuable member of the Subcommittee on Health and Safety, has made an outstanding contribution to public health by untiring efforts which have brought about the filing of this important report on automobile exhaust fumes by the Surgeon General.

The gentleman took a very active interest in this problem during the study of highway safety made in the 84th Congress by the Special Subcommittee on Traffic Safety, of which I was chairman.

He introduced legislation on the subject in the 85th Congress and the special subcommittee held hearings in which we developed very interesting and valuable information regarding unburned hydrocarbons emitted by motor vehicles.

These and subsequent hearings on motor vehicle safety resulted in enactment of Public Law 86–493 2 years ago.

The field of air pollution involves many highly technical and difficult problems. The report submitted by the Surgeon General is a great forward step in finding solutions to the automobile exhaust problem. A great deal of work has gone into the preparation of this report.

I want to take this opportunity to commend members of the Committee on Appropriations for their cooperation in making funds available for this study. The committee has given this problem a great deal of attention and has been very helpful, not only in providing funds but in forcefully calling attention to the need for action.

As pointed out in the report, a lot remains to be done. To make certain that this important work is carried forward, I am preparing an amendment to air pollution legislation now pending before the Subcommittee on Health and Safety of the Committee on Interstate and Foreign Commerce to give a clear expression of congressional intent that this research must go forward as rapidly as possible.

The Public Health Service has been very helpful. I want to commend Dr. Terry, the Surgeon General, and also Mr. Vernon G. MacKenzie, Chief, Division of Air Pollution, U.S. Public Health Service, for his contribution in directing this work.

I am sure we can depend on the Public Health Service for continued cooperation. To assist in obtaining the cooperative action needed to minimize air pollution from all sources, Surgeon General Terry has called a national conference on air pollution, the second of its kind to be sponsored by the Public Health Service, to be held in Washington on December 10–12, 1962.

Under the conference theme "Let's Clear the Air," more than 1,000 persons representing the scientific community, control agencies, and the general public will thoroughly examine the present extent of the air pollution problem and what must be done to resolve it through cooperative action. Out of this conference could come a national plan of action to restore and secure one of our most vital natural resources—clean, healthful air.

We all have heard a great deal about the smog problem in California. But smog is not confined to the California area. We have had more than a taste of it right here in the Washington area. Other areas know what smog is. It is agreed that automobiles are the principal uncontrolled source of the Los Angeles smog.

California is trying to do something about the problem. Seventy-five test drivers are now trying out various antismog mufflers. Within a year after the

State approves two satisfactory devices, all new automobiles sold in California must be equipped with one of these mufflers.

## LEGISLATIVE BUSINESS

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. GROSS. Mr. Speaker, I should like to ask the distinguished majority leader if I am correct in my understanding that not even this bill, H.R. 11677, scheduled for consideration, is to be called up this afternoon?

Mr. ALBERT. Mr. Speaker, if the gentleman will yield, that is correct.

Mr. GROSS. Well, is there no other business to come before the House today?

Mr. ALBERT. There is no legislative business today, but we do expect that bill to come up this week.

Mr. GROSS. Could not the Frying-pan or the farm bill or the increase in the debt ceiling be called up today, since this bill has been eliminated?

Mr. ALBERT. Well, the leadership always tries to program these bills to make it as convenient as possible for those who have the responsibility of the floor management of the bills, and on that basis the Arkansas bill had been programed for tomorrow and it will be called up tomorrow.

Mr. GROSS. I will say to the gentleman that we are fast approaching the middle of June, and I just do not see how this House is going to operate and get out of here before next Christmas if we are going to do nothing on Mondays.

Mr. ALBERT. I would like to advise the gentleman that it is the opinion of the leadership that we will have all of the bills programed in due order and that the House will adjourn at a reasonably early date.

Mr. GROSS. I hope the gentleman is right, but that is not what I am hearing by way of the newspapers and reports from the other body. We hear reports Congress may recess in September and come back after the election in November; in other words, to stage something in the nature of a lame duck session of the Congress.

The SPEAKER. The time of the gentleman from Iowa has expired.

## FEDERAL AID TO EDUCATION

Mr. BAILEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. BAILEY. Mr. Speaker, our colleagues from the other side of the aisle, with considerable fanfare, have brought forward their platform for the coming congressional elections.

I, for one, welcome the challenge contained therein. As a partisan I am pleased. As an American I am disappointed.

Our colleagues, in their effort to play a carnival type shell game of seeming to be for, but actually of being against, have proposed a most outlandish education platform.

After paying lipservice to the fundamental tradition of local control, our friends state: "Selective Federal assistance is needed."

I suggest, Mr. Speaker, that if that policy prevails, every member of every local board of education might just as well resign. If the Republican policy is approved by the voters, we in this Chamber, together with the other body, will constitute a bicameral board of education.

Our Republican friends—if their platform has any meaning beyond Wendell Willkie's campaign oratory—would have educational policies for the Nation determined right here on Capitol Hill.

The Board of Regents of the State of New York, in a policy statement adopted at a meeting in Albany during May 24–25, said that selective Federal assistance inevitably involves a degree of Federal control, excessive administrative expenses, and the substitution of Federal educational judgments for those of State and local educational authorities.

Mr. Speaker, I for one am happy to campaign on this issue. I bow to no one in my interest in our boys and girls, as well as my desire to have the Federal Government assist in the support of education. I do not and will not claim for myself, nor my colleagues, the sagacity and the omnipotence to set educational policies for every school district in these United States.

I shall be proud to go to the people this fall with this proposition: "A vote for CLEVE BAILEY is a vote to preserve local control of education."

## RED AGGRESSION IN LAOS

Mr. DERWINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. DERWINSKI. Mr. Speaker, with each passing day it is becoming more evident that the administration is directly responsible for Red aggression in Laos, and developing a Communist takeover of that pro-Western nation.

Since the State Department and White House personnel are engaged in a massive whitewashing job to hide actual conditions in Laos, I believe it to be in the public interest to restate some basic facts that cannot be refuted.

The Royal Lao Government, our ally, refused to submit to a coalition government which would, in effect, be Communist dominated. Ever since the advent of this administration, our State Department and especially Ambassador Harriman, have been instrumental in developing a policy that can be described as anti the pro-Western Lao Government. The most glaring part of this policy was to cut off financial aid which is forcing that Government to join the Communist-dominated coalition.

Suddenly, the State Department and the administration realize the dangerous situation that they have created, since complete control of Laos would give the Communists tremendous military, economic, and propaganda base with which to advance their drive into Thailand and South Vietnam. The situation is so dangerous and so apparent that the administration has physically committed units of our Armed Forces to the defense of Thailand and South Vietnam to protect these pro-Western governments from guerrilla activities financed, directed, and supplied by the Communists through their controlled corridors in Laos.

The administration's conduct in this area bears such a tragic resemblence to the Truman administration's performance prior to the Korean conflict that the parallel cannot be denied.

Mr. Speaker, I believe the American public must realize that in the Lao situation our policy has been so completely stupid that it represents one of the great tragedies of postwar diplomacy. It represents an unfortunate, tragic page of complete failure in this administration's foreign policy. By blundering into the hands of the Communists in Laos, by forcing the people into a Communist-controlled coalition government, we set a pattern that could well lead to the Communist takeover of every pro-Western nation in that area, thus giving the Communists their greatest gains since the close of World War II.

This history of World War II diplomacy reveals the betrayal by President Roosevelt of the people of Eastern Europe to the Communists. The Truman administration by its vacillation instigated the conflict in Korea after first subverting the Nationalist Chinese Government in its battle against the Chinese Communists. Now, under the Kennedy administration, we find the same type of policy—confused, vacillating—and I repeat, stupidly leading to a Communist takeover of Laos and a growing threat to South Vietnam and Thailand.

Certainly, this foreign policy is not advocated by the American public. It is not too late to change. I direct my remarks to the Members of the House this afternoon, urging that through the legislative responsibility that is ours, we can provide for and insist on a firm, vigorous, intelligent foreign policy to support pro-Western governments, to roll back—not retreat—from communism. Such a basic foreign policy does have the support of the American public. In this period of international problems we must provide the leadership that the public wants, and the present administration and its State Department are obviously not equipped to give.

## MILITARY PROCUREMENT INVESTIGATION

Mr. WILSON of Indiana. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. WILSON of Indiana. Mr. Speaker, last Wednesday I called for a full and complete investigation into the procurement policies of the Armed Forces, particularly the Navy Department. I told the Congress I have documentation to back up every charge that I have made or will make. I also said the scandal underneath Navy Department procurement will make Teapot Dome look like a ladies' tea party.

Since that time, certain developments have taken place that make it more imperative than ever that an investigation be started at once. For example, my honored colleague and distinguished friend, the gentleman from Louisiana, F. EDWARD HÉBERT, said on the floor of the House during debate on amendments to the Armed Forces Procurement Act he would find it difficult to believe that any executive would want his determinations to stand when clearly erroneous.

Yet that is exactly what has happened in the instance I cited last Wednesday. Determinations and findings of Under Secretary of the Navy Kenneth BeLieu led to a decision that only one company could make a certain radio set and deliver it on time. I have been able to prove beyond a shadow of a doubt that at least one other company can make the same radio cheaper and deliver it faster, yet the Navy balks at giving the second company an award of contract. It also continues to delay what it called an urgent requirement for the radio and will, if it goes through with its announced plan, cost the taxpayers $1,300,000 more than necessary in just one instance.

This is typical of Navy procurement policy and other examples will prove that waste and profligacy are rampant in military procurement. It might also be found to be more than coincidental that the company with the high bid in this case is a Texas company, where so many top appointees now call home and where the cattle and Billie Sol used to roam.

I plan to confer with my colleague, the gentleman from Louisiana [Mr. HÉBERT], at his earliest convenience to show him that what he finds difficult to believe is everyday policy at Navy.

Another of my colleagues, my Hoosier friend, the gentleman from Indiana, Representative WILLIAM BRAY, called attention to the Navy's great pressure and persuasion to get the Indiana firm I represent to withdraw their bid. He called attention to the fact that Navy denied the firm I represent the right to bid. He also called for an investigation.

I repeat what I said Wednesday. There are many cases of waste and squandering of the taxpayers' money in the Navy Department. I have cited just one. I have documentation on many more and welcome the opportunity to state my case, based on the facts.

I have also contacted the Comptroller General to seek more information on the Texas company mentioned in my Wednesday presentation and should be able to document its performance on other Government contracts in the near future.

## DR. DOBRIANSKY VISITS FREE CHINA

Mr. CONTE. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. DERWINSKI. Mr. Speaker, one of our key allies which finds itself undergoing consistent criticism from some circles within the country, and receiving occasional cool skeptical treatment from the State Department, is the Nationalist Chinese Government on Formosa. Much has been said and written about the Nationalist Chinese strength and the representation it gives to free Chinese aspirations.

Early this year, Dr. Lev E. Dobriansky, professor of economics at Georgetown University, and chairman of the National Captive Nations Week Committee, visited Nationalist China and conducted an extensive inspection of the area.

I have had the opportunity, Mr. Speaker, to discuss with Dr. Dobriansky in great detail observations concerning this trip, and pass on some basic highlights to the Members for their consideration.

Dr. Dobriansky had the opportunity to speak with Government leaders at every level—including President Chiang Kai-shek—and with military leaders and individual Chinese. During his visit, he made radio broadcasts to the mainland on the famine and the prospects of liberation; he addressed the Armed Services Staff School on Communism and the U.S.S.R.; he recorded a half-hour interview with Voice of America, and he spoke with groups of university students.

One of Dr. Dobriansky's main conclusions after his visit is that many popular concepts of Nationalist China are not correct. He points out that many people think of that country as a nation of old men, whereas 40 percent of the population is 14 years of age or younger, and there are many young and middle-aged men in the government and military.

Another popular misconception, Dr. Dobriansky pointed out, is that the island of Quemoy is of little worth to Nationalist China and the West. He said that Quemoy, only 5 miles from mainland China, is both politically and militarily indispensable because it is a protective outpost between Red China and Taiwan and the Pescadores, and it would serve as a steppingstone for the possible return of Chiang to the mainland. Also, he said, it is a symbolic fortress of freedom.

Dr. Dobriansky does not discount the possibility of Chiang's return to the mainland. The Nationalist Chinese army is a half-million strong, with an additional 1½ million men in reserves.

He said that the widespread discontent of mainland peasants, if coupled with mass desertions by Red Chinese soldiers, could spark a Hungarian-type revolution which might enable Chiang to return.

Dr. Dobriansky said that in his talk with President Chiang Kai-shek he was impressed with the Chinese leader's vigor, stamina, and alertness. He said Chiang looked as if he would last another decade.

Dr. Dobriansky especially emphasized his view that Nationalist China is America's strongest ally in Asia. He believes that the United States should do everything possible to help her remain free and strong, and to cooperate with her as the most practical step to restore freedom to the Chinese mainland.

## EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. REUSS.

(The following Members (at the request of Mr. CONTE) and to include extraneous matter:)

Mr. FINO.

Mr. DEROUNIAN.

Mr. GUBSER.

(The following Member (at the request of Mr. ALBERT) and to include extraneous matter:)

Mr. DENT in three instances.

## SENATE BILLS AND CONCURRENT RESOLUTION REFERRED

Bills and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 367. An act to provide medical care for certain persons engaged on board a vessel in the care, preservation, or navigation of such vessel; to the Committee on Interstate and Foreign Commerce.

S. 1605. An act to authorize the Federal Power Commission to delegate its functions; to the Committee on Interstate and Foreign Commerce.

S. 2164. An act to authorize the Secretary of the Interior to cooperate with the First World Conference on National Parks, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 2455. An act for the relief of Mrs. Elizabeth Lovic; to the Committee on the Judiciary.

S. 2614. An act for the relief of Mr. and Mrs. Alfredo Hua-Sing Ang; to the Committee on the Judiciary.

S. 2686. An act for the relief of Stepanida Losowskaja; to the Committee on the Judiciary.

S. 2692. An act for the relief of Armand Seri; to the Committee on the Judiciary.

S. 2699. An act for the relief of Roswitha Seib; to the Committee on the Judiciary.

S. 2711. An act for the relief of Tasia Demetropoulou (Dimitropoulos); to the Committee on the Judiciary.

S. 2837. An act for the relief of Konstantinos P. Theodoropoulos; to the Committee on the Judiciary.

S. 2855. An act for the relief of Weng Chiew Wong and Moy Chong Wong; to the Committee on the Judiciary.

S. 2862. An act for the relief of Mai Har Tung; to the Committee on the Judiciary.

S. 2872. An act for the relief of Wen Tang; to the Committee on the Judiciary.

S. 2904. An act for the relief of Stefan Zappel; to the Committee on the Judiciary.

S. 2994. An act for the relief of Olaf Schaetzle Bonde (also known as Olaf Carl

Schaetzle); to the Committee on the Judiciary.

S. 2999. An act for the relief of Kang Soon Yang; to the Committee on the Judiciary.

S. 3025. An act to supplement certain provisions of Federal law incorporating the Texas & Pacific Railway Co. in order to give certain additional authority to such company; to the Committee on Interstate and Foreign Commerce.

S. Con. Res. 76. Concurrent resolution withdrawing suspension of deportation of Ioannis Constantelias; to the Committee on the Judiciary.

## ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2833. An act for the relief of Franziska Aloisia Fuchs (nee Tercka);

H.R. 3247. An act to amend section 2385 of title 18 of the United States Code to define the term "organize" as used in that section;

H.R. 3595. An act for the relief of Anna Isernia Alloca;

H.R. 3633. An act for the relief of Angelina Rainone;

H.R. 3714. An act for the relief of Janina Maciejewska;

H.R. 4655. An act for the relief of Adele Anis Mansour;

H.R. 6330. An act for the relief of Vincent Edward Hughes, his wife, Carmel Philomena Hughes, and their alien children;

H.R. 6695. An act to amend title 39 of the United States Code with respect to the transportation of mail by highway post office service, and for other purposes;

H.R. 7061. An act to amend title 39 of the United States Code to provide for payment for unused compensatory time owing to deceased postal employees, and for other purposes;

H.R. 7416. An act to authorize the Bureau of the Census to make appropriate reimbursements between the respective appropriations available to the Bureau, and for other purposes; and

H.R. 7559. An act to amend title 39 of the United States Code to provide for additional writing or printing on third- and fourth-class mail.

## SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1745. An act to amend the act of August 9, 1955, relating to the regulation of fares for the transportation of schoolchildren in the District of Columbia.

## ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 15 minutes p.m.) the House adjourned until tomorrow, Tuesday, June 12, 1962, at 12 o'clock noon.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2160. A letter from the Comptroller General of the United States, transmitting a report on review of the maintenance and supply support of Army equipment furnished under the military assistance program (MAP) for Korea; to the Committee on Government Operations.

2161. A letter from the Secretary of Agriculture, transmitting a draft of a proposed bill entitled "A bill to amend the Watershed Protection and Flood Prevention Act, as amended"; to the Committee on Agriculture.

2162. A letter from the Secretary of the Army, transmitting a draft of a proposed bill entitled "A bill to amend section 6(a) of the act of September 30, 1950"; to the Committee on Education and Labor.

2163. A letter from the Surgeon General, Department of Health, Education, and Welfare, transmitting a report, in three parts, entitled "Motor Vehicles, Air Pollution and Health," prepared in compliance with the provisions of Public Law 86-493; to the Committee on Interstate and Foreign Commerce.

2164. A letter from the Chairman, Federal Communications Commission, transmitting a copy of the report on backlog of pending applications and hearing cases in the Federal Communications Commission as of April 30, 1962, pursuant to Public Law 554, 82d Congress; to the Committee on Interstate and Foreign Commerce.

2165. A letter from the Assistant Secretary of the Interior, transmitting a proposed supplemental agreement to extend until December 31, 1963, the operating permit of the Rainier National Park Co. which would authorize them to provide facilities and services for the public in Mount Rainier National Park, pursuant to the act of July 14, 1956 (70 Stat. 543); to the Committee on Interior and Insular Affairs.

2166. A letter from the Secretary of Commerce, transmitting a draft of a proposed bill entitled "A bill to extend authority for the waiver of nonimmigrant visas"; to the Committee on the Judiciary.

2167. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated January 30, 1962, submitting a report, together with accompanying papers and an illustration, on a letter report on the main channel leading from Turkey Point to Havre De Grace, Harford County, Md., authorized by the River and Harbor Act, approved May 17, 1950; to the Committee on Public Works.

2168. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated January 26, 1962, submitting a report, together with accompanying papers and an illustration, on a letter report on the Aberdeen Creek, Gloucester County, Va., authorized by the River and Harbor Act, approved July 24, 1946. No authorization by Congress is recommended as the desired improvement has been adopted for accomplishment by the Chief of Engineers under the provisions of section 107 of the 1960 River and Harbor Act; to the Committee on Public Works.

2169. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated January 30, 1962, submitting a report, together with accompanying papers and an illustration, on a letter report on the southern branch of the Elizabeth River (Norfolk Harbor), Va., requested by a resolution of the Committee on Public Works, House of Representatives, adopted June 24, 1953; to the Committee on Public Works.

2170. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated January 30, 1962, submitting a report, together with accompanying papers and an illustration, on a letter report on the Assateague Channel and Smallers drain, Accomack County, Va., requested by a resolution of the Committee on Public Works, House of Representatives, adopted June 17, 1948; to the Committee on Public Works.

2171. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated January 30, 1962, submitting a report, together with accompanying papers and an illustration, on a letter report on the Savannah River, Ga. and S.C., authorized by the River and Harbor Act, approved July 3, 1958; to the Committee on Public Works.

2172. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated January 30, 1962, submitting a report, together with accompanying papers and an illustration, on a letter report on the Oswego River watershed at Keuka Lake, N.Y., requested by a resolution of the Committee on Public Works, House of Representatives, adopted July 31, 1957; to the Committee on Public Works.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLS: Committee on Ways and Means. H.R. 10095. A bill to continue until the close of June 30, 1963, the suspension of duties for metal scrap, and for other purposes; with amendment (Rept. No. 1790). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 10928. A bill to transfer casein or lactarene to the free list of the Tariff Act of 1930; with amendment (Rept. No. 1791). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 9520. A bill to continue for 2 years the suspension of duty on certain alumina and bauxite; without amendment (Rept. No. 1792). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 11400. A bill to continue for 2 years the existing suspension of duties on certain lathes used for shoe last roughing or for shoe last finishing; without amendment (Rept. No. 1793). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 10852. A bill to continue for a temporary period the existing suspension of duties on certain classifications of spun silk yarn; without amendment (Rept. No. 1794). Referred to the Committee of the Whole House on the State of the Union.

Mr. HAYS: Committee on Foreign Affairs. H.R. 11880. A bill to amend the Foreign Service Buildings Act, 1926, to authorize additional appropriations, and for other purposes; without amendment (Rept. No. 1795). Referred to the Committee of the Whole House on the State of the Union.

Mr. CELLER: Committee on the Judiciary. Senate Joint Resolution 68. Joint resolution providing for the designation of the week commencing October 1, 1961, as "National Public Works Week"; with amendment (Rept. No. 1796). Referred to the House Calendar.

Mr. CELLER: Committee on the Judiciary. House Joint Resolution 717. Joint resolution designating January 1, 1963, as Emancipation Proclamation Day; without amendment (Rept. No. 1797). Referred to the House Calendar.

Mr. CELLER: Committee on the Judiciary. H.R. 11711. A bill to incorporate Science Service, Inc., for the purposes indicated by Public Law 85-875; without amendment (Rept. No. 1798). Referred to the House Calendar.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MILLS:

H.R. 12061. A bill to extend the Renegotiation Act of 1951; to the Committee on Ways and Means.

By Mr. FULTON:

H.R. 12062. A bill to prohibit discrimination on account of sex in the payment of wages by certain employers engaged in commerce or in the production of goods for commerce and to provide for the restitution of wages lost by employees by reason of any such discrimination; to the Committee on Education and Labor.

By Mrs. GRIFFITHS:

H.R. 12063. A bill to amend the Library Services Act in order to make areas lacking public libraries or with inadequate public libraries, public elementary and secondary school libraries, and certain college and university libraries, eligible for benefits under that act, and for other purposes; to the Committee on Education and Labor.

By Mr. KEARNS:

H.J. Res. 733. Joint resolution creating and establishing the Capitol Commission; to the Committee on House Administration.

By Mr. SCHENCK:

H. Con. Res. 480. Concurrent resolution authorizing the printing of a report entitled "Motor Vehicles, Air Pollution and Health" as a House document, and providing for additional copies; to the Committee on House Administration.

By Mr. DOMINICK:

H. Res. 684. Resolution to amend rule XXI of the House of Representatives to require that certain appropriation bills contain a provision requiring that any item to be acquired for Government use be leased or rented rather than purchased if the former is more advantageous to the Government; to the Committee on Rules.

## MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Louisiana, memorializing the President and the Congress of the United States relative to the equal rights amendment for women now pending before the U.S. Congress; to the Committee on the Judiciary.

Also, memorial of the Legislature of the State of Louisiana, memorializing the President and the Congress of the United States to propose an amendment to the Constitution of the United States to be known as "The Freedom of Choice Amendment"; to the Committee on the Judiciary.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. JOHANSEN:

H.R. 12064. A bill for the relief of Theodoros Skartsiaris; to the Committee on the Judiciary.

By Mr. DOOLEY:

H.R. 12065. A bill for the relief of Ester Antoniolli; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 12066. A bill for the relief of Edith and Joseph Sharon; to the Committee on the Judiciary.

By Mr. RAY:

H.R. 12067. A bill for the relief of Sheila Marguerite Henderson; to the Committee on the Judiciary.

## PETITIONS, ETC.

Under clause 1 of rule XXII,

364. The SPEAKER presented a petition of Gordon T. Nesvig, clerk of the Board of Supervisors of the County of Los Angeles, Los Angeles, Calif., relative to approving and supporting the portions of H.R. 11199 which relate to the extension of the Federal-aid secondary system in the urban areas, and requesting support of this legislation; to the Committee on Public Works.

# SENATE

## MONDAY, JUNE 11, 1962

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

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

Almighty God, our Father, facing the waiting tasks of another week, we come gratefully mindful that upon the free soil of this continent, which we believe Thou didst keep for the fulfillment of Thy purposes of good will for all mankind, our fathers with holy toil reared a house of faith hallowed by Thy name.

In the midst of the burdening conflicts of today, when so often the strife for the right is fierce and the warfare long, we thank Thee that through the gates of the morning there come marching hosts—reinforcements with fresh faces and confident hope, a new army in caps and gowns, from the training grounds of our educational arsenals, to take up the trumpets of freedom which must never call retreat.

We pray that these new battalions from our college halls may feel keenly their kinship with those who knelt around the cradle of our liberty, and realize with deep solemnity that the diplomas in their hands are valid only as they maintain in their hearts the faith that science walks with humble feet to seek the God that faith hath found.

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

## THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Friday, June 8, 1962, was dispensed with.

## REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Pursuant to the order of the Senate of January 15, 1962,

Mr. ROBERTSON, from the Committee on Appropriations, reported favorably, with amendments, on June 8, 1962, the bill (H.R. 11289) making appropriations for the Department of Defense for the fiscal year ending June 30, 1963, and for other purposes, and submitted a report (No. 1578) thereon.

## NOTICES OF MOTIONS TO SUSPEND THE RULE—AMENDMENTS TO DEFENSE DEPARTMENT APPROPRIATION BILL

Mr. ROBERTSON, on June 8, 1962, 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. 11289) making appropriations for the Department of Defense for the fiscal year ending June 30, 1963, and for other purposes, the following amendment; namely, on page 6, line 2, insert the following: ": *Provided further,* That the Army National Guard will be programed to attain an end strength of four hundred thousand in fiscal year 1963: *Provided further,* That insofar as practicable in any reorganization or realinement for the purpose of modernization the number and geographical location of existing units will be maintained".

Mr. ROBERTSON also submitted an amendment intended to be proposed by him to House bill 11289, making appropriations for the Department of Defense 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. ROBERTSON, on June 8, 1962, also 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. 11289) making appropriations for the Department of Defense for the fiscal year ending June 30, 1963, and for other purposes, the following amendment; namely, on page 4, line 11, after "$239,200,000", insert: ": *Provided,* That the Army Reserve personnel undergoing paid drill training and paid from this appropriation shall be maintained at an end strength of not less than three hundred thousand for fiscal year 1963: *Provided further,* That insofar as practicable in any reorganization or realinement for the purpose of modernization the number and geographical location of existing units will be maintained".

Mr. ROBERTSON also submitted an amendment intended to be proposed by him to House bill 11289, making appropriations for the Department of Defense 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. ROBERTSON, on June 8, 1962, also 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. 11289) making appropriations for the Department of Defense for the fiscal year ending June 30, 1963, and for other purposes, the following amendment; namely, at the proper place in the bill insert the following:

"SEC. 540. Of the funds made available in this Act for repair, alteration, and conver-

sion of naval vessels, 65 per centum shall be available for such repair, alteration, and conversion in Navy shipyards, and 35 per centum shall be available for such repair, alteration, and conversion in privately owned shipyards: *Provided,* That if determined by the President to be inconsistent with the public interest based on urgency of requirement, capability, and economy of performance to have such vessels repaired, altered, or converted as required above, such work may be done in Navy or private shipyards as he may direct."

Mr. ROBERTSON also submitted an amendment intended to be proposed by him to House bill 11289, making appropriations for the Department of Defense 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.)

## MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 1745. An act to amend the act of August 9, 1955, relating to the regulation of fares for the transportation of schoolchildren in the District of Columbia;

H.R. 2833. An act for the relief of Franziska Aloisia Fuchs (nee Tercka);

H.R. 3247. An act to amend section 2385 of title 18 of the United States Code to define the term "organize" as used in that section;

H.R. 3595. An act for the relief of Anna Isernia Alloca;

H.R. 3633. An act for the relief of Angelina Rainone;

H.R. 3714. An act for the relief of Janina Maciejewska;

H.R. 4655. An act for the relief of Adele Anis Mansour;

H.R. 6330. An act for the relief of Vincent Edward Hughes, his wife, Carmel Philomena Hughes, and their alien children;

H.R. 6695. An act to amend title 39 of the United States Code with respect to the transportation of mail by highway post office service, and for other purposes;

H.R. 7061. An act to amend title 39 of the United States Code to provide for payment for unused compensatory time owing to deceased postal employees, and for other purposes;

H.R. 7416. An act to authorize the Bureau of the Census to make appropriate reimbursements between the respective appropriations available to the Bureau and for other purposes; and

H.R. 7559. An act to amend title 39 of the United States Code to provide for additional writing or printing on third- and fourth-class mail.

## CALL OF THE LEGISLATIVE CALENDAR DISPENSED WITH

On request of Mr. MANSFIELD, and by unanimous consent, the call of the legislative calendar was dispended with.

## LIMITATION OF DEBATE DURING MORNING HOUR

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

## THE SPACE COMMUNICATIONS BILL

Mr. MANSFIELD. Mr. President, for the information of the Senate, I wish to announce that the space communications bill will not be brought up later this week, and will not be brought up until it has been reported to the Senate and has been considered by the policy committee. When I announced, last week, that the bill would be brought up later this week, I was under a misapprehension, because I had thought the bill had been reported from the committee and had been placed on the calendar. It is my understanding that although the committee has ordered the bill reported, it has not yet actually been reported to the Senate and it is not on the calendar at the present time.

## EXECUTIVE COMMUNICATIONS, ETC.

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

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

A letter from the Chairman, Federal Communications Commission, Washington, D.C., transmitting, pursuant to law, a report on the backlog of pending applications and hearing cases in that Commission, as of April 30, 1962 (with an accompanying report); to the Committee on Commerce.

REPORT ON REVIEW OF MILITARY ASSISTANCE PROGRAM FOR TURKEY

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a secret report on the review of the military assistance program for Turkey (with an accompanying report); to the Committee on Government Operations.

REPORT ON MAINTENANCE AND SUPPLY SUPPORT OF ARMY EQUIPMENT FURNISHED UNDER MILITARY ASSISTANCE PROGRAM FOR KOREA

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a confidential report on maintenance and supply support of Army equipment furnished under the military assistance program for Korea (with an accompanying report); to the Committee on Government Operations.

EXTENSION OF CONCESSION IN MOUNT RAINIER NATIONAL PARK

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a supplemental agreement to extend through December 31, 1963, the concession permit of the Rainier National Park Co. (with accompanying papers); to the Committee on Interior and Insular Affairs.

EXTENSION OF AUTHORITY FOR WAIVER OF NONIMMIGRANT VISAS

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to extend authority for the waiver of nonimmigrant visas (with an accompanying paper); to the Committee on the Judiciary.

REPORT ON MOTOR VEHICLES, AIR POLLUTION, AND HEALTH

A letter from the Surgeon General, Department of Health, Education, and Welfare, transmitting, pursuant to law, a report entitled "Motor Vehicles, Air Pollution, and Health," dated June 1962 (with an accompanying report); to the Committee on Labor and Public Welfare.

AMENDMENT OF SECTION 6(a) OF ACT OF SEPTEMBER 30, 1950

A letter from the Secretary of the Army, transmitting a draft of proposed legislation to amend section 6(a) of the act of September 30, 1950 (with an accompanying paper); to the Committee on Post Office and Civil Service.

## PETITIONS AND MEMORIALS

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

By the VICE PRESIDENT:

A concurrent resolution of the Legislature of the State of Louisiana; to the Committee on the Judiciary:

"HOUSE CONCURRENT RESOLUTION 7

"Concurrent resolution memorializing the Congress of the United States to propose an amendment to the Constitution of the United States to be known as 'The Freedom of Choice Amendment.'

"Whereas since the earliest days of the Union of the United States the individual States have exercised certain basic rights within their respective borders; and

"Whereas this system of State rights has produced beneficial results and is in accord with the principles of local self-government; and

"Whereas such rights are in keeping with the basic design of our Federal system: Therefore be it

*"Resolved by the House of Representatives of the Legislature of Louisiana (the Senate thereof concurring herein),* That the Congress of the United States is hereby memorialized to adopt and offer to the States for ratification or rejection the following amendment to the Constitution of the United States:

" 'This amendment shall be known as "The Freedom of Choice Amendment."

" 'The right of the owners and operators of all kind and description, their agents, servants and employees, of all hotels, restaurants, inns, cafes, bars, ice cream parlors, soft drink stands, motels, apartment houses, trailer camps, cemeteries, dancehalls, skating rinks, bathhouses, barbershops, beauty shops and other privately owned places of public accommodation or amusement to choose their own guests, patrons, and tenants shall not be abridged.

" 'The right of churches, lodges, fraternities, sororities, private clubs, and all other privately owned and operated institutions and associations to choose their own guests, patrons, and members shall not be abridged.

" 'The rights of owners of land to contract with other owners of land, either individually or through associations, for the use and occupancy of privately owned lands in the same neighborhood shall not be abridged; *Provided,* That no owner of land shall be compelled to join in any such contract or become a member of any neighborhood association; *And provided further,* That the right and freedom of such contracting owners to give written consent by a majority vote shall not be restricted or abridged by law or contract so as to prevent the giving of such consent to any person solely because of said person's race, color, creed or nationality. The term "neighborhood" shall mean whatever area the contracting parties may designate.

" 'Unless restricted by his own voluntary agreement, the right of any property owner to sell or lease his property to another person of his own choice shall not be abridged.

" 'Educational policies, including administration, finance, subject matter of instruction, assignment of pupils and all matters pertaining thereto shall be exercised exclusively by the several States solely as the legislative bodies thereof shall determine to be in the best interests of the people of said State, or by such other means as provided by such legislative bodies, including initiative and referendum voting.

" 'Rules and regulations pertaining to intrastate transportation and all other intrastate public agencies shall be exercised exclusively by the States,' and be it further

"*Resolved*, That the clerk of the House of Representatives of the Louisiana Legislature shall transmit copies of this concurrent resolution to the Congress of the United States and to the members of the Louisiana delegation in the Congress.

"———— ————

*"Speaker of the House of Representatives.*

"———— ————

*"Lieutenant Governor and President of the Senate."*

A resolution adopted by the Chamber of Commerce of the Americas, of Miami, Fla., pledging support of the Alliance for Progress in the Latin American countries; to the Committee on Foreign Relations.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. McCLELLAN, from the Committee on the Judiciary, without amendment:

H.R. 11032. An act granting a renewal of patent No. 92,187 relating to the badge of the Sons of the American Legion (Rept. No. 1580);

H.R. 11033. An act granting a renewal of patent No. 55,398 relating to the badge of the American Legion Auxiliary (Rept. No. 1581); and

H.R. 11034. An act granting a renewal of patent No. 54,296 relating to the badge of the American Legion (Rept. No. 1582).

By Mr. RUSSELL, from the Committee on Armed Services, with amendments:

H.R. 11221. An act to amend section 302 of the Career Compensation Act of 1949, as amended (37 U.S.C. 252), to increase the basic allowance for quarters of members of the uniformed services and to make permanent the Dependents Assistance Act of 1950, as amended (50 App. U.S.C. 2201 et seq.), and for other purposes (Rept. No. 1579).

By Mr. MONRONEY, from the Committee of Commerce, with an amendment:

S. 678. A bill to extend the Automobile Information Disclosure Act to Guam and the Virgin Islands (Rept. No. 1583).

## COMMUNICATIONS SATELLITE ACT OF 1962—REPORT OF A COMMITTEE—MINORITY VIEWS

Mr. PASTORE. Mr. President, from the Committee on Commerce, I report favorably, with an amendment, the bill (H.R. 11040) to provide for the establishment, ownership, operation, and regulation of a commercial communications satellite system, and for other purposes, and I submit a report (No. 1584) thereon.

I ask unanimous consent that the report may be printed, together with minority views of the Senator from Texas [Mr. YARBOROUGH] and the Senator from Alaska [Mr. BARTLETT].

The VICE PRESIDENT. The report will be received and printed, as requested by the Senator from Rhode Island, and the bill will be placed on the calendar.

## EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary:

Oliver Seth, of New Mexico, to be U.S. circuit judge for the 10th circuit.

Mr. ANDERSON subsequently said: Mr. President, I ask unanimous consent that, as in executive session, the Senate proceed to the consideration of a nomination which was reported earlier today.

The VICE PRESIDENT. The nomination will be stated.

The legislative clerk read the nomination of Oliver Seth, of New Mexico, to be U.S. circuit judge for the 10th district.

The VICE PRESIDENT. Is there objection to the present consideration of the nomination?

There being no objection, the Senate proceeded to consider the nomination.

Mr. ANDERSON. I do not desire to speak on it. It was considered in the Judiciary Committee and has been cleared by the minority and the majority leadership. I hope we may proceed to the confirmation of the nomination.

The VICE PRESIDENT. Without objection, the nomination is confirmed, and without objection, the President will be immediately notified of the confirmation of the nomination.

By Mr. CARROLL, from the Committee on the Judiciary:

Luke C. Moore, of the District of Columbia, to be U.S. marshal for the District of Columbia.

## EXECUTIVE REPORTS OF COMMITTEE ON ARMED SERVICES

Mr. BEALL. Mr. President, as in executive session, from the Committee on Armed Services, I report favorably the nominations of 34 major generals and 45 brigadier generals in the Army, and 4 generals and 5 lieutenant generals in the Air Force. I ask that these nominations be placed on the Executive Calendar.

The VICE PRESIDENT. The nominations will be received and placed on the Executive Calendar.

The nominations are as follows:

Col. Robert Ludwig Schulz, U.S. Army, for temporary appointment in the Army of the United States, in the grade of brigadier general;

Brig. Gen. Achilles Lacy Tynes, Medical Corps, U.S. Army, for appointment in the Regular Army of the United States, in the grade of major general;

Maj. Gen. James Hedges Forsee, Medical Corps, U.S. Army, and sundry other officers, for temporary appointment in the Army of the United States; and

Lt. Gen. John K. Gerhart (major general, Regular Air Force), U.S. Air Force, and sundry other officers, to be assigned to positions of importance and responsibility designated by the President.

Mr. BEALL. Mr. President, in addition, I report favorably 1,628 appointments and promotions in the Army in the grade of colonel and below. All of these names have already appeared in the CONGRESSIONAL RECORD, so in order to save the expense of printing on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Vice President's desk for the information of any Senator.

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

The nominations ordered to lie on the desk are as follows:

Warren G. Cosby, and sundry other persons for appointment and promotion in the Regular Army of the United States.

## BILLS AND JOINT RESOLUTION INTRODUCED

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

By Mrs. NEUBERGER:

S. 3390. A bill for the relief of Naife Kahl; to the Committee on the Judiciary.

By Mr. SMATHERS:

S. 3391. A bill for the relief of Rafael I. Fernandez; to the Committee on the Judiciary.

By Mr. PASTORE:

S. 3392. A bill to authorize appropriations for the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. MORSE:

S. 3393. A bill for the relief of Demetrios K. Georgaras; to the Committee on the Judiciary.

By Mr. SYMINGTON:

S. 3394. A bill for the relief of Lt. Col. William A. Carter, U.S. Air Force; to the Committee on the Judiciary.

By Mr. KEATING:

S. 3395. A bill for the relief of Graciela D'Hoedt; to the Committee on the Judiciary.

By Mr. MAGNUSON (by request):

S. 3396. A bill to amend section 511(h) of the Merchant Marine Act, 1936, as amended, in order to extend the time for commitment of construction reserve funds; to the Committee on Commerce.

By Mr. ELLENDER (by request):

S.J. Res. 198. Joint resolution deferring until August 25, 1962, the issuance of a proclamation with respect to a national wheat acreage allotment; considered and passed.

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

## CONCURRENT RESOLUTION—RETURN OF ENROLLED SENATE BILL 1745, RELATING TO DISTRICT OF COLUMBIA SCHOOLCHILDREN'S FARES

Mr. MORSE submitted a concurrent resolution (S. Con. Res. 78) requesting the President to return to the Senate the enrolled bill (S. 1745) relating to District of Columbia schoolchildren's fares, and providing for its reenrollment with a certain change, which was considered and agreed to.

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

## DEFERENCE UNTIL AUGUST 15, 1962, OF PROCLAMATION ON NATIONAL WHEAT ACREAGE ALLOTMENT

Mr. ELLENDER. Mr. President, I introduce a joint resolution and ask for its immediate consideration.

The VICE PRESIDENT. The joint resolution will be read for the information of the Senate.

The joint resolution (S.J. Res. 198) deferring until August 25, 1962, the issuance of a proclamation with respect to a national wheat acreage allotment, was read the first time by its title and the second time at length, as follows:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding any other provisions of law, the Secretary of Agriculture may defer until July 15, 1962, any proclamation under section 332 of the Agricultural Adjustment Act of 1938, as amended, with respect to a national acreage allotment for the 1963 crop of wheat and any proclamation under section 335 of such Act with respect to marketing quotas for such crop of wheat; and may defer until August 25, 1962, any referendum under section 336 of such Act with respect to marketing quotas for such crop of wheat.

Mr. ELLENDER. Mr. President, this joint resolution, if enacted, would defer the final date for the proclamation of 1963 crop wheat-marketing quotas and acreage allotments until July 15, 1962. It would also defer the final date for the referendum on 1963 crop-marketing quotas until August 25, 1962.

The Senate on May 25 passed S. 3225, which would make substantial changes in the law relating to wheat-marketing quotas. On May 10, in anticipation of action on S. 3225, the Senate passed Senate Joint Resolution 185, which became Public Law 87-450, to extend the final date for proclamation of the 1963 crop quota and allotment until June 15. The House has not yet taken up consideration of the farm bill, although a rule has been issued for consideration of H.R. 11222, which is the companion to S. 3225. Since June 15 will be this Friday, it is necessary to extend the time for the proclamation of the quota and allotment for an additional month in the hope that action on the farm bill will be completed by that time.

Proclamation of quotas and allotments at this time would serve no useful purpose, but would create a confusing situation and involve some unnecessary additional Government expense.

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

Mr. ELLENDER. I yield.

Mr. CARLSON. Of course, I shall support the joint resolution offered by the distinguished chairman of the Committee on Agriculture and Forestry. I do want to mention that it is a very late date for the referendum for the wheat-growing area. The harvesting in Kansas will be over by July 15. Wheatgrowers must plan their wheat plantings for 1963 early in July. Much wheat will be planted by August 15. The proposal is for a referendum on August 25? Is that correct?

Mr. ELLENDER. For a vote.

Mr. CARLSON. The voting would be on August 25.

Mr. ELLENDER. That is correct.

Mr. CARLSON. I regret exceedingly this late date. I had hoped it would not be later than August 1. In fairness to the wheatgrowers, this referendum should have been held at an early date so as to permit wheat planting operations for 1963.

When the farm bill was before the Senate, I said I was gravely concerned over whether there would be an adequate period of time for a new wheat program to be presented to the growers should Congress approve it. I still am concerned about it. I shall not vote against the joint resolution, but I sincerely regret that such a late date has been fixed. It is unfair to the wheat growers and not too fair to the Department of Agriculture, the State committees, and the county committees who must carry this burden of education.

I had hoped we might continue the present farm program both for feed grains and wheat for another year in order that our farmers might have sufficient time to become familiar with the details of new farm programs. Again I say, however, under the circumstances I shall not oppose the joint resolution.

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

Mr. CARLSON. I yield.

Mr. CARROLL. I have great respect for the knowledge of the Senator from Kansas in the subject of wheat. Why would the date of August 1 be preferable to August 25?

Mr. CARLSON. The wheatgrower makes his plans and gets his wheat farming operations established by then. This is a new program. It is not the present program; it is a completely new program. I would like to have the wheatgrower know about this program well in advance of his planting operations. A great deal of acreage will be planted in western Kansas and several other States by that date. Therefore, I think it is regrettable that we have as late a date as fixed in the joint resolution.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution (S.J. Res. 198) was considered, ordered to be engrossed for a third reading, read the third time, and passed.

## DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATION BILL, 1963—AMENDMENT

Mr. CARROLL submitted an amendment, intended to be proposed by him, to the bill (H.R. 10802) making appropriations for the Department of the Interior and related 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.

## DEPARTMENT OF DEFENSE APPROPRIATION BILL, 1963—AMENDMENTS

Mr. PROXMIRE submitted amendments, intended to be proposed by him, to the bill (H.R. 11289) making appropriations for the Department of Defense for the fiscal year ending June 30, 1963, and for other purposes, which were ordered to lie on the table and to be printed.

## EXTENSION OF PROGRAM OF GRANTS-IN-AID TO REPUBLIC OF THE PHILIPPINES FOR HOSPITALIZATION OF CERTAIN VETERANS—ADDITIONAL COSPONSOR OF BILL

Under authority of the order of the Senate of June 6, 1962, the name of Mr. PELL was added as an additional cosponsor of the bill (S. 3373) to amend section 632 of title 38, United States Code, to provide for an extension of the program of grants-in-aid to the Republic of the Philippines for the hospitalization of certain veterans, introduced by Mr. YARBOROUGH (for himself and other Senators) on June 6, 1962.

## ALLEVIATION OF HEALTH PROBLEMS AMONG MIGRANT FARM FAMILIES—ADDITIONAL COSPONSOR OF BILL

Under authority of the order of the Senate of June 7, 1962, the name of Mr. CLARK was added as an additional cosponsor of the bill (S. 3382) to amend the Public Health Service Act so as to establish a program to assist in the construction of adequate sanitation facilities for migratory farm labor, introduced by Mr. WILLIAMS of New Jersey (for himself and other Senators) on June 7, 1962.

## ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, June 11, 1962, he presented to the President of the United States the enrolled bill (S. 1745) to amend the act of August 9, 1955, relating to the regulation of fares for the transportation of schoolchildren in the District of Columbia.

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

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

By Mr. HUMPHREY:

Memorial Day address delivered by Senator LONG of Missouri before the American Legion 11th and 12th districts, at St. Louis Memorial Day services on May 30, 1962.

By Mr. WILEY:

Excerpts from weekend address by him over Wisconsin radio stations on impact of proposed legislation on U.S. agriculture.

By Mr. MORTON:

Text of Senate bill 3386.

## INTERESTS AND POLICIES IN SOUTHEAST ASIA — COMMENCEMENT ADDRESS BY SENATOR MANSFIELD AT MICHIGAN STATE UNIVERSITY

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD the commencement address which I delivered at Michigan State University, at East Lansing, Mich., on yesterday.

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

INTERESTS AND POLICIES IN SOUTHEAST ASIA

(By Senator MIKE MANSFIELD)

I am happy to be with you and grateful for the privilege of joining the class of 1962. It is especially pleasant to be here because of past contacts with your faculty and, most especially, with my old friend, Ernest Melby, former chancellor of the University of Montana.

Members of the Michigan State staff are often encountered in Washington and in the farflung corners of the world. I cannot remember the number of times, for example, that I have run into your Prof. Wesley Fishel and my old colleague from Montana, Prof. Guy Fox, in Saigon. Together with the rest of the training mission of Michigan State, they have made important contributions to the Republic of Vietnam. As for your president, Dr. Hannah, his travel mileage on behalf of the Nation—and, incidentally, Michigan State—is rivaled only by that of the Secretary of State and Members of Congress.

I have heard it said that the sun never sets on the faculty of Michigan State. It is reassuring, therefore, to come here and discover that the faculty has a natural habitat. It is such a delightful habitat one wonders why so many of its members have been persuaded to leave for the enervating tropics of Asia and Washington.

They have been persuaded, I suspect, even as the Nation has been persuaded, to enter into new channels of international activity, by the events of the past two decades. The Nation has become deeply committed throughout the world. Skilled members of this university are among the thousands of Americans who are working abroad with great dedication to discharge that commitment.

It is to this commitment, notably, as it is involved in southeast Asia which I would address your attention. I have chosen this subject, in part, because of the close association which has existed between Michigan State and Vietnam. I have chosen it, too, in part because events appear to be moving in southeast Asia toward a point of critical decision. I have chosen it, finally, because I suspect you are sufficiently inspired at this moment not to require an inspirational speech from me. Hence, I shall give you what are, in my opinion, the sober facts of one of the situations which confront the Nation, facts to which you are entitled as mature men and women, as citizens of the United States.

As you know, we have recently landed combat forces in Thailand. This movement of troops follows the strengthening of the U.S. military training mission in Vietnam. Both steps represent a deepening of an already very deep involvement on the southeast Asian mainland.

In this, as in all cases of foreign policy and military command, the responsibility for the direction of the Nation's course rests with the President. It is a grave and difficult responsibility. In discharging it, the President is entitled to the understanding and support of the Nation. May I say that he has had both in the Senate of the United States, from the leadership of both parties and to the fullest extent. He has kept the Congress fully informed on the situation as it has developed. In a similar manner he has tried to keep the people of the Nation informed through his frequent press conferences.

Support of the President, and I give him mine wholeheartedly, does not preclude public discussion of the situation in southeast Asia. On the contrary, it presupposes it. The President would be the last to expect a moratorium on public participation of this kind. It is politics that needs to stop at the water's edge, not serious consideration of the Nation's course in its relations with the rest of the world. Rather than less, we need more public consideration of this matter.

The need is especially acute with respect to southeast Asia. Until recent times it has been an area remote from the general awareness of the Nation. It is not surprising that the public, even today, knows little about the region. Indeed, it is doubtful that a decade ago, more than a small fraction of the civilian and military personnel of the Government and the journalists who are now immersed in its place names could have quickly located the Kingdom of Laos, let alone its towns and villages, on a map of Asia.

Yet this obscure land on the borders of south China now writes headline after headline in the daily press. It keeps the lights on through the night in the Pentagon, the State Department and the Central Intelligence Agency. It has been the immediate cause of the dispatch of U.S. combat forces to Thailand and a partial cause of the strengthening of the military mission in Vietnam. In a decade about $400 million in U.S. military and other aid has gone into this one nation whose population is far smaller than that of the Detroit metropolitan region and is scattered in jungle and hill over an area the size of Oregon.

In 1953 when I first visited Laos, just two junior resident State Department officials were deemed sufficient for the protection of all U.S. interests in the entire country. Almost a decade later, hundreds of officials from half a dozen Federal agencies—military and civilian—were on the scene.

This transition in Laos highlights the transition in the U.S. relationship with all of southeast Asia. From a minimum of contact and cost scarcely a dozen years ago we have moved today to a point of saturated involvement and immense expense. This progressive involvement has not been a party matter—a Republican policy or a Democratic policy.

It began under a Democratic administration. It intensified sharply under a Republican administration. And it is now being dealt with once again by a Democratic administration.

The roots of this involvement in southeast Asia lie in the vast dislocation which was produced in Asia by World War II. But in a more specific sense, it dates from the period of the Korean conflict.

You will recall that about a dozen years ago revolution swept like a giant tidal wave through China. It spilled over the Chinese borders in the north, into Korea. It gave every sign of engulfing Indochina to the south. That region, itself, was in the midst of a mixed and confusing Communist-nationalist-monarchist upheaval, but in essentials, a revolution against the reassertion of French colonial control after World War II.

Engaged in the conflict in Korea, we sought for strategic reasons to prevent Chinese expansion in southeast Asia. So we began to go to the aid, first, of the French and after them, the successor Governments of Indochina—in Vietnam, Laos, and Cambodia.

The military situation was eventually stabilized in Korea by negotiations. It was also stabilized in Indochina largely through the diplomacy which produced the Geneva agreements of 1954.

A kind of uneasy truce settled over Asia. But there was no change in the deepseated hostility between Chinese communism and the United States. Peiping continued to single us out as the No. 1 enemy of the Chinese people. We continued the policy of wartime boycott of the Chinese mainland—total economic and cultural boycott and almost total diplomatic boycott. The military situation in both the Formosan Straits and Korea remained ominous. The political situation in the divided countries of Laos and Vietnam remained unsettled.

There followed, then a U.S. effort to keep China out of southeast Asia and to forestall the spread of communism in that region. It was at this point that our direct involvement began to deepen in earnest. We embarked upon a massive military aid program to southeast Asian nations. All policy was directed preponderantly to the building of strong anti-Communist military establishments and governments. We sought, further, to bring the region under the protective umbrella of the Southeast Asia Treaty Organization, SEATO, which was expected to marshal nations both within and without the area for a common defense of the region against communism.

In Laos and in south Vietnam, particularly, the immense cost of sustaining the large military establishments built by U.S. military aid required, in turn, large annual economic aid-subsidies to these countries. Neither form of aid has much effect on the economic or social well-being or the ordinary people of these nations. The principal gain of these programs has flowed to a relatively small number of persons in the cities and to military personnel.

In addition, to this massive military and military-support program of aid, some effort was made to help improve the lot of the ordinary people by technical and other assistance for economic and social development.

Finally, I should mention the extension of the information program into southeast Asia. Again, the contrast in 10 years is significant. From a minor operation confined largely to the environs of the cities of Saigon and Bangkok, the voice of America has been carried by radio and pamphlet and motion picture, by boat, plane, jeep and foot and, I would presume even by elephant, into the remotest villages and hamlets of southeast Asia. The output of words increased massively and impressively. So, too, of course, did the cost to the people of the United States.

Over a 10-year period, the foreign aid program—military and nonmilitary—alone has resulted in authorized appropriations of the public funds of this Nation of well over $3 billion for these southeast Asian nations. This total does not take into account the salaries and expenses of the thousands of military and civilian personnel of the Government who have seen service in the area during this period. It does not take into account the cost of our participation in SEATO and consequent military deployments such as has occurred in recent weeks in and around Thailand. It does not take into account the cost of the expansion of the information programs and other Government activity.

Altogether, the commitment of resources to southeast Asia in a decade has been enormous by any measure. Yet it would be a small price to pay if it were to yield a durable peace and safeguard an opportunity for the growth of stable free nations in that region. Unfortunately, the experience of the past decade is not such as to give rise to sanguine expectations in this respect.

We have the experience of SEATO. It is difficult to assess its value in forestalling military adventures by the Communists. Perhaps it has had some effect; perhaps it has not. But one thing has been made very clear by the recent military deployment. We have allies under SEATO to be sure, but allies either unwilling or unable to assume but the smallest fraction of the burdens of the alliance. I say that not as criticism of any member of SEATO. Each nation has its own problems and capacities and I do not presume to judge them. But this Nation, too, has its problems. And one of them is to avoid miscalculations in policies which

may derive from the gap between the presumed promise and the actual fulfillment in any military alliance.

We have the experience, too, of Laos. There has been 8 years of military and other aid of the most intensive, indeed, the most extravagant kind to that country. There have been millions of costly words and pictures and sounds on the virtues of freedom and the evils of communism disseminated throughout a kingdom in which, may I say, neither the concept of Western freedom or Western communism can have much meaning. For it is a kingdom of isolated villagers, still living in a relatively contented, peaceful, Buddhist culture centuries old. Eight years of aid and words and other operations, in the end, have produced scarcely a ripple in Laos, except in the capital city. And what it produced there, to say the least, does not speak well for it. Laos is, clearly, in far more danger, today, of a collapse into a kind of communism under outside domination or, perhaps, to division and destruction as a nation, than when this whole process began—when the country was led by one who tried to think and act in terms of the kingdom's neutralism and greater self-reliance.

We have the experience of Vietnam. Under the leadership of President Nyo Dinh Diem, a man for whom I have the highest respect and the deepest admiration, a man whose integrity and honesty are unquestioned, and without whom there would be no free Vietnam, that country has faced extraordinary difficulties in its struggle for survival. Yet, even in this situation, after years of military assistance of a most costly kind, it is discovered that the aid went to build the wrong kinds of forces and that it is now necessary to build almost from scratch with the aid of thousands of additional American training and support forces and at an even higher level of annual aid. It is also discovered that a great deal more emphasis on political and economic development is now required in Vietnam, although the need for this latter course has been pointed out time and again in the Congress for many years.

There is no longer any escaping the fact that after years of enormous expenditures of aid in south Vietnam, that country is more, rather than less, dependent on aid from the United States. Vietnam's independent survival is less rather than more secure than it was 5 or 6 years ago.

Once again the bombs explode in Saigon as they have not done since the early days, which Professor Fishel will remember with me, of the establishment of the Republic in 1953–55.

One can only hope that a similar process of increasing dependency and increasing insecurity is not now about to begin in Thailand.

I think, in all honesty, that we must contrast these situations with those which exist in Burma and in Cambodia. Burma has a non-Communist independence which is, at this moment, more secure than that of Laos and Vietnam. Yet it has obtained little aid from us. Cambodia has received from us a fraction of the per capita aid which has gone to Vietnam or Laos. It has received aid from many countries, including Communist countries. Yet, its non-Communist independence is certainly not less, it is far more secure than that of Laos. Indeed, it is, as of this moment, among the most peaceful and stable of all the nations of Asia.

Now, I think we must realize that situations differ in these various nations. Communist and other pressures—internal and external—vary. So do historic and strategic circumstances. But it is not without significance in our comprehension of the total situation in southeast Asia that in nations in which our aid commitment has been relatively limited, the prospects are no worse for the survival of non-Communist independence than in those in which we are massively committed.

Before this phenomenon can yield anything of relevance to policy, however, we must get clearly in mind the interests of this Nation in southeast Asia which we are trying to protect. For, I presume, that it is on the basis of these interests that we have made this great commitment.

A nation's interests are of two kinds—those which are basic and enduring and those which are transitory and peripheral. And history indicates to us that our enduring interests in southeast Asia are limited. History also indicates to us that these limited interests in commerce, culture, and security have been, in the past, most effectively safeguarded by a policy of minimum involvement. We have, in the past, avoided interfering in the internal political affairs of the southeast Asian nations. We have, in the past, minimized our military commitment on the southeast Asian mainland—even during the grimmest days of World War II. We have, in the past, given appropriate encouragement to the emergence of independent nationhood in the region. We have, in the past, sought to act in a fashion which would not tarnish the symbol of freedom and human decency which this nation has long been in Asia or alienate the friendship of the peoples of that region, regardless of what governments might temporarily hold sway over them. We have, in the past, through diplomacy, sought to do our small share in the preservation of peace in that region as part of our general interest in the maintenance of world peace.

I do not see that these enduring interests have changed in any significant degree. Our commercial and cultural contacts with southeast Asia are still limited. Our security interests in southeast Asia, in terms of the defense of the United States are still limited.

Yet, it is obvious that in the past decade the policy of minimum involvement and, incidentally, minimum cost, by which we have traditionally defended these limited interests, has shifted about 180° to the point of very deep involvement and enormous cost.

I have already pointed out how the Korean conflict precipitated this drastic change in course in southeast Asia. How we reached the present point is understandable. The question which we have not yet faced, the question which may now be approaching the point of critical decisions is whether this change is to become a permanent part of our foreign policy. If it is, then we must be prepared, at best, to carry an annual burden of several hundred millions of dollars of military and economic subsidies to anti-Communist governments in the region for many years. We will have to do that whether or not they are responsive governments in terms of their own peoples needs. We must be prepared to extend this support in southeast Asia for the indefinite future through the whole costly mechanism of aid and propaganda. We must be prepared to bear the human and material cost of keeping an indeterminate number of combat troops in that region, on garrison duty or for more serious purposes as may be necessary. All these things we must be prepared to do at best. At worst, we must be prepared for a possible conflict of indefinite depth and duration, dependent largely on our forces for its prosecution.

These are the facts, the realities of the situation. Grim as they are, I believe that it is eminently desirable that they be faced now, whatever our decisions may be.

In all candor I must ask: Is a permanent policy of that kind justified on the basis of any enduring interests of the people of the United States in southeast Asia? Is it more valid now, than in the past, to involve ourselves in internal political situations in the countries of that region—to maintain any government in a state of quasi-dependency on us for the indefinite future? Is it more valid now, than in the past, to assume the primary burden for the political, economic, and social future of these lands?

I have raised these questions and I would anticipate that you might raise others. The fact is that these approaches are, at best, doubtful because they are immensely costly in ratio to any enduring interests of the people of the United States in southeast Asia. They are doubtful because, in the long run, they will yield little to the people of this Nation and little to the people of southeast Asia except a multiplication of their already immense social and economic difficulties. These approaches are doubtful because they bring upon us a vague responsibility for the internal evolution of the nations of southeast Asia, a responsibility which no nation can discharge for another in this day and age, a responsibility which it is the right and duty of the people and leaders of those nations themselves to assume, a responsibility which, after many costly decades, we relinquished in the Philippines with no intention of assuming elsewhere.

While these approaches are doubtful, there is not assurance that they can be avoided. We have accumulated binding treaty commitments over the years and integrity demands that these be honored. Moreover, one cannot know what other nations may do in this situation; and at this late hour any improvement in the situation depends on the attitudes of many governments. It depends heavily on the Chinese in Peiping. It depends heavily on the Soviet Russian Government. It depends on political and military leaders in southeast Asia and elsewhere in Asia. Indeed, it depends on all governments which by reason of their membership in the United Nations have a measure of responsibility for the maintenance of peace wherever it may be threatened.

But let there be no doubt that it also depends on us. Regardless of these other factors, it remains for us, now, to draw clearly the distinction between what is enduring and basic and what is transitory and peripheral in our interests with respect to southeast Asia. It remains for us to hold fast to the one and seek actively to minimize the other, to the end that the haphazard commitment and waste of resources in which we have indulged for years in the pursuit not only of our enduring interests but of political slogans and shibboleths may cease.

To the extent that we do what we ourselves must do, I believe we shall begin to discern the basis for a new approach to policy in southeast Asia. It will be an approach which will—

1. Explore actively, intensely, and continuously every possibility of minimizing the unilateral activity of the United States in southeast Asia and emphasizing the need for collective allied and friendly activity in every sphere;

2. Reexamine SEATO in the light of the recent experience in Thailand and not hesitate to attempt to modify or alter it, if other ways of maintaining peace and independence in southeast Asia become evident;

3. Seek vigorously to diffuse, through the United Nations or through any other feasible grouping of friendly nations, the enormous burden of assisting nations of southeast Asia to bring their economies and social structures more up to date;

4. Place less emphasis on political and military subsidies, propaganda and other devices of the cold war and more emphasis on a vigorous and persistent traditional diplomacy for the development of a more stable situation in the area;

5. Pay more attention to the manner in which the reasonable needs and aspirations of the people of the nations of southeast

Asia are being met by their governments in adjusting the whole range of our relations with those governments; and

6. Study afresh all the political problems of the region which contain the seeds of expanded conflict, with special attention to the relevance of the experiences of Burma and Cambodia.

It is not certain that any of these approaches may be fruitful. The difficulties which have been encountered on all sides in attempting to bring about a peaceful settlement in Laos is indicative of what is involved in any significant change from the present course in southeast Asia. But difficulties of change notwithstanding, the fact remains that the present course is, as it has been for a long time, at best, a marktime course of years and decades of immense cost to the people of the United States and, at worst, it is a collision course.

It is clearly in the interests of this Nation to adjust that course if it is at all possible to do so with honor and decency. May I say, further, that this Nation owes apology to no nation if it seeks to lighten its commitments in southeast Asia through a vigorous diplomacy—as we have been doing with respect to Laos—and a much more discriminating and prudent use of its resources. We have done our share, more than our share to sustain friendly governments in Asia. We will go on doing it. We will meet treaty commitments which are binding on our honor. But, at the same time, let there be no doubt that the time is long past due when we must explore every avenue which may lead to a situation in southeast Asia, less dependent on the resources of this Nation for its cement. In the search for that situation the President needs the understanding and support of the Nation and I have no doubt that it will be forthcoming.

Mr. DIRKSEN. Mr. President, I wish to congratulate the majority leader on his call for public discussion of the current southeast Asia policy. Such discussion can be immensely valuable.

We all know the President conducts foreign policy with the advise and consent of the Senate. This is a heavy responsibility and one in which the Executive has a right to expect general support.

It is not my purpose to attempt to advise the administration on how to conduct this policy. Since the majority leader, however, has raised the issue of public discussion in his commencement speech at Michigan State University, it may perhaps be useful to recall what the Republican administration has done in the past with regard to peripheral conflicts. For 8 years that administration was able to avoid our getting involved in protracted peripheral war.

The Republican administration, took, in practice, the position that, while force sometimes had to be put in position at the point of contact, the issue with regard to any peripheral area essentially lies between Washington and Moscow.

I recall a few years ago, there was a crisis over Vietnam. Troops from the north were concentrated on and near its borders, and Ho Chi Minh, the leader of Vietminh, the Communist state just to the north, was in Moscow. Some of our allies privately expressed doubts that Vietnam could be held militarily. At that time, there is substantial reason to believe, we pointed out quietly and privately that an attack on Vietnam might result in trouble for the Soviet leaders elsewhere, perhaps in Eastern Europe.

The upshot was that Ho Chi Minh returned home and the Communist troops were dispersed, not to be reassembled until recently.

It is obvious that, quite apart from the unspoken fact that we have considerable overall military superiority, the Soviet Union is in other respects weaker today and thus even more subject to diplomatic pressure. Soviet leaders admit publicly to serious food problems and, certainly, the taking of food from Eastern Europe has not made the Soviets more popular in the captive lands there.

I point this out as a matter of interest along the lines of exploration that the majority leader suggests.

I am sure we all agree with the majority leader that support of the President does not preclude public discussion of a southeast Asia policy which can be at best a marktime course of immense cost and at worst a possible conflict of indefinite depth and duration.

Mr. MANSFIELD. Mr. President, I thank the distinguished minority leader for the remarks which he has just made, and assure him that I appreciate the spirit in which they were uttered. It might be well at this time to cite a portion of that speech so that we can keep the RECORD straight. In that speech I said:

In this, as in all cases of foreign policy—

Referring to the situation in southeast Asia—

responsibility for the direction of the Nation's course rests with the President.

In that respect, of course, the distinguished minority leader agrees with me.

It is a grave and difficult responsibility. In discharging it, the President is entitled to the understanding and support of the Nation. May I say that he has had both in the Senate of the United States, from the leadership of both parties and to the fullest extent. He has kept the Congress fully informed on the situation as it has developed. In a similar manner he has tried to keep the people of the Nation informed through his frequent press conferences.

Support of the President, and I give him mine wholeheartedly, does not preclude public discussion of the situation in southeast Asia.

And, incidentally, anywhere else.

On the contrary, it presupposes it. The President would be the last to expect a moratorium on public participation of this kind. It is politics that needs to stop at the water's edge, not serious consideration of the Nation's course in its relations with the rest of the world. Rather than less, we need more public consideration of this matter.

I think that point ought to be brought in.

Again I express my deep appreciation to the distinguished minority leader for the support which he has shown continuously in the many meetings held in the White House, and for his remarks today.

Mr. MORSE. Mr. President, I join the minority leader in expressing commendation to the majority leader for the statesmanlike speech he delivered at the commencement exercises at Michigan State University yesterday.

I am sure that the majority leader will not object to my pointing out that, as a member of the Committee on Foreign Relations, he has often expressed similar views in regard to the problems of southeast Asia. At least a year ago, in another major speech, the Senator from Montana discussed the southeast Asia question on the floor of the Senate and warned of some of the problems that were likely to arise. They have arisen. I joined him then; I have joined him in the Foreign Relations Committee every time the subject has arisen. I discussed it at some length on the floor of the Senate last Friday. I am glad to endorse the position of the majority leader again.

It is true that the President of the United States is the director of American foreign policy. I share the point of view of the majority leader that he can count upon the support of the Senate once a decision is made. But we are talking about the formulation of decisions. I wish to stress that there is a power in foreign policy greater than that of the President of the United States, and that happens to be the American people, for foreign policy of the United States does not belong to any President of the United States. It belongs to the American people. They have the responsibility of citizen statesmanship to see to it that a foreign policy is formulated in accordance with their dictates, and not according to the determination of any administration at any time. That is why it is so important that there be public discussion of foreign policy in southeast Asia. That is why it is important also that there be full disclosure, consistent with the security of this country, in regard to foreign policy, so that the American people can determine their own foreign policy, for in the last analysis the foreign policy of the United States must be the policy of the people of the United States.

I am of the opinion that a full disclosure of American foreign policy in southeast Asia would bring about a demand on the part of the American people that there be some modification of that foreign policy along the lines I discussed on the floor of the Senate last Friday afternoon. In my judgment, the time has come for the United States, through the present administration, to make clear to our allies that there must be an allied foreign policy in southeast Asia, and that the American people no longer should have placed upon them the heavy burden of payment that the American people are now carrying for our operations in southeast Asia, with very little contribution—in fact, I think only token contribution—from our so-called allies—Great Britain, Canada, Australia, New Zealand, Thailand, the Philippines, and the rest of the allies in that great cause of freedom, including all members of SEATO.

I believe the majority leader has done well to call this to the attention of the American people and to focus the attention of the American people at this time

on the problems of American foreign policy in southeast Asia. I am one member of the Foreign Relations Committee who is of the opinion, on the basis of the evidence and the briefings we have had in the Foreign Relations Committee thus far, that the time has come for some modifications of our foreign policy in southeast Asia as far as unilateral action by the United States is concerned. For the most part, this is unilateral action in southeast Asia, because there has been too little support thus far from our allies in regard to southeast Asia.

I am also of the opinion that this matter now has gone beyond the probabilities or possibilities of being handled by SEATO; that this is a matter that ought to be laid before the United Nations and that ought to be handled under the provisions of the charter, for this area is a threat to the peace of the world. Whenever a threat to the peace of the world arises, the provisions of the charter are clear that the time has come for legal and moral action by the United Nations, for the taking of those steps that are necessary to dispel the possibility of a threat to peace in southeast Asia.

Mr. MANSFIELD. I wish to thank the distinguished senior Senator from Oregon for what he has said. I recall in his speech on last Friday he mentioned the unilateral activity of the United States in southeast Asia and elsewhere, as I did in my speech before the graduating class of Michigan State University yesterday.

It is true that we belong to the Southeast Asia Treaty Organization, SEATO so called. It is true also, as the Senator from Oregon has pointed out, that the burden of carrying out the responsibilities in that area is not evenly distributed by any means, but is being borne in large part by the United States at this time.

In last week's Newsweek, I believe, I read a small item—I believe it was in the Periscope—to the effect that a country belonging to SEATO had offered to send 60 volunteers to Thailand. Whether or not this report is true, I do not know. I only offer it as an item which appeared in a news magazine of wide circulation. I know of no effort being made by other signatories, outside of Great Britain or Australia—one or the other—to send a small squadron of fighter planes to Thailand except, of course, for Thailand itself.

One of the things which I emphasized in my speech yesterday was the fact that what was needed was not a continuation of unilateral activity on the part of the United States, although we will continue it as long as it is necessary, but, rather, multilateral activity on the part of this country and its allies in SEATO and its allies and friends elsewhere in the world. This is not merely a U.S. problem. As the Senator from Oregon has pointed out, a danger to peace anywhere in the world is a danger which all nations of the world must face together.

The policy of President Kennedy in southeast Asia is a policy in which I concur 100 percent. I agree with what he has done there and what he is doing now. I believe he has adopted the right procedure in that area in the present circumstances in view of what has gone before. As for free Vietnam, I know that President Ngo Dinh Diem is a man of integrity and honesty. He, in my opinion, is responsible for a free South Vietnam. Were it not for him, there would be no South Vietnam today.

In my opinion, it is proper for a Member of Congress to discuss policies constructively. I am certain that President Kennedy welcomes constructive discussion of policies which confront the Nation and which confront him personally as the Chief of State. I am sure also that the President is undertaking a continuing evaluation of the situation not only in southeast Asia but also throughout the world at all times on a day-by-day basis. I have every confidence that the decisions President Kennedy will make will be in the best interest of the country and will have the full support of Congress and of the American people.

Mr. WILEY. Mr. President, I wish to join in the remarks made on the floor of the Senate today by the minority leader and by the Senator from Oregon [Mr. MORSE], complimenting the distinguished majority leader. I was fortunate to read his remarks. I am sure that much of what he has said most people will approve.

Foreign policy to a large extent is not made in this country. It is made by the facts outside this country, and those facts change day by day. One of the great facts that we must remember is that American ingenuity has made a great contribution in shrinking the world so that it is rather small now.

As someone has said, it is so small one can spit around it. It may not be quite that small yet, but it does bring about a situation which calls for calm and analytical thinking, instead of going off halfcocked, and we much recognize that here is a situation that could bring on, not a small war, but a world war. If a world war should occur, which would be fought with modern weapons, we all know what that would mean.

I, too, have confidence in the statecraft of the President, and particularly his advisers, including the Secretary of State. They are alert, of course, but they are, after all, only human beings.

We must recognizze the fact also that foreign policy, as I have said, is a variable thing. The thing we are interested in is in keeping out of war. If we can keep out of war, we will have solved the big problem. After that will come the problem of keeping the country from being taken over by the Communists. They are doing their work everywhere. They have brought a billion human beings into their orbit since I came to the Senate.

## LATIN AMERICA—COMMENCEMENT ADDRESS BY SENATOR MANSFIELD AT STONEHILL COLLEGE

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD the commencement address which I delivered at Stonehill College, at North Easton, Mass., on June 3.

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

LATIN AMERICA

(Address by Senator MIKE MANSFIELD at the commencement exercises, Stonehill College, North Easton, Mass., Sunday, June 3, 1962, 3 p.m.)

I appreciate deeply your kindness in inviting me to be with you today and the honor which goes with it. You who have just finished 4 years of work will understand the special charm of a degree which is obtained without the completion of a single course requirement. In the circumstances, one might even forgive you a touch of envy, if the good fathers will permit me to say so.

In a more serious vein, I appreciate this opportunity to be with you for a personal reason. This visit evokes deep and poignant memories. Many of you, I am sure, were acquainted with Prof. Brassil Fitzgerald. Years ago he taught at Montana State University even as in recent years he taught here at Stonehill. I came to him at a somewhat advanced age for a college student. I was 27 years old when I entered Montana University. It was not so much that I was a slow learner. At least, I hope it was not that I was a slow learner. Rather, I think it was a case of stubbornness. In those simpler days of high rates of illiteracy—in those simpler days, it was commonplace to believe that any youth over the age of 12 could learn at least as much outside of school as in it. It took many years to convince myself of the fallacy of that belief.

So I went back to school, somewhat sobered by hitches in the Army, Navy, and Marine Corps, work in the copper mines and an assortment of odd jobs. I might note that my greatest career advancement in all the years from dropout to back-in was from private to private first class in the Marine Corps.

Professor Fitzgerald was one of my teachers at Montana University. I do not know for what reason—perhaps because he was also stubborn; perhaps because he had a scientific interest in me as a prototype of the contemporary school dropout problem; perhaps because he sensed that I would tax his great abilities as an educator to the utmost—but whatever the reason, he gave me far more than a formal education. He not only sharpened my grammar; he sharpened my wits. Most of all, he helped me to form a more adequate perspective on human affairs and to develop a sense of self-discipline in participating in them. He drew on the wellsprings of his own good and great character in order to give me breadth, depth, and direction.

His counsel, in class and out, together with that of my wife, set the basic pattern of my career in public life. So, in reality it is this early contact with Professor Fitzgerald to which my presence among you, today, may be traced. You will understand, then, the sense of sweet sorrow which I feel in being here, a feeling which I know Mrs. Mansfield, who was also taught by Brassil, shares. For my career which Professor Fitzgerald did so much to launch has now led me to this place where he ended his career just a short time ago.

In life, Brassil Fitzgerald gave me some of my most decisive experiences. In death, he leaves me some of my most enduring memories.

Among other things, Professor Fitzgerald encouraged my interest in Latin America. For awhile, I taught its history at Montana University. And in recent years I have traveled extensively in the republics to the south.

So, in part, in tribute to Brassil Fitzgerald and, in part, because Latin America is likely to be of compelling importance to you in the years ahead, I should like to turn your attention to that subject today. I have chosen Latin America, too, because it affords an opportunity to try to impart to you something of the kind of perspective in which Professor Fitzgerald helped me to view human affairs.

If, as most of us do, you skim the newspapers for your information on Latin America you know that until recent years there has been very little news. Events in Cuba, of course, acted to enlarge the flow of information. Still, the composite picture of Latin America which emerges from news coverage remains flat and two-dimensional. It is like a photographer's montage of a handful of candid camera shots. I am sure that as I describe some of these photographs, you will recall them. The mish-mash includes a naked Amazonian savage complete with poison darts. It includes a child obviously suffering from malnutrition and other diseases. It includes a band of bearded revolutionaries, a snow-covered peak in the desolate Andes, an old and beautiful Spanish cathedral, an Indian in high felt hat standing beside a llama, a family of downtrodden peasants huddled together outside a shack of a home, a student riot led by Communists, a military uprising, rhumba dancers, the futuristic city of Brazilia and, most recently, a Peace Corps volunteer helping to build what appears to be a well in a remote village under a sign which reads Alliance for Progress.

Now, there is nothing inaccurate in any of these flashes. Each one, taken individually, is a scene from actual life in Latin America today. But to be familiar with these flashes, to lump them together as Latin America is to understand neither the region nor what is transpiring in it.

We must ask ourselves, first, have we, with these and similar mental flashes, seen all the elements in the situation or just a part of them? Second, we must ask ourselves, do these flashes—each of equal size and shape—give us an accurate sense of proportion with respect to the region?

Let me illustrate to you, first, the kind of elements which are not reflected in this usual concept of Latin America. To be sure there is malnutrition in the region. The picture of the little child suffering from it, portrays the plight of too many men, women, and children who are its victims. And there is disease—all sorts of disease, a good deal of which goes untreated. And there is illiteracy. And countless millions are housed in rural or urban shanty towns. In short, people in great numbers in Latin America are exposed to a life which is a continuous and bitter struggle for mere survival, from birth to death.

But there is also another side of the coin. Millions in Latin America are well-fed and, in some places, very well-fed. Particularly in the large cities, there are excellent public health services, medical facilities, thousands of first-rate doctors and nurses. As for schooling, while it is appallingly inadequate in many areas, in several countries, it is good by worldwide standards and in at least some instances it compares with the best. It may surprise you to learn, in a region of so much illiteracy that there are in the neighborhood of 400,000 college and university students and upwards of 50,000 will graduate from these schools during this present year. Some will become teachers, doctors, lawyers, engineers, scientists, and so forth. In other words, life will unfold for them pretty much as it will for you, except that it will have more of a Latin accent and, perhaps, offer less numerous and diversified outlets and opportunities.

Take another element in the stereotype of Latin America: the naked Amazonian savage. It tells us that there is a primitive kind of existence in the region. But does it tell us how small a part of the population lives it? Does it tell us that, for the most part, the people of Latin America are more fully clothed than some of the tourists who walk through the Capitol during a hot Washington summer?

Or look for a moment at the picture of the magnificent Spanish cathedral, so much a hallmark of Latin American guidebooks. Do we see behind the magnificent cathedral? Do we see the thousands of parish churches of these catholic countries? Do we see the thousands of hard-working priests in these simple surroundings? Do we see them laboring in much the same way as do priests in this country and the world over, trying their best to minister to much the same needs?

Or look, too, for a moment at the revolutionaries, the student rioters, the military insurrectionists. Look at the tableaus of terror and violence in which the newspaper accounts freeze these scenes from Latin American life and then look deeper. Do not isolate them in an empty background as a camera does. Do not view them in terms of our experience, in which many avenues exist for the peaceful redress of grievance, for the assertion of popular will. Look at them, rather—if you would comprehend their meaning more accurately—in the light of certain political facts of life in Latin America. View them in the light of tyrannical governments which brook no peaceful opposition. View them in the light of ineffectual government which countenances widespread economic and social misery and offers no hope of alleviating it. Or view them in the light of careless and corrupt government which exploits the many for the personal enrichment of the few. To see the violence—abhorrent as it may be—without seeing these other factors is to see without depth.

These are but a few of the gaps and the distortions in a two-dimensional comprehension of the situation in Latin America. If all the gaps were filled, if all the distortions were set aright, I daresay a somewhat different concept of the region as a whole would emerge. It would contain all these flashes plus many others. In proportion, moreover, some would loom very large and others would hardly show at all. Indeed, what would emerge would be a kind of curve of distribution. It would embrace just about all of the elements which are found in life in the United States, but in different proportions. The segment, for example, which we regard as social advance would be smaller. There would be, in Latin America proportionately, a much higher number of people without adequate food and shelter and modern services for their health, personal education, and development. There would be, proportionately, a much larger percentage of the people living on, working on, and depending on the land for their livelihood and getting very little return for their efforts. The urban poor, proportionately, would be more numerous, the rich more conspicuous and, all in-between, fewer and less favored. There would be, proportionately, a much more limited development of modern science and industrial technology and an even more limited distribution of its opportunities and benefits among the people. There would be, proportionately, less geographic and cultural integration but more racial and religious integration than in this country. There would be, proportionately, less diversified and less productive economies. There would be, proportionately, less effective institutions, less responsible government in a popular sense. There would be, proportionately, much more fear of internal political upheaval but much less concern with international conflict.

But let me say again, that these and other differences are differences of degree, not absolute differences. Just about the same great diversity of human experience and human hope which we find in the United States is present in Latin America. Proportions alone provide the significant variance.

And in this great diversity, there exists in Latin America an enormous potential for advance in every aspect of human hope and aspiration. It exists quite apart from what we may or may not do in our relations with that area. Generally speaking, Latin America is not going to go forward on the basis of what we do or, indeed, by what any other outside country does. It is going to move, stand still or retrogress primarily on the basis of what the Latin Americans, themselves, do or fail to do.

The Peace Corps worker building a well in a remote village is a lonely figure and, alone, can have little significance in a continent of thousands of remote villages, and millions of neglected human beings. It is obvious that if the future of these villagers depended primarily on Peace Corps workers we would have to find them, and pay for them, not by the hundreds as we now do, but by the thousands and tens of thousands. Similarly, a great dam built under a foreign-aid program at a cost of many millions of dollars is but a speck on the rivers and streams of Latin America. It is obvious that if light, power, and irrigation are to be brought to all the areas of present and future need in Latin America under the aegis of foreign aid alone, it would take not millions or hundreds of millions but billions of dollars.

Similarly, a Latin American military force based heavily on military aid from outside will not automatically insure the security of a Latin American country or the freedoms of its people. On the contrary, it can become a source of insecurity to both unless it has strong roots in its own peoples and serves them through an effective and responsible civil government. Similarly, a Voice of America explaining the evils of communism—no matter how powerful and repetitive—will not be heard in a nation driven to the threshold of massive revolt by years of neglect and oppression. A diplomacy of moderation, of patience, will have little influence unless it is coupled with strong links of mutual interest in commerce, cultural enrichment, and the maintenance of peace.

Now you will note that in mentioning the Peace Corps, foreign aid, military aid, the Voice of America, and diplomacy, I have mentioned most of the means by which the United States conducts its official relations with Latin America. To them might be added the unofficial relations—the business and investment contacts which we have, the tourist contacts, the highly significant private educational, labor, and religious contacts.

Yet even when these are added, what the United States does or does not do will not be the primary factor in what transpires in most of Latin America.

Do I mean to suggest, then, that these contacts are unimportant? Not at all. They are immensely important, to us as well as to Latin America. But I think it is essential that we see their role in proper perspective. It is essential that we recognize that, for the most part, they are peripheral to the situation in most Latin American countries. They are not, of themselves, the key to Latin America's future.

The key lies within Latin America itself and the inner forces, the native forces which play upon each national situation. You young people will understand that perhaps better than anyone else. You are subject to all sorts of influence from outside. Sometimes it is welcomed. Sometimes it is not. Sometimes you react favorably to it. Sometimes you do not. But, in the last analysis, it is from within yourself, from what you

are and what you hope to be that your futures will unfold.

In a somewhat similar fashion the Latin Americans will welcome guidance and advice from outside in some matters and sometimes they will not. Sometimes they will welcome assistance and proffers of friendship and sometimes they will not. Sometimes they will be misled by outside nations and sometimes they will not. But in the last analysis what they do with their nations and societies will be what they themselves decide. In the long run, no other nation can make these decisions.

Once that fundamental reality is appreciated, we can place our own role in proper perspective. Without the conceit of assuming ultimate responsibility for what ultimately transpires in Latin America, we can do many constructive things in Latin America and together with Latin America. In many Latin American countries, there is a strong will to close the time gap in social and economic modernization as between themselves and the United States and other Western nations. There is a strong will to have done with long, sorry histories of oppressive, corrupt and ineffectual governments and to evolve a new tradition of stability, responsibility, and responsiveness in government, a new tradition of dedicated public service for the benefit of all rather than the few.

Where such a will exists, it is not a question whether change will or will not come. It is already in process. The significant question is whether it can come in orderly, evolutionary channels. If the pressures for change are great and the resistance to change powerful, the prospects are for revolutionary explosions with unpredictable repercussions and reverberations. Cuba is an example of what can happen elsewhere in Latin America. Indeed, we have seen just in recent months situations of dangerously high pressures for change and dangerously high resistance to change in Venezuela and Argentina, and we are likely to see others. The balance is still uneasy and is likely to remain so in much of Latin America for a long time.

Do I suggest, then, that there is no role for us? On the contrary, I would suggest that the Alliance for Progress and other elements of our Latin American policy can be of the greatest importance. But I stress that they can be constructive, in any significant sense, only when the efforts of the Latin Americans themselves are clearly directed toward evolutionary progress. Then our policies and our actions may, indeed, provide a decisive margin. But to plunge into every situation in an indiscriminate fashion on the assumption that it all and always depends on us is as fallacious as to evade our responsibilities on the assumption that what we do doesn't really make any difference at all.

What we do does matter a great deal, for better or for worse. And we must try to make it matter for the better. For we have a great stake in what occurs in Latin America. There is a trade of many billions of dollars involved. There are very substantial investments. There are political and cultural ties which have much to do with whether this hemisphere and we as a part of it remain reasonably secure in a most insecure world.

But beyond all others, we have a deeply human stake in the efforts of the people of these other American Republics to build the institutions through which to fulfill, in order and stability, the promise of freedom.

We will be able to help Latin America, we will be able to act for better rather than for worse as we refine our perception of the realities of that region rather than beguile ourselves with the superficial. We will be in a better position to safeguard our interests as we act with a mature and sober restraint on the dictates of these realities.

I hope, certainly, that you will bear in mind this need for a deepening of our understanding of Latin America in the event your futures should carry you to that area in some official or unofficial capacity. I hope you will remember it even if your future association with Latin America should be limited to newspaper reading. For, as you deepen your understanding, you will be in a position to appreciate and to sustain those who have the heavy responsibility of trying to preserve and to strengthen inter-American relations for the benefit of all Americans—north and south—in the Western Hemisphere.

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

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

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

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

## PROMISE OF A SOLUTION TO THE SMOKING PROBLEM

Mrs. NEUBERGER. Mr. President, we have reached a significant milestone in the movement to establish a responsible governmental program to alleviate the smoking blight. The Public Health Service will form an advisory committee of experts on tobacco and health with comprehensive representation from a broad spectrum of governmental and nongovernmental agencies and from the tobacco industry. I think it is essential that a member of the tobacco industry be a part of the advisory committee so that we really have, once and for all, a good look at the situation.

This committee substantially embodies the provisions of Senate Joint Resolution 174, which I introduced on March 23 of this year, calling for the establishment of a Commission on Tobacco and Health.

The Public Health Service and the Federal Trade Commission, the primary agencies concerned, have displayed initiative and imagination in their efforts to forge a solution to the smoking problem. This decision by the Public Health Service gives added promise of the achievement of that solution.

Just recently there was a meeting in Portland, Oreg., of the western branch of the American Public Health Association. Speaking to that convention, Dr. F. W. King stated there was a reluctance among the mass media to communicate the knowledge to the public of the link between cigarette smoking and lung cancer. The convention spent a great deal of time discussing the whole problem.

I ask unanimous consent that a report of the meeting be included 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:

SMOKING, POLLUTION "KILLERS"

Air pollution and smoking were labeled as killers and causes of disability Wednesday by doctors at sessions of the Western Branch convention of the American Public Health Association, being attended by over 800 physicians and public health persons here.

Cigarette smoking was blasted by two speakers, and a resolution to participate in a campaign to inform the public about the hazards of smoking was adopted by the Oregon Thoracic Society, a group of doctors concerned with diseases of the lungs and chest.

Holding their annual meeting in connection with the health association, the group heard Dr. H. William Harris, president of the American Thoracic Society, declared that chronic bronchitis, which he labeled as a serious disease, could be prevented by elimination of cigarettes in most instances.

"A persistent cough is not normal, and means that something is wrong," Dr. Harris said. He added that the national society is undertaking a campaign in 1963 to try to impress on doctors and on the public that it is abnormal to cough.

Cigarette smoking also was condemned by Dr. F. W. King, director of service for the American Cancer Society, who spoke to the health education section of the Portland convention.

"The overwhelming evidence of cause and effect relationship between cigarette smoking and lung cancer can no longer be denied by reasonably intelligent and informed people," he declared.

"In 1963 about 40,000 patients will die of primary lung cancer. More than 80 percent of these deaths will be due to the type that does not occur in nonsmokers," Dr. King stated.

He rapped the "reluctance" of mass media to communicate the knowledge to the public because of their "purchased dependence on the advertising revenues of the tobacco industry," and said the information must be disseminated through health education.

"If present rates of smoking among young people continue, 1 million children now alive will die of lung cancer," Dr. Harris added.

Because smoking is "truly and in all respects an addiction," help is needed to "prevent new recruitment to smoking among the young," the doctor emphasized.

Mrs. NEUBERGER. Mr. President, I also ask unanimous consent that a letter from Mr. Stephen E. Smith, principal of Madison High School, in Portland, Oreg., be included in the RECORD along with my remarks.

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

PORTLAND PUBLIC SCHOOLS,
*Portland, Oreg., June 4, 1962.*

HON. MAURINE NEUBERGER,
*Senate Office Building,*
*Washington, D.C.*

DEAR MAURINE: Pardon the informality, but that is the way we refer to you in Oregon. It did my heart good to hear on TV of your protest against the increasing use of cigarettes in our country. We are fighting a losing battle with our youth in connection with this problem. I would like to see some regulation and legislation of the vicious and vile advertising on TV by the greedy tobacco companies. The entire appeal is made to youth. We in the school business try to train our boys and girls for clean living. It is a deplorable situation when name athletes like Maris and Ford sell out the youth of the Nation for a fast buck by endorsing cigarettes.

TV viewers are a captive audience for old and young. It is also most upsetting to hear one's 3-year-old granddaughter going around the house singing cigarette jingles instead of nursery rhymes.

You will be doing a great service to the youth of the Nation if you can bring under control TV tobacco advertising and the phony paid endorsements.

Sincerely,

STEPHEN E. SMITH,
*Principal, Madison High School.*

## LISTER HILL: A TRIBUTE

Mr. GRUENING. Mr. President, under the title "LISTER HILL: Statesman for Health," the June issue of Today's Health, one of the monthly publications of the American Medical Association, carries an excellent article by Robert Barkdoll on our able and distinguished colleague, the senior Senator from Alabama, LISTER HILL.

The title of this article is apt and appropriate. No one, either in the Senate or elsewhere in public or private life, has done so much to improve the health of the American people as has our colleague LISTER HILL, both in the matter of legislation and appropriation. He has for years sponsored measures and actions which have done more to prevent, limit, and cure disease than have been authored by any other human being. This is a record of achievement which has, I am glad to say, been widely recognized, but by no means any more so than it deserves. The benefits of LISTER HILL'S statesmanship have applied not only to this generation, but will continue to be beneficial in the years, and in the decades to come. These benefits are not merely contemporary, but indeed of historic import and impact. They are affecting beneficially not only the health and strength of our people today, but will do so for generations to come. This is truly statesmanship of the highest order.

I ask unanimous consent that the article "LISTER HILL: Statesman for Health" be printed at this point in my remarks.

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

LISTER HILL: STATESMAN FOR HEALTH

(By Robert Barkdoll)

On a sultry summer day nearly 40 years ago, a gangling young man of 28 trudged hesitantly across an Alabama farmyard to the kitchen door of a clapboard house. The florid-faced farmer who answered his halting knock looked down questioningly. The caller fought off his shyness and forced himself to speak.

In a soft drawl, he declared his identity and solemnly announced that he was running for Congress. Perhaps the good man might favor him with his vote in the upcoming election. It certainly would be appreciated.

As the visitor, now a hale 67, recalls it, the farmer peered at him for a long moment. "So your name's HILL," he said finally. "Must be Doc Hill's boy. Why, your father's a good man, took out my appendix last September. A good man."

"Thank you, sir," smiled the young office-seeker, his diffidence gone. "I guess you'll have to vote for me. You got the Hill trademark on you."

It was in 1923 that the farmer bearing on his abdomen the trademark of a widely respected Montgomery physician helped send the doctor's son to the U.S. Congress, and assisted in launching the legislative career of the man now known as "the statesman for health," LISTER HILL, the senior Senator from Alabama.

In the years since, the tall, spare statesman has stamped his own trademark on more legislation affecting the Nation's health than any other American in history. Proudly drawing on political skills of the highest order, he has enticed, cajoled, and otherwise maneuvered his congressional colleagues into enacting countless bills ranging from the famed Hill-Burton hospital program to research projects for scores of diseases and, more recently, such legislation as a measure providing more teachers for deaf children. No disease, no phase of the Nation's health needs seems to escape his attention.

Honors have been heaped on him by scores of medical societies, schools, universities, civic organizations, and other groups familiar with the professional aspects of his accomplishments. But some of his friends in the U.S. Senate feel he has not received all the man-in-the-street recognition his work merits.

As Vice President LYNDON B. JOHNSON says, "There are millions of our people who are better off today—and millions who will be better off in the future—because of the fine work he has done on health legislation."

The Vice President and other colleagues know Senator HILL as a dedicated man who believes that a hardworking America, cooperating where possible with other lands, can conquer the most persistent disease.

Says Senator HILL: "We stand today at the threshold of a golden age of medicine. I predict that within a relatively few years the world will see a tremendous breakthrough of medical knowledge. There is reason for confidence that this breakthrough will yield the answer to heart disease, cancer, mental illness, the virus diseases, and the many other crippling and degenerative ailments."

Leaning back in his office chair recently, and running a hand lightly across his very very high forehead, the soft-spoken Senator dipped into his memory for a respectful tribute to his father, the late Dr. L. L. Hill. Then, in a narrative generously sprinkled with anecdotes, he recalled his own career, always leaving the impression that the father was the son's guiding star.

"My father was a dedicated physician, a great student of medical history, and fortunately a physically strong man. He had to be. Even in his later years—he lived to 84—he visited his patients in the hospital in the morning, made his rounds, returned to the hospital for a final check at 10 or 11 o'clock at night, then went home to read or study until 1 or 2 in the morning."

Dr. Hill studied in London under the famed Sir Joseph Lister, father of surgical antisepsis. So impressed was Dr. Hill with his teacher that when a son was born he named him after the noted surgeon. And thus LISTER HILL was left with a double legacy—his father's and the name of the famous Britisher he also bore.

This carries great weight with him. "It was my father's physician friends who prevailed on me to run for public office. They wielded great influence. All they had to do was say to their patients how nice it would be to have Dr. Hill's son in Congress, and there was another vote. They probably knew the tack my congressional career would take."

It's doubtful even they could have known the powerful position that "young HILL" would occupy after a few years in Washington. Elected to the House in his first campaign, he switched to the Senate in 1938 and it is there that he has left his stamp on the Nation's health and research programs.

As chairman of the Senate Labor and Public Welfare Committee, he rides herd on all health legislation. And—not by happenstance—he also is chairman of the Senate Appropriations Subcommittee which oversees funds to carry out the programs authorized by the Public Welfare Committee.

How he obtained this dual position is illustrative of the gentle southerner's determined drive. In 1949, he was a key member of the powerful Senate Armed Services Committee. But studying his future, he decided to drop the post and take the lowest position on the Appropriations Committee. By 1955, he had risen to chairmanship of the subcommittee handling health funds.

"Let's say I hoped all along to get the subcommittee chairmanship," he said with a chuckle. "To do a job you have to be in a strategic position. As a member of the Armed Services Committee during the war, I was amazed by the number of boys rejected for service because of physical or psychological reasons. And the state of our hospitals was shocking, so few and so overcrowded."

But even before this, the man who, according to his colleagues, "practices medicine in Congress" had started building his impressive legislative monument.

Broadly speaking, it covers four fields:

Hospitals and health facilities: The 1946 Hill-Burton hospital and health center construction program has helped build more than 5,700 hospitals, health centers, and other health and medical facilities of all kinds. More than half the hospitals are in rural communities of less than 5,000 population. Also, it was in this bill with its so-called Hill formula that Congress for the first time allocated funds among the States on the basis of need.

"In the early days of my father's practice," said the Senator, "a doctor would be called to treat a bad stomach ache—appendicitis. The patient would be put on a wagon, they'd drive to the railroad station, they'd wait for the train, and by the time they finally got to the Montgomery hospital the appendix had burst. In 1960, we observed at Langdale, Ala., the 10th anniversary of the first hospital approved under the Hill-Burton Act, and I could say then that during the decade medical research and better facilities had saved about 1,800,000 lives."

Medical research: He has fought for hundreds of millions of dollars for research into the cause, cure, and prevention of cancer, heart disease, cerebral palsy, mental illness, and many other crippling diseases. The Senator is proud that these efforts have "stimulated greatly increased emphasis on research among foundations, medical colleges, industry, and other private sources of support." In 1960, with the support of 63 Senators of both parties, he pushed through Congress the "health for peace" bill establishing the international medical research plan for the greater flow of medical knowledge throughout the world.

"My father once told me how in 1864 Joseph Lister, then at the University of Glasgow, walked home with Thomas Anderson, a professor of chemistry. Anderson told him of certain papers on putrefaction and fermentation recently published by a then little-known French chemist, Louis Pasteur. Lister read the publications and was convinced that living particles in the air often turned the surgery of his day into a charnel house. From this casual meeting with Anderson came Lister's great principles of the modern treatment of wounds. The less transmission of medical knowledge is left to such chance exchanges the better."

Medical education and training: The Senator for years has sponsored training and education programs for thousands of doctors, dentists, research specialists, public health officials, and other medical personnel.

"The need for more physicians, dentists, nurses, and other medical personnel is one of the greatest problems we face in the field of health today," he said. "But once we have trained them we must be sure they have the facilities with which to work."

Preventive medicine: To "place a floor under the Nation's health," he has strongly supported legislation strengthening state and county health units in the battle against tuberculosis, polio, hepatitis, and other communicable diseases.

Senator HILL, a Phi Beta Kappa graduate of the University of Alabama Law School, gave unstinting credit to medical men who

helped him compile his legislative achievements. "For example," he said, "several years ago we were sponsoring a bill to provide Federal grants to a group of medical, psychiatric, and rehabilitation experts to study the causes and treatment of mental ailments. Among the witnesses we asked to appear was Dr. Leo H. Bartemeier, who was then chairman of the American Medical Association's Council on Mental Health. He put into the record the fact that about half of all hospital beds are occupied by mental patients. That was far more effective than if the bill's sponsor had made such a statement."

Few doubt that the courteous Alabaman knows his job. He is most often called a pragmatic politician, a man who commands respect in his field because he steers clear of wild schemes and insists on the practical approach. When he moves for a vote on a favorite bill, chances are he knows almost to a Senator how his colleagues will cast their ballots.

As a Pennsylvania Republican Senator remarked to his Democratic colleague during a radio debate not long ago, "If LISTER HILL says this health bill is going through, I guess it's silly to bother with a rollcall."

When Senator HILL is talking about his health legislation, the soft drawl of the "deep South" Senator tends to dwindle, his words are more clipped. But the undeniable charm is still there, and a certain toughness of spirit is plainly evident.

From time to time, newspaper columnists and others wonder in print how Senator HILL'S dedication to his senatorial "medical practice"—with time out for education and labor-management legislation—sits with his Alabama constituents. But, while obviously a cosmopolitan, he is vividly aware of his southern heritage. They tell a story on Capitol Hill to illustrate the point. Some years ago a would-be Alabama politician considered running for the Hill seat in Congress. He thought the incumbent perhaps was not sufficiently aware of his Alabama background although he had vigorously upheld the State's civil rights position. So the politician sounded out a member of the Alabama congressional delegation. What did the Congressman think of his chances against Mr. HILL?

"There are a few things you should know," replied the Congressman. "Shortly after HILL entered the House he introduced a bill to put gravestones on the graves of all Confederate soldiers. The bill was enacted. Later on he was appointed a member of the Board of Visitors at West Point. On his first visit, he noticed that the portraits of all commanders were hung at the Point except one of Gen. Robert E. Lee. He came back to Washington and raised such a storm that Lee's portrait was prominently displayed in the library at the Point. Do you still want to run against him?" The disconsolate office-seeker retreated.

Senator HILL often is asked why, considering his background, he did not go into the medical profession. He has a quick reply. When just a boy, he chanced to walk into the room where his father was operating on a patient with a malignancy on his nose. "That was a horrible sight," he said, "and the smell of ether didn't help either. I fled the operating room and have never been back since, at least not for anything major."

There are those within and without the profession who are glad the Senator choose the legislative field.

On April 29, 1959, the Washington, D.C., Board of Trade, together with the Medical Society of the District of Columbia and related organizations, held a unique ceremony at which 700 prominent Americans gathered to pay tribute to LISTER HILL.

One of the most moving came from Dr. Howard A. Rusk, director of the New York University Bellevue Institute of Physical Medicine and Rehabilitation. After thanking the Senator for his work on behalf of America's physicians as well as the general public, Dr. Rusk said: "We honor you as a Senator, but I think subconsciously (although we don't say it out loud) we feel, LISTER, that you are a doctor—that you are one of us. I am glad that you aren't just a regular doctor, because had you been, you would have just been like us—limited in the scope of your opportunity to serve. Because any doctor can only serve just so many people.

"But you have put the tools in the hands of all of us. You have given us the things with which to work. So we are grateful to you. We are grateful to you in emergencies and in serious situations that confront doctors in the practice of medicine and surgery."

Asked about this tribute recently, Senator HILL said quietly and self-effacingly: "My friends in the profession have been very kind to me." Apparently the friends feel the kindness has been repaid.

So often have some members of the profession appeared before Hill-led Senate committees that a rather rare camaraderie has developed between the chairman and the witnesses. Some years ago Dr. Ralph J. Dorfman, associate director of the Worcester Foundation for experimental biology, Shrewsburg, Mass., was testifying on research legislation. As the hearing drew to a close, the Senator drew attention to his thinning hair. Patting his balding head, he asked facetiously, "You researchers, can't you do something about this up here?"

Told that perhaps the next generation would not have to worry about baldness, he replied: "That's the trouble with you researchers, you're always looking to the future. Some of us can't wait."

One of the Senator's fondest memories is of a school he attended as a youth, a high school-like institution run by the late John M. Starke. "Starke was a great believer in mental arithmetic, working out problems in your head. But he also hammered away at the value of loyalty, speaking the truth, right-dealing, hard work, and the joys of accomplishment."

There are many who believe LISTER HILL learned well.

---

## HYDRODEVELOPMENT IN THE SOVIET UNION

Mr. GRUENING. Mr. President, in Washington at present, after a 3 weeks' tour of the United States, is a delegation of hydroelectric engineers and power specialists from Soviet Russia. This is the mission which is paying our country a return visit authorized in reciprocity for a visit made in 1959 by a U.S. delegation under the joint auspices of the Senate Committee on Public Works and the Senate Committee on Interior and Insular Affairs consisting of Senators FRANK MOSS, acting as chairman, EDMUND MUSKIE, and myself, accompanied by a number of experts in this field as well as Senate committee staff members.

What we learned there during this visit of 31 days, which carried us all over the Soviet Union from Leningrad in the north to Tbilisi in the south and Irkutsk in the east, was that the Russians are making tremendous strides in the harnessing of their great rivers and generating hydroelectric power on an unprecedented scale. We visited at that time the great dam at Bratsk, two-thirds of the way across Siberia on the Angara River, which flows out of Lake Baikal, a tremendous structure which was then nearing completion and would when completed have an installed capacity of 4½ million kilowatts. This would be more than twice as large as Grand Coulee, still the largest dam in America, and at the time of its completion in 1950 the largest dam in the world. But since that time other dams on other rivers in Russian Siberia have been begun, some of which will even far exceed the dam which we hope to see built shortly on the Yukon River in Alaska at Rampart. That Alaskan dam will have an installed capacity of pretty close to 5 million kilowatts. But even before it is completed there will be larger dams in Russia.

In the current June issue of Rural Electrification there is an excellent article entitled "Russian Growth: Fact or Fancy?" by David C. Fullarton, electrical engineer of the National Rural Electric Cooperative Association. Its conclusion that the United States needs to make greater effort to keep its long-existing leadership is clear and correct. I ask unanimous consent that this article may be printed at this point in my remarks.

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

RUSSIAN GROWTH: FACT OR FANCY?

(By David C. Fullarton)

In this latter half of the 20th century the United States finds herself in an intense and often bitter competition with the Soviet Union in all areas of development—military, scientific, and economic.

A Nation's position on the world power stage these days is every bit as dependent on its economic capabilities as on its military power. Military supremacy itself is dependent to a great extent on a strong economy and basic to a vital, expanding economy is the availability of energy for productive and other uses.

In our modern industrial world, electrical energy is by far the most practical and widely used form. The adequacy and growth of electrical capacity and consumption then becomes an excellent indicator of the health and vitality of an economy.

The increasing Soviet capability in all areas of endeavor has for sometime been a subject of much interest and controversy in this country, and the Soviet rate of growth in electrical capability and energy consumption is no exception, having brought forth much controversy on what the Soviets have done and can be expected to do in the next several decades.

Many of the roots of the present controversy lie in the 1959 visit to the U.S.S.R. by leaders of the U.S. electrical industry. Under the auspices of the East-West Exchange Agreement, Senators Frank Moss, Ernest Gruening, and Edmund Muskie, accompanied by NRECA General Manager Clyde T. Ellis; APPA General Manager Alex Radin; Harry Kuljian, president, Kuljian Corp., Philadelphia; Harvey McPhail, then chief, hydroelectric division, Kuljian Corp., and former Assistant Commissioner of Reclamation for Power; Victor C. Reinemer, then executive secretary to Senator Murray, chairman of the Committee on Interior and Insular Affairs; Theodore W. Sneed, Senate Public Works Committee professional staff; Michael W. Straus, consultant to the Senate Interior Committee, former Assistant Secretary of Interior and former Commissioner of Reclamation, and Milton C. Mapes, Jr., then of the Senate Interior Committee professional staff, spent 31 days in the U.S.S.R. inspecting power facilities.

This group, upon their return, prepared a report on the relative development of water

and power resources in the United States and Soviet Russia. Among other things, this report showed that the Soviets are steadily gaining on the United States in power production and a projection of this gain shows that the Soviets could overtake us by 1975, provided their rate of growth, and ours, remain at present levels. The report also showed that their transmission capabilities are more than keeping pace with production expansion as are their technological advances, particularly in the field of hydroelectric generation.

The inspection group recommended, as a result of their tour of the U.S.S.R., that the United States step up development of its water resources, paying particular attention to hydroelectric power; that we study the most efficient organization of our national power supply function and establishment of a rational and effective planning function; and that the Federal Government expand its transmission line construction program to interconnect and market power from Federal projects and transmit, where feasible, privately generated power. It also recommended enactment of adequate resources legislation and improvements in governmental accounting procedures.

The report contained graphic presentations of the predicted total installed capacity and annual energy consumption of both countries up to about 1980 and it is from these predictions that the present controversy stems. Based on a 12.5-percent increase per year for the Russians and a 5-percent per year increase for ourselves, the Russians could surpass us in annual production by 1975 when both countries would exceed 1,700 billion kilowatt-hours per year. These predictions were made by the Federal Power Commission for the United States and by the Ministry of Power Station Construction for the U.S.S.R.

Based on a planned average increase of 10,660,000 kilowatts installed capacity per year in the United States, and an average increase of 22,500,000 kilowatts per year in the Soviet Union, for the 10-year period from 1965 to 1975 the Russians could surpass us in total installed capacity by 1975, also. Both countries expect to reach 425 million kilowatts installed in 1975.

Not everyone recognizes the threat to America's superiority in the field of electric energy posed by Soviet progress and expansion.

The May 2, 1960, issue of U.S. News & World Report contained an article entitled "Russia's Claims Debunked." This article portrayed the Soviet Union claims of progress and predictions of expansion as boasts, except in the fields of weapons and heavy industry. Several legislators endorsed this article as containing valuable information.

The New York Times, on November 1, 1959, reported that investor-owned utility leaders were "impressed but unworried by Soviet growth." Edwin Vennard, managing director of the Edison Electric Institute, the private utility trade association, was quoted as saying, "There's not the slightest chance that they'll pass us in kilowatts."

Philip Sporn, an acknowledged leader of the private utility industry, was more conservative when he said that, "we can conclude that at least as to the scope of our development program we will not, by 1963, be behind the Russians * * *." Others explain away the rapid increase in Russian consumption and capacity by attributing it to the relatively low point at which the Soviets now stand. A noted engineer who made the Russian trip in 1959 recently termed the report prediction very optimistic. He explained this opinion by advancing a theory of ultimate saturation in per capita energy consumption, an event which has not yet occurred in this country and seems unlikely for the immediately foreseeable future.

On the other hand, it is the opinion of many highly respected and authoritative electric power experts that Russia's growth in power capability could prove disastrous to this Nation if it is ignored. As previously mentioned, military strength depends to a great extent on economic strength which is in turn highly dependent on energy capability. Russian progress in energy capability puts them in a highly competitive position on the world market particularly as to commodities such as aluminum where one of the major cost factors is power. The country having the advantage in power cost will probably have the upper hand in the world market. It has been pointed out that Russia has, for the past few years, been making phenomenal strides in conquering the regions of outer space, and it is not mere conjecture that the Soviet Union recognizes that electrical energy is also a vital part of her national strength.

The big question seems to be: Will the present rates of growth in energy capability and consumption be sustained? There is no infallible way to determine the answer, but there are good indicators of what the future holds.

A look at Soviet accomplishments since 1958 shows progress very much in line with what was predicted in the inspection group report and with what the Soviets have predicted for themselves.

At the end of 1958, the U.S.S.R. had 53 million kilowatt installed capacity and had reached an annual consumption of 233-billion kilowatt-hours. In 1959 installed capacity went up to 59 million kilowatts, an 11-percent increase, while annual consumption rose to 265 million kilowatt-hours. In 1960 they installed 6.5 million kilowatts for a total of 67 million kilowatts and annual consumption rose again to 292 billion kilowatt-hours. The January 23 issue of Pravda reported an increase of 7-million kilowatt capacity and consumption of 327 billion kilowatt-hours for 1961. The Inspection Committee Report predicted 337.5 billion kilowatt-hours annual consumption and approximately 77 million kilowatts installed for 1961, and both predictions fall within 4 percent of what the Soviets have actually accomplished.

The U.S. position today is also much in line with the predictions made in the report. According to the Edison Electric Institute, our 1958 installed capacity was 150 million kilowatts, increasing to 165 million kilowatts in 1959, 175 million kilowatts in 1960, and 188 million kilowatts in 1961. 1958 energy consumption was 645 billion kilowatt-hours, increasing to 707 billion kilowatt-hours in 1959, 765 billion kilowatt-hours in 1960 and 808 billion kilowatt-hours in 1961. The predictions were highly accurate for total installed capacity, but about 90 billion kilowatt-hours high for our annual consumption.

What is the outlook for U.S.S.R.-United States competition in the vital electric energy industry? The data available is limited but does not indicate any radical departure from Soviet expansion claims or American expansion expectations. It may take a few more years than originally anticipated but the trend is toward a narrowing of the gap between the Soviets and ourselves.

The United States had for many years the most vital, progressive and expanding economy in the world. Our economy continues to grow—we're still in first place—but we are growing much more slowly than the Soviets.

The competition is definitely getting stiffer. We need increased effort to maintain our position and this greater effort must come from all segments of our economy—including, of course, the electric utility industry—if we are to place first in the all-important race for world prestige and power, upon which hinges, ultimately, our hope for peace.

## ATTORNEY GENERAL KENNEDY'S ATTACK ON AMERICAN INDIANS

Mr. BENNETT. Mr. President, the Ute Bulletin, a monthly newspaper published by the community services division of the Ute Indian Tribe at Fort Duchesne, Utah, contains an editorial in its May 26 edition expressing strong criticism of Attorney General Robert F. Kennedy's remarks in Life magazine. The Kennedy remarks appeared under the caption "Buying It Back From the Indians." In my opinion, this editorial deserves the attention of Congress, and I ask unanimous consent that it appear in the RECORD.

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

A recent article by Mr. Robert F. Kennedy, the Attorney General of the United States entitled "Buying It Back From the Indians," in the Life magazine, evoked a storm of protests from many Indian groups and their friends because of the alleged facetious and smug way it was presented. The protest centered around the presumptuousness of the Attorney General of the United States to poke fun at the plight of the original American at the same time that he and his brother, the President, were out telling the world that they were champions of oppressed minorities, who were living in squalor, ignorance, economic deprivation and want.

The subject matter of the disputed article dealt with Indian claims against the Federal Government. Most of these claims deal with Uncle Sam's failure to live up to the terms of treaties and agreements made with the Indians back in the last century, usually forced upon the unwilling Indians in order to take away his lands and property. As a result of these treaties and agreements, some ratified and others not, the Indians were moved to reservations and if they were not willing to do so, they were quickly disposed of in the traditional frontier style of that day.

Whatever may be the purpose behind Mr. Kennedy's article, it only added to the confused image that the average American citizen has of his fellow citizen, the American Indian. He is too often viewed as anachronistic comic and a dull wit, relegated to a reservation which might be viewed as a haven for the mentally retarded, and someone who is separate and apart from every human being, in spite of the fact that he has been an American citizen since 1924, and has played a significant role in the progress of our country. All you have to do is go back to your daily papers in the State of Utah a few days back to find examples of intelligent people still floundering around over the question of what is an Indian and what isn't.

One champion of the American Indian who arose to lambast the Attorney General over his article was Hon. E. Y. BERRY, Representative from South Dakota. In a speech reported in the CONGRESSIONAL RECORD, April 4, 1962, Mr. BERRY said, "This young man, brother of the President, who has been traveling all over the world, telling peoples of other nations what they must do and how they must get their own house in order, tells the world in this article how surprised he was to find that the United States must still pay for lands and property taken by force from the Indians, for which settlement has never been made by the Government." Mr. BERRY said that it was quite humorous for young Bobby to find that there have been some 370 claims filed before the Indian Claims Commission and that only 33 have been settled, while 10 others are on appeal, with some 200 in various stages of trial.

Pointing out that the reason why the Indians are still waiting after 100 years or so, Mr. BERRY stated that the Federal Government has gone to every extreme in attempting to prove that the Indians are wrong, that the white man owes no money for the lands and property that he has taken from the Indian, that the Federal Government is not under obligation to keep its treaties with the Indians.

Mr. BERRY's comments reveal the ambivalence in the Attorney General's position. On the one hand the Federal Government has certain responsibilities over the Indians because he is a ward and the Attorney General being a representative of that Government is also a protector of the Indian rights. Yet on the other hand, the Attorney General through the Department of Justice is protecting the Federal Government from claims submitted by its wards because of treaties and agreements made when the Federal Government and the wards were organized as nations recognized by the United States as foreign powers.

In this complicated state of affairs, Mr. Kennedy's article was sure to get him into "dutch," and maybe if "young Bobby" as Mr. BERRY calls him, wants to keep out of trouble, he might write about some other subject in the future.

We would, however, just as soon forget the whole thing and urge the Attorney General of the United States to expedite the claims cases and bring them to conclusion as rapidly as possible. It is a blight upon the American citizen to have these cases hanging fire year after year. We would recommend that the Federal Government appoint additional staff, both to the Justice Department and to the Claims Commission. In addition we would recommend that greater use be made of compromise. Pretrial conferences should be used to narrow the issues rather than resort to time-consuming legal techniques in a formal trial and hearing. One of the frustrating aspects of presenting Indians claims is the notorious methods of the Federal Government in delaying, asking for extensions, and going over irrelevant matters.

## ADDRESS BY GOV. GEORGE D. CLYDE TO THE WHITE HOUSE CONFERENCE ON CONSERVATION

Mr. BENNETT. Mr. President, on May 25 Gov. George D. Clyde, of Utah, addressed the White House Conference on Conservation. Because his remarks are so timely and his message so important, I ask unanimous consent that his address appear in the RECORD following my remarks. Governor Clyde is an outstanding expert in the natural resources field, having devoted nearly all of his adult life to the pursuit of enlightened conservation. He was one of the few Republicans invited to participate in the conference and his was one of the few voices proclaiming true conservation in Washington's natural-resource wilderness.

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

OPENING STATEMENT BY GEORGE D. CLYDE, GOVERNOR OF UTAH, AT THE WHITE HOUSE CONFERENCE ON CONSERVATION, WEST AUDITORIUM, DEPARTMENT OF STATE, WASHINGTON, D.C., MAY 25, 1962

I deeply appreciate the honor of being invited to participate on this panel, and the privilege of speaking for an area of these United States whose problems are peculiar and sometimes unique, and of which my own State of Utah is typical.

Resource development, which we are discussing here this morning, is the basis of civilized society. But natural resources exist in many different forms and require many different approaches and techniques for development. In the very brief time at my disposal, I shall not try to treat this enormously broad subject philosophically or exhaustively, but restrict myself to a few specific examples which are illustrative of the peculiar conditions in the area of the Nation which I represent.

Of obvious first importance is the agricultural resource, for without food and fiber man could not exist. In many areas of the world, conditions of soil, climate, drainage, etc., are ideal for agricultural development, and development of this resource always remains of prime importance. In my own State, however, and vast areas of many other Western States have conditions comparable to those found in Utah, the agricultural resource and its exploitation are severely limited. Our semiarid to arid climate requires, for the most part, irrigation for the growing of crops. Our rugged and barren terrain—the surface of Utah is 95 percent mountains and deserts—severely limits the area that can be cultivated, even when water is made available. To anyone living in this kind of country, it soon becomes apparent that continued growth and development cannot be supported by the agricultural resource alone.

Fortunately, we have many other resources to which we can turn. Many of our mountain slopes are abundantly forested. The forested slopes and high plateaus produce forage that can be harvested by grazing animals—and, let me add, can be harvested in no other practical way. Our most rugged terrain is often underlain with important minerals, in variety and abundance. Oil and gas, coal and iron, nonferrous metals, the fissionable fuels that hold such great strategic importance, the new wonder metals such as berryllium, the many nonmetallic minerals which have extensive industrial uses—these form an important part of the legacy which nature has provided in lieu of the more obvious agricultural wealth which is so restricted in our part of the country.

In addition to these tangible, material resources, we also possess intangible resources of immense value. Our mountains, forests, lakes and streams offer opportunities for fishing, hunting, hiking, boating, swimming and other forms of recreation that are becoming more important day by day as living conditions across the Nation become more crowded and the pressures for healthful outdoor recreation correspondingly increase. Our future depends on the wide development of all of these resources, both tangible and intangible.

Here let us note that resource development is, at one and the same time, of interest and concern to the individual, to the local community, to the State, the region, and the Nation as a whole.

The individual, or group of individuals, who through hard work and intelligent application of modern techniques of exploration discover an oilfield or valuable mine, draw direct and obvious benefits. But so does the local community, which finds support to a new basic industry. The State and the regional economy profit proportionately, and the entire Nation is strengthened. Resource development is a cooperative venture between private enterprise and Government of every level, and a successful balance must be maintained if we are to achieve optimum results.

We live under a system of free enterprise, and private initiative must be given maximum latitude and responsibility for resource development. To contend otherwise would be to renounce our historic and cherished way of life in favor of some measure of collectivism. Yet, under the broadest interpretation of free enterprise, we have found that a measure of wise regulation and control by Government may be absolutely essential.

The early lumber barons who wastefully despoiled vast stretches of timber country for quick profit had to be forcibly checked or hundreds of thousands of square miles would have been laid forever waste. In our western mountain country, early practices of overgrazing sometimes denuded watersheds, which later resulted in damaging floods and the loss of invaluable water.

From such practices as these, and the need to regulate them, came the conservation movement which developed under the late President Theodore Roosevelt and his able band of aids led by Gifford Pinchot. In this day when attention is so keenly focused on conservation, and when the term "conservation" itself is so frequently misused and misapplied, it is desirable that we study the beginnings and the development of the true conservation movement and the sound principles on which it is founded. Conservation is not, and was never intended to be, a setting aside from use of our resources, but rather wise provision for use by our citizens. The classic definition of conservation, which no one has improved upon, was given more than a half century ago by W. J. McGee, an associate of Pinchot and the first Roosevelt, who said it is "the use of the natural resources for the greatest good of the greatest number for the longest possible time." Pinchot, McGee, and Roosevelt did not attempt to eliminate the cutting of the forests, but to regulate it. It is instructive to note that, to go back to the two examples just cited, forests do better under controlled cutting than in a completely wild state, and watersheds are improved by the proper amount of grazing. All renewable resources can be made better and more productive through planned and controlled use.

Some people contend that nonrenewable resources are in an entirely different category and must be handled differently. They argue that underground minerals are limited and can best be preserved for future need and use by halting present development entirely. This is not true. Mineral development is a continuing process, which is becoming more difficult and expensive as time goes by and the obvious, near-surface mineral deposits are used. Under our free enterprise system, the profits from present operations must pay for the exploration, programing and development that make possible future production. If we halt today's exploration, tomorrow's critical need will find us unable to produce. By way of illustration note that "known reserves" of most important minerals are steadily increasing, in spite of steadily rising consumption—we have consumed far more than the "total known reserves" of a few years ago, yet our present reserves are greater than those we have consumed, thanks to a steady program of exploration and development.

The principle of true conservation is closely tied to that of multiple-use of our lands. If we are to obtain the "greatest good for the greatest number for the longest time" from our resources, we cannot divide up our land and assign it to exclusive single uses. Usually land can be put to a number of different but non-conflicting uses. It is obvious, however, that in very limited areas, specific single uses may have to take precedence. In the immediate area of a mine shaft, for example, or a sawmill, other uses cannot reasonably be permitted. But the area held to single-purpose use must be restricted to the very minimum actually necessary for the primary purpose if we are to derive maximum benefit from our land and resources.

In the broader applications, this principle holds true. In setting aside an area of unique scenic or scientific interest as a national park, we may ban otherwise normal

uses; but we must restrict the park reservation to the minimum land actually necessary to achieve our basic purpose, or else we may unreasonably restrict the development of other important resources. In the current discussions of a proposed new national park in Utah, I have strongly supported the maintenance of strict park standards for actual park land—while others have proposed opening the park itself to other uses—but I have also urged as strongly as I know how that the park boundaries be reasonably limited so as to permit the development of other very important resources in the area.

The role of government in resource development is not only to regulate and control, but also to cooperate with and assist free enterprise in its task. A classic example of the type of cooperation of which I am speaking is afforded in the field of water development. Expansion and growth in the semi-arid and arid West would by now have virtually ground to a halt without it, for easily reached and cheaply developed supplies of water would be exhausted. Under the Federal reclamation program begun in 1902, assistance has been provided to develop projects too vast and too complicated for private enterprise to handle unaided. Multipurpose projects have been constructed, and the proceeds of hydroelectric power used to help pay the costs of water development, and water users have repaid the Government from the profits of operations made possible by the water provided. More recently, under the Small Projects Act, similar assistance—later repaid virtually in full—has been provided for less vast projects, but which are still too expensive for individuals or groups to undertake alone. In Utah, the State's water and power board is providing similar assistance on a still smaller scale, developing small local projects of immense importance to various communities around the State, but which the local people alone and unaided could never have constructed. And I should like to add that we have not yet had the sponsors of a single project default on their repayment obligation.

I have briefly mentioned government's role in resource development on both the Federal and the State level. I believe it is absolutely essential that Federal and State activities be coordinated, so as to supplement and complement each other effectively and also to avoid unnecessary overlapping, duplication, or other wasteful practice.

In Western States such as Utah, where most of the land is under Federal control and management, this is particularly necessary. Almost three-fourths of the area of my State is in one form or another of Federal ownership—managed by the Bureau of Land Management, the Forest Service, in military or Indian reservations, or set aside as national parks or monuments. We have to operate on approximately a quarter of a State as a tax base. Other western States are in comparable positions, the exact percentage of land in Federal ownership varying from State to State. I trust that people of other parts of the Nation will keep this in mind, for it explains why we must be wary about letting further substantial tracts of land, particularly land rich in mineral and other resources, pass out of State control.

I have severely limited my discussion because of the time problem we face this morning. I trust some of the ideas I have advanced may be further developed in the discussion period. Let me conclude my opening remarks by summing up my position on the role of private enterprise and Government in resource development:

1. We should develop all of our resources, the tangible and the intangible.

2. So far as possible, we should adhere to the principle of multiple-use in resource development; when exclusive single use is practiced, the area of its application should be limited as much as possible.

3. Resource development is first the responsibility of private enterprise. Government assistance and/or control should be provided only when private enterprise cannot do the job effectively alone.

4. When Government assistance and/or control is required, it should be provided with as close cooperation as possible with private enterprise, and with full coordination between government at various levels. State laws and established practices should be fully and carefully considered, to avoid the disrupting of local economies in any part of the Nation.

5. Finally, our entire effort should be directed at the goal of providing "the greatest good for the greatest number for the longest possible time."

## REVERSAL OF POSITION OF SAVINGS AND LOAN LEAGUE ON PROPOSAL TO WITHHOLD TAXES ON INTEREST AND DIVIDEND INCOME

Mr. WILLIAMS of Delaware. Mr. President, there was published in today's Washington Post and Times Herald an article entitled "Lobby Drops Battle on Dividend Tax, Fearing J.F.K. Slap."

I quote a portion of the article:

The powerful savings and loan lobby has called off its fight against President Kennedy's proposal to withhold taxes on interest and dividend income.

The savings and loan industry dropped its fight because of fears that the Kennedy administration would retaliate by slapping it with heavy new taxes.

The tax revision measure carries a compromise formula for taxing savings and loan associations at the rate of about $200 million a year, rather than the current $9 million.

Mr. Kennedy originally sought taxes of $500 million a year and the savings and loan officials feared he would revert to this figure or even propose a special tax bite on their associations if they continued their fight against the withholding feature.

Mr. President, this has the inference either of being an attempt to blackmail a group into support of an administration proposal or of being a situation involving a $300 million deal. I refer to the inference in the article that the administration would withdraw its request for a $500 million tax on the association and accept the House proposal which provides $200 million additional taxes in return for its withdrawing its opposition to the withholding tax.

Mr. President, there is no room either for threats or for deals in regard to the enactment of our tax laws. I shall ask that both the Secretary of the Treasury and the Saving and Loan Association present to our committee statements as to whether there has been a deal in return for support of the administration's proposal, or as to whether there has been any threatened blackmail or retaliation on the organization if they continue their opposition. Proposed changes in our tax laws should be supported or opposed based upon their merits and not through fear of retaliation or as the result of deals.

I ask unanimous consent that the article may be printed in the RECORD.

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

LOBBY DROPS BATTLE ON DIVIDEND TAX, FEARING J.F.K. SLAP

The powerful savings and loan lobby has called off its fight against President Kennedy's proposal to withhold taxes on interest and dividend income.

The move is expected to improve prospects that Mr. Kennedy's tax revision bill, already passed by the House, will win approval from the Senate Finance Committee which has been considering it for two months.

The United States Savings and Loan League, which claims to represent 6,000 member associations, has notified Treasury Secretary C. Douglas Dillon and some Senators that it now supports the measure with the withholding feature.

Before dropping its fight, the league sparked a letter-writing campaign which brought hundreds of thousands of letters to Senators voicing opposition to Kennedy's plan to withhold 20 cents from every $1 in interest and dividends.

At a May 9 news conference, Mr. Kennedy accused the savings and loan industry of "misinforming many millions of people" by giving them the impression he was proposing a new tax rather than merely trying to collect taxes which are now ignored by some.

The savings and loan industry dropped its fight because of fears that the Kennedy administration would retaliate by slapping it with heavy new taxes.

The tax revision measure carries a compromise formula for taxing savings and loan associations at the rate of about $200 million a year, rather than the current $9 million.

Mr. Kennedy originally sought taxes of $500 million a year and the savings and loan officials feared he would revert to this figure or even propose a special tax bite on their associations if they continued their fight against the withholding feature.

## UNIVERSITY OF ALASKA HONORS WAYNE ASPINALL

Mr. BARTLETT. Mr. President, before May 28 he could be referred to as WAYNE ASPINALL, as Representative ASPINALL, or as Chairman ASPINALL. Now another title, and one which he richly deserves, has been added. Now, in addition to everything else, he is Dr. WAYNE N. ASPINALL. For on that day the distinguished Coloradoan received an honorary degree as doctor of laws at the commencement exercises at the University of Alaska, at College, Alaska. The degree was awarded him in recognition of his outstanding services as a public official for his district, for his State, and for his Nation. Perhaps most especially Alaskans, acting through the University of Alaska, were thus able to give appropriate recognition to a man who as much as anyone else was responsible for Alaska's attaining statehood and who in many other legislative and allied endeavors has made mighty and magnificent contributions to development of this vast northwestern land. It is sometimes said, Mr. President, that the modest man, the self-effacing man, the man who fails to blow his own bugle and to trumpet his own virtues and accomplishments, is ignored and forgotten and his services go unappreciated. This is a splendid and striking example to the contrary. For

WAYNE ASPINALL is modest; he is self-effacing; he is not in the habit of publicly proclaiming in his own behalf. Yet Alaskans knew—because they are observant—that WAYNE ASPINALL was a powerful, influential, and effective legislator who was always working on their side in their rightful aspirations. So when the board of regents of the University of Alaska, acting through its president, Elmer E. Rasmuson, and the University's president, William R. Wood, conferred the degree of doctor of laws upon WAYNE ASPINALL last month it was to let others know what Alaskans already knew so well; namely, that in the person of WAYNE ASPINALL, Colorado had sent to the Halls of Congress a great public servant.

If I may be permitted a personal note, Mr. President, I should like to say that it has been indeed a privilege for me over the years to count WAYNE ASPINALL as my friend. As Delegate in the House of Representatives from Alaska, I was serving on the Interior and Insular Affairs Committee when Representative ASPINALL was first elected to Congress. As were all other Members, I was impressed at once with his fine personality, his studious nature, his grasp of even the most intricate legislation, and his attentiveness to duty. The years have gone by and during those years he has become chairman of this great committee which is so meaningful in terms of development to the West and those offshore areas which are still under congressional jurisdiction. And I was made all the happier because Mrs. Aspinall, that wonderful lady from the high country of Colorado who has been such a helpmate to her husband, was able to go with him to the 49th State and to be at his side when he became Dr. ASPINALL.

Mr. President, on the occasion of these commencement exercises, Dr. ASPINALL delivered an address to the graduating class and others which for many reasons is worthy of reading by a wider audience. So I take very especial and personal pleasure in presenting it here. It is meaningful, indeed, that Representative ASPINALL, delivered his commencement address at one of the newer land-grant colleges during the centennial year of the signing of the Morrill Act by President Lincoln. In his address, Representative ASPINALL dwelt in detail upon the historic beginnings of our land-grant institutions. Therefore, Mr. President, I ask unanimous consent to include this address with my remarks.

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

ADDRESS OF THE HONORABLE WAYNE N. ASPINALL, AT THE UNIVERSITY OF ALASKA, MAY 28, 1962

President Wood, members of the board of regents and of the faculty, honored graduates, and members of the student body, and friends of the University of Alaska, to be able to return at this time to this great northernmost State of our Union is one of the most enjoyable experiences of my life. Not so much because of the honor which you show to me, which I assure you in all humility that I do sincerely appreciate and for which recognition Mrs. Aspinall and I thank you, but rather because of the fact that I return after an interval of 11 years to find the people of this new member of our sisterhood of States enjoying their new status of self-government and meeting effectively new trials and problems—rather, may I say, the new challenges which confront them.

At no time in the history of mankind has accomplishment of a feat performed, the enjoyment of a victory won, meant more than a temporary lull in the struggle which eternally confronts and belabors the progress of civilization. A short period only is our lot for a rest from our labors. Likewise, only an hour is permitted us to rejoice for the milestone reached. This is the lesson of history: those who have rested or have rejoiced in the fruits of their victory for too long a period have seen civilization and progress pass them by and they are left as wayfarers along the road. Defeat in their original cause would have dealt them no worse a blow. In fact, original defeat would have been kinder because hopes would not have been rasied nor ambitions kindled into flames of high resolve.

So, as I return for a few hours to this physical battlefield on which so many of you waged such a glorious and effective struggle, please understand that your friends and companions in arms from the other members of our sisterhood of States realize fully the many, the varied, the new, and the complex problems that now confront you in your new and full relations with us; as well as those responsibilities under our form of government that are peculiarly yours and yours alone. Keep in mind, if you will, that we wish to continue our help whenever and wherever it is in order and desired by you.

It was clearly understood and recognized during the legislative struggle for statehood status for the people of this area that the achievements of such status would not be a panacea for all of the difficulties which confronted the people of the territory. This understanding was within the knowledge of every clear-headed and intelligent worker and leader enrolled in the cause of statehood.

The recorded history of each one of the Original Thirteen States, together with the record of each and every single State since 1790, has laid out in detail the pitfalls and obstacles that went with full membership in the Union. Many of such pitfalls still remain as entrapments. Many of such obstacles still block the highway to public understanding and efficient government management. The perfect state—the perfect government—is still beyond the reach of man.

And so it is, and so it shall be, with our 49th member, the incomparable—and may I use the term, thinking of degree only—the "unconquerable" State of Alaska.

Those who would rest after partial success; those who would reap without continual preparation of the soil and the sowing and the planting therein; those who would receive only; those who know not that the joy is, after all, in the struggle rather than in the victory; those of limited horizons and less understanding—all of such are, of course, not satisfied with statehood as we find it in Alaska, or, for that matter, as we find it anywhere. Nor, in my opinion, would they be satisfied for long even if their own temporary desires were satisfied.

On the other hand, those who understand life and accept it as it is; those who are willing to work in order to delight in the succession of harvests; those whose greatest joy comes from the giving of their talents; those brave of heart who increase their strength by using strength; those whose vision is ever fastened on the beauty of the rainbow; those whose understanding accepts the limitlessness of knowledge and accomplishment are pleased and proud with statehood. Their fondest hopes and ambitions are to make the new State more responsive to the need and will of its citizens.

Many of your pains may result from the recent labors. But I would rather think that they abide because of life itself; and that, as long as there is life in your body politic, there also must be travail and trials.

I congratulate you on your victory. I commend you on the effective manner in which you have accepted and discharged your responsibilities. I am proud of you, as are all of your understanding fellow citizens, in the humility with which you have received and accepted your newly acquired citizenship.

May I add this personal word: although my part was insignificant in comparison with those of your own self-sacrificing patriots (and I leave each and every one unnamed at this time because time and facility does not permit the naming of all), yet I want you to know that I am exceedingly grateful that I was at least privileged to help a little. You have my pledge that I shall continue to labor in your vineyard for the preservation of self-government that is so precious to freemen everywhere.

In the time remaining, I shall talk briefly about the outstanding Federal education program which has engendered and supported such successful and effective universities as the University of Alaska.

While I am sure it is really not necessary for me to define it, let me, in the beginning, state that the term "land grant colleges" denotes a group of 68 educational institutions which were founded and developed under a broad Federal aid to education program, the centennial of which is being celebrated this year. I am doubly pleased to have the opportunity to mark this celebration anniversary in the pioneer State of Alaska where the United States still has a sizable remaining physical land area for development.

The aspirations of our forefathers knew no bounds. They insisted on equal opportunity for education of all residents at primary, secondary, and, finally, higher levels regardless of the social and economic background of such residents. The inability of the average resident to obtain an education beyond high school for his sons and daughters led inevitably to the entrance of the Federal Government into the field of what, for a better term, has been designated as "higher education."

The difficulty in obtaining entrance to college and paying for an education was just part of the problem. Apparently another facet of equal importance was the emphasis that the universities of our early history placed on the theoretical rather than the practical. The people of the United States wanted to improve procedures in their daily pursuit and demanded opportunities for higher education in practical everyday matters such as agriculture and the mechanical arts. Let me, at this point, make this observation: The first college in the new world was founded with public aid. The General Court of the Colony of Massachusetts in 1636—only 16 years after the Pilgrims landed at Plymouth—authorized what now looks like a very meager grant of 400 pounds for the foundation of a college. Thus was Harvard College established even though later it was to receive its permanent endowments from private sources.

Many colleges in our country's early years received aid of various kinds from State governments. The major efforts, however, in the field of higher education came as a result of private actions, some by religious groups. My own State of Colorado offers a good example, demonstrating the deep-seated desire of our forefathers to provide higher education. The first Colorado legislative assembly in 1861 authorized the incorporation of a university located at Boulder. However,

it was the middle 1870's before the university was actually under construction. In the meantime, the State also authorized an agricultural college under the Land Grant Act and it was opened to students in 1879. This school, located at Fort Collins, is today the Colorado State University.

Basically, 100 years ago colleges and universities, despite some public assistance, were private institutions, privately endowed and supported, reliant in part on tuition payments to meet their basic expenses.

It is not surprising that endowments and other private funds were not adequate to meet the demands and needs of a growing population intent on obtaining for each person an education to the maximum of his or her ability. The parallel inability of the States, themselves struggling to exist as political entities, made it inevitable that once again thought be given to the entry of the Federal Government in the field. Parenthetically, I remind you at this time that we always seem to have recognized the educated man as a national asset and that our first President, in effect, so stated in his initial message to Congress wherein he also suggested consideration of a national university.

The first recorded public advocacy of a system of colleges founded on support furnished by public land, however, is contained in a speech made by Prof. Jonathan Turner before the Illinois Teacher's Institute on May 13, 1850. His was a broad plan for a State university for "the industrial classes." Six years later, Congressman Justin Smith Morrill of Vermont introduced a resolution supporting a land grant college system. This was followed by his land grant bill on December 14, 1857.

Without going into the details of the legislative history of the act, I would like to review some of the very pertinent steps which afford the lessons that only history can give us. We know today that the land grant college program is one of the exportable ideas for which the United States is known throughout the world and particularly in the developing countries of today. Yet it took 5½ years from the time that the first measure was introduced in Congress before it became law. Many of the individual actions on the bill were decided by narrow votes, some a one-vote rollcall margin.

The first time the bill was passed, in February 1859, it was vetoed by President Buchanan who made the first point that it would create a competitive situation that would curtail the Federal Government's income from the sale of public lands. And, to emphasize his point, he estimated that in the next fiscal year the United States might lose the sum of $5 million, an amount that today is considered by many to be a satisfactory variable in any estimate of Federal expenditures in a given area of operation.

The second point of the veto message stressed the Federal-State relationship and, in words that might be used today by opponents of Federal aid to education, proclaimed:

"Should the time ever arrive when the State governments shall look to the Federal Treasury for the means of supporting themselves and maintaining their systems of education and internal policy, the character of both Governments will be greatly deteriorated."

The veto message then warned that the legislation would injure the newer States by putting vast amounts of their lands into the hands of outside speculators, be of doubtful assistance in the advancement of agriculture and the mechanical arts (particularly since the Government would have no power to police the grants) and that it would permit the Federal Government to subsidize schools to compete unfairly with the struggling colleges and universities that had been established by private means.

Finally, President Buchanan said, the bill violated the Constitution because (1) Congress did not have the power to appropriate money for education; and (2) the right of Congress to "dispose" of the public domain did not embrace the right to give away the public lands.

So we see that 100 years ago there were those who would not open up the frontiers of knowledge, just as some in 1962 refuse to permit those frontiers, now open, to be broadened in order finally to assure education to the maximum of each person's ability.

Three years after the veto, in 1862 when the Union was facing an uncertain future in a War Between the States, the Congress voted its confidence in the ultimate survival of this Nation and, despite the Civil War, took the courageous action of passing the land grant bill, which President Lincoln signed into law. Once again in a time of struggle and trial, a constructive and forward step was taken.

The act of July 2, 1862, made available to participating States donations of public lands, apportioned to each State on the basis of 30,000 acres for each Senator and Representative in Congress with the objective that these lands would provide a financial foundation in each State for the "endowment, support, and maintenance of at least one college, where the leading object shall be, without excluding other scientific and classical studies and including military tactics, to teach such branches of learning as are related to agriculture and the mechanical arts in such manner as the legislatures of the States may respectively prescribe in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life."

Let me point out another way in which times have not changed too much; or in which history repeats itself. The passage of this act in 1862 was made more certain by providing, as stated in the quoted objectives, for the teaching of military tactics. Today, too, we find that a defense posture for a measure gains some votes—and quite often in the name of education.

In 1863 three States—Iowa, Connecticut, and Vermont—accepted the terms of the Morrill Act, even though two of these States—Vermont and Iowa—had opened State institutions to students prior to that time. Every State has come into the program as did three territories, of which two are now States and the third a Commonwealth. There are today a total of 68 land-grant colleges made up of 20 separate colleges of agriculture and mechanical arts, 32 State or territorial universities that were either established or further developed as a result of the Land Grant Act, and 16 agricultural and mechanical colleges originally set up for Negroes throughout the South. One additional Negro college has not retained its status as a land-grant institution.

Along with Hawaii and Puerto Rico, Alaska prepared for its participation in the fabric of U.S. life by establishing a land-grant college. The University of Alaska, which was started in 1915 and opened in 1922, accepted the term of the Morrill Act as a full participant in the land-grant system in 1929 and stands today as an important milestone in the struggle on the road from an outpost territory to full statehood. In the 40 years of its operation, the university, as the only institution of higher learning in the territory, trained those who led the crossing of the frontier into a full partnership with the other States of the United States.

I submit that the land-grant colleges have played an equally important role in each of the other States and in Puerto Rico. Even though the initial emphasis, in the original act, was on agricultural and mechanical arts studies, the fact is that the Land Grant Act by its very terms encouraged a much broader, more liberal education for all.

No review of the College Land Grant Act would be complete, in my opinion, without a word concerning the charge of "giveaway." President Buchanan's veto message, in 1859, had a comment concerning the right—or rather the alleged lack of right—of Congress to "give away" public lands.

But, this was no giveaway. I have had occasion recently in connection with the Homestead Act Centennial observance—and will take every opportunity given me—to emphasize that the pattern of land laws requiring development in return for land, involved no giveaway. This is how our Nation grew and prospered.

The inducement of the act I have been discussing was to offer lands in return for the establishment of institutions of higher learning designed to bring broad practical and liberal arts education to all Americans. To achieve the resource of an educated populace, we utilized the resource we had: land.

That the act succeeded is readily evident from some rather staggering statistics. Only 18 percent of all college students are enrolled in the 68 land-grant colleges and universities. Nonetheless, we find that these institutions award approximately 40 percent of all the doctoral degrees in the United States. In addition, a majority of the living American Nobel Prize winners hold degrees from these institutions. We have degree holders from land-grant colleges in positions of responsibility in industry as well as government. And, although there has been an effort to focus attention in a different direction, you should know that half of President Kennedy's Cabinet have one or more degrees from State universities, three of which are land-grant colleges. In addition, the Secretary of the Army, the Chairman of the Atomic Energy Commission, the head of the CIA, and the Director of the U.S. Information Agency have all earned degrees at land-grant schools.

The land-grant colleges have also contributed significantly to our military strength. The teaching of military tactics as one of the purposes of the 1862 act led to the establishment of an activity we all take for granted today; namely, the Reserve Officers Training Corps, familiarly known as ROTC. Military leaders have repeatedly paid tribute to the ROTC program which, has, on the one hand, helped supply our soldier leaders but, and possibly more important, also has proven to be important in the balance between the civilian and military control of our Armed Forces.

The joint responsibility for military leadership that results from training in the Military Academies and in the land-grant colleges in parallel programs helps to assure that our military organizations will not be taken over by any Prussian-style military general staff clique.

Before concluding, I would like to make some specific observations concerning your own University of Alaska. Of course, you know even better than I, the part played by Dr. Charles D. Bonnell, first president of the institution. Under Dr. Bonnell, the Alaska Agricultural and Mechanical College, which opened in 1922 with six students, grew in size and prestige. One important milestone came on July 1, 1935, when the college became the University of Alaska.

I was very much impressed, on reading the catalog, to find that there is no tuition at the university for residents of Alaska. The availability of scholarships for the payment of dormitory rent helps extend the principle of education for all who have the ability therefor without regard to financial ability to pay.

You are justifiably proud of your museum. I trust you will always be able to maintain it as a storehouse of knowledge pertaining to the entire history of Alaska.

Other services which the university performs are of equal importance in the progress made and to be made. I refer to such things as the agricultural experiment station, the agricultural extension service, and the biological survey experiment station established in 1927 for the investigation of natural phenomena in the area.

I salute you and the tremendous strides you have made in 40 years. I know that your greatest contributions—and the contributions of the State of Alaska—are still ahead of you. But we know now that you here at the University of Alaska and the other land-grant colleges and universities already have given to the United States in full measure for what you have received. Yes, instead of a giveaway, the U.S. Congress, with the approval of President Lincoln, made an investment that has paid handsome dividends.

Let me assure you that the Congress of the United States will continue to support, with necessary authorization and appropriations, the type of work that has been done at this and other land-grant colleges and universities, for as long as they keep moving forward in the frontiers of knowledge and learning. Here in Alaska it is evident that the physical frontier and the educational frontier will be penetrated together and this great State enabled to develop to its fullest potential capacity. With you, we shall continue to invest in the future.

## TRIBUTE TO SENATOR WALLACE F. BENNETT

Mr. DIRKSEN. Mr. President, there appeared in the Chicago Sun Tribune for June 10, 1962, a very interesting article written by Willard Edwards under the title, "BENNETT Between Two Fires in Utah Race," which carries the subtitle "Senator's Docile Mien Belies Ability." Frankly, Mr. President, I can fully subscribe to that. It is an interesting article, and I ask unanimous consent that it may be printed in the RECORD.

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

[From the Chicago Tribune Press Service]

BENNETT BETWEEN TWO FIRES IN UTAH RACE—SENATOR'S DOCILE MIEN BELIES ABILITY

(By Willard Edwards)

WASHINGTON, June 9.—Senator WALLACE F. BENNETT, of Utah, is a quiet man, mild mannered, who has spent 12 years in the Senate making himself an expert on complex legislation relating to finance, labor, and industry.

He doesn't make the headlines with vociferous oratory as do many of his colleagues. Capitol Hill feature writers, always eager for a colorful subject, have searched his career and personality and turned elsewhere for livelier copy.

He is a businessman, a Republican, conservative, high in the Church of Jesus Christ of Latter-day Saints (Mormon), happily married with 5 children and 19 grandchildren. He is 63 and bald and a tremendous worker. He commands respect on both sides of the aisle, wields considerable influence on the floor, and holds high-ranking position on the most important committees.

FIRE ON BOTH SIDES

In the normal course of events, BENNETT, seeking reelection to a third term, could expect a busy campaign, not too hectic, in which he would rely rather confidently on a record of substantial accomplishment.

Not so in this topsy-turvey year of 1962. He faces one of the noisiest, rough-and-tumble combats in the Nation, and a double-barreled attack from both the far right and the far left which would tax the resources of any candidate.

In the Republican primary, BENNETT expects to face a strong opponent who considers him a "damned Socialist," although BENNETT's voting record places him among the 10 most conservative Members of the Senate.

After winning that contest, and the odds favor it, BENNETT will be opposed by a Democratic "liberal" candidate who will attack him as "ultrareactionary."

The situation was stamped "weird" by an associate but there are a number of other election contests this year in which Republican candidates will be dodging fire from both the left and right wings, hoping to convince the voters that there is a sensible middle ground between extremist viewpoints where reasonable men may congregate.

LEE HIS LIKELY OPPONENT

Former Vice President Nixon has just had his baptism of fire in one of these struggles, winning decisively but menaced by a residual bitterness in the defeated candidate's followers as he faces his Democratic opponent.

BENNETT's prospective Republican opponent in the primary is J. Bracken Lee, Governor of Utah from 1949 to 1957, and now mayor of Salt Lake City.

Lee is about as far right as they come. The key plank in his platform is abolition of the income tax amendment to the Constitution. He has vast contempt for Republicans anywhere to his left.

In all the vote ratings published by such organizations as Americans for Constitutional Action, the American Farm Bureau Federation, Americans for Democratic Action, and the AFL–CIO's committee for political education, BENNETT is listed as among the most conservative Senators.

CAN'T FILE AS INDEPENDENT

The A.C.A. index for 1961, based upon votes for economy in government, local and State control, and support of the Constitution gave BENNETT a 100-percent rating. The A.D.A. rating for the same year, based on the percentage of votes for liberal programs, gave BENNETT a zero rating.

Lee refused to accept these ratings. When questioned, he growled that BENNETT was "a damned Socialist." Presumably, BENNETT's doubts that elimination of the income tax will solve all national problems placed him on Lee's blacklist.

In 1958, after being worsted in the Republican primary, Lee ran as an independent, splitting the conservative vote, and bringing about the defeat of the Republican incumbent, Senator Arthur V. Watkins.

His present plans are said to involve opposing BENNETT in the primary September 12 but the law has been now amended to prevent his filing as an independent if he loses.

KENNEDY TO GO ALL OUT

Lee is a vigorous campaigner with a strong following, not disposed to spare invective against an opponent. BENNETT will be under constant attack as a crypto-liberal despite his voting record.

After a frenzied period of defending his conservatism, BENNETT, if he gains the expected victory over Lee, will turn to face a fresh attack from the probable Democratic candidate, Representative DAVID S. KING who will hammer BENNETT as a depraved throwback to the McKinley era.

The Kennedy administration is prepared to throw all of its resources into the western State in behalf of KING. The son of a late Utah Senator, William H. King, the two-term Congressman is known in Washington as an advanced liberal who supports all the administration's spending and welfare programs.

When he returns to Utah, KING assumes a conservative mantle, contending, for example, that the medicare bill "is the conservative approach—the capitalistic way of meeting a universal public need."

SECRETARY PUNCTURES BUBBLE

KING must weather his own Democratic primary and will be under severe attack from opponents who don't think much of his congressional record but he is expected to win.

His claim to conservation was recently challenged when copies of an interview with one of his secretaries were circulated. Returning to her hometown of Russell, Kans., this young woman innocently punctured her employer's assumption of the conservative label.

"We're both liberal Democrats and proud of it," she said and breathlessly revealed that President Kennedy had personally called Representative KING on the telephone.

The voters of Utah, who remain essentially conservative whatever their party affiliation, may justifiably be confused by November. They will have been confronted with ultra-conservatism, moderate conservatism, and liberalism posing as conservatism.

BOTH ARE MORMONS

The gentle influence of the Mormon church pervades the State. Seventy percent of the residents are Mormons. The church usually maintains a neutral attitude. Both BENNETT and KING are church members.

A majority of labor union members are Mormons. Utah is a "right to work" State, barring compulsory union membership, but the law has had no effect on wages or union membership.

BENNETT accepts with philosophic good humor the prospect of a rough campaign. He is no novice to such combat. On his first try for the Senate 12 years ago, he defeated a veteran New Deal Democrat, Senator Elbert Thomas, chairman of the Senate Labor Committee, in a notable upset. He won a second term easily in 1956.

In 1949, he was elected president of the National Association of Manufacturers, the first representative of small business and the first man west of the Mississippi to hold this office.

RECORD COMMANDS RESPECT

"They'll hang the NAM around my neck and try to picture me as a tool of big business," he predicted, smiling. "I expect to get hit with every trick in the book. I'll trust to my record in the Senate to pull me through."

An examination of that record created respect for BENNETT's political sagacity. He has combined accomplishments for his State with work on a national scale. He sponsored legislation which helped to bring the missile industry into Utah and played a key role in obtaining congressional approval of the Upper Colorado River Act, reclamation projects, highways, and national parks.

As a high ranking member of the Senate Finance and Bank and Currency Committees, he is regarded as one of the "solid men" in the Senate—the hard workers who sometimes perform their greatest service in stopping bad legislation.

HIGH TRIBUTE BY IKE

Recognized as the minority party's spokesman on fiscal and monetary policies, BENNETT is a member of the GOP policy committee. President Eisenhower called him "one of the most respected men in the United States."

Nobody would expect it of an office clerk in a paint store who developed a new paint-mixing process and rose to prosperity, but BENNETT has written two books, "Faith and Freedom," and "Why I Am a Mormon."

He walks 4 miles to work each day, hikes on snowshoes in winter, rides and exhibits prize show horses, directs a famous choir in Salt Lake City. In his youth, he was principal of a Colorado academy. He is open to the suspicion of being an intellectual.

## TRIBUTE TO JUAN T. TRIPPE, PRESIDENT OF PAN AMERICAN WORLD AIRWAYS

Mr. DIRKSEN. Mr. President, I was very much pleased to read two outstanding editorials in the Chicago Daily News and the Chicago Sun-Times of last Friday, June 1. Each of these editorials concerned itself with the 35th anniversary of the stewardship of Juan T. Trippe as president of Pan American World Airways.

In these days of multimillion-dollar jet transports and air speeds faster than sound, we sometimes give little thought to the pioneering spirit of the early air adventurers who made this contemporary air age possible.

It is hard to believe that Pan American is only 35 years old. Although the corporation was organized on June 1, 1927, actual flight operations between Key West and Havana did not begin until October 28 of that year.

Mr. President, Juan Trippe's record of contributions to the national defense, to postal service and to the commerce of the United States over 3½ decades have been monumental. His airline has often been referred to as an unofficial instrument of our State Department, and certainly any international air carrier which goes into 81 different countries carries with it a tremendous diplomatic responsibility. Pan American has more than fulfilled its obligation as a significant example of American free enterprise.

Mr. President, these two editorials entitled "Juan Trippe, Airline Pioneer" and "Typically American" I commend to this entire body for reading, and I ask unanimous consent that they be made a part of the RECORD.

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

[From the Chicago Sun-Times, June 1, 1962]

TYPICALLY AMERICAN

Juan T. Trippe left Yale during World War I to become a naval aviator. This changed his life and the aviation industry. He returned to college after the war and in 1927, when he was just under 28 years old, he founded Pan American World Airways.

Today Trippe celebrates his 35th anniversary as president of the airline. In his lifetime he has seen it grow from a 90-mile overwater route between Florida and Havana to a global network of more than 70,000 miles.

We are pleased to have an occasion to recall the success story of Juan Trippe and his airline because it may serve as an inspiration for today's upcoming generation. It shows that ideas and enterprise do pay off, not only in dollars but in the personal satisfaction that comes from doing a good and useful work. Pan Am performance for our Government and others in war and peace has brought recognition and citations.

Trippe has abounded with ideas. In the 35 years he has run Pan Am, the airline has come up with 35 American aviation industry "firsts." It was the first American airline to operate a permanent, international service, to use radio communications, to develop a complete aviation weather service, and to serve meals in the air.

It was the first airline to provide tourist-class service outside the continental limits of the United States and to build airplanes specifically designed for such service.

In this connection Trippe has been a strong advocate of bringing air transportation down to the price the average person can pay. He has had to contend with a European view that air travel is a luxury for the wealthy and should be high priced. In 1945 he put into effect a $275 one-way fare to London but had to withdraw it because of foreign governments' objections. But by 1952 he was able to put low tourist fares into effect permanently after overcoming oversea objections.

"Foreign travel," says Trippe, "is no longer a luxury. It is a necessity if Americans are to understand the problems, politics, the religions, the ideas, and the ideals of other nations. Our people must become world minded if our Nation is to discharge well its new responsibility as the leader of the free world."

Those are our sentiments, too, often expressed on this page. We would add this thought: Low air fares should help bring people of other countries to our land, too, so that they will understand us better.

Trippe's airline well deserves the word "American" in its title. It is typically American in philosophy and performance.

[From the Chicago Daily News, June 1, 1962]

JUAN TRIPPE, AIRLINE PIONEER

Within 24 hours after North Korea launched its aggressive attack southward in 1950, a Pan American World Airways plane was on its way with supplies for the hard-pressed defenders. This fast action tells why all governments seek to build a civil air transport industry that will be available for such emergencies.

It is a little hard to realize that the giant, worldwide, American airways systems are less than 40 years old. The date is emphasized by the fact that Juan Trippe, president of Pan American, is celebrating today his 35th year at the helm of the system he founded in 1927.

It began as a 90-mile hop between Miami and Havana. Rapidly its flying Clippers expanded their routes till they circled the world. The value to the Nation of the managerial experience this gained, and the equipment accumulated, was demonstrated with Pearl Harbor. The company's crews and maintenance facilities were placed at the disposal of the armed services, along with its invaluable lines of communication. After the war, Trippe was awarded the Medal for Merit for "his organizing capacity and his managing skill, his patriotic and unselfish cooperation. * * *"

Pan Am's jets are all committed to the Civil Reserve Air Fleet, and comprise 61 percent of the modern air carriers thus available to the Government in time of emergency. The company deserves credit, too, for the job it has done as the contractor for the planning and operation of the missile center at Cape Canaveral.

Sometimes the names associated with great enterprises are those of figureheads. It is not so in Pan Am, for the growth and efficiency of the organization is a monument to the genius of Juan Trippe. Such men do not always get the credit due them for their achievements. It is a pleasure to salute him and his associates on this significant anniversary.

## SENATOR GRUENING AND THE SEATTLE POST-INTELLIGENCER ARE CORRECT IN THEIR APPRAISAL OF THE STATE DEPARTMENT

Mr. MAGNUSON. Mr. President, on Thursday, June 7, 1962, the Seattle Post-Intelligencer published an editorial regarding the fisheries problem of Alaska and how it affects the whole Pacific Northwest. It refers to my good friend the distinguished Senator from Alaska [Mr. GRUENING]. I read the first paragraph:

Senator ERNEST GRUENING of Alaska is correct in his charge that the State Department appears always to take the side of foreign nations in international fisheries disputes.

I thoroughly agree with that and with the rest of the editorial.

I say to my friend from Alaska, I notice in the editorial it is stated:

To some extent the Fisheries Division was reinstated under Robert Lovett (when he was Under Secretary) and thought is again given to the problem of Japanese and Russian catches of American-spawned salmon.

That is true. When Robert Lovett was the Under Secretary of State the Senator from Massachusetts and I went to the State Department. After some long conferences the Fisheries Division was raised to a policy level in the State Department, so that someone there could help to determine policy. Since Mr. Lovett left the Department the Fisheries Division has gone down again.

What the Senator from Alaska and the Seattle Post-Intelligencer are talking about is absolutely correct. I ask unanimous consent that the editorial may be printed in the RECORD.

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

IT CAN HAPPEN

Senator ERNEST GRUENING, of Alaska, is correct in his charge that the State Department appears always to take the side of foreign nations in international fisheries disputes.

For many years the late Miller Freeman of Seattle fought for an expert fisheries division in the State Department. The goal was finally accomplished under Cordell Hull.

Edward W. Allen, Seattle attorney and foremost world fisheries expert, gives the background in a recent issue of Sea Frontiers, a magazine of oceanography. He says, "When Secretary Stettinius' reorganizers revamped the Department of State, they eliminated the division on fisheries and turned it over to a mere clerkship."

"What," asked an Assistant Secretary, "has this Department to do with a can of fish on a grocer's shelf?"

To some extent the fisheries division was reinstated under Robert Lovett (when he was Under Secretary) and thought is again given to the problem of Japanese and Russian catches of American-spawned salmon.

But Senator GRUENING's statement still holds, even if we admit that the problem is no longer a simple one. The fact remains that the Japanese are taking millions of salmon, that Japanese and Russian trawlers are taking billions of pounds of ground fish on the Alaska side of the Bering Sea.

Due to these facts, and others which have to do with the fish and domestic conservation, the Pacific Northwest, British Columbia, and Alaska could lose their fisheries, so vital to the economy.

This could happen. As we debate the matter in untried realms of international fisheries law, and as the State Department ponders globally, foreign fishermen cut bait—and fish.

Mr. GRUENING. Mr. President, I thank my friend, the distinguished senior Senator from Washington. I

know he will be interested to learn that after the State Department failed to act, in response to the very pressing requests of Governor Egan to do something about the situation, the invasion of long established Alaskan waters by Japanese fishing vessels, Governor Egan was compelled to act as he did, with the universal support of the people of Alaska.

Subsequently, there was a meeting at which my able colleague from Alaska [Mr. BARTLETT], and he, I, and others discussed the problem with State Department officials. We found there was a great reluctance on their part to take the position which seemed clear to us—that these waters which the Japanese were fishing were historically American waters, that this fishing was the lifeblood of the Alaskan economy, that these foreign fishermen were coming to the area and paying no attention to conservation measures, which our fishermen respect, but scooping out the fish.

Under those circumstances, we had hoped and assumed there would be a vigorous and active effort on the part of the State Department to support our national interest which would be automatic.

Mr. MAGNUSON. What would happen if American ships should go to the Sea of Japan, or off the island of Hokkaido, or off the Kamchatka Peninsula, and start fishing? What would happen then?

Mr. GRUENING. I suspect that they would never return.

Mr. BARTLETT. Mr. President, I wish to associate myself with the remarks made by the senior Senator from Washington [Mr. MAGNUSON] and by my colleague from Alaska [Mr. GRUENING] as to the gravity of the situation in the coastal waters of Alaska.

As other nations begin to move into those waters to fish the resources which have always been regarded not only Alaskan in origin but also Alaskan in fact, I wish to say that unless the Federal Government on a national level pays more attention to the fishery of the North Pacific, and unless it does something affirmative and effective concerning the problem, there will not be any fishery resources left for Alaskans and other Americans who have for scores of years depended upon this fishery for their livelihood, and who have produced so much of the protein food so necessary for the American table.

Mr. GRUENING. I thank my colleague. On a somewhat unrelated subject, but not wholly without pertinence, a hearing was held on the domestic gold problem last week before the Senate Subcommittee on Mining and Minerals and the very obvious need to do something for our dwindling gold industry was emphasized by all the committee members. Representatives from the Treasury Department appeared. We tried to elicit from them some understandable explanation of their view that if the Federal Government merely subsidized our gold miners that would somehow have terrible repercussions all over the world, and that the psychology of other nations would be adverse.

There would be a flight from the dollar, these officials alleged, although there was and is no intention of devaluating the dollar. After hearing the dire prophecies of calamity, I felt obliged to make an analogy between the attitude of those officials and the aspen leaf, which quakes and trembles even where there is no breeze and no ascertainable cause. I think the same thing applies to the State Department. Such officials are so full of timidity and fear that they lack the courage to stand up squarely for American rights and the interests of our own people.

In times past our Presidents and Secretaries of State took that kind of positive, affirmative position, and we were respected throughout the world. I am fearful that we are losing that respect through the timidity and vacillation of some of our Cabinet members in charge of important functions, gravely affecting some of our domestic interests. I hope time will prove me wrong.

## UNITED STATES BIDS FAREWELL TO A GOOD FRIEND: CARLOS P. ROMULO

Mr. WILEY. Mr. President, Gen. Carlos P. Romulo—soldier, statesman, Philippine patriot, Ambassador to the United States—now is returning home to the Philippines.

Highlights of his illustrious career include: service with General MacArthur in World War II; a significant role in creating the United Nations; a former President of the U.N. General Assembly; a delegate to the United Nations.

For our country, particularly, he has demonstrated wise, loyal, and courageous friendship:

When we were wrong, he told us so.

When we were right, he said so.

And in both cases, he understood us—as a people, and as a Nation.

Reflecting thoughtfully and constructively upon United States and free world policy in southeast Asia, he has been of special help to us.

Now, General Romulo is returning home to be president of his alma mater, the University of the Philippines.

We wish him Godspeed. With him go our hopes and prayers; for personal well-being and happiness; for continued satisfaction and self-fulfillment in his endeavors; and for continued benefits to his own country—which he has served so well—and the world, from his wise counsel accrued from long statesmanship in world affairs.

Yesterday, This Week magazine published a brief farewell from this distinguished statesman and friend, General Romulo, entitled "Something to Remember."

I ask unanimous consent to have the statement printed in the RECORD.

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

SOMETHING TO REMEMBER

(By Carlos P. Romulo)

I am going home, America—farewell.

For 17 years, I have enjoyed your hospitality, visited every one of your 50 States. I can say I know you well.

I admire and love America. It is my second home.

What I have to say now in parting is both a tribute and a warning: Never forget, Americans, that yours is a spiritual country.

Yes, I know that you are a practical people. Like others, I have marveled at your factories, your skyscrapers, and your arsenals.

But underlying everything else is the fact that America began as a God-loving, God-fearing, God-worshipping people, knowing that there is a spark of the Divine in each one of us. It is this respect for the dignity of the human spirit which makes America invincible. May it always endure.

And so I say again in parting, thank you, America, and farewell. May God keep you always—and may you always keep God.

## MR. JUSTICE FELIX FRANKFURTER

Mr. WILEY. Mr. President, yesterday the Washington Sunday Star published an article entitled "Portrait of a Justice—Mr. Frankfurter: Liveliest of the Nine," written by Arthur Edson, of the Associated Press.

I remember the appearance of Felix Frankfurter before the Committee on the Judiciary when his nomination was under consideration. At that time, he was supposed to be a liberal. Through the years, he has demonstrated that he is probably neither a liberal nor a conservative, but is really a sound, able man.

Mr. Edson has written an excellent sketch of Justice Frankfurter, and I ask unanimous consent that it be printed in the body of the RECORD.

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

PORTRAIT OF A JUSTICE—MR. FRANKFURTER: LIVELIEST OF THE NINE

(By Arthur Edson)

Majestically eight black-gowned justices approach the impressive mahogany bench of the Supreme Court.

Carefully eight young pages see that each is properly seated.

Dutifully the ninth page pushes forward a smaller leather chair, empty and lonely looking.

Yet even without this dramatic reminder everyone would know that Felix Frankfurter is missing.

For Justice Frankfurter—at 79 the oldest of the justices—is so gay, so relentless in his eternal questioning, so scholarly, so waspish and occasionally so rude (there's no other word for it) that his personality dominates the court when it's on public display.

As one lawyer described it:

"What a dull day when Frankfurter isn't around. He stirs some of the other justices up."

Justice Frankfurter hasn't been around since April 5 when he had what was called a temporary stoppage in blood flow to the brain; in blunter words, a stroke.

CONDITION IS IMPROVING

Friends say his condition has improved, that his voice is becoming stronger, that he is able to tend to his correspondence and that there's every expectation he will be back when the court begins its fall term, October 1.

True, life hasn't been kind to Justice Frankfurter lately. His wife, Marion, has been severely crippled by arthritis. He had a heart attack in 1958. And now this.

But Justice Frankfurter's hero, Oliver Wendell Holmes, served on the Court until he was 91. There's every reason to suspect Mr. Frankfurter would like to match that record.

But this convalescent period offers a chance to look at a remarkable public figure,

one who had never heard a word of English when he arrived in this country at the age of 12, but one who in an incredibly busy life has become one of the most influential and significant men of our times.

Whether this influence has been for good or bad depends not only on whom one talks to, but also on when one has the conversation.

Some conservatives who once feared he was a Red-eyed radical now think he's an indispensable pillar of society. Some liberals who once embraced him as their darling now look troubled when his name is mentioned.

"Anyone who is any good," Justice Frankfurter has said, "is different from anybody else."

HE'S ENTIRELY DIFFERENT

The Justice is so different from anybody else that he has to be considered on at least two planes.

First there's Frankfurter the man, and here there is little conflict.

A lawyer with vast distastes for his Court opinions says:

"Oh, he's a lot of fun at a cocktail party—the quintessence of bubbling energy."

Joseph A. Fanelli, a Washington lawyer, was one of Professor Frankfurter's brilliant young men at Harvard.

"As I have said to my wife, his greatest genius is for friendship," Mr. Fanelli said. "You know when I heard he was ill, I had the feeling almost as if he were my father. And the funny thing is, I'm sure at least a thousand persons had the same feeling.

"I'd cut off an arm for the Justice."

Some people are name droppers, but Justice Frankfurter is a he's-a-very-dear-intimate-friend-of-mine dropper. One gets the impression that he knows everybody who was ever anybody in almost the whole world.

"We became friends, close friends."

Here he was speaking of Franklin D. Roosevelt, who once said:

"Felix has more ideas per minute than any man in my acquaintance. He has a brilliant mind, but it clicks so fast it makes my head fairly spin. I find him tremendously interesting and stimulating."

Between Felix's clicking and Franklin's spinning, enough schemes spilled out for Mr. Frankfurter to be praised as the architect of the New Deal—and blamed as a Rasputin of Roosevelt's administration.

When one turns to Frankfurter the jurist, the trouble really starts.

On many tough cases the Court splits into two factions. One has Justice Hugo Black, Roosevelt's first Court appointment, in 1937, and the other has Justice Frankfurter, picked by F. D. R. in 1939.

Those who support Justice Black find him bold and compassionate and see Justice Frankfurter as picayunish. Those who support Justice Frankfurter find him meticulously observing the highest standards of the Court, and look on Justice Black as a man whose head is muddled by a too soft heart.

For Justice Frankfurter, the barbs seem sharper and the praise thicker.

THE OTHER SIDE

An enthusiastic anti-Frankfurterian, Fred Rodell, of Yale, flails away thusly:

"Felix Frankfurter, technical successor to the magnificent Holmes and the great Cardozo, stands out as the New Deal Court's most controversial and unhappy figure, its most tragically wasted brilliant mind * * * cautions and self-conscious scholar * * * timid and voluminously academic."

Mr. Rodell then turns to a one-time Yale professor and an early New Dealer, Walton Hale Hamilton, who jabs away just as relentlessly:

"Mr. Justice Frankfurter has no feel for the dominant issues; he operates best when weaving crochet patches of legalism on the fringes of the case. He does the best he can, often very well indeed * * * it is a calamity that his skills happen to be petty skills."

Upholding the affirmative is Wallace Mendelson, of the University of Texas, who says:

"His wisdom is the wisdom of experience. His forte is reason, not hallowed bias or noble sentiment. He has little confidence in the capacity of judges to sit in judgment upon the community, to erase its errors—if such they be."

And there was this from the late Learned Hand, one of the Nation's most esteemed judges, who wrote on Justice Frankfurter's 75th birthday:

"I regard him as the most important single figure in our whole judicial system."

A NATIVE OF VIENNA

The most surprising development in the Frankfurter saga is not that he became a figure of contention—with his personality that was inevitable—but that he ever made it to the Court at all.

Born in Vienna on November 15, 1882, he was one of six children in a Jewish family that had never produced a lawyer, much less a judge.

Justice Frankfurter thinks he had ideal parents. They had sense enough to leave sensitive, inquisitive, eager little Felix alone. He picked up English quickly, zipped through New York's City College (third in his class) and went on to Harvard Law School (No. 1 in his class all 3 years).

He spent a brief period with the New York law firm of Hornblower, Byrne, Miller & Potter. where he rejected a suggestion he shuck off "Felix Frankfurter."

If he was distressed at the suggestion that a less comical and less Jewish sounding name might make life easier, he doesn't show it now. He quotes that an uncle told him when he was a boy:

"You'll encounter a great deal of anti-Semitism in your life, but don't go around sniffing anti-Semitism."

Justice Frankfurter had no interest in normal, humdrum law practice, no matter how great the financial rewards, and soon left Hornblower, Byrne, etc., to go with Henry L. Stimson, then a U.S. district attorney.

Almost without interruption, for 52 years now, Mr. Frankfurter has been either a Government official, a teacher or a justice, happily avoiding all positions where he would have to please or appease a private client.

THE INGREDIENT OF SPICE

But in skimming through Justice Frankfurther's career, let's not overlook a potent ingredient, the spice. This can be supplied by a favorite Frankfurter word: "Exciting."

It was exciting, as a young assistant district attorney, to tear into and demolish arguments advanced by New York's best legal brains.

It was exciting to go with Mr. Stimson when he became Secretary of War under William Howard Taft.

It was exciting to plunge into politics. "I'm bull moosing," Mr. Frankfurter once cried, and dashed off to help his dashing hero, Teddy Roosevelt.

It was exciting, only 8 years after graduation from Harvard, to go back as a teacher.

After World War I it was back to Harvard, arguing for the 10-hour day and minimum wages, serving as god-cousin, as he puts it, at the birth of the New Republic magazine, taking on and lambasting New England's stanchest and stuffiest characters in the Sacco-Vanzetti case.

And more excitement, on a much larger scale, was ahead. Roosevelt was moving up, up to the Presidency itself.

It's hard to pin down precisely how much influence Mr. Frankfurter had. But Arthur Schlesinger, Jr., has written three volumes of his "Age of Roosevelt," and Frankfurter flits in and out of the pages as he once flitted in and out of Hyde Park, Albany and Washington.

Old Justice Holmes once described his unique quality.

Frankfurter, Holmes said, had "an unimaginable gift for wiggling in wherever he wants to."

ON MAKING IDEAS GROW

But the irresistible wiggler bubbled with ideas, and he knew the young men who would work like demons to make these ideas grow and bear fruit.

And then, the grandest moment of all. On January 4, 1939, while he was getting ready to dress for dinner, and was still in his BVD's, a call came from Roosevelt. After kidding around a bit, the President broke the glorious news: At noon tomorrow, he would name Mr. Frankfurter to the Supreme Court.

To his new job Frankfurter brought unflagging industry, broad scholarship and a feeling for the Court that came close to idolatry. Unfortunately, he also brought professional mannerisms that can vary from mildly irritating to positively maddening.

Justice Frankfurter is only 5 feet 5, and he's self-conscious about it.

"Supreme Court Justices should be tall and broad and have a little bit of a bay window," he once said. "You know, they should be physically impressive."

But if he isn't physically impressive, he can be menacing mentally.

Leaning forward, peering intently through his glasses, he looks like a bright-eyed bird ready to pounce on any worm lawyer.

He has sat on the Court through 22 of its just as he was at school. He treats lawyers as if they were students. He keeps them on their toes because he likes bright kids, but he wants you to remember that he's 1 inch brighter than the brightest."

PROLIFIC OPINION WRITER

Justice Frankfurter's garrulity isn't only vocal. He is a prolific opinion writer. His admirers welcome this chance to study their hero's thought processes, but one student of the law has sourly proclaimed:

"The study of written evidence indicated that Justice Frankfurter had consumed a large portion of his energy and talent in essays which, for all practical purposes, might as well have been written on paper airplanes and thrown out a Supreme Court window."

However, posterity will judge him on more serious grounds.

He has set on the court through 22 of its most tempestuous years.

He will rarely let another Justice speak for him.

But fortunately the year before his appointment he wrote "Mr. Justice Holmes and the Supreme Court," and in giving insights into Holmes he inevitably gave insights into Frankfurter.

"The early writings of Holmes canvassed issues which, however formulated or disguised, are vital to a society devoted to justice according to law," Justice Frankfurter wrote.

"What are the sources of law and what are its sanctions? What is appropriate lawmaking by the courts and what should be left to legislation? What are the ingredients, conscious or unconscious of adjudication? What are the wise demands of precedent and when should the judicial process feel unbound by its past?"

HIS PHILOSOPHY

Most lawyers appear to agree that Justice Frankfurter has answered his own questions along these lines:

1. Insofar as possible past decisions should be respected. "The tendency to disregard precedents," he said in one decision, "has become so strong in this Court of late as, in my view to shake the confidence in the consistency of decisions and leave the courts below on an uncharted sea of doubt and

difficulty without any confidence that what was said yesterday will hold good tomorrow * * *."

2. The Court should severely limit itself in the cases it reviews.

3. The States should be allowed to pursue the courses they think best, not the courses the Court thinks best.

Or, as he said of Holmes:

"He never forgot * * * the shaping of future law is primarily the business of legislatures."

Since most cases before the Court are complex, it is difficult to determine what course, if any, a Justice is following.

Justice Frankfurter has this warning about the dangers of labeling:

"That is why these silly newspaper people, whenever they have to give tags to the members of the Court think I'm a hidebound Democrat simply because Roosevelt named me. Well, I'm a hidebound nothing, let alone a hidebound Democrat."

But tags will be passed out whether Justice Frankfurter likes them or not. Lawyers usually tag Justice Frankfurter as voting with the conservative wing of the Court, some thinking he is a liberal who modified his views, some saying he has always been conservative.

Each generation evaluates its predecessors by its own standards, so it's useless to speculate on how posterity will regard Mr. Justice Frankfurter.

But his multitude of friends hope that the future historian, prowling through the Justice's decisions, will remember that a man—not a machine—wrote these—and a very gay man at that.

Mr. GRUENING. Mr. President, will the Senator from Wisconsin yield?

Mr. WILEY. I yield to the Senator from Alaska.

Mr. GRUENING. I wish to join in the tribute paid by the Senator from Wisconsin to my good friend, Justice Frankfurter. In my judgment, he is one of the great Justices of all times. The fact that he has been attacked at various times, often passionately, both from the right and from the left, seems to me to demonstrate that Justice Frankfurter has been correct most of the time. I hope for his speedy recovery and return to the Supreme Court.

Mr. WILEY. I did not know Felix Frankfurter before he ascended the bench, but since he became a member of the Supreme Court, I have considered him to be one of my fine friends.

Some persons seem not to be able to understand his philosophy; but that is the way of life. Men have been criticized for being liberal and then, in turn, criticized for being conservative. Such criticism depends upon the viewpoint of the other fellow, not upon the viewpoint of the person against whom the criticism is directed. All of us have a right to our independent thinking. Thank God, we have the right of independent freedom of expression.

Justice Frankfurter has rendered outstanding service on the Supreme Court. At the present time, he is considered to be a conservative.

## HEALTH CARE FOR THE AGED THROUGH SOCIAL SECURITY

Mr. ANDERSON. Mr. President, the House Ways and Means Committee today began consideration of H.R. 4222, the King-Anderson bill, to provide health care for the aged through social security. I believe there is little doubt that of all the issues before this session of Congress this particular matter is the most controversial. On a number of occasions I have stated in this chamber that it has been extremely difficult to bring to public attention the facts of the issue because of the intensive campaign waged by the opposition. If this campaign relied on the truth and if it were reasonable and constructive, the supporters of the King-Anderson bill would not challenge the effort; but it has been a campaign of massive and calculated misstatement.

One of the more frequently heard arguments being made against the King-Anderson bill is that it would place a heavy and unjust burden on young workers. For a response to that accusation I would like to quote from an insurance industry newsletter, Probe, which states:

The Government is convinced that there will be corollary advantages to the public if the over-65 are covered under social security, and coincidentally, advantages to insurers. It is clear that in the individual policy field, each age pays its own cost. Under group plans, and Blue Cross, with its community rating system, insurance for the aged has not been self-sustaining, but has in effect been subsidized by younger insureds. To underscore the point, the Blue Cross plans estimate that their subscribers over 65 now pay about $200 million in subscription charges and receive about $375 million worth of hospital care.

With the burden of the aged removed, as it would be under King-Anderson, Blue Cross and group plans will be able to offer coverage to the younger community at considerably lower rates. This appears so logical to us that the argument of the King-Anderson opponents to the effect that young America will be paying for the old folks seems a little on the absurd side.

The June 4, 1962, issue of Probe is a lengthy review of the background and current debate over the King-Anderson proposal. Let me point out that in regard to benefits provided under King-Anderson, medical appliances would be provided to beneficiaries in the hospital, in skilled nursing homes or through home health services. This is not made clear by Probe.

This is a fine summary of the current debate, and I ask unanimous consent that it be printed at this point in my remarks.

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

### KING-ANDERSON IN REVIEW

#### BACKGROUND

In order to place the current old-age health problem in focus, it will be helpful to go back to the Eisenhower medicare program, which, with some changes, was later enacted as the Kerr-Mills bill. Arthur S. Flemming, Secretary of Health, Education, and Welfare in the Eisenhower administration, testified before the House Ways and Means Committee on May 4, 1960. A number of his remarks are deeply revealing, particularly in view of the emotionalism generated by the present King-Anderson proposal, equated, as it is here or there, with socialism, socialized medicine, and government interference. Mr. Flemming said: "The executive branch of the Government fully recognizes and accepts the fact that the Federal Government should act in this field." No doubt this simple statement will come as a shock to those who read only headlines and who feel that partisan politics plays a cardinal role in the present administration's point of view. Mr. Flemming supported his statement by pointing out that "we are dealing with a group in our population which contains an unusually large percentage of persons with very limited resources." He cited figures of the Health Insurance Association of America claiming that 49 percent of the over-65 group had some kind of health and medical insurance. "But," he said, "only a comparatively small percentage of this group have policies that protect them against long-term illnesses. * * * It follows, therefore, that a large percentage of persons 65 and over * * * cannot obtain protection at rates they can afford to pay, or cannot obtain adequate protection. In the light of these facts, we have developed a program that is designed to achieve just one objective; namely, to provide approximately 12 million persons, 65 and over, who have limited resources, with the opportunity of taking steps which, if taken, will enable them to cope with the heavy economic burden of long-term or other expensive illnesses."

The Eisenhower medicare plan covered physician's services, surgery, dental service, 180 days of hospital care, a full year's home care by either a nurse or a technician, up to $200 in laboratory and X-ray services, $350 of prescribed drugs, private nurses, and physical restoration service.

With a number of changes, the medicare plan emerged as the Kerr-Mills bill, and was passed by Congress in 1960. It is a dual State-Federal plan, with the State providing necessary medical services to the medically indigent, and the Federal Government reimbursing the State with 50 percent to 80 percent of the total, depending on the wealth of the State. Passed in 1960, it is in operation now in only 26 States.

#### THE PRESENT BILL

The King-Anderson bill, now in committee, is far narrower in scope. As an increase in social security benefits, it provides up to 90 days of in-patient hospital services in semi-private accommodations, subject to a deductible of $10 for each of the first 9 days of hospital confinement, with a minimum deduction of $20 per confinement; up to 180 days of care in skilled nursing home following a period of hospitalization; outpatient hospital diagnostic services, subject to a deductible of $20 for each complete diagnostic study; part-time or intermittent home health services, consisting of nursing care, physical therapy, social services, medical supplies (except drugs) and homemaker services, up to a maximum of 240 visits during a benefit period.

The King-Anderson bill does not cover:

1. Physicians' calls at home, office, or in the hospital.
2. Surgeons' fees.
3. Dental services.
4. Drugs and medicines outside of a hospital or nursing home.
5. Private-duty nursing, medical appliances, outpatient X-ray therapy and other services, the costs of which represent the bulk of health costs of the aged.

#### CLIMATE OF HYSTERIA

In order to bring out as quickly as possible the emotional and logically invalid reactions to the King-Anderson bill, we point to the fact that the American Medical Association says that the Kerr-Mills law, which actually provides for physicians' and surgeons' services, "preserves the quality of medical care—maintaining the patient's freedom of choice and the doctor's freedom to treat his patients in an individual way," while the King-Anderson bill, with no provision whatever for the services of physicians and surgeons, "would lower the quality of medical care * * * with Government controlling standards of practice and limiting

free choice of hospital and physician." More than anything we have read or heard, this gross distortion points up the climate of hysteria in which the King-Anderson bill is being considered.

THE PROS AND CONS

*Voluntary health insurance is doing the job*

Perhaps the strongest contention of the opponents of King-Anderson is the rapid growth of voluntary health insurance. Ten years ago only 26 percent of the non-institutionalized population over 65 had some form of voluntary health insurance coverage. As of mid-1961 over 53 percent had such protection. This is, of course, an impressive performance. The difficulty is that there is no breakdown of the extent of the coverage. The proponents of King-Anderson acknowledge the growth of voluntary health insurance, but they maintain that the person who has a policy providing $10 a day for 30 days against the cost of room and board and $100 against the cost of ancillary hospital services figures in the statistics on the same basis as one who has complete coverage of all hospital care in a semiprivate room for up to 365 days in any one illness. The National Health Survey found that only 46 percent of the aged had some health insurance as compared with 67 percent of the entire population. During the 2-year period July 1958 to June 1960 51 percent of the persons 65 and over, discharged from short-stay hospitals, had some portion of this bill paid by insurance, but only 30 percent had three-fourths or more of their bill paid by insurance.

The Government maintains that, in 1960, health insurance met only 26.7 percent of total private medical expenditures.

It appears to us that, in the face of Federal figures, the increase in the number covered by some form of health insurance, without regard to type and amount, loses a good deal of its first-blush impressiveness.

*The Government underestimates the cost*

A great deal has been said about the cost of King-Anderson, with particular reference to the belief that the Government has made a material underestimation. Where the Government estimates (based on $5,200) that, in 1963–65, employer and employee would each pay $202, the Health Insurance Association, LIAA and ALC estimate $232. In 1968 and after, the Government estimate is $254, while the insurance organizations estimate $284. Probe is, of course, in no position to question either figure.

The significant point to us is that the cost of benefits, whatever they are, remains the same regardless of who pays for them. Whether the Federal Government pays, or the State pays, or insurance companies pay, the cost remains the same—assuming the same benefits. We are dealing then, not with what the costs will be, but rather with how they are to be paid. The fundamental question is, administratively which method is most economical. For one thing, the social security machinery has already been established. To that extent, at least, the King-Anderson procedure appears to have an administrative advantage. But the Government is arguing further in the same direction. It maintains that total premium paid to all types of health insurance organizations in 1960 amounted to $5.8 billion, while benefits amounted to $5 billion. In short, total retentions of all health insurance organizations were $800 million, the amount retained by insurers to cover administrative expenses. For the whole industry, operating cost amounted to 14.5 percent of income or 16.9 percent of benefits paid out. Insurance companies had an operating cost ratio of 12.1 percent of premium income—9.6 percent for group business and 47.1 percent for individual business. In the latter field, insurance companies retain close to a dollar, for administrative expenses, reserves, and profits, for each dollar paid out for health insurance services. This, the Government maintains, is too big a bite for the public—specifically the over-65 public.

The Government is convinced that there will be corollary advantages to the public if the over-65 are covered under social security, and coincidentally, advantages to insurers. It is clear that in the individual policy field, each age pays its own cost. Under group plans, and Blue Cross, with its community rating system, insurance for the aged has not been self-sustaining, but has in effect been subsidized by younger insureds. To underscore the point, the Blue Cross plans estimate that their subscribers over 65 now pay about $200 million in subscription charges and receive about $375 million worth of hospital care. With the burden of the aged removed, as it would be under King-Anderson, Blue Cross, and the group plans will be able to offer coverage to the younger community at considerably lower rates. This appears so logical to us that the argument of the King-Anderson opponents to the effect that young America will be paying for the old folks seems a little on the absurd side.

*The bill does not cover everyone over 65*

Also absurd, to our mind, is the objection to King-Anderson on the ground that it doesn't cover everyone over 65—only those covered by social security. Horace W. Brower, president of Occidental Life, recently wrote "* * * there is something cynical about a program being promoted on the assumption that old people need it when one-quarter of such people today are excluded as nonqualified under social security." What we find cynical is the fact that some people use the exclusion of two and a half million people as an argument against King-Anderson when they know in their hearts that their opposition would be just as strong, and perhaps just as hysterical, if all were included.

We believe it is cynical, too, to favor Kerr-Mills with its State aid (backed by Federal aid), and oppose King-Anderson on the ground that it will socialize the Nation and destroy the last stronghold of individual freedom and personal dignity and responsibility. The over 65, under Kerr-Mills, must plead pauperism before receiving benefits. We fail to see how anyone who glibly speaks of personal dignity can favor such a cruel procedure and oppose one that makes the benefits available regardless of ability to pay.

*On the road to socialized medicine*

King-Anderson opponents claim it will lead to Government control of medical practice. This, it seems to us, is in the area of hysteria. Knowing that the proposed measure includes no mention whatever of physicians' calls at home, office, or hospital, or surgeons' fees, we regard it as fantastic to equate it, in any way, with socialized medicine. Under King-Anderson, every person will choose his own doctor and his own hospital. The bill provides only a means of paying for health services, not for providing them. There simply is not the remotest chance that our country is on the way to socialized medicine, and President Kennedy has repeatedly stated his opposition to it.

Only a few months ago this was said at the 13th annual health insurance meeting: "The controversial King-Anderson bill to establish a compulsory health-insurance scheme would visit upon the American people the same tragic, stupid, and unnecessary mistake that other and less favored nations have made." Ignoring the fact that the King-Anderson procedure is unique in world history, and hence may not be equated with any other method, and ignoring also that all previous steps in the direction of government health insurance have by no means been universally regarded as tragic, stupid, or unnecessary, we submit that the statement, whether by design or not, led the uninformed to believe that physicians and surgeons were to be paid by the Government under King-Anderson and that therefore we were on the verge of socialized medicine. It is imperative to remember, particularly in the face of statements and innuendoes to the contrary, that under King-Anderson the sick will choose their own doctors and pay them.

To get a rather clear picture of the validity (or rather the lack of it) of some of the arguments against King-Anderson, one should read the remarks of William A. Knight, International Association of Health Underwriters board member and zone chairman, as presented by the National Underwriter. According to that source, Mr. Knight said, "The person over 65 with no income very well could own a $30,000 home and have thousands of dollars in the bank or in investments." Also, "In a recent survey of hospitals it was found that there are less unpaid bills among the aged (over 65) than any other age group. Again, this same survey disclosed that 80 percent of the 65-and-over group said that if they got a $500 medical bill tomorrow, they could pay it in cash." To which, particularly in view of the fact that no one else seems to have quoted it, all we can say is "Some survey." (Incidentally, the National Underwriter headline read, "IAHU Speakers Give Telling Testimony.")

HOW FAR SHOULD WE GO WITH THE AMERICAN MEDICAL ASSOCIATION?

For almost 20 years, the AMA has been trying, unfortunately with considerable success, to get the insurance business to carry the ball for it. In 1958, AMA President David Allman had this to say: "The two groups, insurance and organized medicine, represent two of the strongest remaining bulwarks of American free enterprise, and I think we had better work together to keep it that way." Since this thought has been echoed on thousands of occasions, including the present, and has been swallowed whole by unthinking insurance people, it is time to examine it closely. Historically, what has been the AMA's contribution to insurance, and in what esteem is it held by the American people?

After the AMA's 20-year behavior record, including a $20 million propaganda campaign, Life magazine, following the 102d annual American Medical Association convention in 1953, wrote editorially:

"There was other news from the convention, however, that was not so wonderful—at least to the millions of us ordinary mortals who worry ourselves sick over the paying of our doctor and hospital bills. The ever-rising costs of medical care and how to lessen them, if possible, are problems of national concern. But the house of delegates—the AMA's 185-member policymaking body—seems to be against almost anything that threatens the profits of a doctor's private practice. Typical of the AMA's fastidious sense of public relations was a resolution passed by the house of delegates, which branded the Federal regulation that provides free diagnostic service for crippled children, as 'socialistic.' 'Socialistic' and 'social' seem to be synonymous to the house of delegates, and somebody should buy it a dictionary. If the 185 members could conceive of how utterly weary and cynical the American public has become from hearing the AMA snarl 'socialistic' and 'socialism' at everything it doesn't completely approve of, they would hang up their stethoscopes (and their megaphones) and retire to the culture of petunias. * * * According to legend, a king named Canute once ordered the tide to stand still, but he ended up with soaked feet."

Is this the sort of thing with which the insurance business should be identified in the eyes of the American people? Does its record establish credibility?

To those insurance people who continue to dance to AMA music, we call attention to the manner in which that organization has served us. There is no doubt that, in its present moment of panic, it is enchanted by voluntary health insurance. It proudly points to our record—solely, of course, to serve its own ends. But when it was not dependent on our support, it screamed that we were about to commercialize the practice of medicine. Its own journal carried this: "The shortest road to the commercialization of medicine is through the supposedly rosy path of insurance."

And what has it contributed to the success of voluntary health insurance, a success to which it now points in its frantic attempts to defeat the King-Anderson bill? Despite the rapid growth of health insurance, that business is not in a healthy condition. Costs have skyrocketed, with the possibility that voluntary health insurance may be priced right out of the market. One of the most significant contributing factors is the innumerable acts of dishonesty committed by thousands of doctors. There have been charges for operations not performed, calls never made, ghost surgery, unethical fee-splitting, overcharges, fictitious services. There has been wholesale chiseling by charging for imaginary X-ray and laboratory tests. Incredible as it may sound, 200 doctors in southern California bilked their own health insurance program. Outright fraud, scandalous overcharges, gouging, fudging, and creeping costs have been proved over and over again.

AMA officials, alarmed at the extent of the dishonesty, estimated a few years ago that the proportion of dishonest doctors was "very small, probably not more than 5 percent of all medical men." But Dr. Elmer Hess, ex-president of AMA said, "It's ridiculous to dismiss the problem by saying that perhaps only 5 percent of our doctors are dishonest. Five percent of 200,000 doctors in the United States—that's 10,000 men with incredible power to do harm."

The AMA still plays the free enterprise tune and thus attracts some elements of the insurance business who still don't realize that it was a deliberately planned campaign 15 years ago that fizzled badly.

In September 1950, Fortune blew the lid off the whole free enterprise campaign. It said: "Never before have businessmen appeared so gripped with a single idea; there is scarcely a convention that is not exhorted with it * * * we must sell free enterprise * * * All in all the free enterprise campaign is shaping up as one of the most intensive sales jobs in the history of industry.* * * This year it will probably account for at least $100 million of industry's ad budget * * * and it is not worth a damn."

The importance of the American Medical Association, in terms of the public image of the insurance business, cannot be overstressed. The spokesmen of our business exhibit a camaraderie that is alarming.

In June of 1958, E. J. Faulkner, then chairman-elect of the Health Insurance Council, said: "Attacks on the private practice of medicine, now concentrating on a derogation of freedom of choice of physician, are attacks on the business of private insurance. If in the battle for men's minds, the welfare statists convince the majority of Americans that the right to patronize the physician of their choice [Editors' note: a pet, pat, and phony AMA slogan] is inconsequential, at that moment our people are psychologically conditioned for the imposition of monopolistic compulsory health insurance—and life insurance."

The same E. J. Faulkner (also president of Woodmen Accident & Life Co.) said on April 17, 1962, at the 13th annual health insurance meeting of LIAMA: "Despite the oft-repeated, but never proved, disclaimers of its proponents, this legislation [King-Anderson] would regiment our doctors * * * adulterate the quality of medical care. * * *" What an odd thing to say, when he must know that there is nothing whatever in the King-Anderson bill that covers payments to doctors and surgeons. But perhaps it isn't so strange, because the AMA in its supposedly objective and disarming pamphlet, "It's Your Decision," said "[the King-Anderson bill], would lower the quality of medical care * * * with Government controlling standards of practice and limiting free choice of hospital and physician. Personal health problems would become a matter of Government record." What an outrageous statement in view of the provisions of the bill, which the AMA so fully understands. And what a strange similarity to the Faulkner statement.

CONCLUSION

Probe's concern with the King-Anderson bill is not whether it is passed or defeated—although we favor it. We are deeply concerned that, regardless of the outcome, the insurance business may be dealt a heavy public relations blow. We can all, if we so desire, oppose King-Anderson without announcing a partnership with the American Medical Association. We can oppose it, too, without recourse to misleading statements, distortions, and fallacious reasoning. In this regard, we do not imply that all insurance opponents of King-Anderson have conducted themselves badly. The Health Insurance Institute, an organization that we assume takes a dim view of the proposal, has worked with intelligence and restraint. But too many of our spokesmen have talked the kind of nonsense that may alienate us from the people.

We are concerned, too, with a kind of knownothingness that results in a favorable response to meaningless slogans, to misstatements of fact, and to empty emotionalism. Some of our underwriter associations are distributing AMA literature, with the conviction that they are performing a public service but with an utter lack of knowledge of the issues involved, and with a total unawareness of the damage resulting from a public concept that identifies the business of insurance with the business of private medicine.

There is room for disagreement, of course. It is quite natural for anyone opposed to social security to oppose any extension of it. Very likely there are other areas of legitimate objection. But let's keep it clean so that, regardless of the outcome, we can feel that we have increased the stature of the insurance business.

Mr. ANDERSON. Mr. President, also in connection with the current debate over health care for the aged, I would like to call attention to an article in the Washington Star of June 10, by Mr. Crosby S. Noyes, that newspaper's European correspondent. Mr. Noyes sheds much more light on the institution of socialized medicine in Great Britain than has generally been provided by the opponents of the King-Anderson bill. The opposition continues to brand Britain's National Health Service as a failure and warns that the same thing will follow in this country if my bill becomes law.

Mr. Noyes reports that there are "such immense differences in background, analogies, and comparisons between the British and American systems are hard to draw." However, I believe it is valuable to informed public opinion that some of Mr. Noyes' comments be called to attention. He states:

More than 97 percent of the population of 51 million are enrolled in the health service. So are about 98 percent of the 49,000 practicing physicians in the United Kingdom, along with almost all opticians, dentists, and druggists. With the exception of a few hospitals run by religious orders and private nursing homes, the rest (more than 3,000) are under the service.

In all, it is estimated that there are still some 500 rugged individuals in the medical profession who rely entirely on private patients for their fees. There are many more—perhaps a majority—who have a few private patients in addition to their health service charges. But the small percentage of people who still insist on paying for their medical care is hardly considered as a reflection on the service as a whole.

For the vast majority, the health service does what it promised to do at the beginning: "To insure that everybody in the country—irrespective of means, age, sex, or occupation—shall have equal opportunity to benefit from the best and most up-to-date medical and allied services available."

It does this, furthermore, through a system which, from the consumer's point of view, is almost miraculously uncomplicated. In comparison with the various social security medical systems that exist in other European countries, the British system is a model of simplicity.

The article says that the national health system in itself has not been a miraculous answer to all the problems of national health. There are many imperfections and the British themselves are aware of these shortcomings. However, Mr. Noyes reports:

A good deal of stress is laid on the point that each doctor is free to treat his own patients according to his own professional discretion. There is no attempt at regimentation of medical judgment. There are no rules as to what drugs or treatment should or should not be prescribed in specific cases.

A jurist, perhaps, might find certain infringement of this general theory. Under a system where all doctors can prescribe without any regard to the cost involved, a certain amount of bureaucratic restraint has been found necessary. The chief medical officer of the Ministry of Health urges doctors to prescribe standard drugs—as opposed to expensive proprietary preparations—whenever possible. And a doctor who habitually is found guilty of excessive improper prescribing is likely to wind up in trouble.

It is in fact impossible to prove on the basis of 12 years' experience that there has been any improvement in the national health attributable to the system itself. Infant and maternal mortality rates have fallen in Britain since the war in about the same proportion as they have fallen in all industrialized countries of the West. And though some diseases—notably tuberculosis—have dropped dramatically, this is almost certainly the result of new antibiotics rather than the system by which they are distributed.

Mr. President, by excerpting this article and having these excerpts printed in the RECORD I do not wish to imply support of a nationalized health scheme. Such a program is not necessary in this country. My purpose is simply to try to deal with some of the arguments against the King-Anderson bill as they arise and I thought Mr. Noyes had given a very fair account of both the good and the bad in the British medical system. I think the great value in this reporting is that we in this country can benefit by mistakes in other nations and avoid similar pitfalls.

## CENSURE OF ISRAEL BY U.N. SECURITY COUNCIL CALLED INJUSTICE BY MANY

Mr. YARBOROUGH. Mr. President, there are many who believe that the censure of Israel by the Security Council of the United Nations, in which both the United States and Russia joined, was an act of injustice. Certainly, Israel is entitled to be judged in its relationship with other countries with the calmness and fairness accorded others.

In a recent edition of the Baptist Review, the chancellor of Baylor University, of Waco, Tex., was quoted at length on the subject. I believe the comments of the chancellor, Dr. W. R. White, former president of Baylor and a Baptist leader of national renown, are worthy of serious consideration by my colleagues. I ask unanimous consent to have printed in the RECORD an article from the Baptist Review of May–June 1962 entitled "Dr. W. R. White Calls Security Council's Censure of Israel Miscarriage of Justice."

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

DR. W. R. WHITE CALLS SECURITY COUNCIL'S CENSURE OF ISRAEL MISCARRIAGE OF JUSTICE

The censure of Israel by the Security Council of the United Nations for the defense of their territory against Syrian attacks is a miscarriage of justice, declares Dr. W. R. White, chancellor of Baylor University of Waco, Tex. There have been several attacks by Syria since February 1 on Israel villages and on Israel fishermen on the Sea of Galilee, the waters of which are entirely within the boundaries of Israel. These attacks had continued until March 16, and on the following day three columns of Israel soldiers moved into Syrian territory, smashing gun emplacements and fortifications. It was Israel's first reprisal raid in years.

"In my opinion," says Dr. White, "the censure of Israel by the Security Council of the United Nations was a miscarriage of justice. From the evidence available to the public and from a background of knowledge possessed by me through research and some personal observations in Arab countries and in Israel, I am convinced that Israel is judged by a more exacting criterion than is applied to her neighbors."

These provocative shootings and threats of war by Syria violate the provisions of the United Nations Charter. Dr. White comments upon the refusal of the Arab countries to sit down at the peace table and negotiate their differences with Israel:

"I have found practically no Arab who is willing to sincerely negotiate with Israel looking toward peaceful solutions. There is a unanimous contention that Israel is an arbitrary and artificial political entity possessing no inherent rights. I have found very few people of Israel unwilling to negotiate with her neighbors looking toward achieving peaceful coexistence.

"In my judgment both sides should have been treated alike. That would have been enough concession to have made."

---

## ORGANIZATION AND ACTIVITIES OF THE U.S. DEPARTMENT OF AGRICULTURE

Mr. MUNDT. Mr. President, on June 1, I was privileged to serve as one of the dedicatory speakers at a program marking the completion of the Northern Grain Insects Laboratory at State College, Brookings, S. Dak. This great new Federal installation is designed to render great constructive service to American agriculture.

Dr. T. C. Byerly, Administrator of the Cooperative State Experiment Station Service, also addressed the commemorative audience. Dr. Byerly's address was a comprehensive and masterful recital of the full program of functions and services provided by our U.S. Department of Agriculture which this year is celebrating its 100th anniversary. Since I believe the information contained in Dr. Byerly's address will be of vast interest to many committees of Congress, to individual Members of Congress, and to foreign students of American agriculture, I ask unanimous consent that the full text of his address be printed in the RECORD.

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

ORGANIZATION AND ACTIVITIES OF THE U.S. DEPARTMENT OF AGRICULTURE

(By T. C. Byerly)

President Kennedy, by proclamation of August 25, 1961, designated 1962 as the U.S. Department of Agriculture centennial year to serve "as an occasion to commemorate the contributions of agriculture to the health and welfare of every citizen, to the national well-being, and to the development of emerging nations." This year is also the centennial year of the Homestead Act; of the Morrill Act, which created the system of land-grant universities and colleges; and of the National Academy of Sciences, which was set up to advise the Government on scientific matters.

The act establishing the U.S. Department of Agriculture was approved by President Lincoln on May 15, 1862. The act provided that "the general designs and duties (of the USDA) shall be to acquire and to diffuse among the people of the United States useful information on subjects connected with agriculture in the most general and comprehensive sense of that word."

During the 100 years that USDA has existed, U.S. agriculture has become the world's most efficient and productive agriculture. The hard work, the ingenuity and the ability of American farmers and ranchers have made it so. The capacity of American agriculture to produce food, fiber and forest products, enough to meet our needs and to share with others, is established. Our diet is abundant, economical, varied and wholesome. The services of the U.S. Department of Agriculture and the cooperating land-grant colleges have helped the American farmer through research, education, technical help and other services.

Agriculture is the biggest business in the United States. Its assets exceed $200 billion. It employs about 7 million people on farms, and about 4 out of 10 jobs in private employment are in or related to agriculture. Americans spend only 20 percent of their take-home pay for food. Russians have to spend more than 50 percent of their income for food.

Since its establishment in 1862, the Congress has authorized and appropriated funds to support programs administered by the U.S. Department of Agriculture in addition to the gathering and dissemination of information as stated in the act of 1862. The Hatch Act of 1887 established an experiment station in every State and, as amended in 1955, this act authorizes Federal grants which assist the several States in supporting research necessary to solve their own agricultural problems in their own way.

Other legislation and annual appropriations have established and supported programs for research and extension, for conservation use of soil, water and forests with due regard for wildlife and recreation needs, for protection of crops and livestock, for the orderly marketing of farm products at home and abroad, for credit and technical assistance to farmers and for price stabilization. In administering all of these programs the U.S. Department of Agriculture cooperates fully with State and local government and farmer organizations and individual farmers.

The U.S. Department of Agriculture is currently organized into seven major groups. The Federal-State Relations group is headed by Assistant Secretary Frank J. Welch. It includes the Agricultural Research Service, Cooperative State Experiment Station Service, Farmer Cooperative Service, Federal Extension Service, Forest Service, and Soil Conservation Service.

The Marketing and Stabilization group is headed by Assistant Secretary John P. Duncan, Jr. It includes the Agricultural Marketing Service, Commodity Exchange Authority, Commodity Credit Corporation, Agricultural Stabilization and Conservation Service, and Federal Crop Insurance Corporation.

The Agricultural Economics group is headed by Director Willard W. Cochrane. It consists of a small staff group and the Economic Research Service and Statistical Reporting Service.

The Agricultural Credit group is headed by Director John A. Baker. It consists of the Office of Rural Areas Development, Farmers Home Administration, and Rural Electrification Administration.

The Foreign Agricultural Service is headed by Raymond A. Ioanes. It consists of a Washington staff group and of agricultural attachés in each of 56 foreign countries.

The Departmental Administration group is headed by Joseph M. Robertson, Administrative Assistant Secretary. It consists of the Office of Management Appraisal and Systems Development, Office of Budget and Finance, Office of Hearing Examiners, Office of Information, National Agricultural Library, Office of Personnel, and Office of Plant and Operations.

The seventh group is the Office of the General Counsel, headed by John C. Bagwell, General Counsel. Employees of the Department work at about 4,000 locations in the United States and in many foreign countries.

Research in the Department is planned and administered by eight of the agencies named, coordinated by the Administrator of the Agricultural Research Service, B. T. Shaw. Agricultural Research Service conducts research in soil and water conservation, crops, animal husbandry, animal diseases and parasites, agricultural engineering, entomology, utilization of agricultural products, foods, nutrition and family living. Much of this research is conducted in cooperation with the State agricultural experiment stations; for example, ARS cooperates with the South Dakota Agricultural Experiment Station in soil, water, and beef cattle research at Newell, and in beef cattle, swine, poultry, and crops research and soil and water management research at Madison and other points in eastern South Dakota.

Cooperative State Experiment Station Service administers Federal-grant funds providing about 20 percent of the funds used for research by the State agricultural experiment stations. Because of differences in climate, soil, market outlets, and other local conditions, each State has distinct problems of production and marketing of crops and livestock. State agricultural experiment stations are best suited for the solution of State and local problems. State experiment stations also participate in the solution of regional and national problems. Cooperative State Experiment Station Service is responsible for review and evaluation of State re-

search proposals and for their coordination with departmental research.

The Economic Research Service conducts research in general economic and statistical analysis, marketing economics, farm economics, and foreign economic analysis. Some of the most urgent problems lie in this area. These include the development of information and economic principles which will enable farmers to retain for themselves an equitable share of the benefits of the application of science and technology to farming.

The Statistical Reporting Service provides crop reports, information on storage stocks, numbers of livestock and poultry, farm labor and wages, and prices paid and received by farmers. The Service also provides information on markets and market potentials for agricultural products. Crop and livestock estimates are based on information collected and evaluated in field offices covering all the States.

The Farmer Cooperative Service conducts research to help farmers improve their economic position through cooperative organizations under authorizations of the Cooperative Marketing Act of 1926. Research on cooperative enterprises provides information on organization, management policies, employee relationships, merchandising, accounting, operating costs, efficiency, financing, transportation, and membership relations.

The Forest Service in its Forest Products Laboratory at Madison, Wis., its 10 regional experiment stations and numerous other field locations conducts research on the entire field of forestry, including wild land management, growth and harvest of timber, fire protection, forest insects and diseases, range management, forest product utilization, economics, and watershed management. Forest Service cooperates widely with other Federal agencies and with State and private agencies in research.

The Soil Conservation Service conducts field and laboratory research in connection with the National Cooperative Soil Survey in cooperation with many State agricultural experiment stations and other State and local agencies. Research facilitates the classification of soils according to their productive capacity under different systems of soil management, their suitability for various crops, and their reaction to cultivation.

Agricultural Marketing Service is responsible for planning and administering of marketing research in the physical and biological science aspects of moving agricultural products from the farmer to the ultimate user. This program includes research to maintain quality of food, feed, and fiber and to develop methods for prevention of waste and spoilage; measurement of quality and improvement of grade standards; research to develop methods of reducing cost of moving products from grower to consumer. Agricultural Marketing Service cooperates with private agencies, shipping associations, State experiment stations, and State marketing agencies.

Research is also conducted in several foreign countries by nationals of those countries for the benefit of American agriculture. Such research is supported by local currency resulting from sales of U.S. farm products under Public Law 480. Such currency cannot be used in the United States, so U.S. agriculture will benefit from this research via new crops, new knowledge of disease and insect control, new products which will help to expand markets for our farmers.

The Federal Extension Service has leadership in educational programs for the U.S. Department of Agriculture. It acts as liaison between the Department and the land-grant college officials on all matters associated with cooperative extension service. The Cooperative Extension Service is carried out through a three-way partnership among local people, the State land-grant college, and the U.S. Department of Agriculture. At the local level, county extension workers take the lead in helping people analyze their individual situations and farm enterprises to make use of research information, practical experience, and programs administered by USDA.

The U.S. Department of Agriculture Library, as the National Agricultural Library, cooperates with the other two national libraries, the National Library of Medicine and the Library of Congress, in providing access to the worldwide literature in the agricultural, chemical, and biological sciences. It contains more than 1 million volumes. Information is disseminated through bibliographies, loans, photo copies, and reference services to land-grant colleges, State experiment stations, Government agencies, industry, scientists, and farmers.

Office of Information conducts editorial work, printing and distribution of publications; provides current information through press, radio, and TV; provides exhibits and motion pictures. Through technical and popular publications, including yearbooks and farmers' bulletins, it makes available to farmers and the general public information on research, conservation, regulatory and action programs and service work of USDA.

Regulatory and service programs authorized by the Congress are administered by several USDA agencies.

The Agricultural Research Service administers various laws and regulations and conducts cooperative control activities. These include animal inspection and quarantine, plant quarantine, animal disease eradication, plant pest control, and meat inspection. These programs prevent entry into the United States of many animal and plant pests and diseases, or their transmission to other countries in U.S. exports. They have eradicated cattle fever ticks and Mediterranean fruit fly, and control bovine tuberculosis and brucellosis. They insure the wholesomeness of our meat supply. They maintain high standards of veterinary biologics and pesticide chemicals sold to U.S. farmers.

The Agricultural Marketing Service, through its cotton, dairy, fruits and vegetables, grain, livestock, poultry, and tobacco divisions, helps formulate or carry out policies and programs in connection with marketing, purchase, diversion, export, and distribution of commodities. These divisions conduct authorized inspection, grading, classing and standardization programs. Fees and charges are collected to cover costs of voluntary services, while mandatory Federal grades and standards programs are financed by Federal appropriations. AMS is responsible for administering about 20 acts.

Countrywide market news reporting offices provide current information on supply, movement, and price of agricultural commodities.

Through its Food Distribution Division, Agricultural Marketing Service is responsible for administering the national school lunch and special milk programs; for planning the distribution of commodities acquired under surplus removal and price support programs to schools, charitable institutions and needy families at home, and to voluntary relief agencies for needy persons overseas; and for increasing the use of plentiful foods. It also conducts the food stamp plan pilot projects started in June 1961.

The Commodity Exchange Authority administers the Commodity Exchange Act. It supervises futures trading on designated commodity exchanges, including the Chicago Board of Trade and the New York Cotton Exchange. CEA seeks to prevent price manipulation and corners affecting agricultural commodities and to protect hedgers and other users of the commodity futures markets against cheating, fraud, and manipulative practices in futures trading.

The Foreign Agricultural Service administers departmental foreign agricultural programs and develops plans and policies related to the foreign interests of U.S. agriculture. Agricultural attachés and officers at 56 posts abroad cover over 100 countries. They speak on behalf of U.S. agriculture abroad and assist in broadening foreign markets for U.S. farm products. FAS cooperates with the United States in foreign trade and agricultural organizations on market development in more than 50 countries, including participation in trade fairs. Special programs encouraging U.S. agricultural exports include: Sales for foreign currencies under title I of Public Law 480; barter of farm products for strategic and other materials, and long-term dollar credit under titles II and IV of the law, and short-term dollar credit.

CONSERVATION SERVICES

The Agricultural Stabilization and Conservation Service shares costs with farmers and ranchers to encourage and assist them to carry out on their farms and ranches authorized new and additional soil building and soil and water conserving practices. The agricultural conservation program offers cost sharing only for conservation measures considered necessary to meet the most urgently needed conservation problems which would not otherwise be carried out to the extent needed in the public interest. These activities are carried out in the field through the ASCS committees with the assistance of local representatives of Soil Conservation Service and Forest Service.

The Soil Conservation Service is responsible for developing and carrying out a national program of conservation for land and water resources. SCS seeks the establishment of an integrated system of land use and conservation treatment in harmony with the capability and needs of the land. Soil Conservation Service integrates all aspects of land use and treatment by assisting farmers and local groups in planning for each farm, ranch, watershed as an economic unit and as a combination of land resources. SCS administers the Great Plains conservation program; plans and applies flood damage reduction practices on 11 major watersheds; gives technical assistance to farmers and ranchers participating in the conservation credit program of Farmers Home Administration; provides technical assistance on soil and water conservation in rural areas development, and makes snow surveys for water forecasting in the Western States.

The Forest Service is responsible for conservation use of U.S. forests and related water and range and wild land resources for timber, for soil conservation, for watershed protection, for improvement of wildlife habitat and for recreation. Forest Service administers the national forest system and the national grasslands, and cooperates in forestry programs with States and private forest owners. Wood, water, forage, recreation and wildlife are managed for maximum sustained yield without damage to the basic productivity of the land. The Forest Service protects our forests against fire, insects, diseases and other destructive agents.

The Agricultural Stabilization and Conservation Service is responsible for production adjustment, price support, inventory management and sales of Government-owned surplus farm products, for milk marketing orders, for administration of the International Wheat Agreement, the National Wool Act and the Sugar Act, for emergency disaster relief, and for preparedness planning for national defense. ASCS State and county committees, which are farmer-elected, advise on formulation of policies and program plans.

Price support, storage facility and surplus commodity operations and certain financing functions under the International Wheat Agreement Act, the National Wool Act, Soil Bank Act, and Public Law 480 are financed

by Commodity Credit Corporation. CCC is managed by a board of directors under the general supervision and direction of the Secretary of Agriculture.

The Federal Crop Insurance Corporation protects against crop losses due to weather, insects and disease in about one-third of our counties. FCIC insures wheat, cotton, tobacco, corn, flax, dry beans, soybeans, barley, rye, citrus, peaches, oats, grain sorghum, rice, raisins, and peanuts. The amount of protection offered is limited by law to the general cost of producing a given crop in an area.

The Office of Rural Areas Development is responsible for accelerating departmental activities that lead to an expansion of job opportunities in farming communities and the small towns serving them. RAD operates under the general direction of a 13-agency board, of which the Director of Agricultural Credit serves as Chairman. The Area Redevelopment Administration, Department of Commerce, provides Federal loan, grant, and technical aid for industrial and other enterprises in certain rural redevelopment countries. USDA has been delegated responsibility for administering this program and the Office of Rural Areas Development coordinates departmental activities.

Farmers Home Administration provides loans and technical assistance for the operation, purchase and improvement of family farms. Applications from veterans with farm experience receive preference. Borrowers must agree to refinance their loans with other lenders as soon as they are able to do so. FHA has about 1,400 local offices serving all agricultural counties. Loans are provided from funds provided by Congress and, in the case of farmownership, labor housing, and water development and soil conservation loans, from funds advanced by private lenders on an insured basis. Forty-three State directors, each assisted by a five-member advisory committee, administer the FHA program in their respective areas.

Rural Electrification Administration makes loans for the extension of central station electric service to unserved rural people and for the purpose of furnishing and improving rural telephone service. Construction loans are self-liquidating in a period of not to exceed 35 years.

The Farm Credit Administration supervises a nationwide system of credit cooperatives as an independent agency. The Secretary of Agriculture names one of the 13 board members.

In the national defense program, USDA is responsible for production, processing, storage, and distribution of food through the wholesaler level; stockpiling of food for emergency use (except in shelters), biological and chemical warfare defense for crops and animals; radiological defense in rural areas; and rural fire control. A special assistant to the Secretary of Defense coordinates and directs defense work within Agriculture, and provides liaison with other Federal agencies and State and local governments.

## FOREIGN AID TO COMMUNIST COUNTRIES

Mr. DIRKSEN. Mr. President, there apparently has been widespread misinterpretation in the press as to what the modified Mansfield-Dirksen amendment to the foreign aid bill does. In order to clarify this, I ask unanimous consent to insert in the RECORD the following broadcast by Ray Henle on "Three-Star Extra" last Friday, June 8, the day that the modified amendment passed the Senate.

Mr. Henle said:

Some of the news dispatches give an impression that the Senate has reversed itself to the point of complete retreat from its original position of voting a prohibition on foreign aid to Communist and Marxist countries.

What the Senate did was to modify its original position to permit shipments of food as provided by existing law, but with four important conditions: (1) the recipient country must not be participating in Communist world conquest programs; (2) must not be controlled by a country advocating such a program; (3) the food must be a direct help to the U.S. security; and (4) the President publicly must notify the Congress of his intention to send such food shipments.

The Senate then also voted the Hickenlooper amendment providing that no U.S. foreign aid of any kind may go to a country which since January 1, 1962, has not paid for U.S. property expropriated, and further that the administration under no circumstances may waive the requirement for such payment.

The date is important. It means that unless Brazil and Ceylon now pay up for recently expropriated properties, they can get no U.S. foreign aid.

Thus it will seem that the Senate action of this week was a most important development in restoring congressional controls over foreign aid. Certainly the Senate served notice on all nations contemplating expropriation of U.S. properties that they will be ineligible for aid unless they make just compensation. Without such warning, many nations no doubt eagerly would have followed the practice of Brazil and Ceylon.

## TRIBUTE TO MRS. HENRY J. KNOTT

Mr. BEALL. Mr. President, I have always been especially pleased to see proper recognition given to outstanding achievements, and consequently I was particularly delighted to see that one of my State's most exemplary women, Mrs. Henry J. Knott, had received the President's Medal from the College of Notre Dame of Maryland, in Baltimore. Mrs. Knott is the second women in the history of the college to be awarded the President's Medal, and I can attest personally to the fact that she is eminently worthy of the honor.

Prior to the presentation, an article about Mrs. Knott was printed in the Evening Sun of Baltimore, and I ask unanimous consent that it be printed in the RECORD.

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

COLLEGE HONORING MRS. KNOTT

(By Jeanne B. Sargeant)

Marion Burk Knott will receive the President's Medal at commencement ceremonies, Sunday, at the College of Notre Dame of Maryland to be held on the North Charles Street campus.

Mrs. Knott, who is the mother of 13 children (12 living), is pleased at her selection, but she is also mindful of the fact that Sunday she expects to become a grandmother. And while this will be the 17th grandchild for her and her husband, Henry J. Knott, it is an event about which she never becomes blase.

SECOND TIME

This is only the second time in the history of the college that the President's Medal has been awarded. Mrs. Knott's citation, to accompany the medal, will read:

"The President, Faculty, and Board of Directors of the College of Notre Dame, praising the sacrificial qualities in the life of the Christian mother, and with particular distinction, Marion Burk Knott * * * exemplar of the church's desire that women shall protect, nurture, and conserve not only the physical but also the spiritual and intellectual life of the family. Because Mrs. Knott exemplifies in her life the essential Christian woman giving and preserving, the bearer of grief and bringer of joy, loving, and greatly loved, the College of Notre Dame of Maryland takes pleasure in presenting her with the President's Medal for outstanding Christian motherhood."

TWELVE LISTED

The Knotts have been married for 34 years. They have had nine daughters and four sons, six of whom are married. The young people chronologically from the eldest are: Mrs. Patricia Smyth, who is a 1951 graduate of Notre Dame College; Sister Henry Marie, S.S.N.D., who is studying at Notre Dame and is also a teaching Sister at St. Mary's, Govans; Mrs. Alice Voelkel; Mrs. Margaret Riehl, Mrs. Catherine Wies, Henry J. R., Rose Marie Knott, Mrs. Lindsay Harris, the newest bride; Francis X., James F., Martin G., and Mary Stuart. Ann Carlisle, the sixth Knott child, died at the age of 12.

Seven of the youngsters attended the Institute of Notre Dame. Mrs. Riehl is a graduate of Mercy Hospital School of Nursing. Henry graduated from Loyola High School and night school. Mary and Martin are attending the Cathedral School, and Francis and Jimmy are at Regiopolis College in Kingston, Ontario, an English Jesuit school.

MANY HARBORED

The Knott brood has been raised on Greenway and for the past decade has lived in Lakehurst.

In addition to an even dozen children, the Heathfield Road ranch property has harbored 35 sheep, a huge St. Bernard dog, geese, ducks, and a somewhat decrepit Irish terrier.

And then there were the two years when the Knotts took in Constance Noel Rann, who is now 9, after her mother died. Constance stayed with the Knotts for 2 years, 1953–55, until her father remarried and they made a new home in Ohio.

In a family of this size, life is never dull. This year there were three weddings in 11 months, and by September, grandchildren No. 17, 18, and 19 will have appeared on the scene.

NOT PERMISSIVE

Yet Mrs. Knott, a soft-spoken Richmond native, does not believe in permissiveness either with her children or her grandchildren.

"You do children no favor without discipline," she firmly believes. "I have always been very strict, and so is Mr. Knott."

## TRIBUTE TO HAROLD WATERHOUSE RICE OF HAWAII

Mr. FONG. Mr. President, last week, Tuesday, June 5, one of Hawaii's most illustrious and distinguished native sons passed from the island scene. He was Harold Waterhouse Rice of the Valley Isle, Maui, a descendant of two prominent pioneering families in Hawaii.

His life spanned more than three-fourths of a century, with 55 of his 79 years on his beloved Maui where he was affiliated with Hawaiian Commercial & Sugar Co. and where he carried on his extensive cattle-ranching business.

Harold Waterhouse Rice was an outstanding member of the Senate of the

Territory of Hawaii for 24 years, serving one session as its president. During a part of this time, I served in the house of representatives. I remember him as a hard-working, progressive, capable, and a most discerning senator.

I also served with him as a delegate to the Hawaii State Constitutional Convention. He contributed much to its deliberations. He also served his people well as executive officer and member of the Board of Supervisors of the Island of Maui.

From his grandfather, Rev. Harrison Rice, he inherited a great love and concern for his fellow man, and these attributes remained with him throughout his long life. From his maternal grandfather, John T. Waterhouse, he inherited the business acumen which made him a successful businessman.

In his lifetime, Harold Rice was privileged to witness the full spectrum of Hawaii's political life—Monarchy, Republic, Territory, and finally statehood in this great American Union.

He firmly believed in a strong two-party system of Government. So convinced was he of the need for a strong minority that in 1943 he resigned from the Republican Party after more than 25 years as an active member to join the Democratic Party which was then the minority party.

In business, he was also as nonconforming as he was in politics. He disagreed with management in many of its policies and led many stockholders' fights against what he felt was not to the benefit of the stockholders.

Controversial as Harold Rice was in politics and in business, he was beloved by his people.

He was colorful, knowledgeable, and dynamic, and with his passing, a portion of Hawaii has passed on forever.

Mr. President, the entire State of Hawaii mourns the passing of its beloved Keiki Hanau o Ka Aina—son of the land—Harold Waterhouse Rice—acclaimed by Valley Islanders as the man who has done the most for Maui.

## TRIBUTE TO THE LATE SENATOR HENRY FOUNTAIN ASHURST

Mr. GOLDWATER. Mr. President, the concluding words in the diary that Henry Fountain Ashurst kept throughout his life are these:

> It is a comforting assurance that nothing in this diary will cause pain to any person or bring reproach to anyone who is dead.

Henry Ashurst was elected one of the first two Senators from the new State of Arizona in 1912, and he continued to serve the State and the Nation in that capacity for 30 years. His many contributions to both I will not enumerate here as they are well established in the memory of time. Henry Ashurst's greatest fame probably stemmed from his devotion to the perfection of the use of the English language. His was a voice tutored not by the pulse of the ballot, but by the beat of logic. He was a man not driven to victory over his brother by force or innuendo, or depredation, but, by the logic of argument.

Emerson, in his essay, "Nature," remarks that a "third use which nature serves to man is that of language," and in the section of this essay touching on language, he points out again and again the closeness of nature to the words of man. This is true, for we find honesty of expression coming from people whose lives have been in contact with nature. His years in the saddle as a cowboy carried Henry Ashurst into the remote places of Arizona where he found in nature a true source of expression, likewise a source of inspiration. As young Henry clopped, clopped his way across the desert sands or the pine needled cushions of the forest floor, or across the sandstone floors of the canyons, he recalled that he had directed thousands of speeches to the brush of the desert, to the blueness of the juniper tree, to the red walls of the canyons, and surely his words must have carried high into the sighing pines and across the waters of the lakes of his county of Coconino. Words that no one but his horse and himself heard; words which are now floating around in space, mingling with words of other men who have become beacons of expression, who likewise, inspired by nature's closeness and by the loneliness of the saddle, orated or sang or spoke verse to an inanimate world of beauty. Such men all attest to the wisdom of the words of Emerson, who wrote, "that picturesque language is at once a commending certificate that he who employs it is a man in alliance with truth and with God."

While the language we all speak and write became the center around which Senator Ashurst's life revolved, it was far from the only remembrance those of us who loved him carry. His life was a dedicated one in which hard work was the keystone. In fact, the thought of his accomplishments reminds me of the stories my uncle, who served in politics with Senator Ashurst, used to tell me about the boat trips up the Colorado River. Large iron rings would be set in the stone faces of the canyon wall or secured to the trunks of great trees along the shores. Through these rings the Captain would pass ropes and then by a series of heave ho's from those on board, including passengers and crew alike, the boat would pass over the sandy shoals and into the deeper and more navigable waters.

As Henry Ashurst encountered shoals on his journey up the changeable river of life, he would not sit waiting for the fates to release him, but he would look hard for some strong point to which to fasten his rope, and then pull himself through to better water. His was an exemplary life for that reason, among many others, for he was a living example of the benefits that come to men who live with freedom and independence of thought.

Ashurst's life spread as the two tips of a draftsman's compass from the day of the old to the day of the new, and he carried across that long span of time qualities of gentlemanliness and decency, scholarship and application, devotion and patriotism which will serve forever as an example to generations to come. As history unfolds, the greatness of this man will likewise come to life, and the words closing his diary, "is a comforting assurance that nothing in this diary will cause pain to any living person or bring reproach to the memory of anyone who is dead," will prove to be true. Not only that, but they will prove to those of us who follow that logic can prevail where violence fails.

## ORDER OF BUSINESS

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

The VICE PRESIDENT. Is there further morning business? If not, morning business is closed.

## INTERIOR DEPARTMENT AND RELATED AGENCIES APPROPRIATIONS, 1963

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The VICE PRESIDENT. Without objection, the Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 10802) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1963, and for other purposes.

## THE MORALITY OF NUCLEAR TESTING

Mr. MORSE. Mr. President, I suppose that in recent months most Senators have had the same mail experience I have had in regard to one of the hottest controversial issues that have been of great interest to the American people. I refer to the issue of the resumption of atmospheric nuclear testing by the United States.

I am satisfied that the President of the United States studied, pondered, and wrestled with this problem far beyond, even, our power to comprehend what the man endured; for we who served with the President when he was a Senator from Massachusetts, and served with him, as I did, on the Committee on Foreign Relations, know full well the long-time, deep concern of the present President of the United States in regard to both the great danger which nuclear testing in the atmosphere presents not only to the American people but to all mankind, and also his recognition of the very serious problems of morality which are involved in the issue of nuclear testing. I cannot speak for the President, but it is perfectly easy to deduce from the record the strain he must have endured before reaching his final determination to resume nuclear testing. I share the point of view the President reached. I do not believe he could have reached any other decision in the interest of the security of the Nation and in the interest of advancing the cause of freedom throughout the world.

In a previous speech, I discussed the problem as being one of a choice between immoralities—as a choice between degrees. However, I do not think that any of us who believes in a Divine

Being—which is true of almost all Americans—can escape the conclusion that nuclear testing is immoral. In fact, I do not believe we can escape the fact that the building of nuclear armaments and the participation in a nuclear armament race are immoral. However, there are greater immoralities inseparably connected with the issue.

So, too, is a nuclear war immoral. So, too, would be the following of a course of action which so weakened the security of this Nation that Russia would be in a position where she could successfully wage a nuclear war and knock us out quickly. That would be a greater immorality than the immorality of the resumption of nuclear testing.

So the President had to make the difficult decision as to whether the United States would resume nuclear testing in the atmosphere in order to make certain that we had done what could be done, within the present knowledge of science, to keep us on a footing with Russia, so that Khrushchev would understand that at all times he, too, has everything to lose and nothing to gain by starting a nuclear war.

In my previous comments on this subject, and particularly in answer to my correspondents, many of whom have been highly critical of the position taken by the senior Senator from Oregon, I have pointed out to my constituents and to those who have written to me from outside my constituency that I felt the decision which the President made was absolutely right. In that correspondence and in my previous speeches I have stated that my service as a delegate of our Government to the United Nations for a period of 3 months, in which I had to deal with the Russians day in and day out, observing their tactics, convinced me that there is no question or doubt that if Russia ever thought the United States was weak enough to be subject to military conquest, she would make the attempt.

The American people should recognize that prior to his making the final decision with respect to the resumption of nuclear testing, the President of the United States was the beneficiary of the most expert and technical scientific advice he could receive. So were we who are members of the Committee on Foreign Relations. Of course, we are not free to discuss publicly some of the information we have. But we are free to state to the American people our conclusions as their representatives in the U.S. Senate; and I have pointed out to my constituency—and I do so again today—that I am perfectly satisfied that as a result of the last atmospheric testing by the Russians, we were finding ourselves trailing them in the development of certain nuclear defenses, and possibly trailing them so far as nuclear defenses in connection with antimissile defense were concerned; and the scientists and the military experts pointed out that it was not safe, having in mind the security of our country, to permit that situation to continue, and that it was necessary to have a resumption of limited nuclear testing in the atmosphere—and the President made that very clear when he announced his decision—in order to bring up to date our nuclear defenses, by obtaining the scientific information which those tests would give us, so there would be no doubt that Russia would understand that we were at par with her, and probably ahead of her.

Of course, this is an ugly paradox, for I think all persons informed regarding the progress being made in connection with nuclear defenses recognize that if this nuclear armament race continues for a considerable number of years, there will be increased danger that a nuclear war will break out. That seems to be in the inherent nature of armament races. History is replete with instances in which armament race after armament race has ended in war after war; and I do not think we have any reason to believe that this ugly aspect of history will not repeat itself. Yet in this paradox, we find ourselves, as Senators, it seems to me, in the position of having to make a decision in support of a President who, I believe, has taken a very sound position regarding this matter, in that we will take no chance as regards the security of our country; we will seek to keep our country so strong that Russia will not dare attack; and at the same time we will prosecute every endeavor and every possibility for arriving with Russia at an honorable agreement which will make it possible to bring to an end, for all time, the mad nuclear armament race in which the Western Powers and Russia are presently engaged.

Thus, I have said—and I repeat today—that our decision has been one of choice between two immoralities; one, the lesser; the other, the greater. It is certainly the greater immorality to plunge the world into a nuclear war. It certainly would be the greater immorality for this Republic to follow a course of action which would so weaken the security of our country that the world would become faced with the probability of enslavement by communism.

Mr. President, that has been the position of many of us who have answered the critics who have charged us with somehow betraying what they assume for themselves is the cause of liberalism in America. Sometimes I am at a loss to understand various groups which take unto themselves the alleged right to tell the rest of us what is liberal and what is nonliberal. That is particularly true—I say with all respect, because I do not question their sincerity—of the groups which take the position that under no circumstances should the United States resume nuclear testing, because, they say, it is grossly immoral—even though the facts indicate, I believe, that it would be a greater immorality for us to follow the course of action they recommend.

Mr. President, I think it reassuring to the great majority of the Members of the Senate who share my view in regard to backing up the President's decision as regards nuclear testing, to find that there appeared yesterday in the public press what I regard as the soundest analysis of the decision of this country to resume nuclear testing that I have read thus far. In fact, when I consider how I have wrestled with this matter and how I have written reams on it and have spoken pages of the CONGRESSIONAL RECORD on it, all I wish to say is that the condensation, the conciseness, and the irrefutable logic of a great scientist, as set forth in a wonderful article published yesterday in the little magazine This Week, ought to be an answer to every letter to Senators in regard to nuclear testing, and should be enclosed in the answers to such letters. Because I think the article is most important, and because I think Senators who have not seen it should have their attention called to it, by having it printed in the CONGRESSIONAL RECORD, so that they can use it, by taking it from the CONGRESSIONAL RECORD in answering their mail, I ask unanimous consent to have printed at this point in the RECORD an article entitled "Let's Face the Truth About Nuclear Testing," written by Dr. Hermann J. Muller, with the assistance of Jack Harrison Pollack.

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

LET'S FACE THE TRUTH ABOUT NUCLEAR TESTING

(By Dr. Hermann J. Muller with Jack Harrison Pollack)

BLOOMINGTON, IND.—As a geneticist, I have been strongly opposed to the United States resuming nuclear atmospheric tests.

But as an American citizen, I have regretfully come to accept the need for testing.

Despite my grave concern over adding more radioactive fallout to the atmosphere—and offending considerable world opinion—I believe that our nuclear testing today may be in the national—and international—interest. Certainly, testing is accompanied by terrible risk. But I think the tests may have benefits greater than the damage. Indeed, the tests today may provide our only chance for life a peaceful, nonslave world.

I am an incurable optimist, and even as I write these words I still fervently hope that the Soviet Government will agree to reasonable inspection and controls. If instead of "nyet" the Russians suddenly say "da," as they occasionally do, then both our and their tests can stop forever.

MINIMUM FALLOUT

But, meantime, I do not feel that President Kennedy has been playing the megaton madness game. His reluctant decision to carry out new tests was not an act of panic. After many months of weighing the evidence he concluded that at the present time testing was the least evil of the unpleasant possibilities confronting the free world. He assured Americans on March 2 that the fallout would be held "to an absolute minimum—far less than the contamination created by last fall's Soviet series—by paying careful attention to location, wind and weather conditions, and by holding these tests over the open sea."

From my 35 years of laboratory experience with radiation, I know the damage that results from it, no matter whether it comes in the form of bombs, cosmic rays, or careless use of X-rays. The damage is either somatic (which hurts our own bodies) or genetic (which will hurt succeeding generations). Contrary to what you may have heard or read, there is no such thing as a "safe" or "harmless" dose of radiation. Any amount is genetically undesirable because it causes mutations—that is, sudden unpredictable biological changes. And over 99 percent of such mutations are harmful.

THE DELAYED REACTION

Nuclear testing—by us or the Russians—results also in leukemia, bone cancer, and

other abhorrent ailments in the present population, as well as many thousands of hereditary defects in populations of the future. For each amount of radiation received, there is a probability of dying sooner. Because both the somatic and genetic defects are concealed or delayed, they cannot, individually, be recognized as stemming from today's radiation. But the damage done to later generations will probably be very much greater, all told, than to the directly exposed individuals.

Tests are no better for the Russians than for us. After the Soviet Union dropped its 65-megaton H-bomb on October 30, 1961, Premier Khrushchev answered the worldwide protests by dismissing them as hysterical. I do not agree with him. They are very real—for his people, too.

The poison pumped into the sky by Russia doesn't skip over the Soviet Union. Russia will probably suffer most from the fallout resulting from its own atmospheric tests. So much fallout has been concentrated where the Soviet tests were made, its citizens will continue to be exposed to it far more than we.

Despite these dangers from testing to us and the Russians, I believe that today the only sensible course for democratic America is to admit the damage potential in resumed tests, but at the same time to weigh the case for testing against the possible consequences of not testing, our subjugation by a totalitarian system.

I know what this means, because I worked in Russia between 1933 and 1936 at the Institute of Genetics, first in Leningrad and later in Moscow. I was invited there by the great Russian scientist, Nikolai Vavilov, who died in disgrace in a concentration camp in 1942. I went to Russia hopefully but became disillusioned when I saw how genetics was being perverted by Dictator Stalin to fit the Communist Party line.

In Russia then I heard marching factory workers singing rousing songs about how much freer they were than workers anywhere else. This was the pathetic freedom of those born blind. Today Russian geneticists are reportedly allowed to work only on approved subjects, such as trying to show why U.S. nuclear tests should be stopped. With their dialectical materialism, the Soviets can prove or disprove anything.

All these things considered, the world today is confronted with three big possibilities for tomorrow:

1. A universal slave state dominated by Russia.

2. Annihilation through nuclear war.

3. A humanistic alliance of all people.

I believe that today's tests are an important measure—for this moment—enabling us to avoid the first two terrible fates and work toward the sane third choice.

Totalitarian slavery would be as great a tragedy for mankind as nuclear war. And if all our dread is directed toward nuclear war, the way for the coming of totalitarianism will be made easier.

Nuclear war also is a far greater danger than tests. If we ever had a nuclear war, we would be showered with thousands of times more radiation. Ironically, many Americans seem to be more worried about the tests than possible war.

The responsibile free world leaders are aware of these two terrible alternatives. When Premier Khrushchev shunned President Kennedy's and British Prime Minister Macmillan's last-minute appeal for inspection in April, they would have taken a step toward surrender had they canceled the scheduled tests and renounced testing unilaterally. Past Russian actions have shown that any agreement unaccompanied by inspection is a sham in which the honest party turns out to be the dupe.

Admittedly, the tests may accelerate the arms race. Testing may give the Russians or us further capabilities of nuclear offense and defense. But it is unlikely that either side will develop an overwhelming advantage over the other—unless one side stops testing and the other side forges ahead. As things stand, both sides know the consequences of nuclear war—defeat for both sides, destruction for both civilizations.

My own belief, however, is that U.S. tests will ultimately convince the Russians that we mean what we say about defending the free world's security and make them more receptive to a genuine test ban treaty.

If testing seems a high price to pay, remember than an infinitely higher price—both to present and future generations—would have to be paid if war ever broke out. Remember, too, the other terrible price—if we were enslaved. The problem must be assessed from all sides.

EINSTEIN'S INVITATION

Despite my repeated warnings about the danger of radiation for 35 years, I have always believed that tests were preferable to war or slavery, and under some circumstances might prevent them. In 1955, I declared our tests were then justified and I still think they were. Earlier, in 1948, when Dr. Albert Einstein asked me to join his antimilitarist Emergency Committee of Atomic Scientists, I told him that I couldn't conscientiously say that the genetic damage from nuclear testing was great enough to be conclusively against it. I said that the damage was less than that being done by some medical, dental, and shoestore men who weren't controlling their X-rays. Despite Einstein's well-known pacifism he didn't seem at all surprised at my views and asked me to serve on his committee, anyway.

But today I refuse to ally myself with any group which unconditionally favors or opposes testing. I realize there is honest difference of opinion among scientists and others. However, I think too many advocates and critics of testing are engaging in wishful thinking, or concentrating on one of the alternatives of the problem, while neglecting the other. Some are misguided, some consciously influenced by ulterior motives. The public, caught in between, generally lines up with one side or the other, calling its position white, the other black.

One of the most vocal advocates of testing has been Dr. Edward Teller, the nuclear physicist. But I think he is greatly underrating (1) the risk of both somatic and genetic damage from the tests and (2) the aggravation of feelings that lead toward war by continuing the arms race.

In his recent book, "The Legacy of Hiroshima," Dr. Teller claims, "Radiation from test fallout might be slightly harmful to humans. It might be slightly beneficial, or have no effect at all." Elsewhere in the book he adds, "Fallout from nuclear testing is not worth worrying about. Its effect on human beings, if there is an effect, is insignificant."

I emphatically disagree. I think that every laboratory test by myself and others indicates that radiation is very much worth worrying about.

At the other extreme, eminent scientists like Dr. Linus Pauling, of the California Institute of Technology, and many student and peace organizations demand that all U.S. nuclear testing be stopped immediately. Though I sympathize with the aims of these well-meaning people, I think they underestimate the damage which would be done to our intellectual, moral and political freedoms if the Rusians took over. And they do not seem to realize that there is a very real danger that the Soviets would succeed in taking over if we alone disarmed. These antitesting Americans also ignore the question of whether further testing would increase our antimissile capabilities.

WEAKNESS INVITES WAR

Weakness and unpreparedness, unfortunately, invite Soviet war and aggression. Korea, Berlin, and southeast Asia proved that. Merely marching for "peace" doesn't insure it. Back in 1940 Americans picketed the White House with peace slogans. But that didn't stop Hitler, Mussolini or Tojo.

Fortunately for America, President Kennedy doesn't lean toward either the Teller or Pauling sides. His top scientific advisers, like Dr. Jerome B. Wiesner of Massachusetts Institute of Technology, are wise, capable men of sound judgment who are carefully weighing the fallout, world opinion, and delicate scientific, military and political aspects of testing in a complicated balance of forces. I think we are lucky that their voices can be heard, even though they cannot always carry the argument.

Today only top administration members and top brass have the inside knowledge of the true nuclear picture. Though the average American needs to know more to evaluate it, this information cannot be made public now, regrettably, because it might be advantageous to our potential enemies. I hope that soon this will not be so.

Meanwhile, the situation is not hopeless. Here are three positive things I urge that we do:

1. Establish a national system for keeping a record of every American's exposure to radiation from whatever source throughout his life. This would help scientists to determine definite radiation danger levels and warn people when those levels are approached or exceeded.

2. Limiting the amount of man-made radiation reaching people. Let us insist, for example, on protective shields over the reproductive organs during X-raying, and that doctors get training in radiation protection. Such elementary precautions would greatly reduce genetic damage.

3. Continue our testing, if necessary, but simultaneously work for genuine disarmament. If we steadfastly do so, then the Russians will not be able to refuse a reasonable type of inspection indefinitely. Time is on our side. They will have to come around in the end. If we hold firm, I think we can get a workable agreement. But until we have controlled bilateral disarmament, the survival of freedom demands from us the ultimate reasonableness—and the ultimate firmness.

In the long run, the only really important test for us and the Russians is whether we can agree on a worldwide plan to end all nuclear tests—and the arms race.

Mr. LAUSCHE. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. LAUSCHE. I know of the decision taken by the Senator from Oregon about the course our country should follow in order to be humanitarian and fair with the world and yet also promote a program which would insure our security. I know of his attitude in regard to nuclear testing, and I commend him for it.

I merely wish to say that if the President had followed a course different from that which he did follow, in my opinion it would have endangered the future life of our Nation. While the Soviet is indifferently following a course which suits her best, we cannot stand by and merely say that while the Soviet is engaging in nuclear tests, we will do nothing about them.

Mr. MORSE. I completely agree with the Senator from Ohio. He and I serve together on the Foreign Relations Committee; and he knows whereof I speak when I point out the information we have regarding this problem and the danger in which our country would have

been placed if the President had not decided to resume nuclear testing. The Senator from Ohio is aware of the information at our command regarding the gains the Russians made in their last nuclear tests; and of course, as the Senator from Ohio has heard me say before, and as we discussed the matter in the Foreign Relations Committee, I should think that all the American people need to know is that while we sat for weeks with the Russians at Geneva trying to work out with them an agreement for the cessation of any future nuclear testing, and while we then had every reason to believe that they were meeting with us in good faith, not in deception, the fact is that during those weeks they were in the process of preparing their bombs for testing.

Mr. LAUSCHE. That is correct.

Mr. MORSE. And it is also a fact, as the Senator from Ohio knows, as a member of the Foreign Relations Committee, that it took the Russians, for even the smallest bomb they tested, at least 30 days to get it ready for testing; and it took them from 3 to 4 months to get their larger bombs ready for testing.

Mr. LAUSCHE. Yes.

Mr. MORSE. That means that every day of the weeks that they were supposedly negotiating in good faith with us, they were actually negotiating with us in complete deceit, because while they were purportedly trying to work out with us an agreement for an all-time cessation of nuclear testing, they were actually getting their bombs ready to test. I should think that is all the American people need to know about what we are confronted with in this mad nuclear armaments race, which all of us pray to God can be brought to an honorable end.

Mr. LAUSCHE. Yes.

Mr. MORSE. So certainly we cannot, as Senators, refuse to back up our President—who, in my judgment, went through a great ordeal before he finally reached his decision to resume nuclear testing. Certainly we owe him the support we are giving to him; and I am delighted that we now have—and, in my opinion, in irrefutable form—this great article by one who in my opinion is one of the great scientists of our time, Dr. Muller.

Mr. LAUSCHE. Mr. President, will the Senator from Oregon yield again?

Mr. MORSE. I yield.

Mr. LAUSCHE. It seems to me that the tragedy lies in the fact that many U.S. citizens of the best of intentions have been duped into believing that the Soviet wants a ban on nuclear testing, but that our Government does not, whereas the truth is that we have leaned over backward. The President withheld reaching this final decision to the point where I know that he, himself, felt that if any wrong was done, it was in the direction of delaying rather than hurrying the tests.

Mr. MORSE. I think the Senator is right.

Mr. LAUSCHE. I do know that to Senators there have come delegations of citizens arguing that we ought not to resume nuclear tests. To me it seems that that humanitarian quality is excellent, but when there are international brigands on the seas, on the land, and in the air, totally unmindful of humanitarian impulses, but bent solely on communizing the world, there is no other course for our Nation to follow than the one that is needed to insure our security.

I commend the Senator from Oregon for his presentation of this morning.

Mr. MORSE. I appreciate the remarks of the Senator from Ohio very much, but I want to say for the record, for such benefit as it might possibly have among his constituency in Ohio, that I consider it a great honor to serve with the Senator from Ohio on the Foreign Relations Committee of the Senate and work with him shoulder to shoulder, as we have, on issues that involve the strengthening of the security of this country of ours.

The Senator from Ohio has made very clear, as the senior Senator from Oregon has sought to do likewise, that we will support any disarmament program that will bring to an end the immoral nuclear armament race whenever the Russians show a willingness to agree to what we have offered, and which was offered when I was a delegate to the 15th General Assembly of the United Nations, which offer has been repeated for some years—the offer of the United States to end all nuclear testing and all nuclear armament races whenever the Russians are willing to agree to a complete and total inspection and control program.

We cannot have partial disarmament and have security. Our offer is that we are perfectly willing—and we have the United Nations to enforce it—to bring to a total end all nuclear armament races, but it is going to require total inspection and total control in regard to all the nations in the world that are already members of the nuclear club or are on the threshold of joining the nuclear club.

That latter comment has serious import, because every year the danger is that another nation and another nation and another nation will become a nuclear power. I think it is as certain as certainty can be that if we go on as we are for many more years, a holocaust is bound to break out because of an irresponsible act on the part of an irresponsible leader or because of an accident that starts the first bomb going down. Nobody is going to take the time to find out why it went down. The assumption will be that the war is on. It will be only a matter of minutes before the orders will be released and the cloud of atomic forces will break down upon humanity.

Mr. LAUSCHE. I agree with the Senator.

Mr. MORSE. We must have that kind of disarmament program.

Coming back to this article by Dr. Hermann J. Muller, Dr. Muller won the Nobel Prize in 1946 for his 1926 discovery of how radiation affects heredity. He is a distinguished service professor of zoology at Indiana University, and a member of the National Committee on Radiation Protection. He has been called the father of modern genetics.

I have read a great deal about Dr. Muller. We are familiar with his views in the Foreign Relations Committee of the Senate. In my judgment, there is no man in the United States or in the world who is a greater authority on radiation and the effect of radiation, and the relation of radiation to nuclear tests and to the whole matter of nuclear disarmament, than is the great Dr. Hermann J. Muller.

In the article to which I have referred, entitled "Let's Face the Truth About Nuclear Testing," he discusses the viewpoint of two other great scientists who are at opposite poles in regard to nuclear testing, one a Nobel Prize winner, Dr. Linus Pauling, of the great scientific laboratory of California, and the other Dr. Edward Teller.

Dr. Muller disagrees with both of them. He cites in his article the point of view by Dr. Pauling:

> This great immorality of bomb testing * * * must be abolished from the world. * * * The job of perfecting techniques for destroying the world has been completed.

I think it is fair to say that Dr. Pauling is one who has advocated unilateral nontesting on the part of the United States, whereas Dr. Edward Teller has tried to minimize the effects of testing and the danger of the nuclear armament race.

Dr. Muller quotes Dr. Teller in his article as follows:

> Fallout from nuclear testing is not worth worrying about. Its effect on human beings, if there is an effect, is insignificant.

I speak respectfully when I say that, in my judgment, there is no question about the superiority of the qualifications of Dr. Muller to testify in regard to the effects of fallout and the effects of radiation on the human body.

Dr. Muller says, in regard to the points of view of both Dr. Pauling and Dr. Teller, "I emphatically disagree." He sets forth in this article his reasons for disagreement with these two eminent scientists.

I shall not read very much of the article, but in order to emphasize the point I have already made in my speech I wish to read certain excerpts at this point.

In the article Dr. Muller states:

> Despite these dangers from testing to us and the Russians, I believe that today the only sensible course for democratic America is to admit the damage potential in resumed tests, but at the same time to weigh the case for testing against the possible consequences of not testing—our subjugation by a totalitarian system.

In that one paragraph he puts succinctly what the senior Senator from Oregon in the past, in speeches consisting of pages, has tried to put in documented detail, because I think that sentence points out the decision the President had to make. He had to make the choice between damage that is bound to be caused to some degree by the resumption of nuclear testing and the greater damage to mankind that would result if we allowed ourselves to become so weakened so that, to use the words of Dr. Muller, we would be open to subjugation by a totalitarian system.

He completely disagrees with the position of Dr. Teller that fallout from nuclear testing is not worth worrying about.

Dr. Muller in this article points out that there is going to be damage from

fallout caused by the testing in which the United States is participating. It is inescapable. We do not serve the truth at all by seeking to minimize that damage and danger.

Elsewhere in this excellent article Dr. Muller says:

Weakness and unpreparedness, unfortunately, invite Soviet war and aggression. Korea, Berlin and southeast Asia proved that. Merely marching for "peace" doesn't insure it. Back in 1940 Americans picketed the White House with peace slogans. But that didn't stop Hitler, Mussolini or Tojo.

Fortunately for America, President Kennedy doesn't lean toward either the Teller or Pauling sides. His top scientific advisers, like Dr. Jerome B. Wiesner of Massachusetts Institute of Technology, are wise, capable men of sound judgment who are carefully weighing the fallout, world opinion and delicate scientific, military and political aspects of testing in a complicated balance of forces. I think we are lucky that their voices can be heard, even though they cannot always carry the argument.

Today only top administration members and top brass have the inside knowledge of the true nuclear picture. Though the average American needs to know more to evaluate it, this information cannot be made public now, regrettably, because it might be advantageous to our potential enemies. I hope that soon this will not be so.

Dr. Muller went on to state:

Meanwhile, the situation is not hopeless. Here are three positive things I urge that we do:

1. Establish a national system for keeping a record of every American's exposure to radiation from whatever source throughout his life. This would help scientists to determine definite radiation danger levels and warn people when those levels are approached or exceeded.

2. Limiting the amount of man-made radiation reaching people. Let us insist, for example, on protective shields over the reproductive organs during X-raying, and that doctors get training in radiation protection. Such elementary precautions would greatly reduce genetic damage.

3. Continue our testing, if necessary, but simultaneously work for genuine disarmament. If we steadfastly do so, then the Russians will not be able to refuse a reasonable type of inspection indefinitely. Time is on our side. They will have to come around in the end. If we hold firm, I think we can get a workable agreement. But until we have controlled bilateral disarmament, the survival of freedom demands from us the ultimate reasonableness—and the ultimate firmness.

In the long run, the only really important test for us and the Russians is whether we can agree on a worldwide plan to end all nuclear tests—and the arms race.

Mr. President, in closing these comments I wish to extend my sincere congratulations and commendations to Dr. Muller for providing the American people and the Congress of the United States with this very succinct and I think cogent answer to the question, "Should we have resumed atomic testing?" As Dr. Muller points out, the answer is an inescapable "Yes."

## THE ADMINISTRATION TRADE EXPANSION PROGRAM

Mr. YOUNG of Ohio. Mr. President, it is to be hoped that the Congress, before the adjournment of this session, will enact the administration trade expansion bill into law. This will carry forward the reciprocal trade policy of that great Secretary of State, Cordell Hull, adopted nearly 30 years ago.

International trade is a two-way road. We in Ohio—and, in fact, all Americans in the Middle States and throughout the entire Nation—are fortunate in that we have the great Saint Lawrence Seaway, which adds another sea coast to America.

We in the Midwest may now ship economically and directly to Europeans and to North African ports the products of American farms and factories. The European Common Market of six nations has been our best customer. They have lowered trade barriers. They also have the power to raise tariff walls and thereby to exclude much of what we export.

Passage of the administration trade expansion bill will give flexibility, enabling our President to adjust tariffs downward when the well-being of America requires that to be done. Then, if the Congress disapproves, Congress will have the power to change the revision immediately if in session, or within a few months in any event.

Americans excel workers of other nations in production. By mutual cooperation with common market countries our exports will climb sharply. We shall sell farm crops and factory products, of which we have a surplus. We shall enjoy the luxury of importing and of consuming the much lower-priced luxury items from other nations. We shall do all these things if we show the wisdom of enacting into law the administration trade expansion bill.

Our standard of living will rise to further heights. Our prosperity should become recordbreaking, following the time that we are in complete cooperation with the booming European Common Market countries. Employment and prosperity will be at heights never previously experienced as a result of the exchange of products of American farms and factories for the handicraft and luxury items of European nations.

Americans should therefore support—and I believe they do—our President and the Congress in this trade expansion program and, later on, in bringing about a Western Hemisphere Common Market.

Mr. President, we Americans should not forget that the free trade between all of the States and Territories of our Union, provided in the Constitution by our Founding Fathers, so that there could never be any barrier erected in any State or Territory against another State or Territory of our Federal Union, has contributed to the greatness and to the prosperity of our American way of life. We shall carry this concept forward by enactment of the administration trade expansion bill.

## PANEL OF EXPERTS TO STUDY LINK BETWEEN CIGARETTE SMOKING AND DISEASES

Mr. MOSS. Mr. President, I am most gratified by the announcement that the U.S. Public Health Service will appoint a panel of experts to study whether there is a link between cigarette smoking and certain killer diseases, notably cancer of the lung. The report of these experts will provide excellent brickwork for the massive educational program on the hazards of cigarette smoking which would be established by Senate Joint Resolution 174, of which I am a cosponsor.

We have known for a long time that there was a relationship between smoking and lung cancer. In 1959, 3 years ago, Dr. Leroy Burney, who was then Surgeon General of the Public Health Service, wrote in the American Medical Association Journal, "The weight of evidence at present implicates smoking as the principal etiological—causitive—factor in the increase of lung cancer," but evidently there was no further official cognizance taken of the fact. We in this country have jogged along, refusing the face up to facts which have appeared incontrovertible. Meanwhile, Great Britain and other European countries have moved to make a more final determination, and much has been published about the work they have done and the conclusions reached.

The panel of experts which the Public Health Service will select, after consultation with other Federal agencies, will include representatives from nonprofit-making agencies, health organizations, and the tobacco industry itself, as well as experts in the scientific and medical fields. This wide base of representation augurs well for the study. The fact that the panel will not only review all available data and evaluate it, but also will make suitable recommendations is a hopeful sign that at long last we are about to do something, as a nation, to warn our people about the hazards of cigarette smoking.

## THIRTY-FIFTH ANNIVERSARY OF SERVICE

Mr. KEATING. Mr. President, international aviation is a relatively new enterprise. It was in May of 1927 that Charles A. Lindbergh crossed the Atlantic from Roosevelt Field on Long Island to Le Bourget Airport in Paris. It was in June of 1927 that Pan American World Airways was conceived by Juan Terry Trippe and a group of Yale colleagues and World I Navy pilots. Colonel Lindbergh, whose achievement paved the way, later became, and still is, a route consultant to Pan American.

Pan American's contributions to the growth of the aviation industry have been of significant importance. First to cross the Atlantic, pioneers in Latin America, the Pacific and Alaska, and the first airline to develop a globe-girdling service, Pan Am stands today as an example of what the free enterprise system can accomplish.

Mr. President, the New York Herald Tribune on Sunday, June 3, carried a fascinating and informative story of Mr. Trippe and the enterprise he has guided to success. I ask unanimous consent that this article be printed in the RECORD.

The PRESIDING OFFICER (Mr. BYRD of West Virginia in the chair). Is there objection?

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

THIRTY-FIVE YEARS OF PAN AM: JUAN TRIPPE: BIRTHDAY OF AN EMPIRE

Thirty-five years ago last Friday a 27-year-old bond salesman turned dabbler in commercial aviation formed a new company to fly the 90-mile Key West-to-Havana route.

From such a beginning Juan Terry Trippe and his infant Pan American Airways blazed a worldwide pattern of air travel stretching nearly as far as three times around the earth.

As Pan American World Airways, the company now flies about 65,000 route miles, a distance unequaled by any other private-enterprise carrier although exceeded by government-owned or subsidized foreign lines.

Its 130 planes, about half of them $6 to $7 million jets, touch down in 80 countries.

A subsidiary has built or is building a global chain of 26 hotels on 6 continents, partly to accommodate patrons who last year traveled over 6 billion revenue miles.

ANOTHER SIDELINE

In another "sideline" activity, Pan Am since 1953 has run the Atlantic missile range for the Air Force out of Cape Canaveral—an operation requiring 9,000 employees ranging from frogmen to mechanics and sailors on a fleet of 10 seagoing ships.

Six hundred more of its 32,000 employees are assigned, under an Army Signal Corps contract, to the electronic environmental test facility and drone test range in Arizona.

From $200,000 in capital raised by Cornelius V. Whitney, a classmate at Yale University, Pan Am's assets have risen to about $600 million.

Characteristically, Mr. Trippe, a retiring and somewhat aloof man for all his dynamism, paid no formal heed to today's milestone.

His office in Manhattan which soon will occupy a new 69-story Pan Am Building erected astride Grand Central terminal, reported he was away on the system—in Bermuda.

ONLY A NAME TO SOME

Some longtime employees of supervisory rank have never met the big boss, or have seen him only two or three times.

Although Mr. Trippe's vision of aviation's future probably dates from boyhood when he flew model planes in New York's Central Park, his first adult enterprises in the field were disappointing.

A Navy flier in World War I, he got his feet wet in the early 1920's by organizing Long Island Airways, using war-vintage planes bought with borrowed money.

Passengers were taken up on sightseeing flights, and the company offered a charter service and did contract work for motion picture concerns.

Then, Mr. Trippe turned to another enterprise, Colonial Air Transport, flying between New York and Boston. Colonial received the country's first domestic airmail contract.

PAN AM BORN OF A ROW

He left Colonial and launched Pan Am after financial backers quarreled with his plans to extend the company's operations to Chicago and to Miami and Havana.

By 1928, the Key West-Havana operation, started in October 1927, with a trimotored Fokker craft, had expanded to 7 planes, supported by 118 employees, over 251 miles of routes.

These reached mostly south into the Caribbean area.

In 7 more years, Pan Am had inaugurated its China Clipper service, and a few years later thrust its routes across the Atlantic to Europe, and a little later to Africa.

The airline had begun to roll up "firsts" in commercial aviation, many of them results of the laboratory for over-ocean flying provided by Caribbean island-hopping operations.

TALENTS GREW, TOO

Pan Am thus claims to have pioneered among airlines in radio communications, emergency lifesaving equipment, tailoring of aircraft operational needs, instrument flying, and serving meals aloft.

Talents in diplomacy aided Mr. Trippe in complex negotiations over routes and ground rights in innumerable countries as Pan Am fanned out, and he proved adroit in complementary arrangements necessary in Washington.

Mr. Trippe early committed his company to an attempt to apply to commerical air transport the American genius that expressed itself in industry as the technique of mass production.

In a 1943 speech, he said the choice was one of "becoming a luxury service to carry the well to do at high prices, or to carry the average man at what he could afford to pay."

He also saw even broader implications for mass air travel, saying in 1955 it "may prove to be more significant to world destiny than the atom bomb."

On that occasion, he went on:

"For there can be no atom bomb potentially more powerful than the air tourist, charged with curiosity, enthusiasm and good will, who can roam the four corners of the world, meeting in friendship and understanding the people of other nations and races."

HONORS GALORE

One of the most decorated of American civilians, Mr. Trippe has been honored with medals and orders of 17 countries.

In 1947, former President Harry S. Truman presented him with the Harmon aviation trophy in recognition of World War II services, including Pan Am's ferry of critical materials, personnel and combat planes to farflung battlefronts.

## ORDER OF BUSINESS

Mr. MAGNUSON obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator yield, without losing his right to the floor?

Mr. MAGNUSON. I yield to the majority leader.

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

The PRESIDING OFFICER. (Mr. BURDICK in the chair). 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.

## INTERIOR DEPARTMENT AND RELATED AGENCIES APPROPRIATIONS, 1963

The Senate resumed the consideration of the bill (H.R. 10802) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1963, and for other purposes.

Mr. MAGNUSON. Mr. President, I yield to the distinguished Senator from Arizona [Mr. HAYDEN].

Mr. HAYDEN. Mr. President, House bill 10802, a bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1963, has been made the unfinished business of the Senate. I ask unanimous consent that the committee amendments be agreed to en bloc; that the bill, as so amended, be considered as original text for the purpose of further amendment; and that no points of order against legislation in an appropriation bill be waived.

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

The committee amendments, agreed to en bloc, are as follows:

On page 2, line 9, after the word "Management", to strike out "$39,375,000" and insert "$41,022,200."

On page 5, line 14, after the word "museums", to strike out "$81,000,000" and insert "$82,827,000".

On page 5, line 23, after the word "law", to strike out "$34,300,000" and insert "$34,677,000".

On page 6, line 10, after the word "contract", to strike out "$52,000,000" and insert "$55,550,000".

On page 7, at the beginning of line 1, to strike out "$16,000,000" and insert "$17,000,000".

On page 7, line 6, after the word "offices", to strike out "$4,000,000" and insert "$4,350,000".

On page 7, at the beginning of line 11, to strike out "twenty" and insert "thirty", and in the same line, after the word "including", to strike out "fifty" and insert "seventy-one".

On page 9, line 1, after the word "funds", to insert "other than judgment funds awarded by the Indian Claims Commission or the Court of Claims".

On page 9, line 23, after the word "Basin", to strike out "$25,425,000" and insert "$26,034,320".

On page 10, at the beginning of line 19, to strike out "$8,409,000" and insert "$11,635,000"; in line 20, after the word "property", to strike out "$40,000,000" and insert "$44,526,000", and in the same line, after the word "expended", to insert a colon and the following proviso: *"Provided,* That no part of this appropriation shall be used for the condemnation of any land for Grand Teton National Park in the State of Wyoming."

On page 11, line 17, after the word "offices", to strike out "$1,900,000" and insert "$1,964,000".

On page 11, at the beginning of line 21, to strike out "thirty-five" and insert "fifty-two", and in line 23, after the word "exceed", to strike out "fifty" and insert "fifty-seven".

On page 16, line 8, after "(72 Stat. 837)", to insert "conduct investigations of marine geology and hydrology;", and in line 17, after the word "activities", to strike out "$56,100,000" and insert "$56,900,000".

On page 18, line 8, after the word "substitutes", to strike out "$26,550,000" and insert "$26,887,000".

On page 19, line 22, after the word "limitation", to strike out "$6,000,000" and insert "$20,000,000".

On page 20, line 6, after "(74 Stat. 337)", to strike out "$2,000,000" and insert "$3,450,000".

On page 20, line 16, after the word "amended", to strike out "$750,000" and insert "$875,000".

On page 22, line 1, after the word "law", to strike out "$14,600,000" and insert "$15,981,500".

On page 22, at the beginning of line 17, to strike out "$7,900,000" and insert "$8,473,000".

On page 23, line 24, after the word "deer", to strike out "$26,500,000" and insert "$27,436,000".

On page 24, line 6, after the word "therein", to insert "(including improvements of the county road from Brigham City, Utah, to the headquarters Bear River Migratory Bird Refuge)", and in line 8, after the amendment just above stated, to strike out "$4,900,000" and insert "$8,033,800".

On page 24, line 17, after the word "offices", to strike out "$1,250,000" and insert "$1,331,000".

On page 24, line 21, after the word "and", to strike out "seventeen" and insert "twenty-four".

On page 26, at the beginning of line 1, to strike out "$7,600,000" and insert "$7,700,000", and in the same line, after the word "exceed", to strike out "$525,000" and insert "$625,000".

On page 26, line 9, after "(42 U.S.C. 1958a–1958g)", to strike out "$2,000,000" and insert "$2,085,000," and in line 10, after the word "exceed", to strike out "$175,000" and insert "$225,000".

On page 26, at the beginning of line 15, to strike out "$3,600,000" and insert "$3,747,000".

On page 27, line 3, after the word "only", to strike out "$3,350,000" and insert "$3,340,000".

On page 29, line 21, after the word "lands", to strike out "$138,400,000" and insert "$141,045,000", and on page 30, line 1, after the word "than", to strike out "$300,000" and insert "$805,000".

On page 30, line 10, after the word "law", to strike out "$22,975,000" and insert "$25,865,000".

On page 30, line 18, to strike out "$15,800,000" and insert "$16,405,000".

On page 31, after line 7, to insert:

"ACCESS ROADS

"For acquiring by condemnation or otherwise additional roads needed for access to national forest lands in carrying out the Act of June 4, 1897, as amended (16 U.S.C. 471, 472, 475, 476, 551), $2,000,000, to remain available until expended."

On page 32, after line 7, to insert:

"For acquisition of land to facilitate the control of soil erosion and flood damage originating within the exterior boundaries of the Uinta and Wasatch National Forests, in accordance with the provisions of the Act of August 26, 1935 (49 Stat. 866), as amended, authorizing annual appropriation of forest receipts for such purposes, from such receipts, $20,000: *Provided*, That no part of this appropriation shall be used for acquisition of any land which is not within the boundaries of the national forest."

On page 33, line 4, after "(16 U.S.C. 568e)", to strike out "$1,000,000" and insert "$1,500,000".

On page 33, line 9, after the word "and", to strike out "fifty-two" and insert "seventy-nine."

On page 35, line 5, after the word "Commission", to strike out "$70,000" and insert "$80,000".

On page 35, line 19, after the word "Act", to strike out "$55,284,000" and insert "$57,000,000".

On page 36, line 4, after "(42 U.S.C. 2004a)", to strike out "$8,320,000" and insert "$9,335,000".

On page 38, line 13, after "(5 U.S.C. 2131)", to strike out "$3,350,000" and insert "$2,825,000".

Mr. HAYDEN. The committee, as indicated on page 1 of the report, considered budget estimates of $932,674,000, including indefinite appropriations of receipts and requested borrowing authorizations, for the agencies and bureaus of the Department of the Interior and for the related agencies listed on page 2 of the report. Excluded from this bill are the Southeastern Power Administration, the Southwestern Power Administration, the Bonneville Power Administration, and the Bureau of Reclamation.

The committee recommends definite appropriations totaling $885,037,820 for the programs and activities of these agencies, an increase of $33,945,820 over the amount allowed by the House of Representatives, and a decrease of $16,133,180 under the sum of the budget estimates.

The major increases recommended by the committee are as follows:

| | |
|---|---|
| Bureau of Indian Affairs | $1,023,000 |
| Office of Coal Research | 1,450,000 |
| Bureau of Commercial Fisheries | 811,500 |
| Bureau of Sport Fisheries and Wildlife | 4,811,800 |
| Forest Service | 4,145,000 |
| Division of Indian Health | 1,281,000 |

The committee feels that these increases, as well as decreases under the budget estimates for certain of the bureaus, are necessary and adequate to accomplishment of national resources and research programs.

FORESTRY RESEARCH APPROPRIATIONS

Mr. STENNIS. Mr. President, I wish to comment briefly on the committee's recommendation for an increase for forestry research in the appropriations for the Forest Service of the Department of Agriculture. The committee recommendation is for $25,865,000 which is $2,715,000 more than the budget estimate for forestry research.

The proposed increase to which I refer is for strengthening several highly important research projects and for constructing high priority research laboratories.

Last February 15, I spoke before the Senate about a national forestry research program and what it needed to move us ahead in the development of our forest resources. My proposals at that time went somewhat beyond the increases in forestry research which the Appropriation Committee recommends. However, the committee increases represent a step forward and should be approved. They show real foresight by the committee in providing for forestry research that is badly needed.

I want to call special attention to the committee's proposal to provide for eight laboratory construction projects. Unfortunately, the fiscal year 1963 budget for Forest Service research construction was reduced by $4,445,000 under the 1962 allowance. This is a backward step but I am glad to see that the committee has provided for eight laboratory projects which will, in part, restore the funds needed for the construction program.

The committee proposal provides for $150,000 for a watershed and silviculture laboratory at Parsons, W. Va. This will equip the existing program with badly needed facilities and will speed important work in protecting soil and watershed values.

Another project of $450,000 for watershed, range, and wildlife habitat research at Tempe, Ariz., is of exceptional importance in solving problems of that area. Although only half of the amount needed, it will provide for a good start on the facilities ultimately required.

At Alexandria, La., $450,000 is proposed for a southern pine utilization laboratory and companion facilities for the silviculture, range, and fire and insect protection research. This also is but half of the eventual estimated needs but it, too, represents a step ahead.

The committee proposes $250,000 for a forest recreation and wildlife habitat laboratory at Warren, Pa. This will provide for the initial stage of a badly needed facility at that location.

At Sewanee, Tenn., research workers have been crowded into inadequate quarters with limited equipment to push ahead their research. A proposal of $200,000 will provide better laboratory facilities for important research in timber production and improved cultural methods.

Improvement of the management of western mountain watersheds will be speeded by approval of $450,000 proposed for a laboratory at Logan, Utah. This is but half of the current needs for watershed research but it will represent a start in equipping scientists working in this important area.

At Redding, Calif., it is proposed that $250,000 be made available for a timber management, utilization, and insect research laboratory. Here, too, important research will greatly benefit from the facilities that can be provided with this sum even though it is only a little more than half of the $450,000 needed for a complete project.

Finally, I call your special attention to a proposal to provide $380,000 for preliminary planning and engineering necessary for the expansion of the Forest Service's Forest Products Laboratory at Madison, Wis. This needed wood chemistry and pulp and paper laboratory is long overdue, and I am pleased indeed that the committee's proposal for necessary planning can proceed, paving the way for an appropriation for actual construction at an early date.

Let me call the special attention of the Senate to two projects which illustrate the importance of forestry research and benefits which result from such research.

Recently, I participated in the dedication of the Hardwood Research Laboratory at Stoneville, Miss., where I saw many remarkable accomplishments. The research scientists at this laboratory have already produced a fast growing cottonwood tree which increased 15 feet in height and 2 inches in diameter in the first year. New techniques in the planting and production of cottonwoods are now being widely used by landowners in the area. This is typical of the excellent research being done at Stoneville and other research laboratories, and I am pleased that the committee has recommended a small increase in funds to speed up this and other essential work now in progress.

Another project given special attention by the committee is research on restoration of strip-mined land in the Appalachian region. In the production of coal, strip mining is a very important activity but unfortunately it frequently does great damage to the soil, water, timber, and other forest resources.

The committee has recommended an increase of $200,000 for this vital research and this increase will provide for a balanced study of the problem and lead to the development of ways to carry on strip mining with a minimum damage to the land. Further, we are confident that this research will lead to the determination of steps which can be taken to restore these damaged lands to their full productivity.

The only way to meet the forest product needs of our Nation in the decades ahead is by long-range programs, planned and put into effect well in advance of the end product need. Our Nation will have a population of over 400 million people 40 years from now. This is more than twice our present population, and we must prepare now in order to have the necessary resources then.

I commend the chairman and members of the subcommittee and the full Appropriations Committee for their wisdom and foresight in recommending a sound forestry research program. Much is left to be done in future years but we are making steady progress in the right direction.

Mr. SCOTT. Mr. President, I would like to support the appropriation bill for the Forest Service as reported by the Appropriation Committee and compliment that committee for recognizing the need for increased attention to our forest resources.

I was particularly pleased to see the increases provided for forest research. This important activity provides the sound basis of knowledge needed to guide programs aimed at protecting, managing and utilizing the timber, water, forage, wildlife, and recreation resources of our forest lands. In these days of concern over the atom and travel to outer space it is gratifying to see this recognition of the importance of our basic natural resources.

I would like to speak specifically with respect to two items proposed by the committee included in the increase for Forest Research. The first is $200,000 for "expanded research on restoration of strip-mined land in the Appalachian region" and the second is $250,000 for "initiation of construction of a Forest Recreation and Wildlife Habitat Laboratory at Warren, Pa."

Strip mining for coal is an important activity throughout a large part of the Appalachian region. This method of coal extraction is relatively inexpensive and supplies a significant portion of this country's energy requirements. At the same time strip mining has in the past and is at present doing too much damage to our water, timber, and other forest resources. The increase proposed will provide a well-balanced research effort on the problem of how to carry on strip mining with a minimum of damage to the other resources during the mining operation and insure complete restoration of strip-mined lands to their full productive and functional capacity. This research is of great importance to my State and many others in the East and I strongly support it.

The forest lands of my State as well as the surrounding States are located within a relatively few miles of the largest metropolitan areas of the country. The demand for forest recreation, including hunting and fishing, has reached tremendous proportions and is continuing to grow. Research is urgently needed to determine how the needs might best be met, how to manage heavy recreation use so that the other resources are not destroyed and the recreation environment is itself not irreparably damaged. The proposed laboratory at Warren, Pa., will provide a much-needed facility to expedite the research on forest recreation and wildlife habitat. Although the full laboratory and equipment will require $450,000, the $250,000 proposed by the committee for fiscal year 1963 will provide a first stage on this much-needed facility.

I strongly urge that the Senate approve the Forest Service appropriation item as reported by the Appropriation Committee.

Mr. CASE of New Jersey. Mr. President, I ask unanimous consent to insert in the RECORD a telegram from the Outdoor Writers Association of America dealing with the item in the pending Interior Department appropriations bill for additional construction at the National Marine Research Laboratory at Sandy Hook, N.J. I hope that the Senate will concur in the recommendations of the Senate Appropriations Committee for a start on such construction.

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

NEW YORK, N.Y., *May 31, 1962.*

Senator CLIFFORD P. CASE,
*Old Senate Office Building,*
*Washington, D.C.:*

As directors of the Outdoor Writers Association of America, with membership of 1,500 in the United States, we urge you to support the $150,000 construction item for National Marine Research included in the Interior Department appropriations bill (H.R. 10802) and referred to in Senate Report 1490, page 16.

These funds would permit the construction of essential laboratory facilities for biological and ecological studies into the grave fish depletion problem which exists off all our coastal areas. Such research, first authorized by the Congress in 1959, is of great importance to the more than 6 million saltwater fishermen throughout the country, and to all States that derive considerable revenue from this sport in the form of tourist expenditures and equipment sales.

At present, the Interior Department has a laboratory at Sandy Hook, N.J., another on the west coast, and plans to open a third along the Gulf of Mexico. The modest sum recommended in the Senate report for the entire marine research program falls far short of the maximum annual authorization of $2.7 million provided in the original legislation, but it will at least enable this vital program to get underway at last.

RICHARD C. WOLFF.
GRITS GRESHAM.
BILL BROWNING.

Mr. MOSS. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 2, line 10, it is proposed to strike the figure "$41,022,200" and insert in lieu thereof the figure "$41,152,000."

Mr. MOSS. Mr. President, the amendment would restore to the bill the amount of $129,800.

Mr. President, the distinguished Senator from Arizona [Mr. HAYDEN] has again demonstrated his outstanding leadership in the field of conservation. He and his committee are to be congratulated for bringing in a well-balanced and forward-looking bill covering the many conservation activities of the Federal Government.

I am deeply disturbed, however, as I know a great many others are, by the drastic cutback which the committee's report calls for in the conservation information and education activities of the Bureau of Land Management. Any monetary savings from such a reduction can only be made at the expense of information very much needed by the Congress and by the public.

The Bureau of Land Management is responsible for more than 475 million acres of public lands that are the property of all the people. For many, many years the land managed by the Bureau has suffered from neglect and overuse. Members of Congress were inadequately informed about what was happening to these lands and what was needed.

The Bureau of Land Management is one of the great resource agencies of the Government, Mr. President. It returns to the U.S. Treasury more than $7 for every $1 appropriated by the Congress. The activities of the Bureau are a wise investment in our Nation's future and in the future of these very valuable natural resources that belong to all the people. The work of the Bureau is of vital interest to members of Congress and to the public. But there are very few people who know anything at all about this great natural resources heritage which they own and in which they have such a vital interest.

The reduction would abolish 16 out of the Bureau's 21 programed information and education positions, including each of the 11 men handling this type of work in the Bureau's 11 Western State offices. One is in Salt Lake City and others are in Anchorage, Portland, Sacramento, Boise, Reno, Phoenix, Billings, Cheyenne, Denver, and Santa Fe. The reduction would also cut back the headquarters staff to five, leaving a staff obviously too weak to adequately inform the Congress or the public about what the Bureau is doing and why. Mr. President, no other major natural resources agency has such a small conservation information and education staff, while the BLM manages more land and takes in more revenues than any other conservation agency.

Mr. President, each year some half a million citizens visit and another half million write letters to the Government land offices seeking information about how to obtain public lands. In the past a lack of adequate information has left the people confused and befuddled—making them easy prey for certain unethical land promoters and speculators. I know many of my colleagues in the Senate have received woeful complaints from citizens in their State who have either lost money or failed to obtain information they sought. An adequate program to inform the public about the

public lands can save the taxpayers many thousands of dollars and Senators many hours spent straightening out situations that arose chiefly from the lack of adequate knowledge about the rights and privileges of citizens under the Nation's public land laws.

Information and education work in Government agencies has often been the object of economy cuts. Sometimes these programs have grown out of bounds. However, this agency is at the other end of the scale. Even the 21 positions they had planned for is a barebones staff. The public and the Congress have a right to know what the Government agencies are doing. The failure of the public to know can only lead to clothing Government operations in darkness and ignorance. Adequate public information is one guarantee under our system of Government that the public interest is being fully protected. We must not jeopardize that interest by the false economy of such drastic cuts in this important work.

I therefore move, Mr. President, that the 16 positions for this needed work be restored and that the Senate amend the bill to include the $129,800 needed to finance this vital effort.

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

Mr. MOSS. I yield.

Mr. GRUENING. I should like to associate myself with the amendment. It is highly desirable. The reduction that was made is very unwise and unfortunate. I hope the Senate will see fit to restore the small appropriation which will take care of these few positions.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Utah [Mr. Moss].

Mr. MUNDT. Mr. President, first I should like to have the amendment read. I have no idea what is involved. The amendment is not before us in printed form.

The PRESIDING OFFICER. The amendment will be read.

The LEGISLATIVE CLERK. It is proposed on page 2, line 10, to strike out "$41,-022,200" and insert in lieu thereof "$41,152,000."

Mr. MUNDT. Before discussing the amendment, I should like to say a few words about the distinguished chairman of the Committee on Appropriations, who for more than 50 years has contributed his efforts and talents to his country. He has always adhered to the principles of government laid down by our Founding Fathers. It is difficult to comprehend how many hundreds of appropriation bills have been brought to and passed by the Senate during the time that our chairman has served in this body.

In the comparatively few years that I have been a member of the Committee on Appropriations, as contrasted with the half century served by the chairman, I have had many opportunities to watch him in action; and as ranking minority member of the Interior Appropriations Subcommittee, which now has a bill before the Senate, I have had an opportunity to work with him intimately and closely in trying to adjudicate the differences which are always encountered in connection with an appropriation bill of this type.

I commend the Senator from Arizona for the attitude which he has consistently displayed, not only in his service as chairman of the Committee on Appropriations, but also as chairman of the Interior Subcommittee on Appropriations. I have come to know CARL HAYDEN exceedingly well.

No matter how drawn out or long a hearing might be, he would not close it until everyone interested had an opportunity to be heard. He never allows prejudice to influence the conduct of a hearing; and he conducts the proceedings of his committee without partisanship.

Our subcommittee has provided the establishment of criteria which require a proposal to meet rather stern and rigorous tests; namely, adequacy for the agency involved, meeting the needs of the country, and insuring that the taxpayers' money is protected, and not wasted.

We should keep those qualifications and characteristics in mind as we approach a discussion of the bill on the floor of the Senate. Undoubtedly a number of efforts will be made to upset the fruits of the long, tedious tasks involved in the hearings of the subcommittee and of the full committee. Undoubtedly efforts will be made, such as the one before the Senate now, to increase an appropriation, and perhaps efforts will be made to reduce appropriations in certain respects. We have gone through these items with a fine-toothed comb. We have carefully considered them. The bill before us has passed the tests which I mentioned earlier.

The amount in the bill is above the House recommendation, but I invite attention to the fact that it is about $16 million under the budget estimates, yet sufficient to take care of the most urgent activities and programs which measure up to the tests relative to our national needs, activities which reach into every State of the Union. If we had yielded to every request for additional funds, the bill would have been many times above the budget request, instead of $16 million under it.

We could have made an indiscriminate across-the-board reduction which would have done serious injury to some of our national projects. Of some $40 million which the bill provides above and beyond the amount provided by the House, about one-fourth involves the education of Indian children, and one-fourth is devoted to trying to bring the white man's opportunity to the descendants of the red man, from whom, after all, our great land was taken in the only act of aggression in which this country has ever become involved. I hope that if at any time attempts are made to reduce the appropriation, they will be made in such a way as to exempt the effort to bring some element of justice to the American Indian living in our midst. Anyone who is familiar with the record of our treatment of the American Indian must recognize that it is not a bright spot on the escutcheon of American history. We have failed our Indian friends miserably down through the years. This failure has been manifest whether the administrations have been Republican or Democratic. In some way or other, we have failed to provide the educational opportunities for Indian youth which were offered as a matter of national policy to every other youngster in this country. In one way or another, we have failed to provide the employment opportunities for Indian youth which are offered to other youth. The American Indian has not organized himself into a political bloc. He does not have an organization constantly pleading for his rights or his opportunities. I appeal to the conscience of the Senate and of America, because we are doing little enough in providing a few extra million dollars to assist Indian youngsters with a decent and practical education.

As I commend the chairman for his fairminded and helpful leadership of the committee, I also hope the Senate will follow his recommendations, because they come to the Senate with the unanimous approval of the Committee on Appropriations. The recommendations were unanimous so far as the subcommittee was concerned; and, as I recall, they were unanimous in the full committee. I hope and expect that the chairman will continue to defend the committee's position; that he will not yield, on behalf of the committee, to requests for increases, because if we are to labor hard, carefully, and well on appropriation bills, as we have done, it seems to me we should defend them. I hope we can defend them successfully on the floor of the Senate. If once we begin to rewrite a bill on the floor of the Senate, we will open Pandora's box, and nobody can determine the ultimate financial consequences of such a course.

Therefore, I must oppose the amendment offered by the Senator from Utah [Mr. Moss], as I shall have to oppose other amendments if they are offered, because it seems to me that all the arguments and reasons offered by him were considered both by the subcommittee and the full committee. In the areas where we can economize, and where we did economize, it seems to me we should not, on the spur of the moment, by senatorial action, without the support of the hearings required, decide immediately, on the first paragraph of the first page of the bill, to increase the burden of the taxpayer and put the Government further into the red.

Mr. HAYDEN. Mr. President, I thank the Senator from South Dakota for his kind references to me. It was a pleasure to work with him during the long hours we worked on the bill. I join with him in the hope that the Senate may approve our work.

Mr. DWORSHAK. Mr. President, I, too, wish to join the Senator from South Dakota [Mr. MUNDT], the ranking Republican member of the Subcommittee on Department of the Interior Appropriations, in commending the chairman of the subcommittee for his fairness in dealing with the many controversial issues which arose during the consideration and marking up of this appropriation bill. It is inevitable and only

natural that the minority party, which happens now to be Republican, is represented by four members on the subcommittee, while the majority party has nine members. Obviously, the minority could have been outvoted at any time. So it is reassuring to know that the distinguished Senator from Arizona, the chairman of the subcommittee, has acted in a spirit of fair play, primarily because he understands the basic issues underlying the utilization and preservation of the Nation's valuable assets in the public lands States of the West.

Mr. President, I oppose the amendment which has been offered by the junior Senator from Utah. It is not difficult for me to understand that probably the amendment may be agreed to. However, I feel certain that if Senators have read some of the hearings and the report on the bill, and if they have paid any attention, as I am sure they have, to the general budget for the next fiscal year, they will know that while there are assurances that there will be a balanced budget or an actual surplus in the next fiscal year, already there is an admission that there will likely be a $7 billion or an $8 billion deficit—and the deficit probably will be higher than that.

The budget submitted for the next fiscal year provides for the employment of approximately 46,000 more employees in the executive departments of the Government. For the Department of the Interior, which the Senate is discussing today, the Bureau of the Budget requested funds to provide for 5,395 additional employees. I know that we are getting America on the move; we are going places; we are using more red ink than we have ever used. If the President of the United States is sincere—and I think he is—in appealing to the American people today to aid him in his efforts to stabilize our economy and to meet some of the serious challenges which confront us both at home and abroad, it seems to me that while it is very important that we resist successfully Communist infiltration and aggression in every corner of the globe, nevertheless we must, at the same time, recognize—and I feel certain that every Member of the Senate, regardless of the party of which he is a member, knows it—that we cannot maintain the kind of leadership which is essential for the free nations of the world unless we maintain a strong financial structure at home.

Mr. MUNDT. Mr. President, will the Senator from Idaho yield?

Mr. DWORSHAK. I yield.

Mr. MUNDT. The Senate should know that the subcommittee did not deal in a parsimonious fashion with the Department of the Interior in connection with the Bureau of Land Management, because by committee action we increased by almost $2 million the funds allotted by the House for this purpose.

I sincerely hope that the Senator from Utah will not press his amendment. If he does, I shall do my best to obtain a yea-and-nay vote, because I think we might as well put the Senate on record, in connection with the very first page of the bill, as to whether we desire to ignore the careful attention paid to the bill by the Department of the Interior, the Bureau of the Budget, and finally by the Committees on Appropriations of the House and the Senate. I do not believe we should indiscriminately increase the appropriation for an item of this kind. I think we have done well to increase the appropriation by an amount which we will seek to protect and defend when we reach the conference. However, if the Senator from Utah insists on trying to provide extra money at this time, I believe there should be a yea-and-nay vote, and I hope the Senator from Idaho will help me to get it.

I think the amendment should then be defeated.

Mr. DWORSHAK. I thank the Senator from South Dakota.

An erroneous statement has been made that the subcommittee has abolished 15 or 16 public information positions, providing for the employment of additional personnel in the central office here and 1 public information officer in each of about 12 district offices in the field, one of which would be established in the district office at Boise, Idaho.

The record will show that for several years there have been five information officers and personnel in the central office of the Bureau of Land Management. The proposal now before the Senate is a proposal made by the Bureau of the Budget for adding 16 more public information officers. I am sure that the realistic Senators from the Western States know that it is not necessary to have 16 more information officers.

There is no intent or desire on my part, and I am sure there is none on the part of the subcommittee, to suppress legitimate publicity or information, which has been available for several years. But there has been some extremely critical, unreasonable, and unfair publicity to the effect that those of us who have tried to eliminate the 16 new positions—not to eliminate existing jobs, because they have not yet been created; it is merely proposed that they now be established for the first time—are trying to suppress information relating to the operation of the district offices and the central office of the Bureau of Land Management.

Mr. President, many Members of the Senate who formerly had newspaper experience know, I am sure, that it is not necessary to have 21 information officers to handle publicity emanating from the Bureau of Land Management here in Washington and in the various district offices.

I would be somewhat hesitant to charge that an attempt is being made to set up an elaborate propaganda bureau, because I do not think that was the intent of those who made this proposal. But it might very easily be assumed that that is the purpose of this amendment, so that instead of having 5 employees in the Office of Information, Bureau of Land Management, there would be 21.

Mr. MOSS. Mr. President, will the Senator from Idaho yield?

Mr. DWORSHAK. I yield.

Mr. MOSS. This morning I talked with officials of the Bureau of Land Management. These positions are now in existence. So in the event this amount of money is eliminated, as is now proposed, a certain number of personnel will be eliminated.

By calling for the restoration of the $129,800, we are merely trying to continue the positions now in existence.

The positions proposed to be eliminated would be eliminated in the State offices in the 11 Western States, plus the elimination of 7 personnel in the Washington, D.C., office. So those are the ones we are talking about.

A very adequate discussion of this question is to be found in an editorial published on June 7 in the Salt Lake Tribune—a newspaper which has been very consistent in its editorial policy about economy in government and about insisting upon justification for every Federal position. But, as is pointed out in the editorial, an effort is being made to starve the agency which manages so much of our domain, including 74 percent of my own State. An effort is being made to starve it, by cutting out the information service which is needed. These personnel are not publicity personnel, as such, who get out press releases. Instead, they handle inquiries from citizens who seek information about public lands and about how to proceed if they wish to make a filing or do anything else in connection with public land. That is why this item is of such great importance to all the Western States.

Mr. DWORSHAK. The Budget request for the $129,800 to be used to pay these 16 new positions indicates that these are new positions, currently being created. If they were set up in the past and if they have actually been in operation, I should like to know where the money with which to pay them was obtained and why it is necessary now to ask for an increased budget in order to pay personnel who are said to be already on the payroll.

Mr. President, it may be futile to argue in favor of economy. This idea involves only the amount of $129,800; but the point is that if this precedent were established in regard to the Bureau of Land Management, there could be justification for adding, not only 16, but many hundreds of public information officers; and every Senator knows that in an election year, sometimes such information officers do work other than that related to the particular bureau or agency in which they are employed.

So I support the position taken by the distinguished chairman of the subcommittee and its ranking Republican member, because I think the record clearly indicates that if we can go overboard now in extending information services which are indirectly related to propaganda, probably we shall be faced with requests to add additional personnel, because a precedent will have been established.

For that reason, I oppose the amendment offered by the Senator from Utah.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Utah.

Mr. WILLIAMS of Delaware. Mr. President, I join my colleagues in opposing the amendment.

In answer to the argument that the extra 16 employees are needed, I call

attention to the fact that in the first 16 months of this administration the Department of the Interior alone has added 5,694 new employees. Based upon the report submitted by the Joint Committee on Reduction of Nonessential Government Expenditures on December 31, 1960, the Department of the Interior had a total of 50,519 employees; and by the end of April 1962—the most recent date for which such figures are available—the Department had increased that number to 56,213—or an additional number, in the first 16 months of this administration, of 5,694 new employees. Breaking down that number by months, it amounts to approximately 356 a month, or 89 a week; and on the basis of a 5-day workweek, that means that for the past 16 months the Department of the Interior has been adding approximately 18 new employees every day during the first 16 months of this administration.

There must come a time when instead of adding new employees we should decrease the number. Certainly we do not now need any more employees.

So I join my colleagues not only in the effort to eliminate this particular increase but also in the effort to make additional cuts in this bill.

Mr. President, on the question of agreeing to the amendment of the Senator from Utah I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MILLER. Mr. President, I wish to add a word of commendation of the distinguished Senator from Idaho [Mr. DWORSHAK] for his great speech and for his pointing out exactly where we are going in failing to practice economy in the hiring of the hundreds of thousands of additional persons who have been placed on the Federal payroll.

I would not be so much concerned about the extra $120,800 proposed to be added to this appropriation, were it not for the fact that only last week this very body authorized the expenditure of $750 million additional for public works programs—$750 million which is not even included in the budget. I do not know how we are ever going to get a balanced budget—which the President of the United States has promised the American people—if we add $750 million, one week, and add another $120,800—and perhaps more—this week.

I should like to find out from some Senator on the other side of the aisle exactly where we are going to make up the difference for the $750 million which was authorized last week. It is fine to talk about a balanced budget, but such talk means nothing unless a balanced budget is delivered.

The Senator from Idaho has pointed out that sometimes it seems futile to talk about economy. However, I do not think it is ever futile to talk about real economy, for the American people and all Members of the Senate know it is right to have a balanced budget and to practice fiscal integrity with the people's money.

So I thank the Senator from Idaho for bringing this question to the attention of the Senate, and I join my colleagues in opposing this amendment.

Mr. LAUSCHE. Mr. President, will the Senator from Delaware yield for a question?

Mr. WILLIAMS of Delaware. I yield.

Mr. LAUSCHE. Is not the Senator from Delaware a member of the committee that heard the testimony in regard to the item now before the Senate?

Mr. WILLIAMS of Delaware. No, I am not a member of the Appropriations Committee. The Senator from South Dakota [Mr. MUNDT] and the Senator from Idaho [Mr. DWORSHAK] are members of the Appropriations Subcommittee which heard the testimony on this item.

I have, however, read some of the testimony presented in the hearings of the committee. I am a member of the Joint Committee on Reduction of Nonessential Federal Expenditures, of which the chairman is the Senator from Virginia [Mr. BYRD]——

Mr. LAUSCHE. Mr. President, I cannot hear the Senator.

The PRESIDING OFFICER. The Senate will be in order.

Mr. WILLIAMS of Delaware. While I am not a member of the Appropriations Committee, I am a member of the Joint Committee on Reduction of Nonessential Federal Expenditures, which is under the chairmanship of the Senator from Virginia [Mr. BYRD], and which committee publishes monthly statistics on the increase or decrease in employment of the various Government agencies. It was based on those reports that I called the attention of the Senate to the fact that there have been added to the Department of the Interior a total of 5,694 new employees in the first 16 months of the new administration—that is, for the calendar year 1961 and the first 4 months of this year. Those are the latest figures we have.

Mr. LAUSCHE. What explanation has been given for the reasons which induced this increase in the number of approximately 5,500? Has any explanation been given why these 5,500 new employees have been added?

Mr. WILLIAMS of Delaware. I have seen no explanation. These are statistics alone. In my own opinion, there can be no reasonable justification for such an increase.

I recognize that some programs may, very properly, have increased cost, but certainly some others should have a corresponding decrease.

I call attention to the additional fact that the total amount of the Interior Deparment appropriations for fiscal 1961, including all the supplemental appropriations for that fiscal year, amounted to $754,536,700. In fiscal 1962, which was last year's appropriation, the bill as passed by the Senate carried a total of $795,791,650, or an increase last year of about $41 million over the preceding year.

If that were not bad enough, this bill calls for an additional $120,769,170 over the last fiscal year, or a total of $916,560,820.

If this bill is approved, even without the increases provided for in the pending amendments, it will mean an increase of 15 percent in appropriations for the Interior Department over that which was necessary 2 years ago. What kind of bureaucracy are we building?

I recognize that we have an unemployment problem, but certainly the New Frontiersmen have some solution other than putting them all on the Federal payroll.

Mr. MOSS. Mr. President, I ask unanimous consent to place in the RECORD three editorials from western papers, one from the Salt Lake Tribune of June 7, 1962, entitled "Unwise Scuttling Plan," one from the Oregonian, of Portland, Oreg., for May 18, 1962, entitled "Congress Kicking West in Pants," and the last from the Wyoming State Tribune of May 26, 1962, entitled "Peculiar Wisdom." These discussions put the problem in a different perspective.

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

[From the Salt Lake Tribune, June 7, 1962]

UNWISE SCUTTLING PLAN

The Senate Appropriations Committee proposal to cripple the already inadequate information and education service of the Bureau of Land Management is inconsistent and difficult to understand.

In its report on the Interior Department money bill for next year, the Senate committee increased most funds for land and resource management, recreation and conservation programs. But it recommended elimination of the information-education positions in each of the BLM's 11 western field offices and slashing the Washington information staff to 5 persons, including clerks. If the recommendation carries, the "stepchild of Interior," the least understood resource management agency in the Government, will be less able to tell its story than at present.

A relatively few Americans are aware that the BLM administers about 400 million acres of public land and is the Nation's largest landlord. Even fewer realize that the BLM operates at a profit, returning to the U.S. Treasury nearly $7 for every $1 appropriated.

"All through the years," says the Wildlife Management Institute, "the BLM has been a milking operation, with the Federal Government getting all the riches it can out of the national land reserve and making little effort to invest enough money back into the lands.

"One reason this situation continues is that the BLM never has been permitted to tell its side of the story."

The same Senate committee in 1960 said that the public domain lands "represent a major national asset" and recommended that resource programs be strengthened.

The 1962 recommendation of the committee would be a step in the opposite direction. We hope the full Senate rejects the scuttling proposal.

---

[From the Oregonian, May 18, 1962]

CONGRESS KICKING WEST IN PANTS

The Bureau of Land Management, for many years the unloved country cousin who had to eat leftovers in the kitchen of the U.S. Department of Interior, is taking another elbowing in Congress. The budget slashing and juggling of BLM in both the House and Senate will be painful to Oregon and all the West if it isn't stopped.

Previously we reported here how the House rejected an item of $2 million, half to launch the Vale district range rehabilitation project in Malheur County as a major demonstration of how to make public lands carry more cattle and sheep, and half for range work elsewhere in Oregon. A Senate

subcommittee restored $1 million for the Vale project, but the main committee harpooned it.

The BLM budget now reported to the Senate by its Appropriations Committee restores $700,000 of the House cuts in the administration's budget, but sustains a reduction of $1,400,000. The Udall budget for BLM was $41.5 million. The House cut this to $39.4 million. The Senate committee's recommendation is $40.1 million. This does not seem too bad, in total. But the trouble for Oregon lies in the nature of the cuts.

First, consider that the Bureau of Land Management, with about a $40 million annual budget, administers 477 million acres of Federal range and forest lands in the United States, this cost being about 8 cents an acre. BLM's revenues, which go to the Treasury, are estimated for next year at $383 million, mostly from oil and gas leases, of which $59 million will be paid to the States and counties. Grazing fees paid by stockmen amount to about $3 million a year. Forest revenues, nearly all from the O. & C. lands in Oregon, approximate $28 million a year.

(The U.S. Forest Service, in the Department of Agriculture, has a House-approved budget of $269 million to administer 180 million acres of public lands).

Second, consider that 20 years ago Secretary of Interior Oscar Chapman estimated the cost of restoring rundown rangelands to obtain sustained carrying capacity for livestock at $400 to $500 million. The estimate of the cost today is $700 million. Very little has been spent in the 20 years to stop range depletion and reverse the trend. The BLM is woefully short handed. For each BLM technician, office and field, there are a half-million acres of range to be administered. Each district manager has an average million acres to protect and improve, if possible—and there is never enough money.

In some sections, the Senate Appropriations Committee this year was more generous than the sharp-knifed House. It restored a House cut of $635,000 to grant the full budget figure for lands and minerals administration, much of which will go to Alaska and southern California. It added $500,000 to the budget estimate for surveying, to meet Alaska's needs. But it sustained a House cut of $100,000 in general administration funds. Also, it:

1. Reduced by $300,000 the funds for range management and fire prevention.

2. Cut $500,000 from the funds for forest management—and 60 percent of BLM forest funds are used to manage the O. & C. lands in Oregon, the only sustained-yield forest program under this agency and the producer of almost all of the $28 million a year from timber sales.

3. Eliminated $129,800 for the information and education service long needed by the BLM and inaugurated in February. This means that the 12 fieldmen employed in this work of telling the people what BLM is doing and trying to do—one in each of 12 States—and probably 2 of the 5 I. & E. men in Washington, D.C., will be fired or transferred to other work.

The last item is curious. Some Members of Congress, even from the West, seem to resent that BLM has begun to inform the cattlemen, lumbermen, sportsmen, and the public generally about its plans and activities, though there seems not to be the same resentment of the small army of public relations men employed by the Forest Service. Senator HENRY DWORSHAK, of Idaho, is reported to have led the assault which resulted in the Senate committee's vote to abolish BLM's skeletonlike information program. The public deserves better treatment than this.

In fact, the BLM budget submitted by the Department of the Interior is a starvation budget in relation to range and forest needs and the cuts in Congress are unconscionable. As a minimum, these items, plus the money for the Vale project, should be restored. And the administration and Congress should give much more attention hereafter to the resources which must be brought to full productivity under BLM management. To say that there is a tremendous public demand for better use of public land is an understatement.

---

[From the Wyoming State Tribune, May 26, 1962]

PECULIAR WISDOM

The Bureau of Land Management is an agency that administers some 400 million acres of public lands, mostly located in the Western States.

Some 6 months ago it instituted a policy of stationing an information officer at each of its 11 western field offices, including the 1 in Cheyenne, to facilitate the handling of news and information about the Bureau's activities for public enlightenment.

Considering the plethora of public relations men who cluster about the Government departments in Washington, this is a modest undertaking indeed.

Now, however, the Senate Appropriations Committee for some reason has decided to lop off these BLM information and education officers and has so recommended this action in the Interior Department's appropriations bill for the next fiscal year.

Information officers for the most part perform a worthwhile service in keeping the public posted on the day-by-day doings in the Government agencies, and the further removed they are from Washington, the more effective they seem to be.

Starting a program of this nature and then suddenly ending it 6 months later appears to be shortsighted.

We are all for economy, but if this is a moneysaving move, it is sort of like storming the bastions of hell with a water pistol.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Utah [Mr. Moss]. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Tennessee [Mr. GORE], the Senator from Indiana [Mr. HARTKE], the Senator from Minnesota [Mr. HUMPHREY], the Senator from North Carolina [Mr. JORDAN], the Senator from Oklahoma [Mr. KERR], the Senator from Louisiana [Mr. LONG], the Senator from Michigan [Mr. MCNAMARA], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Rhode Island [Mr. PASTORE], the Senator from Rhode Island [Mr. PELL], the Senator from Georgia [Mr. RUSSELL], the Senator from Mississippi [Mr. STENNIS], the Senator from South Carolina [Mr. THURMOND], and the Senator from New Jersey [Mr. WILLIAMS] are absent on official business.

I further announce that the Senator from Arkansas [Mr. FULBRIGHT], the Senator from South Carolina [Mr. JOHNSTON], and the Senator from Missouri [Mr. LONG] are necessarily absent.

I further announce that the Senator from New Mexico [Mr. CHAVEZ] is absent because of illness.

On this vote, the Senator from Rhode Island [Mr. PASTORE] is paired with the Senator from Minnesota [Mr. HUMPHREY]. If present and voting, the Senator from Rhode Island would vote "nay," and the Senator from Minnesota would vote "yea."

I further announce that, if present and voting, the Senator from Rhode Island [Mr. PELL] and the Senator from South Carolina [Mr. THURMOND] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Vermont [Mr. AIKEN] is absent on official business.

The Senator from Connecticut [Mr. BUSH], the Senator from Indiana [Mr. CAPEHART], the Senator from South Dakota [Mr. CASE], the Senators from New Hampshire [Mr. COTTON and Mr. MURPHY], the Senator from New York [Mr. JAVITS], the Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The Senator from Kentucky [Mr. COOPER], the Senator from Illinois [Mr. DIRKSEN], the Senator from Iowa [Mr. HICKENLOOPER], and the Senator from Wisconsin [Mr. WILEY] are detained on official business. If present and voting, the Senator from Connecticut [Mr. BUSH], the Senator from Indiana [Mr. CAPEHART], the Senator from New Hampshire [Mr. COTTON], the Senator from Illinois [Mr. DIRKSEN], the Senator from Iowa [Mr. HICKENLOOPER], the Senator from New York [Mr. JAVITS], the Senator from New Hampshire [Mr. MURPHY], and the Senator from Texas [Mr. TOWER] would each vote "nay."

The result was announced—yeas 28, nays 41, as follows:

[No. 83 Leg.]

YEAS—28

| | | |
|---|---|---|
| Bartlett | Hart | Muskie |
| Burdick | Hickey | Neuberger |
| Byrd, W. Va. | Hill | Randolph |
| Carroll | Kefauver | Smith, Mass. |
| Clark | Long, Hawaii | Sparkman |
| Dodd | Mansfield | Talmadge |
| Douglas | McCarthy | Yarborough |
| Ellender | McGee | Young, Ohio |
| Engle | Metcalf | |
| Gruening | Moss | |

NAYS—41

| | | |
|---|---|---|
| Allott | Eastland | Morse |
| Anderson | Ervin | Morton |
| Beall | Fong | Mundt |
| Bennett | Goldwater | Pearson |
| Bible | Hayden | Prouty |
| Boggs | Holland | Proxmire |
| Butler | Hruska | Robertson |
| Byrd, Va. | Jackson | Scott |
| Cannon | Keating | Smathers |
| Carlson | Kuchel | Smith, Maine |
| Case, N.J. | Lausche | Symington |
| Church | Magnuson | Williams, Del. |
| Curtis | McClellan | Young, N. Dak. |
| Dworshak | Miller | |

NOT VOTING—31

| | | |
|---|---|---|
| Aiken | Hickenlooper | Pastore |
| Bush | Humphrey | Pell |
| Capehart | Javits | Russell |
| Case, S. Dak. | Johnston | Saltonstall |
| Chavez | Jordan | Stennis |
| Cooper | Kerr | Thurmond |
| Cotton | Long, Mo. | Tower |
| Dirksen | Long, La. | Wiley |
| Fulbright | McNamara | Williams, N.J. |
| Gore | Monroney | |
| Hartke | Murphy | |

So Mr. Moss' amendment was rejected.

INTERIOR APPROPRIATIONS BILL CAN MAKE FUTURE LOOK BRIGHTER FOR WEST VIRGINIA

Mr. BYRD of West Virginia. Mr. President, I was able to amend this bill in committee to include certain items which will be of great importance and benefit to my State of West Virginia. As a member of the subcommittee handling this bill, and as a member of the Senate

Appropriations Committee, I have offered six amendments, four of which were adopted.

The first and most purposeful of my amendments adds $1,450,000 to the requested budget for the Office of Coal Research. This additional money is needed by that Agency to permit vital coal research to go forward, and to aid the projects in which I have been actively interested for almost a year.

Specifically, $1 million is needed by the Office of Coal Research to speed up the work on Project Gasoline, one of the biggest coal research projects yet undertaken. This project involves a new method for processing coal to make synthetic oils, char—a semicoke—gases, and chemicals, and may prove to be the most successful research undertaken for new, large-scale uses of coal.

If the research on Project Gasoline is successful, then a pilot facility may be located in the area of Morgantown, W. Va. This, I am informed, would be followed by a commercial-type plant at Cresap, W. Va., which would use approximately 3 million tons of coal a year. Success of the envisioned Cresap plant could lead to the establishment of similar commercial plants in other areas of West Virginia, as well as in other coal States. The mining of coal for this new use would stimulate employment in an industry that has been hard hit by large-scale unemployment, and would also provide job opportunities for hundreds of persons in the commercial plants and in related chemical industries.

The other $450,000 which I was successful in adding to the Office of Coal Research budget is for Project Bootstrap. This project involves the feasibility of enriching coal with hydrogen through an electric process to make synthetic gases, oils, chemicals, and other products.

According to the Office of Coal Research, should the research and development work on Project Bootstrap prove successful—and early benchwork tests by scientists on the project are reported to be very satisfactory—then a pilot plant may be located in the Beckley, W. Va., area because of that city's central location in the large Appalachian coalfields.

A commercial-type plant, which may result from Project Bootstrap, would utilize approximately 2 million tons of coal a year, and would provide, among other products, pipeline gas for industrial and household use. Several such plants, built to provide pipeline gas for eastern and midwestern cities, would absorb large tonnages of coal. Thus, Project Bootstrap, like Project Gasoline, would not only give great new impetus to the coal mining industry of West Virginia, but would also create a variety of job opportunities for many persons in my State.

Project Bootstrap is an effort to explore the possibility of reacting hydrogen, methane—or similar gases—under corona with powdered coal to make pipeline gas, chemicals, and other products. If Project Bootstrap is successful, the ultimate commercial plant can be envisioned as an integrated chemical and energy installation utilizing only coal, water, and air as raw materials. Portions of the coal would be used to generate hydrogen and volatile gases, which would be fed to a reactor to create marketable gases and chemicals. Either the residual coke, or gas, from these operations would power a turbine to provide high frequency electrical energy and process steam to complete the cycle. I am informed that, if the current experiments lead to a construction of a pilot plant in the Beckley, W. Va., area, about 50 persons would be employed by that facility. A commercial-type plant would employ more than 100 persons, and would use approximately 7,000 tons of coal a day.

If Project Bootstrap proves successful, a great new era is in store for the coal industry, with the possibility of many commercial-type plants manufacturing gas from coal for pipeline transmission to many eastern and midwestern cities from the heart of West Virginia.

Another amendment which I was successful in adding to the appropriations bill deals with the westward extension of the Monongahela National Forest. My amendment provides the U.S. Forest Service with $125,000 with which to begin this expansion. An estimated 550,000 acres, or more, of land would be acquired in eight counties in West Virginia: Braxton, Fayette, Greenbrier, Lewis, Nicholas, Randolph, Upshur, and Webster.

The Monongahela National Forest is proving to be an outstanding economic asset to the State of West Virginia. It is a resource of ever-growing value. Its allowable cut of timber increases with each passing year. The number of people visiting its recreation sites, partaking of its fishing and hunting opportunities, has almost doubled in the past few years. All of this has meant greater revenues to the counties in or near the Forest.

Thus, an extension of the Monongahela National Forest would provide both short- and long-term economic benefits to the people in those areas where the expansion would take place. It is for this reason that I pressed for my amendment which would initiate extension of the forest.

Mr. President, the recreation and tourist industry is of greater significance to the economy of West Virginia than is commonly realized. The scenic grandeur of my State has often been described as unique in the eastern half of the United States. But much work must be done before the fullest possible potential from the natural attractions of my State can be realized. The incompleted Bowden National Fish Hatchery is a case in point.

Last year, my amendment to complete the Bowden Hatchery was not accepted by the Appropriations Subcommittee on Interior and Related Agencies. This year, however, I was successful in adding $62,000 to the Interior appropriations bill to get this facility finished.

The $62,000 will complete earthen ponds, service roads, landscaping, fencing, and drainage ditches, and will provide fish-culture equipment. Therefore, the present approximate annual production of 80,000 pounds of trout will be increased to an approximate 100,000 pounds—a production which will play a significant role in maintaining the cold-water sport fishery in West Virginia, and in preserving and developing this recreational resource.

Last year, I also offered an amendment to provide $150,000 for construction of a watershed management laboratory at Parsons, W. Va. The amendment was not accepted by the subcommittee. This year, the amendment was agreed to because the urgency of this project was recognized by committee members. Watershed management is rapidly becoming a national problem, and scientific research on this matter is vitally needed.

The facility at Parsons, which would be located within a short distance of the Fernow Experimental Forest, should prove to be a valuable asset in research for soil stability and streamflow. All Appalachian area cities and communities depending upon municipal water supplies, will eventually benefit from the work of this laboratory. Its findings will also be applicable to other areas in the United States.

I am happy to report, too, Mr. President, that the Appropriations Committee gave its approval to the budgeted request for $250,000 for construction and research work in connection with the Timber Marketing and Utilization Center at Princeton, W. Va. Last year, I was successful in amending the Interior and related agencies appropriations bill to establish this center. At that time, I obtained an initial $450,000 for necessary planning, engineering, and land acquisition.

This Center results from my interest in finding ways and means to utilize the vast stands of poorer grades of hardwood so common to much of the Appalachian region. When I called the attention of the U.S. Forest Service to this problem early last year, officials of that agency agreed that a solution was vital to the economy of the Appalachian area and to the future timber needs of our country.

Early last year, I toured several southern West Virginia counties with officials of the U.S. Forest Service to assist them in viewing several possible locations for the proposed center. After several months of study, the Princeton area was selected by the agency for the facility. The center should certainly prove to be a worthy addition to the economic growth of West Virginia, as well as other Appalachian States.

I am mindful, Mr. President, that all of my amendments to the Appropriations bill for the Department of the Interior and Related Agencies must be agreed to in conference between the Senate and the House of Representatives. I can only hope that the Senate will accept my amendments and that the Senate conferees will be successful in holding the amendments in conference with the House of Representatives. The people of West Virginia direly need the economic opportunities which my amendments offer to them.

Mr. President, I ask unanimous consent to include at this point in the RECORD, a letter addressed to me by Mr.

George Lamb, Director of Coal Research, under date of June 1, 1962.

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

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF COAL RESEARCH,
*Washington, D.C., June 1, 1962.*

Hon. ROBERT C. BYRD,
*U.S. Senate,*
*Washington, D.C.*

DEAR SENATOR BYRD: I was most pleased to learn of the successful committee action in approving your amendment for additional funds for the Office of Coal Research to accelerate Project Gasoline and Project Bootstrap.

Personally, I believe that Project Bootstrap is everything its name implies, and its success may well be the greatest thing that ever happened to the low volatile and other coalfields of West Virginia. Since the pilot plant for Project Bootstrap is planned to be located in the Beckley area, Project Bootstrap ultimately could mean a sizable economic renaissance for the Beckley area and successful commercialization of this process could mean employment for hundreds of miners.

I am sure that the people of West Virginia will take great cognizance of your efforts on behalf of Project Gasoline and Project Bootstrap.

Sincerely yours,

G. A. LAMB,
*Director of Coal Research.*

Mr. MORSE. Mr. President, on behalf of myself, the chairman of the Committee on Interior and Insular Affairs, the Senator from New Mexico [Mr. ANDERSON], the chairman of the Subcommittee on Public Lands, the Senator from Nevada [Mr. BIBLE], the Senator from Idaho [Mr. CHURCH], and my colleague from Oregon [Mrs. NEUBERGER], I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 2, line 10, it is proposed to strike out "$41,022,200" and insert "$43,022,200."

Mr. MORSE. Mr. President, before I proceed to explain the amendment, the Senator from Alaska [Mr. BARTLETT] has asked that I yield to him without losing my right to the floor, and with that understanding I am happy to yield.

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

Mr. BARTLETT. Mr. President, I desire to join with Senators who have already spoken and those who, I am sure, will speak later in commending the chairman of the committee for another magnificent job in bringing the Department of Interior appropriation bill to the floor of the Senate. As we all know, he has, of course, done more in making possible the development of the West during the many years he has been in the Senate than any other Member of the Congress.

I express special gratitude to the committee for increasing the amount of money in the bill for cadastral surveys to be made available to the Bureau of Land Management. Likewise I applaud the committee's action in restoring the full budget estimate for construction of school facilities for American Indians, including Indians in Alaska.

I have prepared statements on these two subjects, and since the Senator from Oregon has been so gracious as to yield to me, and in the interest of conserving time, I ask unanimous consent that the statements be printed at this point in the RECORD.

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

CADASTRAL SURVEYS

I was gratified to learn that the Appropriations Committee has recommended to the Senate a substantial increase in the amount to be made available to the Bureau of Land Management for cadastral surveys. The Bureau in its budget estimate for fiscal year 1963 estimated a requirement for $4,490,000 for all public land States. The House of Representatives reduced this amount by $265,000. In the bill as reported to the Senate the amount to be made available for cadastral surveys includes the $265,000 deleted by the House plus an increase over the estimate of the Interior Department of $500,000.

The approval of this increase is of the most extreme order of importance to the orderly development of land in Alaska. I am informed that Alaska's share of the increase recommended by the Appropriations Committee could possibly permit an additional 350,000 acres to be surveyed by survey lines running 350 to 400 miles. Most of these new survey lines would define the exterior boundaries of State land selections allowing early transfer to Alaska of land to which it is entitled under the Statehood Act. It will be recalled that the Alaska Statehood Act provided that by 1983 Alaska could select 103,350,000 acres of land.

It is necessary that survey of State land selections be completed in order that title may be transferred to the State. Alaska has selected about 11 million acres since statehood. By the close of the current fiscal year 36 percent, or 4 million acres, of current State selections will have been surveyed.

Under the budget estimate of the Bureau of Land Management the 1963 program would have allowed the survey of an additional 2.9 million acres. Even with the increased appropriation in the Senate bill by the end of fiscal year 1963 surveys will have covered less than 70 percent of the acreage already selected by the State. New selections which may be made by the State will naturally reduce the ratio of the area surveyed to the area selected by the State. The need for an accelerated survey program is imperative to permit the terms of the Statehood Act to be honored.

In addition to the need for prompt action on State land selections there is equally pressing need for early survey of Federal land subject to disposition under the general land laws. Public land surveys will share to some extent in the increased money made available in the Senate bill.

I would urge most strongly that the committee-recommended increases for cadastral surveys be approved.

SCHOOL CONSTRUCTION

Some of the major funds in the Interior appropriation bill are those for construction to provide additional schoolrooms and rehabilitate existing facilities for Alaska's native children. The Senate committee's action in restoring the full budget estimate is to be commended. So far as Alaska is concerned, this is most important. There are hundreds of our young people attending school in older buildings, many of which are deplorably dangerous or overcrowded. Last year's program was an admirable start, but the job to be done will suffer if the 1963 fiscal year request is cut in any way. Under the program the Alaska allocations would provide additional rooms for 420 children now without facilities, plus replacing facilities for 660 children for a total construction program of $3,498,000. The following table shows this construction program, exclusive of other planning or utility requests:

| Locality | Budget request | Number of classrooms | Number of pupils |
|---|---|---|---|
| Alitak | $141,000 | 1 | 30 |
| Eagle | 159,000 | 1 | 30 |
| Hooper Bay | 519,000 | 7 | 210 |
| Kiana | 387,000 | 4 | 120 |
| Kwethluk | 230,000 | 3 | 90 |
| Newktok | 191,000 | 2 | 60 |
| Noatak | 378,000 | 4 | 120 |
| Nondalton | 219,000 | 2 | 60 |
| Old Harbor | 194,000 | 2 | 60 |
| Oscarville | 158,000 | 1 | 30 |
| Scammon Bay | 196,000 | 2 | 60 |
| Stebbins | 192,000 | 2 | 60 |
| Tanunak | 188,000 | 2 | 60 |
| Tatitlek | 186,000 | 2 | 60 |
| Tetlin | 160,000 | 1 | 30 |
| Total | 3,498,000 | 36 | 1,080 |

I have just received a letter from Nondalton written me by Mr. Nickoli Balluta and other members of the village council giving an excellent and most appealing example of what these funds mean to our native people. I urge that the committee recommendation of $55,550,000 be approved.

"In the May 17 issue of the Bristol Bay Digest the following article appeared.

"'Word just received from Washington, D.C., is that the Nondalton school project was part of the $3 million package removed from the Interior Department request.'

"Unless the Senate is able to restore this part of the budget, the school will be postponed. A new school building is needed here. The present school building is in very poor condition and is, we understand, the only school in the State heated by wood.

"In the winter the children at times have to keep their parkas and coats on. The wiring is so poor that when last checked, there were several places where the wires were bare and the wood scorched. How well this was remedied we do not know but we are glad that no fires were started.

"The present building has only one classroom and the State is renting the community building for a second classroom. This leaves the village without any place to have meetings, etc.

"There are about 50 students at present, while graduating 1, about 12 more will enroll this September. In 1963 there may be another 12 or so starting in the first grade. Then what?

"If there is anything you can do to help us get a new school we will appreciate it very much."

Mr. MORSE. Mr. President, I shall attempt to explain the amendment. We have copies of the amendment and the statement, which will be distributed to Senators.

President Kennedy, in Senate Document No. 88, recommended that Congress appropriate $2 million to the Bureau of Land Management for range conservation for fiscal year 1963. I believe that this money is absolutely essential if we are ever going to move ahead vigorously with the orderly development of a valuable national resource—the now deteriorating range lands of the Western States. Because I believe the need is so pressing, I am now proposing an amendment to provide this money.

As I pointed out, I am joined in the amendment by the Senator from New Mexico [Mr. ANDERSON], chairman of the Committee on Interior and Insular Affairs. I know of no member of the

Senate who is better informed on the problems of public lands than is the chairman of the Committee on Interior and Insular Affairs. I am joined also by the chairman of the Subcommittee on Public Lands, the Senator from Nevada [Mr. BIBLE], the Senator from Idaho [Mr. CHURCH], who is well versed on our public lands problems, as Senators will observe in some comments I shall make shortly in my brief explanation and my colleague [Mrs. NEUBERGER], who has lived with the conservation problem for many years in public service.

I point out specifically that my amendment would delete the figure "$41,022,200" from page 2, line 10, and substitute the sum of "$43,022,200" in the bill, H.R. 10802, as it was reported to the Senate.

I have discussed the question with the chairman of the Committee on Appropriations, the Senator from Arizona [Mr. HAYDEN]. He shares my view in regard to the amendment and desires to take it to conference if he receives the approval of the Senate.

I would like to describe briefly the background of this amendment and the reasons why I feel that its passage is so vital to our stake in the rehabilitation of the range.

For the past several years, along with other conservation-minded members of the Senate, I have worked toward modernization of the range policies of the Bureau of Land Management. What has the Bureau been doing? In a sense, it has been following what might be called a no home on the range policy, a policy that has drastically reduced livestock allowed under grazing permits and moved at a pace that is damaging to rehabilitation. The net result has been to force many small ranchers off the range. Many have been forced to the brink—and even over the brink—into bankruptcy. Meanwhile, soil, grazing and water resources on the land have continued to be used up.

NEW APPROACH TO A SERIOUS PROBLEM

The conservation program on which I have been working—as have many of my colleagues from the West—is essentially a new approach to a very serious problem. It is not necessarily a novel approach, however. In the simplest possible terms, we believe that if something is broken and is worth fixing, the only reasonable course of action is to go ahead and fix it.

Our program calls for the fixing up of rundown ranges so they can carry livestock and game, serving, thereby, the needs of those who presently want to use the land. Our program also calls for protection of the thin mantle of soil from erosion losses, serving, thereby, to fix up the land for future use. These, then are the benefits foreseen under our program: For the present generation, the land will contribute to the economic welfare of the ranching communities—to the cash registers along main street; for coming generations, a vital natural resource will be protected.

TWO-PRONGED ATTACK IS ENVISIONED

Our concern with orderly development policies has been expressed in a two-pronged attack on the problem of deteriorating rangelands. Before the Eisenhower administration left office I requested special funds with which to rehabilitate burned-over rangelands. These funds were appropriated. When the Kennedy administration came into office, I urged, first, that the rehabilitation of burned-over rangelands be a part of a regular appropriation request. This is now the policy of the administration and of this Congress. Second, I have urged that we undertake a program designed to rehabilitate eroded and worn out rangeland, giving special attention to those areas where range cuts were pending or where wildlife needs were not being met.

The present Assistant Secretary of the Interior, Mr. Carver, represented the junior Senator from Idaho [Mr. CHURCH] as his assistant, while the Senator from Utah [Mr. Moss] conducted hearings at Boise on the effect of range cuts on livestock permitholders in Idaho. These hearings proved to be of tremendous help; they supplied us with facts indicating an urgent need for positive action.

I thank the Senator from Idaho [Mr. CHURCH] for the assistance he has rendered in the development of the range program.

Our attention was directed first of all to areas in the West—and there were many grazing districts affected—where range cuts were pending. Some of these cuts were scheduled to wipe out as much as 80 percent of the small ranchers' allotments, a reduction in acreage so severe that it would put these ranchers out of business.

ON-THE-GROUND INSPECTION TRIP

On several occasions last year, I met with Bureau officials and with the Secretary of the Interior to discuss what should be done. In addition, Representative ULLMAN and I made an on-the-ground inspection of rangeland in eastern Oregon.

Representative ULLMAN is the Representative from the eastern Oregon congressional district.

The problem in the Vale district is a particularly critical one—and I do not think it is any secret that this district has been one of the most serious trouble spots for the Bureau of Land Management. The stockmen in the area and the Bureau have often been at odds. However, during our visit, it became clear that the gap in thinking between the Bureau and the stockmen was not so wide after all, that what actually was involved was a lack of communication, and that the heart of the matter was a woeful lack of funds required by the Bureau to carry out its conservation responsibilities.

The solution to this problem became evident to all concerned during our inspection visit. It was universally agreed that the Bureau should develop a sound conservation program—a program not only for the Vale district but for all of the other grazing districts as well. However, all programs have to start somewhere, and, because of the substantial effort that already had gone into the Vale program, we felt that this was a logical place to start.

I wish to make clear that the program we are asking for today is not limited to the Vale grazing district. Unfortunately some misunderstanding has been caused. The whole rehabilitation range program of the administration has been called the Vale project because it started in the Vale grazing district of my State. It had that label attached to it, and the appropriation covers Idaho, Nevada, and New Mexico. It is a 7-year program, and it will cover all the public lands of the West before it is consummated.

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

Mr. MORSE. I yield.

Mr. BENNETT. I was interested by the last statement of the Senator that this is a 7-year program, and that it will cover the other public land States. I was also interested to note that in the sponsorship of the program the Senator was joined by the Senator from New Mexico, and there is money in the bill for New Mexico; by the Senator from Idaho, and there is money in the bill for Idaho; by the Senator from Nevada, and there is money in it for Nevada.

There are many areas in my State in which pilot projects might be very useful. I wonder why the sponsors did not consider other representatives' areas in the 11 public land States, instead of leaving the impression that the matter has been tailor made to fit the sponsors of the bill.

Mr. MORSE. If the Senator will bear with me, I believe I can explain the bill and show that there is no intention at all in this program to discriminate against any State. We must start somewhere. Sometimes it is necessary to build a harbor in New York and not build one in Houston, although we will get to the Houston project as soon as we can. This is a project of the Bureau of Land Management of the Department of the Interior, who feel they are in a position to go forward with this as the first leg of a 7-year program. I shall explain that feature if the Senator will bear with me for a few minutes longer. Utah is included in the rehabilitation program. However, it is impossible to do it all in the first year.

Mr. BENNETT. Apparently it can be done only for those who sponsor the bill.

Mr. MORSE. I do not believe the Senator means to be unfair, but he is unfair in effect by what he says. There was no such intention, of course. We have worked on this with the National Advisory Council under the Taylor Grazing Act. This is not a Wayne Morse bill. This is not a Clint Anderson bill. This is a bill of the National Advisory Council, under the Taylor Grazing Act. It is their bill. We merely introduced the bill. They perfected the program, and made the proposal that we start in these areas, because there is a very serious need to start here. There is a serious need elsewhere also, but comparatively speaking, it is the judgment of the Advisory Council that we should start with this program. I want the Senator from Utah to know that there is no attempt on the part of the sponsors of the bill to discriminate against Utah.

Mr. BENNETT. It is unfortunate that there was not at least one other State included which did not have its representative as a sponsor of the bill.

Mr. MORSE. The bill is the bill the President submitted in behalf of his Advisory Council.

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

Mr. MORSE. I yield.

Mr. ANDERSON. Is it not a fact that since the receipt of the President's message the Senator from Oregon merely called other Senators to ask them to join as sponsors, because their States were involved?

Mr. MORSE. Yes.

Mr. ANDERSON. There is nothing proposed by these States.

Mr. MORSE. That is correct. I wish to say that all the blame should fall on me, not on my cosponsors, because when I offered the bill I spoke to the other Senators and said I would offer the bill and that they would probably want to give some support by their cosponsorship of the bill. I did it hurriedly. If have offended any Senator from any other State, I apologize. That is how it happened in the rush of affairs here. I was offering the bill, and I asked other Senators if they would cosponsor it.

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

Mr. MORSE. I yield.

Mr. CARROLL. Colorado is interested in this proposal. The junior Senator from Colorado assumes that the National Advisory Committee has made a recommendation with respect to certain States. Is that correct?

Mr. MORSE. It made a recommendation for the whole public domain. They made the recommendation that we start with these projects.

Mr. CARROLL. Was there a recommendation with respect to Colorado?

Mr. MORSE. Not in the first year. It will be included in the 7-year program.

Mr. CARROLL. I understood that Colorado was not included in the beginning of the program. I shall look into it more closely to see why Colorado, which has grazing lands as extensive as some of the other States, was not included. Perhaps we do not have the same degree of conservation problems.

Mr. MORSE. My judgment is that the ranges in Colorado are not in as bad shape as in the States that are included in the program for the first year. A need exists for the program throughout the West. It is spread over a 7-year period.

Mr. CARROLL. Mr. President, I appreciate the explanation of the able Senator from Oregon. I will look further into this matter. I want to assure the able Senator from Utah that I was not about to be bypassed with respect to this conservation practice, either. I had understood, however, that Colorado was not one of the States initially designated for inclusion in the program.

Mr. MORSE. For the first year. The Senator from New Mexico suggested that at this point I read to the Senate the communication from the President of the United States, which I read as follows:

THE WHITE HOUSE,
*Washington, April 19, 1962.*

THE PRESIDENT OF THE SENATE.

SIR: I have the honor to transmit herewith for the consideration of the Congress an amendment to the budget for the fiscal year 1963 involving an increase in the amount of $2 million for the Department of the Interior.

The details of this amendment, the necessity therefor, and the reasons for its submission at this time are set forth in the enclosed letter from the Director of the Bureau of the Budget, with whose comments and observations thereon I concur.

Respectfully yours,

JOHN F. KENNEDY.

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

Mr. MORSE. I yield.

Mr. MAGNUSON. Further, it is merely carrying out the substantial proposals in the Taylor Grazing Act.

Mr. MORSE. That is correct.

Mr. MAGNUSON. Of 1934.

Mr. MORSE. That is correct.

Mr. MAGNUSON. That is all this does. It applies to areas where the range is poor and starts with the rehabilitation which the Taylor Act proposed when we passed it in 1934.

Mr. MORSE. That is correct.

ADVISORY BOARD MEMBERS INVITED HERE

As a result of our talks in the area, Interior Secretary Udall and Assistant Secretary Carver early this spring invited members of the Vale Advisory Board, along with several members of the State and National advisory boards, to Washington, D.C. The discussions that followed were fruitful ones—and the meeting between high-level officials, practical conservationists and stockmen was in itself an important first step toward orderly range management policies.

Included in these discussions were National Advisory Board members, Dee Brownfield from New Mexico, Brunel Christensen from California, Henry Gerber of Klamath Falls, Oreg., and Charles Quaintance of La Grande, Oreg. Also present were members of the Oregon State Advisory Board. Bill Ross, the chairman of the Vale Advisory Board, presided at the meeting. This group spent almost a week going over in detail the proposed range rehabilitation plan for the Vale district. The conservationists and stockmen were not looking at it only as a Vale plan, however. They were looking at it as a model, or pilot program, that could be applied in any range district.

After completing its exhaustive study, the group approved the program without reservation. Concurrently, I appeared before the Senate Appropriations Committee and requested that an additional $2 million be made available for areas where range surveys indicated a need to reduce grazing use or where wildlife demands could not be met under existing range conditions. I explained that the cheat grass range should be replanted with crest grass, that sagebrush should be eliminated, that water supply development and fencing should be undertaken—that all of these steps should be taken under a cooperative management program to assure proper utilization of the range. I also discussed this matter with President Kennedy.

PRESIDENT TRANSMITS BUDGET REQUEST

Subsequently, the President transmitted to Congress a formal budget amendment asking for a $2 million appropriation for this program.

I think it was the case, and unfortunately so, that some members of the Committee on Appropriations believed that the money was to be spent entirely in Oregon. This is not correct. I must assume or share the responsibility for that, because although I thought I had explained it to the Committee on Appropriations, I did not see all the members of that committee. I think some misunderstanding arose from the fact that all the members of the committee were not apprised of what the plan really covers.

The facts are set forth in a statement from the Assistant Secretary of the Interior. I ask unanimous consent that his statement be printed at this point in the RECORD, together with pertinent letters.

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

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
*Washington, D.C., May 18, 1962.*

Hon. WAYNE MORSE,
*U.S. Senate, Washington, D.C.*

DEAR SENATOR MORSE: In further reference to my letter of May 14, 1962, I am pleased to inform you that the program for the rehabilitation of range lands in the Western States has been considered by the Bureau of the Budget. Neither the Bureau of the Budget nor this Department have objection to the distribution of the proposed work as outlined in the enclosure of my letter of May 14.

A letter is being sent to Senator HAYDEN requesting restoration of the program.

Sincerely yours,

JOHN A. CARVER, JR.,
*Assistant Secretary of the Interior.*

---

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
*Washington, D.C., May 14, 1962.*

Hon. WAYNE MORSE,
*U.S. Senate, Washington, D.C.*

DEAR SENATOR MORSE: In accordance with your request there is enclosed a program for rehabilitation of range lands in the Western States.

The enclosed material outlines a range improvement program along the lines presented in your testimony before the Senate Subcommittee on Appropriations.

Sincerely yours,

JOHN A. CARVER, JR.,
*Assistant Secretary of the Interior.*

---

BUREAU OF LAND MANAGEMENT—ADDITIONAL DATA REGARDING BUDGET AMENDMENT 1963 FOR ACCELERATED RANGE REHABILITATION ON THE PUBLIC LANDS

Many years of heavy use by wildlife and domestic livestock, wildfires, and other abuses accentuated by droughts and wind and water erosion have destroyed much of the vegetative cover on the public lands. Over 30 percent of the rangelands are in poor or bad condition. Only 20 percent is improving while the balance is static or becoming worse. Livestock operators are facing continual reductions in herd numbers because of dwindling forage production. Livestock is the backbone of the economy in greater portions of the Western States and reduction in livestock numbers creates a difficult situation not only for the range livestock producer, but also for communities in the area. Destruction of the vegetative cover has further resulted in the deterioration of watersheds. Irreplaceable soil is being lost from the range through sheet and gully

erosion, and uncontrolled runoff from these watersheds is causing downstream losses and destruction by flooding and sedimentation.

The only alternative to permanent reductions in grazing use and continued flood and sediment damages downstream is the restoration of these lands to full productivity. The Vale district in Oregon, the Boise district in Idaho, the Winnemucca district in Nevada, and the Rio Puerco drainage in the Albuquerque district in New Mexico symbolize many of the major problems in present day Federal land resource management. Production can be restored in these areas by the intensive application of already proven treatments and practices. These project areas will constitute pilot areas of significant size to furnish much needed demonstrations of the value of effective conservation management on our national land.

VALE DISTRICT, OREG.

Acceleration of the rehabilitation of the range resources in the Vale district requires the application of vegetative improvement projects coupled with fences, livestock water and other facilities for the protection, management and use of range areas during and following treatment. The following are major practices which will be accomplished during the first year of the project:

| Practice | Unit | Units to be accomplished |
|---|---|---|
| Range seeding | Acre | 13,000 |
| Brush control | do | 16,000 |
| Fencing | Mile | 50 |
| Water developments | Number | 40 |
| Range use facilities | do | 16 |

BOISE DISTRICT, IDAHO

Restoration of resources on the public lands in the Boise district requires the accelerated application of those practices which will result in the improvement of the vegetative cover. The soil and climate are conducive to vegetative growth and lend themselves to established methods of range seeding and brush control. Water developments and range facilities for the protection and management of improved areas are also needed.

The following major accomplishments are planned for the first year of the project:

| Practice | Unit | Units to be accomplished |
|---|---|---|
| Range seeding | Acre | 6,000 |
| Brush control | do | 8,000 |
| Fencing | Mile | 30 |
| Water developments | Number | 20 |

WINNEMUCCA DISTRICT, NEV.

The invasion of brush and other undesirable plants following heavy grazing in the Winnemucca district requires that brush and weed control measures be intensified to restore watershed values and forage production. Perennial grasses over much of the area have been reduced in abundance until adapted species must be established to replace them. Rehabilitation must consist of brush and weed control supported by water development, fencing and other range use facilities needed in protecting treated areas and enabling the establishment of sound systems of grazing management. The following major accomplishments are planned for the first year of the project:

| Practice | Unit | Units to be accomplished |
|---|---|---|
| Range seeding | Acre | 8,500 |
| Brush control | do | 11,000 |
| Fencing | Miles | 35 |
| Water developments | Number | 25 |

ALBUQUERQUE DISTRICT, N. MEX. (RIO PUERCO)

More than 500,000 acre-feet of soil has been scooped out of valley fill and scalped from the upland topsoils in the Rio Puerco drainage, creating havoc locally and downstream. A number of villages have been abandoned, irrigation farming has had to be abandoned and grazing drastically reduced. The Rio Puerco contributes over half the silt which obstructs the channel of the Rio Grande and fills the basin of Elephant Butte Dam, but only one-sixteenth of the water. Corrective measures involve temporary impoundment of flood runoff near its source by land treatment measures such as contouring, deep ripping and by detention and diversion dams. Treated areas also require protection from uncontrolled grazing use. The following accomplishments are planned for the first year of the project:

| Practice | Unit | Units to be accomplished |
|---|---|---|
| Detention dams | Number | 25 |
| Diversion dams | do | 14 |
| Fences | Mile | 70 |
| Land treatment | Acre | 8,000 |

*Funds required by activities*

| Location: Districts | Management of lands and resources | | | Construction | | Total |
|---|---|---|---|---|---|---|
| | Management | Soil and moisture | General administration | Roads | Buildings | |
| Vale | $290,000 | $510,000 | | $35,000 | $165,000 | $1,000,000 |
| Boise | | 200,000 | | 15,000 | 85,000 | 300,000 |
| Winnemucca | | 250,000 | | | | 250,000 |
| Albuquerque-Rio Puerco | | 425,000 | | | | 425,000 |
| General administration | | | $25,000 | | | 25,000 |
| Total | 290,000 | 1,385,000 | 25,000 | 50,000 | 250,000 | 2,000,000 |

Mr. MORSE. Mr. President, I invite the attention of Senators to the fact that the Boise district of the Bureau of Land Management would be allotted $300,000 of this money, the Winnemucca district in Nevada, $250,000, the Albuquerque-Rio Puerco district in New Mexico, $425,000 and the Vale district, $1 million.

The reason for the larger allocation to the Vale district lies in the fact that a detailed plan has been prepared, and the Bureau is presently in a position to get started with a more definitive long-term range development program than might be possible elsewhere. I wish to make it clear that that is on a priority acreage basis.

The Vale district is as large as the State of Rhode Island, and the expenditures contemplated to complete range rehabilitation ultimately will total several million dollars. However, when the program is completed, the carrying capacity of this range for livestock and game will have been increased severalfold. There will also have been developed a sensible program of soil and water conservation and recreational use that will serve as a valuable model for the improvement of districts with similar problems.

IMPORT COMPETITION FACTOR CITED

Recently the Senate considered H.R. 10788, dealing with textile imports. The Senator from South Dakota [Mr. MUNDT], proposed an amendment providing that import controls on lamb, beef, and other products would have to be imposed before the cotton agreements could go into effect. I am in favor of all proper efforts to protect domestic producers against competition from low-cost imports. I cosponsored the amendment placing this matter before the President. The problem of lamb and beef imports has a direct bearing on the range rehabilitation program which the Senate is considering today, for range rehabilitation offers a solution to the problem of import competition without imposition of controls.

The livestock industry is the backbone of the economy in large areas of the Western States. A reduction in livestock population means higher prices for the consumer, and this, in turn, means economic hardship in the ranching communities. Range development is not a subsidy; it is a program designed to allow American ranchers to produce the meat we need at reasonable prices, enabling them at the same time to remain competitive with foreign producers.

In short, range rehabilitation is a practical program for cooperation between ranchers and their government to insure wise management of public lands. The Federal share of the cost would be invested in reseeding the range. The stockmen would be required to invest their labor in water supply development, fencing, and other improvements. They would also be required to cooperate in improving grazing practices. And the benefits would be shared by all of us, today and in the future.

THE SITUATION TODAY IS CRITICAL

At present, the situation is critical. The Secretary of the Interior advises us that over 30 percent of the public rangelands now are in poor condition. Even more significant, 80 percent of our rangelands are either not improving—they are stagnating—or they are deteriorating. We must halt this wasteful use of the public lands.

The Taylor Grazing Act, on the books since 1934, provides the authority required for rangeland conservation. It is up to us now to provide the money. The four areas covered by my amendment in support of the President's program offers us an opportunity to concentrate our efforts in areas of known difficulty. Our experience in these areas then can be put to good use elsewhere.

I have received numerous telegrams and letters from Oregonians regarding this program. They indicate clearly a desire on the part of the local people to work cooperatively with the Government on this important range conservation proposal. Among local supporters are not only ranchers, but bankers, chambers

of commerce, production and credit associations, and county officials. I ask unanimous consent that some of these expressions of interest from my State be set forth at this point in my remarks.

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

VALE, OREG., *May 11, 1962.*

Senator WAYNE MORSE,
*Senate Office Building,*
*Washington, D.C.:*

Senate committee refusal to approve funds for proposed Vale project is severe blow to conservation. Rehabilitation of public range is only salvation for wildlife, recreation, and livestock interests. This investment in the public's resources is long overdue. With Vale district as a pilot program the entire Nation will benefit. This opportunity may never occur again, so urge your enthusiastic effort to get funds appropriated.

WILLIAM G. ROSS,
*President, Malheur County Livestock Association and Chairman Vale District Advisory Board.*

---

VALE, OREG., *May 11, 1962.*

Senator WAYNE MORSE,
*Senate Office Building,*
*Washington, D.C.:*

Senate committee refusal to approve funds for proposed Vale project is severe blow to conservation. Rehabilitation of public range is only salvation for wildlife, recreation, and livestock interests. This investment in the public's resources is long overdue. With Vale District as a pilot program the entire Nation will benefit. This opportunity may never occur again so urge your enthusiastic effort to get funds appropriated.

D. E. MASTERSON,
*President, U.S. National Bank of Portland, Vale Branch.*

---

ONTARIO, OREG., *May 11, 1962.*

Hon. WAYNE MORSE,
*U.S. Senate,*
*Senate Office Building,*
*Washington, D.C.:*

Sorry to hear your Appropriations Committee eliminated Vale seeding project which meant renewed life for our livestock industry and indirectly to wildlife and recreation. Our public ranges have been in need of such attention for years. This project would serve as pilot for other Western States, so imperative it be reinstated. Warm regards.

ONTARIO CHAMBER OF COMMERCE.

---

VALE, OREG., *May 11, 1962.*

Senator WAYNE MORSE,
*Senate Office Building*
*Washington, D.C.:*

The county court of Malheur County firmly believes that the appropriation before the Senate Department of the Interior Appropriations Committee concerning the pilot program BLM lands comprising the Vale, Oreg., grazing districts of vital importance to the improvement and maintenance of these lands and the appropriation is for the benefit of all concerned.

MALHEUR COUNTY COURT,
ELLIS A. WHITE, *County Judge.*

---

BAKER, OREG., *May 16, 1962.*

Hon. WAYNE MORSE,
*Senate Office Building,*
*Washington, D.C.*

DEAR SENATOR MORSE: We urge your continued support in procuring a reasonable amount necessary to rehabilitate the Vale, Oreg., range project.

BAKER PRODUCTION CREDIT ASSOCIATION,
EARL HEIZER, *Manager.*

---

PRINEVILLE, OREG., *May 18, 1962.*

Senator WAYNE MORSE,
*Senate Building,*
*Washington, D.C.:*

Oregon cattlemen reaffirm favorable reaction to Vale project appreciate your interests and efforts in new attack advise if any help needed.

OREGON CATTLEMENS ASSOCIATION,
GEORGE W. JOHNSON,
*Executive Secretary.*

---

ONTARIO, OREG., *May 19, 1962.*

Senator WAYNE MORSE,
*Washington, D.C.:*

Malheur County Livestock Association strongly urges reinstatement of appropriation for range rehabilitation pilot program in this area. At least 75 percent beef cattle operations in district dependent upon public range for summer feed and must have relief from imposed use reductions to remain a healthy industry in the future. The economy of entire western region seriously affected and dependent upon the livestock industry and therefore upon a progressive range rehabilitation program as to be inaugurated if funds made available.

WILLIAM G. ROSS, *President.*

---

RESOLUTION

Whereas the administration has proposed a cut of $100 million in funds, for the agriculture conservation stabilization program for the coming year; and

Whereas this money is primarily used for actual conservation of farmland, and erosion control; and

Whereas the average farmer does not have sufficient funds, or equipment to combat the floods, droughts, and other elements of nature: Now, therefore, be it

*Resolved,* That Ashbutte Grange No. 802 duly assembled this 14th day of April 1962, go on record as requesting these funds to be continued.

CHARLES J. KEEGAN,
*Master.*
GERTRUDE FINNELL,
*Secretary.*

ASHWOOD, OREG.

---

OREGON DIVISION, IZAAK WALTON LEAGUE OF AMERICA, INC.,
*May 28, 1962.*

Hon. WAYNE MORSE,
*U.S. Senator,*
*Washington, D.C.*

DEAR SENATOR MORSE: We are enclosing an editorial from the Oregonian of May 18 and it so happens that this editorial expresses the views of the Oregon division in respect to the subject of the cuts in the budget for the Bureau of Land Management.

We wish to make specific objection to the elimination of the $129,800 for the Information and Education Service of the BLM.

Your consideration of the enclosure and your support in assisting the sustaining of the BLM budget would be appreciated.

Sincerely yours,

ALLAN L. KELLY,
*President.*

---

VALE, OREG., *May 15, 1962.*

Senator WAYNE MORSE.
Senator MAURINE NEUBERGER.
Representative EDITH GREEN.
Representative AL ULLMAN.
Representative WALTER NORBLAD.
Representative EDWIN DURNO.

DEAR SENATORS AND REPRESENTATIVES: In regard to the Bureau of Land Management pilot plan formulated this year in Washington, D.C., we are deeply confused about the information given you resulting in the refusal to appropriate the financing essential to completion of such a needed program. Money, heretofore appropriated in this field, has done little toward any concrete development of these rangelands other than administrative costs. The area is large and has two major services to give eastern Oregon—wildlife and stock grazing. The lifeblood of the cattle industry depends upon proper grazing. The raising of stock has long been a major industry in eastern Oregon and, as such, should merit the deepest consideration of Congress. It is well to be fully aware that eastern and western Oregon have small resemblance in any field.

You already have a copy of the recommendation made this last March 24 in Corvallis, Oreg., at the direction of the Oregon division of the Izaak Walton League of America in reviewing the Bureau of Land Management pilot plan. We enclose a copy of same.

Our local Malheur County Chapter of the Izaak Walton League is also sponsoring this spendid and workable program, and we are in the position of being well informed at the very source of its need. Regardless of party affiliation we feel every potential of the rehabilitation program was adequately investigated by Senator WAYNE MORSE and Representative AL ULLMAN and so reported to Congress.

The Izaak Walton League of America serves no purpose other than the "good of the whole" and, as such, has made this recommendation following information from all sources. We do not go into lengthy details concerning statistical matters already in your files, but we in this area do know the merits in the pilot program and the urgent need to the future maintenance of our great cattle industry.

Respectfully yours,

JOE F. BEACH,
*President, Izaak Walton League, Malheur County Chapter, Vale, Oreg.*

---

MARCH 28, 1962.

Senator WAYNE MORSE.
Senator MAURINE NEUBERGER.
Representative EDITH GREEN.
Representative AL ULLMAN.
Representative WALTER NORBLAD.
Representative EDWIN DURNO.

DEAR SENATORS AND REPRESENTATIVES: On March 24, the directors of the Oregon division of the Izaak Walter League of America reviewed the Bureau of Land Management pilot plan for demonstration of range rehabilitation potentials on the Vale Grazing District of Oregon.

The attached resolution was unanimously adopted, and the division urges your support in securing the necessary appropriations and authority for execution of this $16 million pilot project.

The qualifications stated in the resolution are explained, as follows:

1. Livestockmen must cooperate: It is a matter of record that permittees in the Vale district have successfully resisted the Bureau's efforts to adjudicate grazing on the basis of range carrying capacity for many years. This being the case, it appears that substantial expenditures of public funds would be a waste unless the permittees are willing to accept the type of management that would assure maintenance of the rehabilitated areas,

2. Priority should be given to units that have been voluntarily adjudicated: The league is concerned for the fact that emphasis of work in the Vale district is not necessarily fair to the permittees in other districts who have voluntarily cooperated in grazing adjudication and range improvement programs. However, the Solier Creek and Mahogany units within the Vale district have been adjudicated.

3. Program should be broader than grass rehabilitation: Although the Bureau's plan provides for construction of access roads, fences, waterholes, and recreational facilities, the emphasis appears to be upon spray-

ing of sage brush and planting of perennial grasses. It is anticipated that rehabilitation of grasses will benefit cattle and perhaps antelope, but the elimination of shrubs could have a detrimental effect upon deer, sage grouse, and domestic sheep if the requirements of these animals are not fully considered in the design of the program.

The plan provides in principle for all of the above qualifications; however, the Izaak Walton League desires to clearly define the necessity for these provisions.

Your assistance in this constructive effort to improvement the renewable resources upon public lands will be appreciated.

Sincerely yours,

OREGON DIVISION, IZAAK WALTON LEAGUE OF AMERICA, INC.

ALLAN L. KELLY, *President*.

Copies to: Secretary of the Interior, Director of Bureau of Land Management, Senate Interior and Insular Affairs Committee, Senate Appropriations Committee, House Interior and Insular Affairs Committee, House Appropriations Committee.

---

RESOLUTION

Whereas the Izaak Walton League of America, Inc., has repeatedly urged multiple-use management and development of Federal lands to better serve all people through protection and enhancement of renewable resources; and

Whereas Bureau of Land Management Director Landstrom and his staff have prepared a pilot plan for the orderly restoration of forage and other resources upon Federal lands in Oregon; and

Whereas the success of the plan is dependent upon adequate Federal appropriations and local cooperation of all interested parties, including the persons grazing livestock: Now, therefore, be it

*Resolved*, That the Oregon division, the Izaak Walton League of America, Inc., by action of its directors in regular meeting at Corvallis, Oreg., this 24th day of March 1962, endorses the proposed plan with the following qualifications and recommendations:

1. That no public funds shall be spent for the enhancement of grazing upon any allotment until the benefiting permittees agree to maintain livestock numbers and seasons of use at a level that will permit successful completion of rehabilitation projects and preclude further injury to ranges that are not being directly treated.

2. That the grazing units which have voluntarily cooperated in grazing adjudications and other constructive programs be given a priority in the range improvement program.

3. That forage species other than grass and the requirements of animals other than cattle also be given consideration in the design of this pilot project.

(Adopted by Oregon division, Izaak Walton League of America, Inc., March 24, 1962, Corvallis, Oreg.)

Mr. MORSE. Mr. President, I know that many members of the Committee on Appropriations favor this much-needed program. The committee chairman, the senior Senator from Arizona [Mr. HAYDEN] worked long and hard on its behalf. It is my hope that the Senate will now vote favorably on this appropriation and will instruct the conferees to stress its importance to the establishment of sound conservation practices, in furthering the economic welfare of our Nation—and in preserving a "home on the range" for the ranch families of the West.

Mr. President, I think I owe the distinguished Senator from Idaho [Mr. DWORSHAK] an apology for an unintentional failure on my part to discuss the proposal with him when it was before the Committee on Appropriations. Frankly, I did not know exactly when the subject would come up before the committee. I work at the same pace at which the Senator from Idaho works. I was not aware that he was not familiar with all the details of the project. But that does not excuse me for not apprising him that it involves the Boise district as well as the Nevada and New Mexico districts. I hope the Senator from Idaho will understand that my failure to talk with him was not an intention on my part to perform an "end run" around him.

Nevertheless, I believe the project is of as vital concern to Idaho as it is to Oregon and to other States. I assure the Senator from Colorado [Mr. CARROLL] again that under the Grazing Act we are starting a 7-year program that will be spread to the other parts of the public domain.

I put a simple question to the Senate: Do we want to appropriate the money recommended by the experts in the Department of the Interior and by the Advisory Council, working under the Taylor Grazing Act, for a program which, in their opinion, would restore the range and bring back into production a range which has now deteriorated? I think this would be a wise expenditure of money. I say most respectfully that I believe this program is more important than some other proposals for the enlargement of the Bureau's budget. I think this proposal should come first. I hope the Senate will share my view and will support the amendment.

Mr. BIBLE. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield to the Senator from Nevada.

Mr. BIBLE. Is it not true that this is a cooperative program?

Mr. MORSE. It is a cooperative program. There is one point that I missed; I shall cover it in a moment. This is a cooperative program. Those who will benefit by it will have to spend for water holes and for fencing; they will have to help with the eradication of sagebrush, with spraying, and, in some cases, with controlled burning.

I do not wish to bore the Senate with a long discussion of some of the problems of range rehabilitation, but I should like to stress one point. Many persons seem to have the notion that to rehabilitate the range, all that is necessary is to take off all the livestock and put an end to all wildlife on the range. There could be no surer way of deteriorating the range. The conception that if all grazing on the range were stopped, the range would replace itself is erroneous. I could take Members of the Senate to the great experiment stations in the West. For example, at the Squaw Butte Experiment Station can be seen a large area of land on which there has not been a set of grazing teeth since 1936. Across the fence is similar land that has been carefully grazed since 1936. That is the finest type of grazing land. But the land which has not been grazed has deteriorated. The plants have died out. It goes into bunch grass. Senators who know what bunch grass is know that the heart of the bunch grass is in the center of the plant. The best way to replenish bunch grass is to clip it; and it is best clipped with sets of grazing teeth. The range cannot be rehabilitated by letting bunch grass go unranged. That is a misconception which I find to be very prevalent when I talk with persons who are not familiar with range problems.

The Senator from Nevada [Mr. BIBLE] has raised a pertinent point by stating that this is a cooperative program.

Mr. BIBLE. I thank the Senator from Oregon. I wholeheartedly associate myself with him in supporting this amendment. It is very easy to explain why the Winnemucca district in my State of Nevada was included in this particular proposed legislation.

For the past 3 years Nevada has suffered one of its all-time worst droughts. The range has run down to such an extent that cuts of as much as 40 percent in range rights were threatened. This is true of the Vale District, and I think it is also true of the district in New Mexico and the district in Idaho. This program pays many times its cost, in dividends. In Nevada we are not unfamiliar with the reseeding program. It is a program on which the funds used are very well spent. I recall several reseeding projects in my own State and in other States which also were hit with drought. That was 2 or 3 years ago; and I believe I am correct in saying that by proper reseeding, the carrying capacity is improved by approximately 7 or 8 times what it is today.

There is another point which needs to be stressed in connection with this program: It is one of the very fine means of controlling and eradicating Halogeton, which is one of the great scourges of the Western States.

Mr. MORSE. That is correct. In this connection, the question can properly be asked, Why did not this item receive the approval of the Appropriations Committee? The Senator is a member of the committee——

Mr. BIBLE. That is true; and I voted for the amendment.

Mr. MORSE. But I believe that as a member of the committee, the Senator will agree with me when I state that when the item was considered in the Appropriations Committee, it was very doubtful whether all the members of the committee understood that this project covers several States, and is only the first leg of a 7-year program; and some members had the misconception that because the item bears the label "Vale project", it is solely an Oregon project. Of course, if it had been solely an Oregon project and if the entire amount of money had been allowed for only that part of the project, the item still would have been justifiable. But this is not a 1962 program for the senior Senator from Oregon. I have been battling for this kind of range rehabilitation during all my years in the Senate. I have been assisted by my colleagues from Oregon, as they have served with me, in connection with the

range-rehabilitation program—not only by the present junior Senator from Oregon [Mrs. NEUBERGER], but also by her husband, the late Senator Dick Neuberger. We have worked for this kind of range rehabilitation program, not for Oregon, but for all the West. Now we have an opportunity to put into operation this sound program, under the provisions of the Taylor Grazing Act.

Mr. BIBLE. I am thoroughly in accord with the Senator from Oregon. I amplify his statement by saying that what is good for the Vale district, in Oregon, and for the Winnemucca district, in Nevada, is also good for all the other Western States. This program is one to increase efficiency and eradicate disease and erosion; and it will actually result in a saving in the long run. In my State, in this particular district, there are many small cattlemen; I think there are 150 permittees in the Winnemucca district. They are mainly small operators; and if they are faced with a cut of 70 percent, we know what the result will be: They will be wiped out; they will be forced into bankruptcy. This kind of program gives them a chance to continue on the range and to make a living.

Mr. MORSE. Of course the Senator from Nevada knows that when he talks about what these cuts do to the small family ranchers—those with from 75 to 300 head of cattle as their total source of income—it is clear that if a cut is made in their herds, not only will all their income be destroyed, but all of the value of their base ranch will also be destroyed. They may have 2,000 or 3,000 acres of sagebrush land, but the value of their homestead lies in the ability to graze their cattle there, and without this program that land will become absolutely valueless. That is the problem which the Federal Government is seeking to solve with the Council, under the Taylor Grazing Act; and that is the purpose of this amendment.

Mr. BIBLE. Mr. President, I am delighted to associate myself with the Senator from Oregon on this amendment. It is for a pilot program which would benefit all the grazing States. As such, this project should go forward.

Mr. CARROLL. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield to the Senator from Colorado.

Mr. CARROLL. I realize the importance of the work the Senator from Oregon has done on this project.

The Chairman of the National Advisory Board is a Colorado man, and I know that there is great concern in Colorado in regard to this program. I have been informed by the Deputy Director of the Bureau of Land Management, who also is a Colorado man, that there is need for this program in Colorado, not next year, but this year.

I wish to propound a parliamentary inquiry, if I may:

If this amendment, which calls for an additional $2 million, is adopted, will the Bureau of Land Management itself determine where the projects will start?

Mr. MORSE. That is true.

Mr. CARROLL. I ask the Parliamentarian if that is true.

The PRESIDING OFFICER. The Senator from Colorado has propounded a question which calls for a legal interpretation; he has not propounded a parliamentary inquiry.

Mr. CARROLL. Mr. President, I would not want anything in the record to indicate that the Bureau would be bound to allocate the funds to only certain States, because I think Colorado should be included. I believe that even more than the amount called for by the amendment should be appropriated, because several other States have equally serious problems of this sort. It is unfortunate that the junior Senator from Colorado was not consulted before the amendment was brought up, because he would have definitely advocated increasing the amount. I favor the amendment, and the Senator from Oregon is entirely correct. I do not want the Bureau of Land Management put in a straitjacket. I want it to be free to apply the funds where they are needed.

Mr. ANDERSON. Mr. President, I think we can assure the Senator from Colorado that the effect of this provision will be what he has just suggested.

The pending question is whether to adopt the amendment, which calls for an increase in the amount set forth on page 2 in line 10—in other words, to increase it from $141,022,200 to $43,022,200.

But the amendment does not provide in any way how the additional money is to be spent. The National Advisory Council, in considering the projects, naturally had to find projects ready and eligible to go under a cooperative arrangement; and it has estimated that $2 million could properly be used in this way.

But if the amendment is enacted and becomes law, I am certain that the Bureau will review the areas throughout the country and will select not only the ones which are ready to go, but also those most in need of this service. I am sure that Colorado will be included, because I am sure this service is badly needed there.

In my own State, a great deal of the silt being dumped at the dams comes from that part of the country. For example, it is obvious that such a project in Colorado is greatly needed at the Elephant Butte Reservoir, and that it would be of great merit.

The table set forth was presented in an effort to show that there is need in the various States for this much money, and more, and that in several years a great many States will be covered.

I am sure the Senator from Colorado is correct in believing that his State will receive attention in that connection; and I am sure I am correct in assuring him that the presentation being made this afternoon does not lock the door to the inclusion of any State, but is merely for the purpose of showing that there is definite need for at least this much money.

Mr. CARROLL. I thank the Senator from New Mexico.

Mr. MORSE. Mr. President, I agree with what the Senator from New Mexico has said. At the same time I would rather lose in my effort to have this amendment adopted than leave this record on the least uncertain or confused. I have tried my level best to give a very accurate account of how this project came into being.

I repeat that the amendment does not provide that so many dollars shall go to project A or to project B. But I did explain to the Senator how the project was born. A conference was held here. The National Advisory Council members' decision was to start range rehabilitation. As the Senator from New Mexico said, they looked at projects that were able and ready to be proceeded with. They said the recommendation would involve these projects and that we ought to start with a minimum of $2 million.

The Senator is quite right; the power rests in the Department of the Interior to reshuffle that money any way it wants to in regard to any project it wants to consider the first year; but I want the Senator from Colorado to know that their plan is to do these projects the first year, then to move into another group of States the second year, and another group the third year.

The whole project could be decimated by using so little money on a particular project that it would not do any good at all. So we have a problem as to whether or not we are going to underwrite a sound approach to the range rehabilitation program, range area by range area, or whether we are going to insist on diluting the amounts to be spent into such small sums that, in effect, the purpose will be defeated before we start.

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

Mr. MORSE. I yield.

Mr. CARROLL. Of course, what the Senator has said is true. I do not propose such a plan, but I do not propose, after the people of my State have been working on this problem for years, to have the junior Senator from Colorado stand by and say nothing and therefore have it implied that we do not need the assistance in our State, when, in fact, we do need it. I was informed a few moments ago that we need it as much as any other State, although perhaps not as much as Idaho.

Therefore, I want the RECORD to show I think that BLM should at least make a start in Colorado. I suppose other Senators could say the same about other States.

I am going to support the amendment. I have confidence in the Bureau of Land Management. I do not think they ought to pour most of the money into one area and do nothing in others. They could do some experimentation. Assistant Secretary of the Interior, John Carver, has said to me of this program, "We are on the threshold of history." And he indicated Colorado projects would soon be included.

I think we understand one another. I do not want the Senator from Colorado to have implied a sense of approval of a series of projects in certain States set up by the National Advisory Board of Advisers, without expressing the deep concern of the people of Colorado about participation in the program.

Mr. MORSE. I think the Senator is quite right. I have not any doubt, know-

ing his ability, that he will see to it that adequate representation of Colorado is made to the Bureau of Land Management with regard to the program. I am also convinced that, once the Senator from Colorado sits down with representatives of the Bureau of Land Management, he is going to be delighted with what the program will mean to the State of Colorado, as Colorado comes under the range rehabilitation program.

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

Mr. MORSE. I yield.

Mr. CHURCH. I commend the Senator for his lucid explanation of the amendment. I wish to tell him I am greatly pleased to be a cosponsor of the amendment.

As the Senator very generously mentioned in his remarks, the grazing problem has become critical in Idaho, so much so that the distinguished junior Senator from Utah [Mr. Moss], at my request, conducted hearings in Twin Falls, Idaho, 2 years ago, where no fewer than 60 or 70 witnesses, as I recall, came in to testify as to the drastic cuts which were threatened by the Bureau of Land Management in connection with grazing on the public range.

I should like to relate the proposed pilot program to conditions in Idaho. The amendment offered would restore $2 million needed by the Bureau of Land Management to improve and restore grazing lands in several Western States, including my own State of Idaho.

The quality of certain grazing lands in Idaho has been steadily deteriorating due to the lack of funds required to rehabilitate them. The condition of lands in the Boise district of Idaho is particularly severe. Cattle grazing has been restricted on these ranges, thereby working a hardship on both large and small ranchers. Restriction of grazing is a nonproductive answer to a very serious problem.

Under the provisions of the proposed amendment, $300,000 would be allotted by the Bureau of Land Management for range seeding, brush control, water development, and necessary fencing in the Boise district. Only through these positive measures of conservation can these lands be restored to serve the purposes of livestock production. Today livestock production is Idaho's No. 1 agricultural cash crop. Therefore, the importance of range rehabilitation and conservation to our ranchers cannot be overlooked.

Mr. President, the funds requested in this amendment are vital to the economic development of our Western States. Conservationists and ranchers in these States favor this program to combat grazing range deterioration in these critical areas.

So I am pleased to join the distinguished Senator from Oregon in cosponsoring the amendment. I want to commend him for the way he has undertaken to do what must be done to rehabilitate our rangeland. It is long past due, and this pilot program is a very promising start which, in the end, will bring great benefits to all the western public land States. I assure him I will be happy to do all I can to support him in this effort to help the sheep and livestock industry of the West.

Mr. McGEE. Mr. President will the Senator yield?

Mr. MORSE. I yield.

Mr. McGEE. The Senator states very well the cause of Wyoming as he describes the grazing problem in his own State of Oregon. I can think at the moment of a particular area where this problem has been plaguing us, the Kirby Creek area in the Big Horn area of the State, where some of the stockmen can point to proposals of 80-percent cuts, which means, in effect, as the Senator knows, they must go out of business as a result.

I want to associate myself with the Senator from Oregon in this approach to troublesome questions that need not have become troublesome if the Bureau of Land Management had been willing to act on this problem at an earlier time.

I applaud the Senator from Oregon on his initiative in pressing this effort. I assure him full cooperation will come from those who represent Wyoming.

I hope this proposal will avoid the confusion that proposals of some of our leading groups suggest, particularly in the realm of conservation. Conservationists occasionally get exercised on the question. I think it is unfortunate that they do, because this is a question of the wise utilization of the range rather than wasting the resources of the range. The resources are being wasted if the range is not built up and utilized effectively in economic terms. I think if we can dissociate the question of good use of the range from the theory of some conservationists, we will get down to brass tacks on the issue at stake in the proposal of the Senator from Oregon. I commend him for his efforts in this regard.

Mr. MORSE. Mr. President, it means a great deal to me to hear that statement, because I know the Senator knows the range problems of Wyoming, as does his colleague.

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

Mr. MORSE. I yield to the Senator from Wyoming.

Mr. HICKEY. Knowing full well the way in which the senior Senator from Oregon thoroughly explores legislation before he introduces it, I have a couple of questions I would like to propound for the benefit of making a legislative record.

Considering what the Senator from New Mexico [Mr. ANDERSON] said and what the senior Senator from Oregon [Mr. MORSE] said, and recalling a hearing some 3 years ago when I was Governor and was in Worland, Wyo., the question rises in my mind, with regard to the statement made by the senior Senator from Oregon, and the subsequent remarks of the Senator from New Mexico, as to the number of people who represented the areas that were indicated in his speech.

Under the subheading "Advisory Board Members Invited Here" the Senator lists a number of people from Western States, from the public-lands States. There is no mention of any person from Wyoming or representing any part of Wyoming.

Mr. MORSE. I interrupt the Senator to say that the Department called on the National Advisory Council, it being informed as to the nature of the problem, to send representatives to the meeting to speak on behalf of the Council. The National Advisory Council members really represented all of the States, in the sense that the National Advisory Council represents all the States.

Mr. HICKEY. I believe that answers one of my questions. The selection of those who represented the western areas was made by the Advisory Council, which includes all the public-lands States.

Mr. MORSE. The Senator is correct.

Mr. HICKEY. Having that in mind, and recalling what was said by the Senator from New Mexico [Mr. ANDERSON], I interpreted that to mean that when the group met it presented specific problems in specific States, which totaled up to a need for the amount the Senator has indicated.

Mr. MORSE. I think it would be better to describe it in this way: There was a meeting with representatives of the Department of the Interior—with the Secretary, with the Assistant Secretary, with the Director of the Bureau of Land Management, and with other officials in the Department—and they discussed the whole problem of how to get on with the job of rehabilitating the range. The recommendations as to the first step came from the Department of the Interior and not from the advisers, not from the Council. The Department agreed on the procedure for range rehabilitation, which involved great changes in past Bureau of Land Management policy. That is the contribution which the representatives of the Council made.

The program for the first pilot test came from the Department and not from the Council.

I should like to have the Senator from Colorado [Mr. CARROLL] understand this thoroughly. I do not wish to have the RECORD place the responsibility for the suggested selection of pilot projects on the Council. That is the responsibility of the Department of the Interior.

As the Senator from Colorado has pointed out, this is subject, of course, to further discussions with the Department of the Interior. It is not fixed and certain. It was said, "These are projects we are in a position to go ahead with because there is a clear indication of cooperation and the local participation which is necessary."

Mr. HICKEY. That answers my second question, and pinpoints the fact that the selection of the area was specifically done by the Bureau of Land Management.

Mr. MORSE. The Senator is correct.

Mr. HICKEY. I sincerely appreciate the answers of the senior Senator from Oregon. I say to the Senator, as a former secretary of one of the first Taylor Grazing Boards in the State of Wyoming, I recall that at the time of Mr. Ferry Carpenter, who I am sure the senior Senator from Oregon well knew, there was an intention that the philosophy propounded by the senior Senator from Oregon be the philosophy in the control and management of the public range.

I am most happy to associate myself with the senior Senator from Oregon, even at this late date, in pinpointing

the kind of things we need, which have so long been overlooked in the management of the range in a proper fashion, which will do as was indicated by my colleague [Mr. McGEE]. We must eliminate the cuts which have caused so much difficulty.

The meeting to which I first referred was held at Worland, Wyo., at which we had representatives.

Mr. MORSE. Mr. President, I appreciate the comment of the Senator from Wyoming about the conservation philosophy of the Senator from Oregon, which, as I say, has been shared by my colleagues in Oregon. I wish to stress that this was a program unanimously recommended by the people from the range themselves, represented by the State and National Advisory Councils. That was their program.

I quite agree with the Senator. They pointed out over and over again at the conferences, "This is what the Taylor Grazing Act envisioned in the first place." They urged that the Department get back to its original plan.

If I may, I should like to have the attention of the Senator from Nevada [Mr. BIBLE], of the Senator from Colorado [Mr. CARROLL], and of other Senators, because I had started on a point and I was diverted from it. I did not mention one other phase of the voluntary participation on the part of the ranchers themselves.

I need not tell anyone from the Western States that one of the most controversial issues raised from time to time is the issue of grazing fees. This was thoroughly discussed. There is not any question, I say to the Senators from the Western States, it is contemplated that as we go forward with this kind of program the grazing fees will be raised—and should be. Grazing fees will be raised—and should be.

When the representatives of the ranchers sit down in the kinds of conferences which have been held, they recognize this is to be expected. All they say is, "If we go through with the rehabilitation program such as is proposed, there will be range in sufficient quantity to justify a raising of the grazing fees, and the increase in the grazing fees will be plowed back into the Treasury of the United States and will help to resuscitate the range from the standpoint of increased income from the fees."

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

Mr. MORSE. I yield to the Senator from Colorado.

Mr. CARROLL. I should like to invite the Senator's attention to the statement I gave in February 1960 before the Senate Subcommittee on Appropriations dealing with fiscal year 1961 funds for the Department of the Interior.

Mr. MORSE. I think it would be a good idea to have the statement again printed in the RECORD.

Mr. CARROLL. I said at the time, referring to fiscal year 1961.

Colorado ranchers are concerned about the budget estimate reduction of $481,400 in the soil and moisture conservation program of the Bureau of Land Management.

The purpose of my statement was to call attention to the soil and moisture conservation program and its relationship to Colorado.

I point out that I sought $4,252,000 in fiscal year 1961. The Senate gave us $5 million, but this was cut to about $3.7 million in conference. The program was slipping badly behind in its 20-year schedule. I am pleased to see that this year the conservation program to help western cattlemen is back on schedule with an $8.5 million appropriation.

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

Mr. MORSE. Mr. President, I think the statement should be printed in the RECORD. May we have a ruling that the Senator's statement before the Appropriations Committee in 1960 may be printed in the RECORD at this point?

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

STATEMENT BY SENATOR JOHN A. CARROLL BEFORE THE SENATE APPROPRIATIONS COMMITTEE, FEBRUARY 1960, IN BEHALF OF FUNDS FOR RANGE RESEEDING AND SOIL AND MOISTURE CONSERVATION PRACTICES BY THE BUREAU OF LAND MANAGEMENT

Colorado ranchers are concerned about the budget estimate reduction of $481,400 in the soil and moisture conservation program of the Bureau of Land Management.

The House of Representatives has now concurred in that reduction.

If the Senate concurs in that action we will have thrown the 1955 20-year plan of the Bureau of Land Management 40 percent behind schedule.

In fiscal 1960 the soil and moisture conservation program had an appropriation of $3,733,900. This was down about $100,000 from the previous year. It has now been cut by $481,000 which reduces it to $3,252,000.

Under the BLM plan established in 1955 it was proposed that soil and moisture work should progress on the following appropriation schedule in order to accomplish the range protection work so vital to the economy of our Western States:

| | |
|---|---|
| 1956 | $2,800,000 |
| 1957 | 3,500,000 |
| 1958 | 4,200,000 |
| 1959 | 4,900,000 |
| 1960 | 5,600,000 |
| Total | 21,000,000 |

Instead the amounts appropriated have been:

| | |
|---|---|
| 1956 | $2,738,971 |
| 1957 | 3,186,142 |
| 1958 | 3,625,060 |
| 1959 | 3,815,050 |
| 1960 | 3,733,900 |
| Total | 17,099,123 |

In fiscal 1961 it was anticipated under the BLM 20-year soil and moisture conservation plan to expend $6,300,000. Instead the budget estimate calls for $3,252,500.

We fall further behind in our goal each year.

The difference in the budget estimate and the BLM 20-year plan means the following in soil and water conservation work on the Federal lands of the semiarid West:

1. Instead of building 80 detention dams we will build 42.

2. Instead of seeding 150,000 acres of western range land to grass we will seed 76,300.

3. Instead of controlling brush on 120,000 acres we will attack only 59,100 acres.

4. Instead of caring for 2,600,000 acres of land we will be able to care for only 1,403,000 acres.

All of this, as you can see, is a drastic reduction in the program the Bureau of Land Management and its State advisers deemed necessary for the next 20 years in the West.

I know the committee understands and appreciates the value of soil and moisture work in the West.

I am hopeful the committee will see fit to move this BLM program at least partially back on the schedule set for it in 1955.

I recommend that the committee consider restoring the $481,400 reduction in the Bureau of Land Management soil and moisture conservation appropriation and adding $518,600 to help bring the program back on schedule, making a total appropriation of $4,252,000.

Mr. CARROLL. I do this for the purpose of emphasizing the continuing importance of the problem to Colorado. Colorado ranchers, ably represented by Dan Hughes and Leonard Horn, have worked for years to get progressive soil and moisture and land management programs in our States. I am very reluctant even to raise a question that might in any way affect the possibility of adoption of the amendment of the Senator from Oregon. The amendment ought to be accepted overwhelmingly.

I point out, as the Senator from Oregon pointed out, that the Bureau of Land Management would retain the sole authority. The Bureau would use its best judgment and best intelligence as to how to begin the program.

This is to be the beginning of a great program. As Secretary Carver said to me today, "This is history in the making in the field of conservation." I know how hard the Senator from Oregon has worked for the program. I am told that the Vale project is a breakthrough into a new range-conservation concept. The intent now will be to take range areas on a project-by-project basis, much like Bureau of Reclamation water projects.

I say to the Bureau of Land Management and to those who will make the decisions on new projects: Take a look at western Colorado. We have several range districts ready to be rehabilitated and restored. Our Colorado stockmen need this help.

In view of the statements which have been made I hope Colorado will receive early consideration.

I thank the Senator from Oregon. I support his amendment.

Mr. MORSE. Mr. President, I yield the floor.

Mr. METCALF. Mr. President, I wish to discuss with members of the committee some language in the report, on page 17, as follows:

The Senate concurs with the House allowance of $7 million for the migratory bird conservation account. The purpose of this appropriation is acceleration of acquisition of wetlands and other essential waterfowl habitat as authorized by the act of October 4, 1961.

That act was Public Law 87–383. It provided that there would be loaned to the migratory bird conservation program $105 million. In accordance with that loan, $7 million was proposed to be spent the first fiscal year, $20 million for the four succeeding fiscal years, and $18 million in the last year. In order to establish the program and activate the staffing so that the Commission on Acceleration could work, the appropriation was included. The distinguished Sen-

ator from Nebraska [Mr. HRUSKA] and I are the representatives in the Senate on the Commission. Of course, we want to do everything that we can in order to carry out the will of the Senate. Therefore, I direct these remarks to the question of determining exactly what should be done.

I wish to call the attention of the committee to the fact that Public Law 87–383, an act of October 4, 1961, provides that—

> No land shall be acquired with moneys from the Migratory Bird Conservation Fund unless the acquisition thereof has been approved by the Governor of the State or an appropriate State agency.

Members of the Commission have gone much further than that. The Commission has been very careful not only to see that the Governor of the State accepted and acquiesced in the proposed acquisition of land, but when opposition has arisen from local boards of county commissioners, county judges, or local taxpayers' associations, the Commission has rejected the proposed acquisition. Since there are so many areas in which we can work, we have desisted from going against local authority.

So when the committee directs that no staffs be formed to carry out the program until such time as the States of North Dakota, South Dakota, and Minnesota have assented to purchase of the lands in those States as required by law, I find some ambiguity in the direction the Senate has given me as its representative on the Commission. Does the language mean, for example, that we cannot go into the State of Louisiana or the State of Californir. under the accelerated program, or must we stay out of North Dakota, South Dakota, and Minnesota until the authorities have acquiesced in the program?

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

Mr. METCALF. I yield.

Mr. MUNDT. First of all, I agree with the Senator from Montana that there is some ambiguity in the language as it appears at the top of page 17. It is subject to varying interpretations by different people. I shall try to relate precisely what the committee had in mind.

The provision is at best a temporary safeguard which has been put in by the committee because of proposed legislation of which the Senator from Montana may be coauthor, though I am not sure. The Committee on Agriculture and Forestry of which the Senator from Minnesota [Mr. MCCARTHY] and I are members is now working through a subcommittee to develop legislative language to meet that kind of problem.

I think perhaps the language might be stated in the following way, and I wonder if it would meet the objection of the Senator from Montana. What we were really endeavoring to say is that—

> The committee directs that no staff be formed to carry out the purchase program in the States of North Dakota, South Dakota, and Minnesota until those States have assented to purchase of lands as required by law.

The phrases were placed in rather difficult and redundant context. The statement is subject to some misinterpretation, but what I have stated is what we are trying to do. Would that language be satisfactory to the Senator from Montana?

Mr. METCALF. Whatever the Senate directs me to do as its representative on the Commission is satisfactory. I only wanted to be sure what the Senate specifically meant. Of course, the language would help us under the accelerated program to acquire additional wet lands. There are magnificent wet lands available.

Mr. MUNDT. The tax problem in other States is not as serious as it is in the three States mentioned. As the Senator knows, concentration purchases are contemplated in those three States. In turn, those purchases are concentrated in a few of the counties of each State; and until some way is found to reimburse those counties, we might conceivably bankrupt certain counties in certain States. The Senator would not want to do that, and neither would the committee.

Mr. BARTLETT. I am sure that in any event the members of the Commission would not want to do that. We would wait until the Governor and the local county agents acquiesced in the proposed purchases. But there are other magnificent wet lands that we can acquire, especially in the southern range. In those areas there are not the wonderful breeding grounds which are available in North Dakota, South Dakota, and Minnesota, but the winter ranges might be chosen so that we could get the program underway.

Mr. MUNDT. The Senator is correct.

Mr. BARTLETT. The language of the Senator from South Dakota would permit us to do that.

Mr. MAGNUSON. Of course, the whole legislative history of the wetlands bill is that we would not proceed in any case until we had the complete agreement of the local authorities, whether it be State, county, or other local authority.

Mr. MUNDT. The Senator is correct. Our language comports with that legislative history.

Mr. METCALF. The Senator from South Dakota has clarified the question and removed any doubt which the Senator from Montana has had. But I should like to direct the same question to the chairman of the committee.

Mr. HAYDEN. Mr. President, the section referred to is written in such a manner that until agreement has been reached with all three States, none of the $7 million recommended for the migratory bird conservation account can be used to hire personnel to carry out the provisions of Public Law 87–383. This does not affect any funds which otherwise may be available.

I understand that Minnesota has now agreed to all acquisition of lands in the State proposed to date. North and South Dakota are withholding their assent until legislation is enacted to provide a greater payment to the States in lieu of taxes lost because the purchased lands are taken from the tax rolls.

I personally would be willing to say that the funds are available for staffing necessary to carry out the law in a State which has agreed to the land acquisition requirements; and to purchase land easements to which each of these States has indicated there will be no objection.

Mr. METCALF. I thank the chairman of the committee. That is a complete answer to the question that the Senator from Montana had in carrying out his duties as a member of the Commission.

I also thank the Senator from South Dakota for his explanation and clarification.

(At this point Mrs. NEUBERGER took the chair as Presiding Officer.)

Mr. MUNDT. Madam President, it is never a pleasant task to have to reject the request of a Senator's colleague for funds for the districts which they represent. It is always easier and more pleasant to say, "The Secretary of the Treasury does not have the money, but we will borrow it and make it available to you."

Naturally I should like to participate in that sociable activity. But I think the decision which the Senate made in a yea-and-nay vote a few minutes ago, in protecting the position of the committee as against a request for $129,800 increase for a specific purpose, set a precedent that should be followed now when we are asked to make a $2 million increase for a different purpose. We voted to economize then—let us vote to economize now.

One can build arguments for the laudability of either program. But if we are to have any semblance of fiscal responsibility, we cannot by votes of the Senate as a whole begin to dole out $2 million contributions to States or quartets of States that have local problems.

The request we are now considering has a strange resemblance to some of the discussions that I have heard at recent meetings of our Senate Permanent Committee on Investigations, which has been looking into favoritism and alleged irregularities in connection with the operations of a well-known Texan. It is alleged that this prominent Texas citizen, among other things, used part of his ill-gotten gains to buy favors for himself from Government officials. In Congress we have given the name of "payola" to that kind of operation.

It seems to me that the request now before the Senate has a great deal of similarity to what might be called payola in reverse.

This time it looks as though a Government agency is trying to buy off Congress. This, I submit, is the goal of the Department of Interior and the Bureau of Land Management in their request for $2 million for a program of range development in the Western States.

The proposed amendment had a curious record of evolvement as it came before our committee. I propose to recite that rather strange and unusual record. I do not know whether it is intended primarily as an effort to increase the pasturage in the Western States, where I certainly believe there is need for additional conservation, or whether the measure is intended to add a little more attractiveness to the political pasturage on which the donkeys of that area are

expected to feed next November. In either case we are dealing with green pasturage, whether it is green pasturage for animals or green currency for politicians. It seems to me this record on how this amendment developed should be before the Senate before it votes.

As I said earlier, as the ranking Republican member of the committee, I feel that the Senate ought at least on a rollcall vote to express itself on all of these requests for increases. As one Senator, all I can do is to continue to say that I think the Senate would do well to support the Committee on Appropriations instead of plunging off into the great blue yonder on new Federal spending sprees at a time when the President is preparing to ask us, for the second time in 1962, to increase the debt limit.

This is one place at least where we do not have to spend $2 million in the current fiscal year unless the Senate so elects.

I suggest now to recite the record by which we come to the decision we are about to make:

First, it will not be challenged by anyone that no hearing was held on the request; that no one appeared before the committee except the distinguished Senator from Oregon, who did make his presentation on it. Other than that we have not had one word of testimony on the request and no opportunity to ask one question of any responsible department official as to what this would involve. All we have is the fact that the Senator from Oregon appeared before the Interior Department Appropriations Subcommittee on March 13, which, I submit, was an unlucky day, when he asked for an additional appropriation of $2 million, "to be expended in areas where the range surveys indicated a need to reduce permitted grazing use or where wildlife demands cannot be met at the existing level of range condition."

It was not until over a month later, on April 19, that Senate Document No. 88 arrived, and we found that the request was that the money was to be spent in Oregon.

Mr. MORSE. Madam President, will the Senator yield?

Mr. MUNDT. I am happy to yield.

Mr. MORSE. It was never the intention that all the money was to be spent in Oregon at that time. That was never the recommendation of the Advisory Council. It was always contemplated that the $2 million would be spent on projects as the Department of the Interior recommended.

Mr. MUNDT. What the Senator says emphasizes what I am trying to get across to the Senate, that if that is true—and I presume it is if the Senator says so—the Appropriations Committee was without any chance to hear such testimony.

Mr. DWORSHAK. Madam President, will the Senator yield?

Mr. MUNDT. That is the difficulty that we have when we try to legislate on matters without a single word of testimony on them.

Mr. DWORSHAK. Will the Senator yield?

Mr. MUNDT. I yield.

Mr. DWORSHAK. Does the Senator have before him a copy of Senate Document No. 88, which is the request of the Budget Bureau for the $2 million?

Mr. MUNDT. I do not have it here at the moment. Does the Senator have it?

Mr. DWORSHAK. Yes.

Mr. MUNDT. I wish the Senator would read it, to show whether all this money was intended to be spent in Oregon.

Mr. DWORSHAK. I read Senate Document No. 88:

THE WHITE HOUSE,
*Washington, April 19, 1962.*

THE PRESIDENT OF THE SENATE.

SIR: I have the honor to transmit herewith for the consideration of the Congress an amendment to the budget for the fiscal year 1963 involving an increase in the amount of $2 million for the Department of the Interior.

The details of this amendment, the necessity therefor, and the reasons for its submission at this time are set forth in the enclosed letter from the Director of the Bureau of the Budget, with whose comments and observations thereon I concur.

Respectfully yours,

JOHN F. KENNEDY.

---

EXECUTIVE OFFICE
OF THE PRESIDENT,
BUREAU OF THE BUDGET,
*Washington, D.C., April 17, 1962.*

THE PRESIDENT,
*The White House.*

SIR: I have the honor to submit herewith for your consideration an amendment to the budget for the fiscal year 1963 involving an increase in the amount of $2 million for the Department of the Interior, as follows:

DEPARTMENT OF THE INTERIOR

*Bureau of Land Management*

| Budget appendix page | Heading | Original estimate | Revised estimate | Increase |
|---|---|---|---|---|
| 457 | Management of lands and resources | $41,552,000 | $43,252,000 | $1,700,000 |
| 458 | Construction | 1,000,000 | 1,300,000 | 300,000 |

This amendment to the budget is to provide facilities and services for the initiation of a pilot project to demonstrate the benefits which can be derived from increasing the productivity of depleted rangelands, and to accelerate improvements on other lands. The estimate is submitted at this time to carry forward recently completed plans for the intensive rehabilitation of the Yale grazing district in southeastern Oregon.

I recommend that the foregoing amendment to the budget for the fiscal year 1963 be transmitted to the Congress.

Respectfully yours,

DAVID S. BELL,
*Director of the Bureau of the Budget.*

Mr. MUNDT. By whom is that letter signed?

Mr. DWORSHAK. By David S. Bell, Director of the Bureau of the Budget.

Mr. MUNDT. I appreciate the Senator's refreshing my memory on this matter, because I now have the Bureau of the Budget's letter, which the Senator has read. It simply goes to show how confusing the situation was, and that even the Senator from Oregon was confused. He did not realize he was getting $2 million for Oregon alone, because he just told the Senate it was not going to go to Oregon. Here we have the testimony from David S. Bell, Director of the Bureau of the Budget. I thought I remembered it, but I was not going to set my memory against the statement of presumed fact. As the Senator from Idaho has pointed out, the Department states specifically that the $2 million was to go to Oregon at the time we received Senate Document 88, and at the time the committee first voted to reject the proposal.

Mr. MORSE. Madam President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. MORSE. The Senator from Oregon has never been confused about it. The Appropriations Committee had the report of the Department of the Interior, Bureau of Land Management, before it, which sets forth in detail the recommendation for the expenditure at the Vale District, at the Boise District, in Nevada, and in New Mexico. There was attached to it a tabulation of the funds that were required.

Mr. MUNDT. Is the Senator quoting from the presentation to our committee on May 18, or to our committee by the Department of the Interior?

Mr. MORSE. May 18.

Mr. MUNDT. I am quoting from Senate Document No. 88 dated April 19, 1962, which also contains a letter dated April 17, written by David Bell, Director of the Bureau of the Budget. I ask unanimous consent that the entire document of April 17 appear at this point in the RECORD.

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

EXECUTIVE OFFICE
OF THE PRESIDENT,
BUREAU OF THE BUDGET,
*Washington, D.C., April 17, 1962.*

THE PRESIDENT,
*The White House.*

SIR: I have the honor to submit herewith for your consideration an amendment to the budget for the fiscal year 1963 involving an increase in the amount of $2 million for the Department of the Interior, as follows:

DEPARTMENT OF THE INTERIOR

*Bureau of Land Management*

| Budget appendix page | Heading | Original estimate | Revised estimate | Increase |
|---|---|---|---|---|
| 457 | Management of lands and resources | $41,552,000 | $43,252,000 | $1,700,000 |
| 458 | Construction | 1,000,000 | 1,300,000 | 300,000 |

This amendment to the budget is to provide facilities and services for the initiation of a pilot project to demonstrate the benefits which can be derived from increasing the productivity of depleted rangelands, and to accelerate improvements on other lands. The estimate is submitted at this time to carry forward recently completed plans for the intensive rehabilitation of the Vale grazing district in southeastern Oregon.

I recommend that the foregoing amendment to the budget for the fiscal year 1963 be transmitted to the Congress.

Respectfully yours,

DAVID S. BELL,
*Director of the Bureau of the Budget.*

Mr. MORSE. I have already put it in the RECORD.

Mr. MUNDT. It is now in the RECORD again. The Senator is saying I am quoting in error. There it is in toto.

Mr. MORSE. I did not say it was in error. It is 30 days before the other document.

I have given the whole history. I have set forth what the Advisory Council agreed on here in Washington. It was their program. It was the program that the President asked for when he requested $2 million to carry it out. It covered the projects that I have listed.

Mr. WILLIAMS of Delaware. Madam President, will the Senator yield?

Mr. MUNDT. I wish to point out that there has been nothing said that changes by one iota the record as it evolved before the committee. First we were presented with the request for $2 million which, the Bureau of the Budget said on that day, was to be spent in Oregon in toto. At that point the Senator rose and said that was not the fact. I said if it is not the fact, then my memory is wrong. It was refreshed, happily, by the document read by the Senator from Idaho. Up to this time the record stands unchallenged. I wish to point out the rest of the evidence as it unfolded before our committee in due course.

Mr. WILLIAMS of Delaware. Madam President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. WILLIAMS of Delaware. While we are clearing up various statements in connection with this project, I should like to call to the attention of the Senator from South Dakota and the Senator from New Mexico an article which disturbed me somewhat. It was published in Newsweek magazine of May 28, 1962. I have no idea as to the accuracy of this article, but I would appreciate hearing both Senators comment on it. I read from Newsweek of May 28, 1962, as follows:

THE PERISCOPE

WHITE HOUSE.—Two examples of the close-in support J.F.K. is giving to Democratic Senators up for reelection: (1) When Oregon's Senator WAYNE MORSE asked Congress for $2 million to set up a cattle-range project in his home State, J.F.K. telephoned him to promise his personal endorsement; and (2) the President has privately informed Senator FRANK CHURCH, of Idaho, that he'll not push for action this summer on a bill opposed by CHURCH and his constituents—repeal of the Silver Purchase Act.

I believe that the Senator from Oregon and the Senator from South Dakota will agree with me that the approval or disapproval of the $2 million request should be based on its merits and not upon how it would affect the reelection of a Member of the Senate. An amendment should be considered only on its merits.

Mr. MUNDT. To a question of that kind, I should say that Newsweek is owned by the Washington Post; and the distinguished Senator from Oregon has a much closer relationship with the Washington Post than does the Senator from South Dakota.

Mr. MORSE. Since when, I ask the Senator from South Dakota, do I have a closer relationship with the Washington Post than he does?

Mr. MUNDT. My relations with the Washington Post are not very good.

Mr. MORSE. They are better than mine.

Since the Senator from Delaware has raised a question of politics in this case, I may say to him that I do not know of anyone who questions my word as being my bond. My fight for range rehabilitation goes back for years and years. I have battled for this kind of range rehabilitation over the years. I am proud of the success we have had in the program from time to time.

Strong protests developed in my State, in Idaho, and in some of the other Western States over a policy which the Bureau of Land Management under this administration was inaugurating. Hearings were held in Oregon, at which the Director of the Bureau of Land Management appeared. I, too, appeared, as did the Representative from eastern Oregon, and we listened to the ranchers. Out of the protest meetings came the meetings in Washington, attended by members of the National Advisory Council and the State Advisory Council, and this program was evolved under the Taylor Grazing Act.

The Senator from South Dakota refers to the notification from the Bureau of the Budget. I have never contested that. I placed it in the RECORD. The Bureau of the Budget did not understand the program which was being recommended by the Department of the Interior. So there followed the explanations of the program, which left no room for doubt that from the very beginning it was always contemplated that the program was for the West, not merely for Oregon. It is a range rehabilitation program for all the West, as I have explained earlier, and it will be started under the $2 million request.

The Senator from South Dakota need have no question about what my testimony was before the Committee on Appropriations. I do not wish to interrupt his remarks, but I ask unanimous consent to have printed in the RECORD the statement I made on March 13, 1962, before the Committee on Appropriations. The statement will show that there is no question that the Senator from Oregon was urging this program not for Oregon alone, but for the West.

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

BUREAU OF LAND MANAGEMENT

The budget presented by the Bureau of Land Management included an increase of approximately $8 million over last year. In my judgment, this is a minimum increase. I can report to this committee, however, that the forest program on the Oregon and California revested lands is proceeding with a high degree of efficiency. The increase provided will assure this forward momentum and I strongly urge the allowance of the funds requested. It is estimated that during the coming year revenues in excess of $32 million will be realized from the sale of 1 billion board feet of timber from these lands. When this tremendous income is measured against the $4.1 million budget it is evident that even after taking into account payments made to the counties, the Federal Government is receiving a handsome return both on past investments and operating expenses.

*Grazing*

In 1959, when I appeared before this committee, I pointed out that the lack of adequate appropriations was developing an extremely harmful situation in the administration of grazing lands by the Bureau of Land Management in eastern Oregon. A comparison of the vast grazing holdings of the BLM with its forest holdings and the budgets for each provide conclusive evidence that the funds for administration and management on grazing lands have long been substantially below minimum standards.

The Bureau has continued to make its range surveys and these often have resulted in proposals to substantially reduce permit grazing. Decisions such as these are working extreme hardship on range permittees, a number of whom are scheduled for cuts in use of 50, 60, and even 70 percent in their permits. The matter has received my personal attention and that of my colleague in the House, Congressman AL ULLMAN. We have met on the ground with the cattlemen, with conservationists, and with Government employees, including research specialists. Our eastern Oregon range has been largely converted to a cheatgrass range and this grass does not provide the type of dependable forage which both livestock and game require.

I have a request before the Agricultural Appropriations Subcommittee for a modest increase in research funds for the Agricultural Research Service. However, the extent of our knowledge today is such that it is not necessary to await the results of research before pushing ahead vigorously with improved management techniques. I recognize that the President's budget for this year provides for increase in range administration and soil and moisture conservation. The cooperation that I have received from this committee, and particularly Chairman HAYDEN, in my effort to bring about immediate rehabilitation of burned-over rangeland has resulted in the inclusion in the budget of provisions that will assure funds to meet these emergencies.

I propose that we now take another forward step and it is in line with recommendations which I have made earlier and which have been adopted in part through the actions of this committee. The Bureau of Land Management desperately needs a more adequate appropriation for soil and moisture work and range administration.

The Bureau should be in a position where it can place into effect range rehabilitation programs and in the process hold to a minimum the reduction of permitted grazing use. To put it another way, the budget for the Bureau of Land Management in this activity should be geared toward realizing in the next 10 years the capability of these lands to carry double the present quantity of livestock and to meet fully our requirements for game management. Therefore, I request that an additional appropriation of $2 million be made to be expended in areas where range surveys indicate a need to reduce permitted grazing use or where wildlife demands cannot be met at the existing

level of range condition. These funds would be used for reseeding, the conversion of cheatgrass range to crested grass, the elimination of sage, fencing, and water development and more adequate cooperative management to assure proper utilization of the range. One example of the type of situation needing attention is the conflict between the use of bitterbrush by livestock and deer on deer winter ranges. For example, one study has shown that deer have overused certain areas. Research shows that the application of sound game and livestock management practices coupled with real improvements in the condition of the land can bring about a resolution of these problems.

I have had further conversations with Secretary Udall and Assistant Secretary Carver on ways and means to improve not only land management but cooperation between various groups.

As the members of this committee know, range conditions are not the same in every part of the Nation. One study showed that removing cows from a range in the Southeastern United States measurably increased the capacity of the land to grow beneficial grasses. Another study in Utah and the studies at Squaw Butte in Oregon show that removing the cows does not result in the range coming back. In still another study it has been shown that on certain western ranges the presence of rabbitbrush actually increases the production of crested wheat grass. This is contrary to one of the long-held views that brush reduces grass production. Rabbitbrush has a toprot that can drive down for water but it has poorly developed lateral roots. The crested wheat thus has no competition from rabbitbrush and thrives under and adjacent to rabbitbrush. On the other hand, big sagebrush measurably reduces the effectiveness of crested wheat grass and drives it out In still another study it has been shown that rodents can be a primary cause of plant cover deterioration. Where livestock only had been excluded there were no marked changes in vegetative cover after 20 years but where rodents had been excluded there were marked changes in plant cover.

Therefore when I contend that cuts in range use will not always improve the range I am following the judgment of dedicated and trained researchers. The range manager must recognize the total biotic relationship. No range manager would expect to keep deer off the range with a 2-foot fence. Why should he try to restore the range for livestock and game by taking a step that just doesn't bring about the restoration?

I would like to have included with my remarks a copy of a letter I just received from an Oregon rancher, Mr. Merle Cummings. I think this letter is typical of the constructive approach that the majority of the ranchers in my State have exhibited. As Mr. Cummings points out, many of the ranchers accept the cuts simply because they believed there was no use in appealing the decision. Mr. Cummings goes on to say, "To me this is a dangerous attitude and if permitted to continue could threaten the very democratic foundations of our free system of government.

Whenever I find that a citizen has reached the point where he thinks that it is no use to appeal a decision even though he thinks he is right, then I feel it is time for the Congress to take notice. We are protecting the basic foundation of our system of government when we show a citizen that he can get a full and fair hearing. My goals in the review I have made of the problems of our ranchers have included attention to this very vital consideration.

Mr. Chairman, I ask each of you to read this letter from Mr. Cummings. I am sure that you will then agree with the case I have made for additional range funds.

The provision of additional funds will be helpful and I have the assurance that the Secretary of the Interior intends to proceed vigorously to achieve better cooperation and constructive improvement. I ask this committee to help on this matter as it has so capably in the past.

WESTFALL, OREG.,
*March 5, 1962.*

HON. WAYNE MORSE,
*Senate Office Building,*
*Washington, D.C.*

DEAR SENATOR MORSE: I am writing to thank you for the copy of that part of the CONGRESSIONAL RECORD containing your statement presented on the floor of the Senate in regard to your policy in the controversy between the users of public lands for grazing purposes and the BLM and the Izaak Walton League.

It is very heartening to the ranchers to get the support of their Senator and realize after many years of abuse both publicly and privately by the BLM and certain uninformed and misinformd private sporting groups to say nothing of the general public, to finally get some unbiased support from someone genuinely interested in our problems.

When we were informed by the BLM of these large cuts in the early spring of 1961 it was as if someone had cut the very ground out from under us as far as our livelihood was concerned with very little if any chance to get an unbiased hearing on our case. In the minds of many segments of the general public we were already judged as guilty in the destruction of the public ranges and prior hearings on appeals of range adjudications had been unsatisfactory as well as expensive to the permitees.

A number of permittees had accepted the terms of the BLM, not because they believed that they were right, but simply because they believed that there was no use appealing the decisions. To me this is a dangerous attitude and if permitted to continue could threaten the very democratic foundations of our free system of government.

I believe you have done a great service to our citizens in getting this matter out before the general public where the facts can be appraised for their true values rather than through misleading propaganda. After talking to some of my neighbors I am convinced that their faith in our Government has been renewed.

Certainly I do not write this to imply that there has not been abuses in some cases or that there is not room for improvement on our public rangelands. I believe in conservation and the majority of the livestock industry believe in conservation and restoration where possible and by all methods consistent with good range management.

In closing I would like to convey to you our heartfelt thanks for the opportunity to get our case out before the public in an honest and dignified manner. We believe in the future of our industry and that in most and perhaps all instances the future of the public ranges can be maintained and improved where improvement is possible without crippling reductions in carrying capacity.

Sincerely,

J. MERLE CUMMINGS,
*President, Westfall Range Users Association.*

Mr. MUNDT. I suppose the statement appears in the hearings, but I have no objection to its appearing again in the body of the RECORD.

Mr. DWORSHAK. Madam President, will the Senator from South Dakota yield?

Mr. MUNDT. I yield to the Senator from Idaho.

Mr. DWORSHAK. The Senator has apparently become involved in a dispute over the correct date. I call the attention of the Senator from South Dakota to the fact that our subcommittee marked up the bill on May 10. I believe that is a correct statement. That was when this item was rejected or was discussed. I have before me a letter signed by Assistant Secretary of the Interior John A. Carver, Jr., dated May 14, 1962, after the rejection of the proposal by our subcommittee. The letter is addressed to the senior Senator from Oregon and reads:

DEAR SENATOR MORSE: In accordance with your request there is enclosed a program for rehabilitation of rangelands in the Western States.

The enclosed material outlines a range improvement program along the lines presented in your testimony before the Senate Subcommittee on Appropriations.

A statement submitted by the Assistant Secretary of the Interior bears the following heading:

Bureau of Land Management, Additional Data Regarding Budget Amendment, 1963, for Accelerated Range Rehabilitation on the Public Lands.

It seems obvious that 4 days after our subcommittee had acted upon this appropriation, Acting Secretary of the Interior Carver complied with the request for additional data—at least, the heading contains the words "Additional Data"—and then submitted a statement, from which I quote as follows:

The only alternative to permanent reductions in grazing use and continued flood and sediment damages downstream is the restoration of these lands to full productivity. The Vale district in Oregon, the Boise district in Idaho, the Winnemucca district of Nevada, and the Rio Puerco drainage in the Albuquerque district in New Mexico symbolize many of the major problems in present-day Federal land resource management.

Obviously, no reference was made to any other district than the Vale, Oreg., district during the testimony and deliberations and until the markup of the bill; but 4 days after the bill had been marked up, Assistant Secretary of the Interior Carver submitted additional data.

Mr. MUNDT. I think the Senator from Idaho is correct. I expect to demonstrate that as I discuss the strange, unusual, and almost unprecedented evolvement of the amendment before our committee. At least, the fact now stands unchallenged in the RECORD that there were no hearings of any kind before the committee. We were asked to buy a cat in the bag. What is now being discussed in the colloquy must be very confusing to Senators who are not on the committee, because it is slightly confusing to us who are.

At least, the first point stands; namely, that there were no hearings.

Second, on March 13, the senior Senator from Oregon made a presentation to our committee. No one denies that. The purport is subject to different interpretations; but at least the presentation was made.

No one can deny that the Bureau of the Budget, in commenting upon that statement, said that the $2 million would be spent in Oregon. So we have the third point established. I shall endeav-

or to establish a few more, some of which might be enlightening to the Senators from Colorado, Wyoming, and Utah, who think their States will receive benefits. However, I think the Senators from Colorado, Wyoming, and Utah ought to know before they vote for the proposal that a legislative history cannot be established on an appropriation bill by colloquies with Senators who are not members of the Committee on Appropriations. I think that is also established.

Mr. ALLOTT. Madam President, will the Senator from South Dakota yield?

Mr. MUNDT. I yield to the Senator from Colorado.

Mr. ALLOTT. I have some acquaintance with this subject. As I understand the situation, and I have examined the statement which the Senator from Oregon placed before the committee on page 1203 of the hearings, I do not interpret his statement to be a statement in behalf of districts other than the Vale, Oreg., district and the other districts which are named.

This proposal was not placed before the Bureau of the Budget last year; or if it was, the Bureau of the Budget rejected it.

The Senator from Oregon came before the Subcommittee on Appropriations on March 13, 1962. The first document of the Bureau of the Budget was dated April 19.

Mr. MUNDT. That is correct. That is the one which confirms that all the money will be spent in Oregon.

Mr. ALLOTT. That is the first one. That is the one to which the Senator from Oregon refers.

Then the bill was marked up on May 10 and was reported to the Senate on the same day or the next day by the full committee. The full committee did not accept this item.

On May 18, 1962, the Department of the Interior presented its document, or letter, with respect to the other proposals.

I should like to say, as I said before the Committee on Appropriations, that there is no State which has a greater interest in grazing districts than does my own State of Colorado. If it is proposed to have the Bureau of Land Management engage in a broad national program, as the Senator from Oregon has indicated, then I think it ought to be on a planned basis, not on a basis of some proposal which has been dug up after the fact, to justify the statements of the Senator from Oregon and to beef up his case and put it in another context. If the Government is to engage in such a proposition as this, then we in Colorado have every right to demand that we be included in the presentation of facts along with the States which are named in the document of May 18.

If we are to engage in such a program, certainly Colorado has every right to demand inclusion in the participation set forth in the document of May 18, which includes New Mexico and other States.

Mr. MUNDT. We endeavored to dissuade the Senator from Oregon—who is somewhat difficult to dissuade, at times—from offering the amendment, because shortly there will be before our committee a supplemental appropriation bill. Furthermore, in the discussion of his proposal, there was considerable support among the members of the Appropriations Committee for launching an attack against the impoverishment of the grazing land and the pasturage of the Western States. But we happen to believe that Senators who do not live in those particular States are also entitled to some consideration for their States. So we would be happy to have hearings held and to proceed on this program, once we get the evidence from the technicians, aside from the political interests involved. I feel certain that if that is done, Colorado, Utah, and California will be included, instead of excluded; and many other States which have the identical problem will also be included in whatever action the committee finally takes, after it has all the evidence before it.

But if a start is made on a program which includes only 4 States, before the other States have an opportunity to be included, we shall find that cattle will be grazing in dust ponds in many of the States before this project—whether experimental or utilitarian—can possibly be completed.

So, because of the paucity of information—not because of any lack of recognition of the existence of the problem—we said that we thought it best first to get the evidence from the technicians and to establish the legislative history; and the only place where that can be done is in the committee. So we propose to have that evidence taken before the Appropriations Committee.

Mr. ALLOTT. Madam President, I wish to emphasize exactly the point the Senator from South Dakota has just made. For a considerable number of years a good deal of the time in my office has been taken up each year in efforts to solve the various problems to which the Senator from South Dakota has referred.

In the Appropriations Committee it was pointed out that the statement of the Bureau of Land Management representative in Oregon did not justify the request for Vale Valley.

My colleague, the junior Senator from Colorado [Mr. CARROLL], is now in the Chamber. I point out that I do not think this proposal has been properly documented or justified. Are we now to offer an amendment to include Colorado, also? I do not think so, because I do not think this proposal has been properly documented, or that there have been proper hearings or proper evaluations of it. I do not know what course my colleague will take, but I know that I will not offer an amendment to include Colorado; I shall simply urge all Senators to vote against the amendment, because we are soon to have before us a supplemental appropriation bill; and if the proposal is as important as Senators have said it is, undoubtedly we shall be able to provide for a long-term grazing project for all the Western States.

Mr. MUNDT. Madam President, as a member of the committee which will consider the supplemental requests, I shall be most happy—and I am assured by the chairman of the committee that he will be, too, to hear all such matters presented. But we see no reason in the world to "buy a cat in a bag" now, without any member of the committee having an opportunity to ask questions or even to discuss the needs in the other States, except as letters have come from the other States, whose residents are having the same problem. But there has been no opportunity to take testimony before the committee.

It seems to me that Senators who wish to have an opportunity to have $2 million poured into their States at this time should be willing to have the committee hold hearings and to let other States have their day in court, so that the entire picture can be understood, rather than to start with a statement by the Bureau of Budget that all the money will go to Oregon, and then gradually watch the picture unfold and shift and change as efforts are made to induce the committee to go along with the proposal.

To the Senators from Colorado and to the Senators from other States who think their States will get a great deal of money out of this program, I can say that only these four States are included at this time, and the Senators from these four States have divided the money among their own States, in advance of the fact.

As the matter now stands, Oregon is to get only half of the $2 million, instead of the entire $2 million, as was the original idea of the Senator from Oregon; Idaho will get $200,000; Winnemucca—which I suspect is in another of the four States—will get $250,000; and Albuquerque, N. Mex., will get $425,000.

I assume that Winnemucca is in one of the four States; and I can tell, by looking at the sponsorship of the amendment, where Winnemucca is located. It must be in Nevada.

I think the inclusion of all these may be very meritorious, and I can see myself voting for the inclusion of all of them if their inclusion can be justified on the basis of the testimony to be given by the departmental technicians and the other experts. But we are simply asked to vote for this "buggy-ride" of $2 million, with not one nickel to go to Colorado. Under this proposal, it is impossible to find that even one thin dime will go to any State except the States of the four sponsors of the amendment. So that is the legislative history of the amendment, and that is the fait accompli.

I believe that Colorado has this problem, too, for I have seen letters which so state. Likewise I believe there is such a problem in Utah. I believe the problem is rather general in the Western States. I believe something should be done about the problem at this session of Congress, but certainly it should be done in an orderly manner.

Oh, how the Senator from Oregon loves orderly procedure. That is very fine; and now I give him an opportunity to demonstrate whether there is to be orderly procedure before the committee in connection with this program.

Mr. MORSE. Madam President, will the Senator from South Dakota yield?

Mr. MUNDT. Yes, if that is agreeable to the Senator from Colorado.

Mr. ALLOTT. Yes.

Mr. MORSE. Madam President, the Senator from South Dakota has built up an interesting strawman, but it is only a strawman, for there never was a proposal to confine this item to Oregon. The council proceeded to point out that the Bureau of the Budget misunderstood the project.

I have stated how the project was brought into being. Colorado, California, and the other States are not excluded. They are included.

Mr. MUNDT. They will get everything but the money.

Mr. MORSE. Oh, no. But these particular projects are now ready to go ahead. The others are to be included in the 7-year program.

The program was filed with the committee by the Department of the Interior; and the committee had the information.

The Senator from Colorado says that someone in the Bureau of Land Management in Oregon says the Vale project is not ready. If anyone in the Bureau of Land Management in the State of Oregon ever made such a statement, he made it contrary to the recommendation of the head of the Bureau and contrary to the recommendation of the Assistant Secretary of the Interior and contrary to the recommendation of the Secretary of the Interior himself.

There has been much talk about what the full committee did. I wonder whether the Senator from South Dakota will tell the Senate how many members of the committee attended the full committee meeting when the bill was marked up, and how many of the members of the committee who voted were Republicans and how many of them were Democrats. I understand that on that particular day the overwhelming majority of those present were Republicans, that only a few Democrats were present, and that no proxies were used. I further understand that the Democrats voted for the project and the Republicans voted against it.

Mr. MUNDT. Madam President, apparently the Senator from Oregon is trying to identify his amendment as purely a Democratic amendment.

Mr. MORSE. Oh, no.

Mr. MUNDT. I wish to say——

Mr. MORSE. Madam President, will the Senator from South Dakota yield?

Mr. MUNDT. I shall be glad to yield in a moment.

Mr. MORSE. Then later I shall take the floor in my own right.

Mr. MUNDT. All I can say is that I have no idea who was there, how many were there, whether they were Democrats or Republicans, because I cannot remember a single time when we have sat in that committee and have voted as Democrats or Republicans. I think it is incorrect to say that, being an amendment offered by a Democrat, it would have been adopted had a majority of Democrats been present. I do not know whether such a partisan majority was present. I think it would be looked at as the Chairman and the rest of the members have looked at such proposals. It was a matter which was not presented in an orderly fashion. No hearings were held on it. Even the sponsors of the proposal become increasingly confused as to what it is about as they discuss it on the floor of the Senate.

Madam President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. LAUSCHE. Madam President, will the Senator yield?

Mr. MUNDT. I yield.

## HUNGER IN THE COMMUNIST WORLD

Mr. LAUSCHE. I should like to read an editorial which was carried in the Cleveland Press of June 4, 1962. I ask that the editorial be included in the RECORD either preceding or following the discussion that has been had on the topic that has been before the Senate for the last 30 or 40 minutes.

The editorial is entitled "Hunger in the Communist World," and reads as follows:

It is no mere coincidence that food shortages in China are accompanied by steep increases in Russian food prices. The trouble is chronic. It is basic to the Communist system and it is getting progressively worse.

This is true wherever the Red flag flies, even in satellite nations which once had food to export. Mass socialistic experiments have combined with natural disasters in China to cause historic famine affecting nobody knows how many millions. After 44 years of these experiments the Russians tacitly have admitted failure, though they haven't moved to change the system. To do so would be to confess to the world that communism is the tragic fraud it is.

The latest evidence is in the Russian price increases just announced. Butter, which had been priced at $1.45 a pound, has gone up to $1.80. Ham has been increased from $1.45 to $1.85. Other meat prices are up in proportion.

In an earlier Russian famine we sent vast quantities of food and other relief which was administered by Herbert Hoover. This saved many lives but it also helped prop up a shaky regime and it is a question, over the long haul, whether it reduced the total amount of Russian misery, materially, or at all.

Humanitarian instinct urges we find a way to get food into Red China, though the belligerent nature of that government makes that practically impossible and even our vast surpluses would not go far among China's 650 millions.

And even if such relief were possible, it would help this brutal regime through this crisis, preserving it to exploit and starve more generations of Chinese, perhaps fashioning them into a military machine which, as in the case of Russia, threatens our own peace and security.

We should feed and help resettle these Chinese refugees wherever they can get out; but aid through the gangster lords of this stricken land is against our own obvious interest. In the long run it also is against the interest of the Chinese people.

The food crisis in Russia is acute. It is acute in every Communist country. It is causing Chinese to flee in hordes whenever they can to places of refuge, where they hope to obtain food. The absence of food in every Communist nation is today a critical problem for those governments to solve.

Though humanitarian instincts prompt the giving of aid to those countries, when we give them aid we are allowing them to put more money into guns and ammunition and less into food. When we give them aid in solving their problems, we relieve them of the responsibility of growing food and we help them in their purpose of producing guns, possibly to be used against our American youth.

That applies to China and to every Communist nation which cannot produce the necessary food and is asking us to help supply it food while it is putting money into guns, ammunition, and other equipment contemplated for war.

Mr. MUNDT and Mr. CARROLL addressed the Chair.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. KEATING. Madam President, will the Senator from South Dakota yield for a comment on the remarks of the Senator from Ohio?

Mr. MUNDT. I yield.

Mr. CARROLL. Madam President, who has the floor?

The PRESIDING OFFICER. The Chair recognized the Senator from Colorado.

Mr. MUNDT. Madam President, I should like to know how I lost the floor, having yielded with the understanding that I would not lose my right to the floor.

Mr. CARROLL. Madam President, I have no objection to the Senator from South Dakota holding the floor.

Mr. MUNDT. I yield to the Senator from New York, with the same understanding.

Mr. KEATING. Madam President, the general principle to which the distinguished Senator from Ohio has called attention, although it may not meet this precise situation, will be greatly assisted by adoption of the amendment I offered to the foreign aid bill, which would deny, as the sense of Congress, aid to a country which, as a report of U.S. aid was able to divert an equivalent amount to buy Communist arms.

This is not exactly the same point, because of course we do not aid Red China, but the principle is very similar. Food is a weapon also, and we must never forget it.

I am very glad the distinguished Senator from Ohio has called attention to the problem because I feel it is a matter to which we do not generally give sufficient attention.

Mr. LAUSCHE. Madam President, will the Senator yield for another brief comment on this subject?

Mr. MUNDT. Madam President, I should like to get on with the work of the Appropriations Committee. I have yielded for these extraneous discussions in the hope that they would be brief. I do not wish to shut off any Senator, but I am sure the Senate would like to finish consideration of the appropriation bill today. I am prepared to conclude my own remarks shortly. I understand the Senator from Colorado [Mr. CARROLL] wishes to speak.

With that little admonition, I yield.

Mr. LAUSCHE. This will take only a half minute.

Mr. MUNDT. Very well.

Mr. LAUSCHE. One of the newspapers carried a very interesting cartoon, which showed a field with all the attributes for growing corn, but instead of growing corn it was growing guns. The cartoon depicted what is happening in the Communist nations.

Mr. MUNDT. I vividly recall the cartoon.

---

## INTERIOR DEPARTMENT AND RELATED AGENCIES APPROPRIATIONS, 1963

The Senate resumed the consideration of the bill (H.R. 10802) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1963, and for other purposes.

Mr. MUNDT. Madam President, so that the RECORD may be complete, no matter what action the Senate finally decides to take in this connection, and so that it will be available for the review of friends at home, for other Members of the Senate and of the House, and for representatives of the press who may be interested in what occurs in the Congress—I ask unanimous consent to include in my remarks certain appropriate items.

First, I ask unanimous consent to have printed parts of the presentation by the Senator from Oregon [Mr. MORSE] to the Appropriations Subcommittee.

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

*Access road*

On February 26 of this year several of us from the Northwest asked the Chief of the Forest Service whether additional funds could be utilized for the program entitled, "Access Roads." You will recall that this road acquisition program was initiated by a number of us led by your colleague on this committee, the senior Senator from Washington, Mr. MAGNUSON. Earlier Senator NEUBERGER transmitted to you the identical response we all received from Dr. McArdle. He pointed out that an additional $4 million could be expended wisely and that this would result in the marketing of 300 million board feet of forest timber and the realization in 1 year alone of $5 million in revenues. When it is recognized that this income will continue in perpetuity, the appropriation of this additional $4 million becomes an expenditure we cannot afford to overlook. With regard to this program I would like to emphasize that it really has just one purpose—to assure the orderly harvest of national forest timber by making timely arrangements to utilize roads already constructed through the national forest by private companies.

In the Douglas-fir region of Oregon and Washington there are almost 14 million acres of commercial forest land of which 7.8 million acres or 56 percent is in public ownership. There are 8 million acres of old growth timber and 65 percent of this timber is in public ownership. One Forest Service study shows that 3 billion board feet are lost annually in the region due to mortality in these old-growth stands. This loss equals 25 percent of the annual timber harvest in the region. It occurs because of a lack of an adequate road network. In an extension of this study the Forest Service found that it is both practical and profitable to construct needed roads well in advance of the final harvest of the timber. Interest, maintenance charges, and depreciation on capital investment can be met by returns obtained from timber salvage.

The situation which faces the Forest Service is a practical one. In many areas the demand for timber is great. In some areas there are private roads already serving the national forest timber. These should be made available. In some cases this will make it possible to increase the allowable cut. In other situations the allowable cut is already being obtained from another part of the working circle. Here the benefit will be to capture large losses due to mortality or to assure a better balance between summer and winter logging. Wise use of the forest resources requires that we place in the hands of the forest managers the flexibility to wisely crop the forest. This is what we seek.

Members of this committee may be aware that the Secretary of Agriculture on the advice of the Attorney General and at the direction of President Kennedy is in the process of making a careful and thorough review of Forest Service policies relating to access to the national forests. It is therefore essential during the pendency of this review that we continue to provide the Forest Service with the tested and proven means of offering some improvement in an extremely difficult situation. The $4 million we have requested will do this.

*Recreation*

I am pleased to note that the Forest Service budget for this year contains a substantial increase for recreation. It is my hope that the committee will also look at the extent to which the planned budget fulfills the requirements for the national forest program. Recreation is one of the fastest growing uses for the national forest. When Secretary Benson presented the program for the national forests to the Congress in 1959, he estimated that recreation visits would reach the level of 130 million annually by 1970. Since that time much new information has been developed, including that prompted by the Outdoor Recreation Commission. This enabled President Kennedy and Secretary Freeman to point out to us last year that recreation visits by 1972 would reach almost 200 million annually. Recreational uses on the national forests in 1961 exceeded 100 million visits. This is a 273-percent increase over 1950.

Recreation is an important industry in Oregon and our national forests are a key element in its growth but national forest recreational use in Oregon is not as great as in some other States. All I will say to this committee is that if the situation is as critical in other States as I know it to be in my own, we are going to find it necessary to revise our estimates of what needs to be done and to raise our sights considerably. At this point, I would like to include in the record the opening statement from the annual report of the supervisor of the Willamette National Forest, Mr. David Gibney:

"Everyone has an interest in the national forests.

"You may not earn your living in the forest, and you may not play there.

"You may never visit a national forest * * * but your interest in this land is as strong as anyone's, for the national forests belong to you and its multiple benefits are yours as surely as if you worked or played there.

"From the national forests comes lumber for many products—water for power, industry and human consumption—forage for raising cattle and sheep, for food and clothing. On the national forests, in some of the most beautiful country in the United States, millions of people each year hunt, fish, camp, hike, and enjoy themselves in the outdoors.

"The forest has many uses and each of these is vital to the welfare of the Nation."

It so happens that this forest is one of the most active in the entire United States. Last year the Willamette National Forest deposited over $12 million into the Treasury of the United States. Its 1,600,000 acres were operated at a cost of less than $3 million. This national forest is a great national asset.

I know that this committee is busy and also that it is aware of many intimate aspects of national forest administration. Therefore, I will not place before you the entire report by the forest supervisor. However, I should point out that on this forest in addition to a vast timber business, there are now close to 860,000 recreational visits—triple the amount in 1956. This forest is the third ranking forest in Oregon in recreational use. The Deschutes and Mount Hood have even heavier use.

One of the most pressing needs that exists on the Willamette Forest is the making of an adequate provision for the development of the great recreational potential in the Waldo Lake area, high in the crest of the Cascade Mountains. This area has been the subject of a great deal of careful deliberation by many people of my State with a genuine interest in sound multiple-use forest management. My estimate of the sentiment of the people in my State is that they want a rational development which places heavy emphasis on promoting the highest degree of well-rounded recreational opportunity. I am convinced that the necessary investments in roads, campgrounds, boating, and similar facilities in a situation which permits ready access in part of the area and trail access in the balance will produce what we all desire. I might point out that there are a number of unique scenic and scientific spots within the high mountain areas which demand most careful land-use planning for their protection.

The entire question of how to proceed is being actively studied by the Secretary of Agriculture, and he has placed this responsibility in the hands of his capable assistant, Dr. George Selke. I hope that the budget will permit moving ahead early next year following the completion of the analyses now underway.

The Willamette National Forest is an excellent example of a forest which offers a major challenge to the successful application of the principles of multiple use. It is one of the most ideally suited for recreation and it is one of the highest priority forests for the application of the most modern techniques in timber management.

The waters which are stored in this national forest are of an inestimable value to all of Oregon and it is the site of a number of major water utilization projects.

I am advised that to place the national forest program on schedule for recreation development in Oregon alone would require the appropriation of an additional $361,000. The national total would be somewhat higher. There are additional funds needed for recreation roads in the amount of $250,000. One of the major needs in recreation right now is to provide the full scheduled amount for the 1963 level of the national forest program for recreation, and I hope that the committee will see fit to do this.

* * * * *

BUREAU OF LAND MANAGEMENT

The budget presented by the Bureau of Land Management included an increase of approximately $8 million over last year. In my judgment, this is a minimum increase. I can report to this committee, however, that the forest program on the Oregon and California revested lands is proceeding with a high degree of efficiency. The increase provided will assure this forward momentum and I strongly urge the allowance of the funds requested. It is estimated that during the coming year revenues in access of $32 million will be realized from the sale of

1 billion board feet of timber from these lands. When this tremendous income is measured against the $4.1 million budget it is evident that even after taking into account payments made to the counties, the Federal Government is receiving a handsome return both on past investments and operating expenses.

*Grazing*

In 1959, when I appeared before this committee, I pointed out that the lack of adequate appropriations was developing an extremely harmful situation in the administration of grazing lands by the Bureau of Land Management in eastern Oregon. A comparison of the vast grazing holdings of the BLM with its forest holdings and the budgets for each provide conclusive evidence that the funds for administration and management on grazing lands have long been substantially below minimum standards.

The Bureau has continued to make its range surveys and these often have resulted in proposals to substantially reduce permit grazing. Decisions such as these are working extreme hardship on range permittees, a number of whom are scheduled for cuts in use of 50, 60, and even 70 percent in their permits. The matter has received my personal attention and that of my colleague in the House, Congressman AL ULLMAN. We have met on the ground with the cattlemen, with conservationists, and with Government employees, including research specialists. Our eastern Oregon range has been largely converted to a cheatgrass range and this grass does not provide the type of dependable forage which both livestock and game require.

I have a request before the Agricultural Appropriations Subcommittee for a modest increase in research funds for the Agricultural Research Service. However, the extent of our knowledge today is such that it is not necessary to await the results of research before pushing ahead vigorously with improved management techniques. I recognize that the President's budget for this year provides for increase in range administration and soil and moisture conservation. The cooperation that I have received from this committee and particularly Chairman HAYDEN, in my effort to bring about immediate rehabilitation of burned over rangeland has resulted in the inclusion in the budget of provisions that will assure funds to meet these emergencies.

I propose that we now take another forward step and it is in line with recommendations which I have made earlier and which have been adopted in part through the actions of this committee. The Bureau of Land Management desperately needs a more adequate appropriation for soil and moisture work and range administration.

The Bureau should be in a position where it can place into effect range rehabilitation programs and in the process hold to a minimum the reduction of permitted grazing use. To put it another way, the budget for the Bureau of Land Management in this activity should be geared toward realizing in the next 10 years the capability of these lands to carry double the present quantity of livestock and to meet fully our requirements for game management. Therefore, I request that an additional appropriation of $2 million be made to be expended in areas where range surveys indicate a need to reduce permitted grazing use or where wildlife demands cannot be met at the existing level of range condition. These funds would be used for reseeding, the conversion of cheatgrass range to crested grass, the elimination of sage, fencing, and water development and more adequate cooperative management to assure proper utilization of the range. One example of the type of situation needing attention is the conflict between the use of bitterbrush by livestock and deer on deer winter ranges. For example, one study has shown that deer have overused certain areas. Research shows that the application of sound game and livestock management practices coupled with real improvements in the condition of the land can bring about a resolution of these problems.

I have had further conversations with Secretary Udall and Assistant Secretary Carver on ways and means to improve not only land management but cooperation between various groups.

As the members of this committee know, range conditions are not the same in every part of the Nation. One study showed that removing cows from a range in the Southeastern United States measurably increased the capacity of the land to grow beneficial grasses. Another study in Utah and the studies at Squaw Butte in Oregon show that removing the cows does not result in the range coming back. In still another study it has been shown that on certain western ranges the presence of rabbitbrush actually increases the production of crested wheat grass. This is contrary to one of the long-held views that brush reduces grass production. Rabbitbrush has a taproot that can drive down for water but it has poorly developed lateral roots. The crested wheat thus has no competition from rabbitbrush and thrives under and adjacent to rabbitbrush. On the other hand, big sagebrush measurably reduces the effectiveness of crested wheat grass and drives it out. In still another study it has been shown that rodents can be a primary cause of plant cover deterioration. Where livestock only had been excluded there were no marked changes in vegetative cover after 20 years but where rodents had been excluded there were marked changes in plant cover.

Therefore when I contend that cuts in range use will not always improve the range I am following the judgment of dedicated and trained researchers. The range manager must recognize the total biotic relationship. No range manager would expect to keep deer off the range with a 2-foot fence. Why should he try to restore the range for livestock and game by taking a step that just doesn't bring about the restoration?

I would like to have included with my remarks a copy of a letter I just received from an Oregon rancher, Mr. Merle Cummings. I think this letter is typical of the constructive approach that the majority of the ranchers in my State have exhibited. As Mr. Cummings points out, many of the ranchers accept the cuts simply because they believed there was no use in appealing the decisions. Mr. Cummings goes on to say, "To me this is a dangerous attitude and if permitted to continue could threaten the very democratic foundations of our free system of government."

Whenever I find that a citizen has reached the point where he thinks that it is no use to appeal a decision even though he thinks he is right, then I feel it is time for the Congress to take notice. We are protecting the basic foundation of our system of government when we show a citizen that he can get a full and fair hearing. My goals in the review I have made of the problems of our ranchers have included attention to this very vital consideration.

Mr. Chairman, I ask each of you to read this letter from Mr. Cummings. I am sure that you will then agree with the case I have made for additional range funds.

The provision of additional funds will be helpful and I have the assurance that the Secretary of the Interior intends to proceed vigorously to achieve better cooperation and constructive improvement. I ask this committee to help on this matter as it has so capably in the past.

Mr. MUNDT. Madam President, Senate Document No. 88 has been alluded to before. It has been ordered to be printed in the RECORD already.

I ask unanimous consent to have printed in the RECORD supplemental budget documents from the Department of the Interior, known as inserts 3 and 3A.

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

APPROPRIATION FOR MANAGEMENT OF LANDS AND RESOURCES, DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT

Request: $1,700,000 for 12 months from July 1, 1962.

Appropriation to date: $———.

Obligations to ———, $———.

Expenditures to ———, $———.

Employment:

Average number, current appropriation: ———.

Number involved this estimate: 56.

Actual employment 2,948, February 28, 1962.

Budget estimate next fiscal year: $41,552,000.

PURPOSE AND NEED FOR SUPPLEMENTAL FUNDS

A supplemental appropriation in the amount of $1,700,000 is requested to initiate the first year of the 7-year development program known as the Vale project and to otherwise greatly accelerate range rehabilitation work in Oregon.

Additional funds in the amount of $230,000 are requested to implement a balanced land treatment, management, and range use program in the Vale district. When completed, the Vale project will demonstrate the benefits which can be derived from increasing the productivity of depleted range lands.

In conjunction with this project, the first phase of an expanded fire presuppression program in the amount of $60,000 will be initiated.

Of the total, $1,385,000 is needed to assist in arresting erosion and watershed damages on the national land reserve in the Vale project area and other areas in the State of Oregon. An additional $25,000 is needed to provide adequate administrative support to this expanded Vale project and rehabilitation work in Oregon.

---

APPROPRIATION FOR CONSTRUCTION, DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT

Request: $300,000, to remain available until expended for —— months from July 1, 1962.

Appropriation to date: $———.

Obligations to ———, $———.

Expenditures to ———, $———.

Employment:

Average number current appropriation: 27.

Number involved this estimate: 6.

Actual employment: 7, February 28, 1962.

Budget estimate next fiscal year: $1 million.

PURPOSE AND NEED FOR SUPPLEMENTAL FUNDS

A supplemental appropriation in the amount of $300,000 is requested for the construction of access roads and buildings essential to the first year of the 7-year development program known as the Vale project, and to accelerate range rehabilitation work in other parts of Oregon. Of this amount $250,000 is for the construction of warehouses, offices, and other facilities essential to protecting the resource base and the materials, supplies and equipment required in the expanded rehabilitation program. The balance of $50,000 is for the design and construction of roads to provide improved access to the areas of the national land reserve in Oregon needed in the conduct of range management and rehabilitation work.

Mr. MUNDT. Madam President, the committee refused money for this appro-

priation after it was alleged by certain Members that the whole project smacked of political favoritism.

It was known by all Members that no hearings had been held in any way, shape or form, and it was recognized by all Members that some States were included specifically and others were excluded, in respect to the solution of the problem which involved some 10 or more States in all.

The Department was not discouraged by this action. No, indeed. Secretary Udall sent a letter to our chairman on May 18 with a "revision in the details of the $2 million program of the Bureau of Land Management for range improvement in the Western States." Yes, he said, "Western States." No longer was this only an Oregon project. The Vale district of Oregon still would get most of the money, but now the Secretary included the Boise district, Idaho; the Winnemucca district, Nevada; and the Albuquerque district, New Mexico.

Again to keep the record straight, I ask unanimous consent to insert Secretary Udall's letter and accompanying revised documents at this point in the RECORD.

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

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
*Washington, D.C., May 18, 1962.*

Hon. CARL HAYDEN,
*Chairman, Committee on Appropriations, U.S. Senate, Washington, D.C.*

DEAR MR. CHAIRMAN: Transmitted herewith is a revision in the details of the $2 million program of the Bureau of Land Management for range improvement in the Western States.

The proposed changes provide a broader area of application to areas in need of improvement.

The restoration of $2 million for the revised program will be greatly appreciated.

The Bureau of the Budget advised that there is no objection to the modification in the details of the program.

Sincerely yours,

STEWART L. UDALL,
*Secretary of the Interior.*

---

BUREAU OF LAND MANAGEMENT—ADDITIONAL DATA REGARDING BUDGET AMENDMENT 1963 FOR ACCELERATED RANGE REHABILITATION ON THE PUBLIC LANDS

Many years of heavy use by wildlife and domestic livestock, wildfires, and other abuses accentuated by drouths and wind and water erosion have destroyed much of the vegetative cover on the public lands. Over 30 percent of the rangelands are in poor or bad condition. Only 20 percent is improving while the balance is static or becoming worse. Livestock operators are facing continual reductions in herd numbers because of dwindling forage production. Livestock is the backbone of the economy in greater portions of the Western States and reduction in livestock numbers create a difficult situation not only for the range livestock producer, but also for communities of the area. Destruction of the vegetative cover has further resulted in the deterioration of watersheds. Irreplaceable soil is being lost from the range through sheet and gully erosion, and uncontrolled runoff from these watersheds is causing downstream losses and destruction by flooding and sedimentation.

The only alternative to permanent reductions in grazing use and continued flood and sediment damages downstream is the restoration of these lands to full productivity. The Vale district in Oregon, the Boise district in Idaho, the Winnemucca district in Nevada, and the Rio Puerco drainage in the Albuquerque district in New Mexico symbolize many of the major problems in present-day Federal land resource management. Production can be restored in these areas by the intensive application of already proven treatments and practices. These project areas will constitute pilot areas of significant size to furnish much-needed demonstrations of the value of effective conservation management on our national land.

VALE DISTRICT, OREGON

Acceleration of the rehabilitation of the range resources in the Vale district requires the application of vegetative improvement projects coupled with fences, livestock water and other facilities for the protection, management and use of range areas during and following treatment. The following are major practices which will be accomplished during the first year of the project:

| Practice: | *Units to be accomplished* |
|---|---|
| Range seeding (acres) | 13,000 |
| Brush control (acres) | 16,000 |
| Fencing (miles) | 50 |
| Water developments (number) | 40 |
| Range use facilities (number) | 16 |

BOISE DISTRICT, IDAHO

Restoration of resources on the public lands in the Boise district requires the accelerated application of those practices which will result in the improvement of the vegetative cover. The soil and climate are conducive to vegetative growth and lend themselves to established methods of range seeding and brush control. Water developments and range facilities for the protection and management of improved areas are also needed.

The following major accomplishments are planned for the first year of the project:

| Practice: | *Units to be accomplished* |
|---|---|
| Range seeding (acres) | 6,000 |
| Brush control (acres) | 8,000 |
| Fencing (miles) | 30 |
| Water developments (number) | 20 |

WINNEMUCCA DISTRICT, NEVADA

The invasion of brush and other undesirable plants following heavy grazing in the Winnemucca district requires that brush and weed control measures be intensified to restore watershed values and forage production. Perennial grasses over much of the area have been reduced in abundance until adapted species must be established to replace them. Rehabilitation must consist of brush and weed control supported by water development, fencing, and other range use facilities needed in protecting treated areas and enabling the establishment of sound systems of grazing management. The following major accomplishments are planned for the first year of the project:

| Practice: | *Units to be accomplished* |
|---|---|
| Range seeding (acres) | 8,500 |
| Brush control (acres) | 11,000 |
| Fencing (miles) | 35 |
| Water developments (number) | 25 |

ALBUQUERQUE DISTRICT, NEW MEXICO (RIO PUERCO)

More than 500,000 acre-feet of soil has been scooped out of valley fill and scalped from the upland topsoils in the Rio Puerco drainage, creating havoc locally and downstream. A number of villages have been abandoned, irrigation farming has had to be abandoned, and grazing drastically reduced. The Rio Puerco contributes over half the silt which obstructs the channel of the Rio Grande and fills the basin of Elephant Butte Dam, but only one-sixteenth of the water. Corrective measures involve temporary impoundment of flood runoff near its source by land treatment measures such as contouring, deep ripping and by detention and diversion dams. Treated areas also require protection from uncontrolled grazing use. The following accomplishments are planned for the first year of the project:

| Practice: | *Units to be accomplished* |
|---|---|
| Detention dams (number) | 25 |
| Diversion dams (number) | 14 |
| Fences (miles) | 70 |
| Land treatment (acres) | 8,000 |

*Funds required by activities—Colorado and Wyoming*

| Location—Districts | Management of lands and resources | | | Construction | | Total |
|---|---|---|---|---|---|---|
| | Management | Soil and moisture | General administration | Roads | Buildings | |
| Vale | $290,000 | $510,000 | | $35,000 | $165,000 | $1,000,000 |
| Boise | | 200,000 | | 15,000 | 85,000 | 300,000 |
| Winnemucca | | 250,000 | | | | 250,000 |
| Albuquerque-Rio Puerco | | 425,000 | | | | 425,000 |
| General administration | | | $25,000 | | | 25,000 |
| Total | 290,000 | 1,385,000 | 25,000 | 50,000 | 250,000 | 2,000,000 |

Mr. MUNDT. Madam President, it is clear that we need range improvement work. Almost every Western State needs such work. I certainly favor it, as I said in the committee. However, I think it is important to the protection of all the States and our national interest that there be a public hearing in respect to the question. The responsible officials of government should come before the committee. Those who are concerned in Colorado, in California, in Utah, and in other States have a right to present their cases to the Committee on Appropriations, so that we can write a long-range program, starting somewhere—and perhaps it should start in Vale; I do not know. We should proceed in a definite, orderly manner toward the solution of the problem, instead of singling out a few States for a project and ignoring the others. I do not think we should lay ourselves open to charges of that kind.

The committee acted wisely in refusing the money, even though it received supplemental and varied requests from the Bureau, with its stubborn tenacity, in an effort to try to get some money somewhere. The committee acted wisely and properly.

I suggest, Madam President, that the Senate should reject the amendment, if it is pressed for a vote. If it does so, I assure the Senators who have this problem in their areas that we shall be glad

to hear, in supplemental hearings, a request to cover the whole area.

In my own mind, Madam President, it might be more appropriate on this occasion to move to lay the Morse amendment on the table. This would have the effect of keeping the subject before the Committee on Appropriations and providing an opportunity for hearings, which would permit Representatives and Senators from all 17 States to present their problems. It would permit Department officials to present their "cure," so that we could subject it to analysis, criticism, modification, and change.

Whether I shall make a motion to lay on the table, or whether any other Senator will do so, has not been decided, but it has been decided that if such is not done, there should be a yea-and-nay vote, for Senators to decide whether they wish to engage in this type of specialized legislation for four States in seeking to solve a problem existing in a great many States. Senators must decide whether they wish to appropriate $2 million without a single syllable of hearings before the committee from the Bureau and the Department responsible for handling the funds.

Mr. MORSE and Mr. CARROLL addressed the Chair.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. MORSE. Madam President, I wish to summarize the position of the advocates of the amendment and to clear up the confusion over this problem created by Senators who have opposed it.

First, it was never contemplated that this would be solely an Oregon project. Attention was called to the fact that the Bureau of the Budget issued a statement on April 2 which erroneously referred to it as an Oregon project.

The administration proceeded forthwith to correct that error, and made it perfectly clear that the project was developed for a new program of range rehabilitation under the Taylor Grazing Act and that it would cover projects which, in the opinion of the Department of the Interior, were ready to move forward based upon the recommendations of the advisory council, which had been called back to Washington for a week and had devised the new program.

The senior Senator from Oregon testified before the Appropriations Committee. I do not know why Senators continue to insist that there were no hearings, unless a Senator, as he appears before and Appropriations Committee, goes through gestures that have no influence on the Appropriations Committee. The senior Senator from Oregon testified. He explained the project to the Appropriations Committee. The administration sent up its communications in regard to the project. The President sent up his communication making clear that the proposal had the approval of the Bureau of the Budget and his approval.

Colorado, Wyoming, and other States not referred to in the material that the Department of the Interior sent up will be included in the program, which, I announce again, is a new program under the Taylor Grazing Act. I call attention to the fact that each year the Appropriations Committee appropriates money to the Department of the Interior for the administration of the Taylor Grazing Act, and no bill of particulars is presented to the Appropriations Committee as to where each dollar shall go under the administration of the Taylor Grazing Act.

That is an administrative function of the Department of the Interior. It so happens, in order to explain this new program, that the Department of the Interior advised the Appropriations Committee through the communications system how it proposed to administer the $2 million, but it is in exactly the same form in which members on the Appropriations Committee have been appropriating money for years gone by. Funds are appropriated to the Department of the Interior for the administration of the Taylor Grazing Act.

The project is one which many of the opponents have said they are all for in principle, but the fact is that they do not want to appropriate the money.

I think the Senator from Delaware [Mr. WILLIAMS] let the cat out of the bag as to why some Senators on the other side of the aisle do not want to appropriate the money. I have not been in the Senate for almost 18 years without developing the ability to smell a political maneuver when its odor is as strong as the odor is here today. It is apparent that certain Senators on the other side of the aisle are of the opinion that they might help WAYNE MORSE get reelected if this amendment were to pass. I cannot interpret some of the statements on the other side, including that of the Senator from Delaware, in any other vein.

I would be less than human if I did not say that I am sorry those comments were made, because I am proud of the record I have made over the years in fighting for range rehabilitation.

This is the culmination of a fight I have waged year after year. The Senator from South Dakota has said that politics are never played in the Appropriations Committee. I hope not. I understand that on the day the provision was gutted in the Appropriations Committee there were present about eight Republicans and four Democrats. I cannot ignore what I think is a pretty clear inference as to what happened in the Appropriations Committee. I regret that the chairman of the committee apparently was not armed with proxies on that occasion.

We must face the reality of the situation. The chairman of the Appropriations Committee advised me to offer the measure as an amendment to the bill on the floor of the Senate, which is exactly what I have done today. I betray no secret when I say that the leader on the other side of the aisle discussed what happened in the Appropriations Committee in regard to this subject. It was understood that I would offer the amendment today because it is meritorious. There are Senators on the other side of the aisle, including an absentee member of the Appropriations Committee, who have told me it is meritorious, and have assured me that they would vote for it when the roll was called.

I do not think that what I have described is the way to deal with great interests in our country with reference to public lands. I do not think it is the way to deal with the advisory councils, Republicans and Democrats alike, that serve under the Taylor Grazing Act and have served for years. They came back to Washington, planned the program, and submitted it to the administration, and it was approved by the Department of the Interior and by the President of the United States.

In my judgment, Senators of both parties from the West cannot deny the fact that the proposal would be a great march forward in range rehabilitation. The record is made.

Let me say most respectfully, but frankly, that what we have heard is a diversionary tactic—to say, "Beat it today, and then start all over in a supplemental bill sometime later."

The people of the West are entitled to have the program approved now. Senators who are interested in it have a clear duty. As the Senator from Colorado [Mr. CARROLL] has made clear earlier today, they will discuss with those in authority in the Bureau of Land Management how the money shall be administered procedurally under the Taylor Grazing Act.

I point out that the proposal would be an appropriation for the administration of the Taylor Grazing Act. We have made appropriations for the administration of that act for years. We have not asked the Department of the Interior to tell the Senate how each dollar would be spent. Representatives of the Department have said that for range rehabilitation they need so much money under the Taylor Grazing Act. But they have been very forthright with the Senate this year. They have told us that there should be some changes as recommended by their advisory council for range rehabilitation. If that is the case, I am perfectly willing to rest on the case made. I am perfectly willing to have Senators assume their own responsibility for their votes on the issue.

Mr. CARROLL. Madam President, will the Senator yield?

Mr. MORSE. I yield.

Mr. CARROLL. How long has the senior Senator from Oregon been fighting for appropriations for range rehabilitation?

Mr. MORSE. This is my 18th year.

Mr. CARROLL. How many times have appropriations been granted for the specific purpose of range rehabilitation?

Mr. MORSE. I answer the question by saying that I do not know of any times for this specific purpose, because the plan is a new one. But many times appropriations have been made to the Department of the Interior for administering the Taylor Grazing Act.

Mr. CARROLL. I recall that I testified in 1960 before the Appropriations Committee and asked for a specific appropriation for the specific program.

Mr. MORSE. So did I.

Mr. CARROLL. The request was denied. I heard on the floor of the Senate today that we should believe in a program of range rehabilitation. As the Senator from Oregon said earlier in his

discussion, I called the Bureau of Land Management. I wanted to know what they would do with reference to the State which I represent in part. I was told very clearly, "Senator, if we have the money, we will do it."

I said, "Suppose you get $2 million. I want you to consider the problems in my State in relation to a proposed appropriation of $2 million."

He said, "We will do it."

Mr. MORSE. Surely. He should.

Mr. CARROLL. For that reason, I made the parliamentary inquiry. I do not want the RECORD to show that the appropriation would be for a specific purpose. It would be covered under the general provisions of the bill related to the Bureau of Land Management, and the money might be impounded by the Bureau of the Budget. It might very well be impounded by the Bureau of the Budget. But it seems to me that in the first step forward in all these years, it would be a step backward for me to vote to reject the amendment merely because I do not have some specific assurance about my State. I commend the able Senator from Oregon. I do not know whether Oregon will get a million dollars or not. If I think it may, I assure the Senator that I shall try to get a little of the money for Colorado. There is a national advisory group. We must repose confidence in volunteer groups who believe in range rehabilitation.

Mr. MORSE. I agree with the Senator.

Mr. CARROLL. Not having had other appropriations in other fiscal years, although I have asked for them, I think it is a serious mistake to turn our backs on the first effort we have made in the direction of range rehabilitation. I intend to support the amendment of the Senator from Oregon.

Mr. MORSE. I thank the Senator. I rest my case.

Mr. DWORSHAK. Madam President, I know that the Senator from Oregon is a kindly and fair man. He is the proud author of the Morse formula, which has won widespread support among his colleagues in the Senate on the basis that it applies fairly and equitably to every State.

I believe that the Senator from Oregon is a little out of character when he makes the broad charge that any Senator on this side of the aisle who opposes his amendment is motivated by some political desire to embarrass the Senator from Oregon. There is not one Senator from any of the Western States who does not wholeheartedly support the comments made by the Senator from Oregon insofar as the importance of range reseeding and range management on the public domain is concerned. There is not a Senator, regardless of which party he is affiliated with, who does not share that concern.

During the deliberations of the Appropriations Subcommittee there never has been any opposition on that basis. There have been disagreements over whether we should appropriate more money or less money, or whether we can accelerate a program. Why all this urgency and haste?

I have before me the Bureau of Land Management justification, page 47, dealing with soil and moisture conservation.

The amount available in 1961 was $5,116,817. The amount available in 1962 was $6,413,530. The estimate for 1963 is $8,525,000. That is an increase of $2,111,470 over last year. That is an increase of approximately 35 percent to enable the Bureau of Land Management to accelerate the soil and moisture conservation program, and reflects the considered judgment of the Bureau of Land Management. That was approved by the Committee on Appropriations, and I am sure the increased budget will also be approved by the Senate in voting for the appropriation which has been submitted. I do not mean the amendment offered by the Senator from Oregon, but the bill brought to the Senate by the Committee on Appropriations.

I find on BLM page 49 some detail with respect to the program of $8½ million. Brush control and range seeding are mentioned, both in terms of acres. In 1962 there were 237,289 range seeding acres. In the program for 1963 there will be 290,000 acres of range seeding, or an increase of 53,000 acres.

I have BLM page 84, which is the justification on range improvement. I find that the appropriation in 1961 was $863,070. In 1962, it was $739,842. For the coming year the estimate is $1,044,750. That is an increase of $304,908. That means an increase of 40 percent in that specific program for range improvement under the direction of the Bureau of Land Management.

I have called attention to these two appropriation items for the Bureau of Land Management to prove the liberality and the desire of the Appropriations Committee to support this program in the normal way, which requires matching from 25 to 40 percent by the local participants in these programs.

I am fearful that we are in danger of setting up a new precedent whereby we can get through an authorization for a particular project in a favored area without the requirement of local matching.

What will happen, then, to the program that we have followed for many years, which has been accepted by every interest, particularly the grazers on the public domain, to the extent that they are willing to make local matching in these programs?

The Senator from Oregon may have some personal justifiable reasons for asking for this preferential treatment. However, he has heard comments made by his colleagues from other public land States in the West, all of whom agree basically with his concept for an expanded public domain improvement and reseeding, which will ultimately bring more revenue through grazing fees.

However, I believe that the Senator from Oregon is not entirely fair when he says the State of Idaho, the State of Nevada, and the State of New Mexico were in the original concept, because the RECORD is replete with evidence to show that it was 4 days after the markup and reporting of the appropriation bill before the Assistant Secretary of the Interior submitted additional data. I may not use the same dictionary the Senator from Oregon uses, but I believe I know what "additional data" means. It means information that was not submitted by the Bureau of Land Management to our committee when this subject was before us for consideration originally.

I am reluctant to bring up this item, but at the time the subcommittee was considering this particular request I happened to read in the Idaho Statesman, of Boise, Idaho, which serves eastern Oregon, including the Vale district, the following dispatch:

VALE BLM TO SPRAY SAGEBRUSH

PORTLAND, OREG.—Six thousand acres of sagebrush and rabbit brush in the Vale district of the Bureau of Land Management will be aerial-sprayed between now and the end of June, Russell E. Getty, BLM State director, announced Wednesday.

The spraying program, Getty said, is part of a BLM range improvement program. Control of brush releases perennial native grasses for the benefit of livestock and certain species of wildlife, he added.

Getty said when good native grass is sparse or nonexistent the BLM seeds the sprayed areas with crested wheatgrass.

Getty also issued a forecast of forage conditions on public rangelands in the Vale area.

As of April 1 the conditions in the north part of the district were 13 percent above normal; in the central part they were 4 percent below normal and in the south 13 percent above normal.

The article, if it correctly states the facts, in quoting the Bureau of Land Management director in the Portland, Oreg. district, which includes the Vale district, shows that there is no immediate need or urgency for the proposed action at this time. Assurances have been given by Republicans serving on the committee, as well as by Democrats, who come from the States that are not included in the emergency program, that a supplemental appropriation bill will be considered soon and that there will be ample opportunity for the Bureau of Land Management to submit a detailed report or recommendation, not for one or two or three States, but, rather, for the negotiation of a farflung rehabilitation program throughout the 10 public land States of the West. I believe the State of Washington, represented by the Senator from Washington [Mr. MAGNUSON], is not interested in this program.

So only 10 of the 11 Western States participate.

If the Senator from Oregon would be as fair as are Senators on both sides of the aisle who serve on the Subcommittee on Interior Department Appropriations and study the estimates, justifications, and programs year after year, and would act in accord with his long record in this body, he would not seek the preferential treatment which would result in discrimination against other States of the West which are in exactly the same category as is his own great State of Oregon.

I think the amendment ought to be laid on the table without prejudice. In the next month or two, when the supplemental appropriation bill is considered, there will be an opportunity to

proceed in a regular, orderly manner. A program can be presented which will be fair to all the States, and the Senator from Oregon will then receive the plaudits and acclaim of the States of the West, because he will have had a share in expanding this program.

Mr. President, I move that the amendment be laid on the table.

Mr. WILLIAMS of Delaware. Mr. President, on that motion, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER (Mr. HICKEY in the chair). The question is on agreeing to the motion of the Senator from Idaho to lay on the table the amendment of the Senator from Oregon.

Mr. DIRKSEN. 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.

The question is on agreeing to the motion of the Senator from Idaho [Mr. DWORSHAK] to lay on the table the amendment of the Senator from Oregon [Mr. MORSE]. The motion is not debatable. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Louisiana [Mr. ELLENDER], the Senator from Arizona [Mr. HAYDEN], the Senator from Alabama [Mr. HILL], the Senator from North Carolina [Mr. JORDAN], the Senator from Oklahoma [Mr. KERR], the Senator from Louisiana [Mr. LONG], the Senator from Michigan [Mr. MCNAMARA], the Senator from Rhode Island [Mr. PELL], the Senator from Georgia [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS], the Senator from South Carolina [Mr. THURMOND], and the Senator from New Jersey [Mr. WILLIAMS] are absent on official business.

I further announce that the Senator from Arkansas [Mr. FULBRIGHT], the Senator from South Carolina [Mr. JOHNSTON], and the Senator from Missouri [Mr. LONG] are necessarily absent.

I further announce that the Senator from New Mexico [Mr. CHAVEZ] is absent because of illness.

On this vote, the Senator from Louisiana [Mr. ELLENDER] is paired with the Senator from Oklahoma [Mr. KERR]. If present and voting, the Senator from Louisiana would vote "yea," and the Senator from Oklahoma would vote "nay."

On this vote, the Senator from South Carolina [Mr. THURMOND] is paired with the Senator from New Jersey [Mr. WILLIAMS]. If present and voting, the Senator from South Carolina would vote "yea," and the Senator from New Jersey would vote "nay."

I further announce that, if present and voting, the Senator from New Mexico [Mr. CHAVEZ], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Alabama [Mr. HILL], the Senator from South Carolina [Mr. JOHNSTON], the Senator from North Carolina [Mr. JORDAN], the Senator From Missouri [Mr. LONG], the Senator from Louisiana [Mr. LONG], the Senator from Michigan [Mr. MCNAMARA], the Senator from Rhode Island [Mr. PELL], and the Senator from Florida [Mr. SMATHERS] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Vermont [Mr. AIKEN] is absent on official business.

The Senator from Connecticut [Mr. BUSH], the Senator from Indiana [Mr. CAPEHART], the Senator from New Jersey [Mr. CASE], the Senator from South Dakota [Mr. CASE], the Senators from New Hampshire [Mr. COTTON and Mr. MURPHY], the Senator from New York [Mr. JAVITS], the Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from Texas [Mr. TOWER] are necessarily absent.

If present and voting, the Senator from Connecticut [Mr. BUSH], the Senator from Indiana [Mr. CAPEHART], the Senator from New Hampshire [Mr. COTTON], the Senator from New Hampshire [Mr. MURPHY], and the Senator from Texas [Mr. TOWER] would each vote "yea."

The result was announced—yeas 30, nays 44, as follows:

[No. 84 Leg.]

YEAS—30

| | | |
|---|---|---|
| Allott | Eastland | Pearson |
| Beall | Fong | Prouty |
| Bennett | Goldwater | Proxmire |
| Boggs | Hickenlooper | Robertson |
| Butler | Hruska | Scott |
| Byrd, Va. | Keating | Smith, Maine |
| Carlson | McClellan | Stennis |
| Curtis | Miller | Wiley |
| Dirksen | Morton | Williams, Del. |
| Dworshak | Mundt | Young, N. Dak. |

NAYS—44

| | | |
|---|---|---|
| Anderson | Gruening | Metcalf |
| Bartlett | Hart | Monroney |
| Bible | Hartke | Morse |
| Burdick | Hickey | Moss |
| Byrd, W. Va. | Holland | Muskie |
| Cannon | Humphrey | Neuberger |
| Carroll | Jackson | Pastore |
| Church | Kefauver | Randolph |
| Clark | Kuchel | Smith, Mass. |
| Cooper | Lausche | Sparkman |
| Dodd | Long, Hawaii | Symington |
| Douglas | Magnuson | Talmadge |
| Engle | Mansfield | Yarborough |
| Ervin | McCarthy | Young, Ohio |
| Gore | McGee | |

NOT VOTING—26

| | | |
|---|---|---|
| Aiken | Hayden | Murphy |
| Bush | Hill | Pell |
| Capehart | Javits | Russell |
| Case, N.J. | Johnston | Saltonstall |
| Case, S. Dak. | Jordan | Smathers |
| Chavez | Kerr | Thurmond |
| Cotton | Long, Mo. | Tower |
| Ellender | Long, La. | Williams, N.J. |
| Fulbright | McNamara | |

So the motion to lay on the table was rejected.

## LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, I should like to ask the distinguished majority leader about the program for the remainder of today and also for tomorrow.

Mr. MANSFIELD. Mr. President, if it is possible to reach a vote on the Morse amendment, I think we would seriously consider adjourning shortly thereafter; and I should like to suggest to the distinguished minority leader and to all other Senators that, if they find it agreeable to do so, the Senate convene tomorrow morning at 11 a.m.

Mr. WILLIAMS of Delaware. Mr. President, if the Senator from Montana will yield, I have no objection to having the session tomorrow convene at 11 a.m., but I understand that the chairman of the Finance Committee has arranged to have the Secretary of the Treasury appear before the committee at that time; and I have an amendment to offer to this bill, also.

Mr. MANSFIELD. Mr. President, I am glad the Senator from Delaware has mentioned that fact. Therefore, I propose that the session tomorrow convene at 12 o'clock noon.

If action can be completed on the Morse amendment this afternoon, I wonder whether it will also be possible today to complete action on the Magnuson amendment, which will not take too long. There will be many other amendments to consider tomorrow.

## INTERIOR DEPARTMENT AND RELATED AGENCIES APPROPRIATIONS, 1963

The Senate resumed the consideration of the bill (H.R. 10802) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1963, and for other purposes.

Mr. KEFAUVER. Mr. President, will the Senator from Montana yield to me?

Mr. MANSFIELD. I yield.

Mr. KEFAUVER. I have a brief statement which I wish to make today, if possible.

Mr. MANSFIELD. Mr. President, if final action is taken today on the Morse and Magnuson amendments, Senators can then take all the time they may wish to take.

At this time, I hope the Senate will proceed to vote on the Morse amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oregon [Mr. MORSE], on behalf of himself and certain other Senators. On this question, the yeas and nays have been ordered.

Mr. MUNDT. Mr. President, I desire to take only a minute or two to inform the many Senators who were not present earlier of the present legislative situation and the pending issue.

The Senate now has before it an amendment to increase by $2 million the appropriations called for by the bill. This proposed increase would be above the amount recommended by the committee, and it involves an item on which no committee hearings were held.

It involves an amount as to which, it seems to me, if we are going to start to legislate increases on an appropriation bill in the face of the serious fiscal situation in which this country finds itself, we should at least recognize our responsibility to the taxpayers and to the Treasury to the extent that we do not legislate increases on items which have not even been heard by the committee.

Each Member must be his own custodian of his responsibility in fiscal mat-

ters. I simply wanted Senators, who were not present to hear the discussion, know what is involved in the issue.

Mr. LAUSCHE. Mr. President, I contemplate voting against the amendment. I shall vote against it because it tends to increase the amount recommended by the committee.

I have no faith in the argument which has been made that the Senator from Oregon charted this amount to be assigned to Oregon, and to no other States. Basically, I would vote against this amendment because of the increase proposed. I want it clearly understood that my vote will not be cast upon the basis that the Senator from Oregon tried to channel this money into Oregon, and no other place.

Mr. MORSE. I have already given my assurance that that is not so.

## DRUG LEGISLATION

Mr. KEFAUVER. Mr. President——

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. KEFAUVER. Mr. President, I wish to take but a few minutes, but I wanted to make this statement while the minority leader [Mr. DIRKSEN], the Senator from Nebraska [Mr. HRUSKA], and other Senators were present to hear the statement.

Mr. President, today a severe blow to the public interest was delivered in the Senate Judiciary Committee.

Most of the drug manufacturing industry and its acolytes have been punching away for some time at S. 1522, which is designed to make vital prescription drugs available to the people at reasonable prices.

Today they swung a "haymaker" and just about knocked this bill right out of the ring.

I refuse to believe that my colleagues in the U.S. Senate will let this sorely needed legislation go down "for the count" in this way. The people of this country want more reasonably priced drugs; they want safer, more accurately and honestly advertised drugs.

Some polls have shown that 60 to 70 percent of the people would be for price-controlled drugs. I am not for price control, however, because I believe the same thing can be accomplished by way of competition.

But whatever test we attempt, whether cost of manufacture, foreign prices, or bids to the Government, the cost of prescription drugs is and has been for some time unreasonably high.

I think the time has come for the spotlight to be turned on so that the people of this country can see who is on which side.

The people of this country want and are entitled to know about our efforts to try to get more reasonable prices for prescription drugs, safer drugs, and accurately advertised drugs.

As of now, these and other necessary and important objectives are in great jeopardy. That is why I want now to review the history of this struggle so that my colleagues and the public will know the facts.

Two and a half years ago the Subcommittee on Antitrust and Monopoly began a full-scale investigation of the drug manufacturing industry. It was the finding of the subcommittee, embodied in Senate Report No. 448, dated June 27, 1961, of the 87th Congress, that the prices charged for prescription drugs are exorbitantly high and that the profits of the leading manufacturers were excessive. We also found that a number of changes in the law should be made to assure that prescription drugs will be safer as well as less expensive.

The major recommendations of our subcommittee were embodied in S. 1552, the Drug Industry Antitrust Act. Very lengthy hearings were held on this bill and everyone who wished to be heard was permitted to testify. This bill, with certain amendments, was approved by the subcommittee several months ago. When the amended bill was referred back to the Committee on the Judiciary, it was rereferred to the Patents Subcommittee. That subcommittee recommended the deletion of certain provisions in the bill and, upon the initiation of its chairman, Senator MCCLELLAN, made certain changes in the remaining patent provisions. The bill was then sent back to the Committee on the Judiciary.

The bill, as further amended, received the strong endorsement of the President of the United States in the form of a letter to Senator EASTLAND, dated April 10, 1962. I request unanimous consent that this letter, a copy of which I have here, be placed in the RECORD, at this point.

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

THE WHITE HOUSE,
*Washington, D.C., April 10, 1962.*

Hon. JAMES O. EASTLAND,
*U.S. Senate,*
*Washington, D.C.*

DEAR SENATOR: In the message I sent to the Congress on March 14, I called attention to the need for new legislative authority to advance and protect the interests of consumers in the marketing of drugs.

S. 1552, which is now pending before your committee, incorporates the major recommendations I made. It will strengthen and broaden existing laws in the food and drug field, contribute toward better, safer, and less expensive medicines, and establish a better system of enforcement. As you know, the bill is the outgrowth of 28 months of intensive investigation and hearings by your Subcommittee on Antitrust and Monopoly. I believe that early passage of this legislation will substantially improve the ability of the drug industry to serve the Nation and help provide consumers with quality drugs at low competitive prices.

I understand that the members of the Subcommittee on Patents have decided that the compulsory licensing feature of the legislation requires further study and consideration. I would hope that this would not, however, delay enactment of the other provisions of the bill—provisions which will establish necessary safeguards to assure the reliability and effectiveness of drugs placed on the market, provide for standardization of drug names, and thereby encourage physicians to prescribe drugs by nonproprietary rather than by brand names, require disclosure of adverse as well as beneficial effects of drugs in drug promotion, and assure consideration of therapeutic effectiveness in the granting of patents for drugs that are modifications of other drugs.

The message I sent to the Congress made several other suggestions which, it would seem to me, might appropriately be included in the bill now before your committee. They are:

1. Drug manufacturers should be required to keep records on, and report to, the Department of Health, Education, and Welfare any indications of adverse effects from the use of a new drug or antibiotic.

2. The Department of Health, Education, and Welfare should be empowered to withdraw approval of a new drug on the basis of a substantial doubt of its efficacy or safety.

3. The provisions requiring drug manufacturers to maintain facilities and controls to assure the reliability of their product, and to institute more effective inspection to determine whether drugs are being manufactured in accordance with the law, cannot feasibly be limited to a particular class of drugs and should therefore be made applicable to over-the-counter as well as prescription drugs.

4. An enforceable system of preventing the illicit distribution of habit-forming barbiturates and amphetamines should be provided.

The need for these amendments is based upon the accumulated years of experience of the Food and Drug Administration, and they appear to be properly within the scope of the subject matter dealt with in the extensive hearings of the Subcommittee on Antitrust and Monopoly.

In addition, I recommend two minor procedural changes:

1. In the section having to do with the rendering of advisory opinions by the Department of Health, Education, and Welfare to the Patent Office on the therapeutic effect of modifications and combinations, I suggest that the requirement providing the applicant with an opportunity for a plenary hearing be deleted. Under the provisions of S. 1552 in its earlier form, the Secretary's finding was conclusive and therefore should have required a formal hearing. But since the bill in its present form requires no binding decision to be made by the Secretary, the requirement of the hearing seems inappropriate and would tend to unduly delay the rendition of the Secretary's purely advisory opinion to the Commissioner. The action of the Commissioner is, of course, subject to well-established de novo judicial review.

2. The provision requiring the filing of patent agreements with the Commissioner of Patents should more properly be in the form of an amendment to the Patent Act rather than the Sherman Act.

I have asked the Department of Health, Education, and Welfare to transmit to you promptly any additional recommendations to strengthen, clarify, or improve the bill that it may have and that will not require additional hearings or substantially delay action on the bill.

It would not appear that the consideration of these proposed changes should occasion any further delay in the approval of this important measure.

With the above changes, S. 1552 adequately deals with the most pressing problems in the drug field, and it is my sincere wish that it be enacted during the current session of the Congress. Your cooperation and assistance to this end will be greatly appreciated.

Sincerely,

JOHN F. KENNEDY.

Mr. KEFAUVER. In this letter the President not only strongly endorsed S. 1552 as amended, but also requested certain additions and minor changes, which by request I was prepared to offer

in the administration's behalf in the Judiciary Committee.

At a meeting of the Judiciary Committee last week, the remaining patent provision in the bill—as amended by Senator MCCLELLAN—came under heavy attack from the Republicans. It was contended that the Commissioner of Patents objected to this provision which put some curb on the granting of patents to modifications and combinations of drugs which represented no medical advance. As the matter was left unresolved at the conclusion of the meeting, I immediately made an appointment to see Commissioner Ladd, and found that he enthusiastically supported the patent provision. I asked him if he would write a letter to Senator EASTLAND to this effect; he said he would; and he did. As a copy of this letter was sent to me I ask unanimous consent that it be placed in the RECORD at this point.

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

U.S. DEPARTMENT OF COMMERCE,
PATENT OFFICE,
*Washington, D.C.*

HON. JAMES O. EASTLAND,
*Chairman, Committee on the Judiciary, U.S. Senate, Washington, D.C.*

DEAR MR. CHAIRMAN: Senator KEFAUVER has requested me to write to you further in amplification of my letter of May 2, 1962, to Senator MCCLELLAN, concerning sections 3 (a) and (b) of S. 1552 as proposed to be amended by the Antitrust and Monopoly Subcommittee. A copy of that letter is enclosed. Senator KEFAUVER has supplied me with a printed copy of S. 1552 as thus proposed to be amended and also a copy of amendments to this version which Senator MCCLELLAN has proposed.

The comments made in my letter of May 2, 1962, constituted a studied and earnest effort to suggest improvements in the subsections under consideration which would make them clearer and more workable than the previous versions. Our efforts toward improving the text were directed to making the provisions workable in the context of our day-to-day operations in the Patent Office. Such an approach is in furtherance of the general approval by the President of legislation for the purpose of S. 1552 contained in his letter of April 10, 1962, to you and his expressed wish for enactment of such legislation in this session of the Congress.

In my testimony before the Antitrust and Monopoly Subcommittee I made it clear that present confusion with respect to the requirement of utility in certain chemical patent applications was undesirable from the viewpoint of the public interest. The proposed legislation provides a significant improvement in this respect, and, I feel, is altogether desirable to reestablish clearly the requirement of utility in the patent statute and to allow the Patent Office to require the necessary proof thereof.

I am gratified to see that two suggestions contained in my previous letter (relating to reference of certain applications to the Department of Health, Education, and Welfare and to broadening the conditions of patentability of chemical compounds in the area covered by the bill) have been proposed for adoption by the full committee. However, I would like to again call attention to the other suggestions contained in my letter, relating to the clarification of certain clauses. These should be taken care of by suitable explanations in the report on the bill.

My reference here to the desirable reassertion of the requirement of utility is to the language which would amend section 100 of part II of title 35 of the United States Code, as set forth in section No. 3 in the committee print of S. 1552, dated April 13, 1962, considered together with the further amendment to that provision which I understand that Senator MCCLELLAN has proposed. Specifically, I understand that Senator MCCLELLAN proposes to amend section 3 as it appears in this committee print by inserting on page 4, line 13, after the words "taken separately" the following: "or unless the modification or combination possesses some other substantial advantage over the drug so modified or the drugs so combined."

I believe that such a clarification of the law on utility is needed, desirable, and in the public interest. It will, moreover, materially assist the Patent Office in its administration of the patent laws.

In accordance with a request by Senator KEFAUVER, copies of this letter are being forwarded to him and to Senator MCCLELLAN.

Respectfully,

———— ————,
*Commissioner.*

Mr. KEFAUVER. Having received this endorsement of the Commissioner of Patents, I felt that this provision would cause no more controversy.

Much to my amazement, at a meeting of the Judiciary Committee this morning, I discovered that there had been a secret meeting between representatives of the Department of Health, Education, and Welfare—just how much authority the representatives there had, I do not know—and staff members of the Judiciary Committee representing the Senator from Mississippi [Mr. EASTLAND] and staff members of the Antitrust Subcommittee representing the Senator from Illinois [Mr. DIRKSEN] and the Senator from Nebraska [Mr. HRUSKA]—of which I knew nothing, and no member of the staff of the Antitrust and Monopoly Subcommittee knew anything.

Not only had there been an agreement to eliminate the remaining patent provision endorsed by Commissioner Ladd, but there had also been an agreement to water down virtually every remaining feature of the bill.

I know the chairman of our committee was trying to get some bill out and apparently felt that it was necessary to get the agreement of the Senator from Nebraska [Mr. HRUSKA] and the Republican members. I do not question the good faith of the Senator from Nebraska [Mr. HRUSKA] or the Senator from Illinois [Mr. DIRKSEN], but I want to say this is the first time in my legislative experience, that I have been working on a bill for a long, long time, a bill which the committee has been considering; a bill on which a meeting was called to completely change it; and a bill about which I had no notice and no opportunity to be present or have anyone present at the meeting to present the arguments that I felt should be made.

I was surprised and put out that I, as chief sponsor of the bill, had neither been invited to the meeting nor knew anything about it.

The bill which now remains is a mere shadow of the one approved by the Antitrust and Monopoly Subcommittee only a few months ago. I have had many inquiries as to what is happening about drugs, when prices are going down, when we are going to have more accurate advertising, when we are going to have safer drugs. I want the people to know what has been happening and what the situation is.

The bill as it stands is admittedly agreeable to the Senator from Illinois [Mr. DIRKSEN] and the Senator from Nebraska [Mr. HRUSKA]. They have generally, and I think admittedly, taken the position on these issues set forth by the pharmaceutical drug manufacturing industry, so I assume the bill is equally agreeable to the drug manufacturing industry. The spokesman for the drug manufacturing industry, Mr. Beasley, of Eli Lilly, testified in favor of a stronger bill than that which was finally drafted as a so-called compromise to be presented before the Committee on the Judiciary.

If this is the case, Senators may be assured that there will be nothing in the bill which will bring the price of drugs down. Undoubtedly there will be some provisions in the bill which will make a few useful changes in the technical provisions of the food and drug law. These have long been needed, and the PMA, unlike the AMA, has admitted the need several times, and has even gone further than the proposal worked out over the weekend, of which I knew nothing.

However, Senators may also be sure that these provisions will be considerably watered down from those approved by the Subcommittee on Antitrust and Monopoly Legislation.

At the meeting this morning there were present representatives both of the Department of Health, Education, and Welfare, and the Food and Drug Administration. I am unable to ascertain whether or not they were putting forward a new administration position or whether they were merely technicians assigned to assist the Senator from Mississippi [Mr. EASTLAND], the Senator from Illinois [Mr. DIRKSEN], and the Senator from Nebraska [Mr. HRUSKA] in arriving at a common position.

I hope it was the latter, because I believe the President is still behind our effort. The President has written a strong letter and has sent a message to Congress in respect to the prices of drugs. The Secretary of the Department of Health, Education, and Welfare has testified specifically for the food and drug sections. I believe both the President and the Secretary are still behind our drive to make prescription drugs both safer and more reasonable in price. Though the Secretary testified that these were not in his jurisdiction, he thought that the other sections relating to patents did have a good purpose, and he said he personally would be in favor of them, although he was not speaking for the Department of Justice nor the Commissioner of Patents.

I believe both the President and the Secretary of Health, Education, and Welfare are still behind our drive to make prescription drugs both safer and more reasonable in price. If I am incorrect, I hope that either the White House or the Department of Health, Education, and Welfare will clarify the position, so that everyone may know where everyone else stands on this important issue.

This is an important issue in respect to which millions of people—particularly older people, who have to take many medicines—are very much interested.

For my part, I shall not give up my effort to restore competition to the drug industry and thereby to lower the prices of drugs, but I should like to know who stands for this program—which departments stand for and which stand against this effort.

Mr. President, we know where the drug industry stands. The Senator from Illinois [Mr. DIRKSEN] and the Senator from Nebraska [Mr. HRUSKA] have made very clear where they stand. That is their prerogative. I cannot believe that there has been any backing away on the part of the President of the United States.

In view of the fact that representatives of the Department of Health, Education, and Welfare participated in secret meetings to damage this bill seriously, I think the people are now entitled to know just how they happened to be there and what the administration's present position is.

I yield the floor.

Mr. EASTLAND. Mr. President, I accept full responsibility for the alleged secret meeting which the Senator from Tennessee describes. The truth is that the administration designated certain individuals to handle the drug bill.

The Senator from Tennessee would offer amendments, and would get two or three votes, out of a committee of 15 members. It was my obligation to do what I think was needed, to get a realistic drug program, so I asked those who represented the administration to meet with the staff of the Judiciary Committee and to meet with the staffs of Senators who opposed the bill or who opposed parts of the bill, to see if, within the President's letter to me, we could arrive at a drug bill both healthy and wholesome, which would be a step forward. That was done. It was agreed on.

I admit that I did not call in my friend from Tennessee for consultation, because I thought it would be a futile act. I did not think he would make any agreement with respect to anything.

I submit that we have drafted a drug bill which is healthy, which meets the requirements of the President of the United States as stated in his letter to me, and which should be supported by the American people.

If there is anyone at fault, the Senator from Mississippi is at fault. I directed my staff to meet with the officials from the executive department who were handling the bill—where else should I have gone?—and to meet with the staffs of Senators who were opposing the bill, to see if we could agree upon a program supported by the administration. That has been done.

I do not wish any glory from this effort. I am not making any speech for public consumption at home or abroad. We have a workable program which meets the test laid down by the executive department of the Government. After all, the President must sign the bill. I think it is a great step forward, and a needed step forward.

The Senator from Nebraska [Mr. HRUSKA] and the Senator from Illinois [Mr. DIRKSEN] have never opposed a real drug bill. When we consider licensing a business to go into business we are dealing in socialism, and that should be opposed. I do not think the iron heel of the U.S. Government should be placed on any company which wishes to manufacture drugs, but I think the companies should be regulated. That is what is in the bill now pending in the Committee on the Judiciary.

Mr. HRUSKA and Mr. CARROLL addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. HRUSKA. Mr. President, the series of events referred to by the Senator from Tennessee started about 2½ years ago. The Subcommittee on Antitrust and Monopoly Legislation had the idea that the industry involved in the manufacture and the distribution of prescription drugs needed investigation.

I take a back seat for no one, including the distinguished chairman of that subcommittee, in a concern over seeing that the manufacture of prescription drugs should be of the highest quality and the greatest reliability, to be distributed and sold under as competitive a system as we can achieve which is consistent with free enterprise.

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

Mr. HRUSKA. I am happy to yield.

Mr. EASTLAND. Does not the Senator know that it is incumbent upon me, as chairman of the Committee on the Judiciary when there is a great controversy in the committee, to seek a middle ground on which we can all agree?

Mr. HRUSKA. The Senator from Nebraska is aware of that.

Mr. President, without the intervention of the chairman of the Committee on the Judiciary, the alternatives were not to have the bill which was approved in the subcomimttee and the bill which is the product of this alleged secret meeting. The choice would have been between the bill approved by that subcommittee and no bill at all.

It is my considered judgment that if the bill which had been approved by the subcommittee was brought to the floor of the Senate, it would not pass in any of its parts, including the portion related to information on patents for drugs, the part related to licensing of pharmaceutical companies, or the rest.

I am as concerned as anyone about proper use of drugs by those who are ill, those who need relief from pain, and those whose lives could be saved through them. I am deeply in sympathy with the declared objectives of the bill.

What about the so-called secret meeting? I suggest that a meeting attended by some 15 or 18 people is scarcely a secret. The charge surprises me. However, I can recall occasions, going back through the past 2½ years, when members of the minority were not able to receive even 1 day in advance of a hearing the names of the witnesses who would be called before the subcommittee, denying us the opportunity to inform ourselves on the provisions of the bill about which the testimony would be offered. Contrary to the rules of the subcommittee, statements of witnesses called by the majority staff were not supplied to us. Only by a constant effort were we able to get some semblance of information sufficiently in advance so that we could overcome the secret preparation of evidence that later emerged in the hearing.

It is true that we battled this bill out. We lost when the subcommittee voted on it. But we did not come to the floor of the Senate and complain about it. We took our case to the full committee. We discussed the question before the entire membership. As the chairman of the Committee on the Judiciary said, the voting was on the order of 9 to 2 and 9 to 3.

I suggest that such a pattern of votes does not reveal a unanimity of opinion in favor of the subcommittee's bill. Hence it is hardly realistic for one to say that a meeting called to salvage something of the bill would be secret. As a matter of fact the effort and action were not concealed. The meeting was the result of the working of the will of the entire committee.

We have heard that the bill has been entirely changed. Yes, it has been, and it should be changed. It should be changed because originally it contained provisions which would amend the basic patent law of our Nation. This would have signaled the destruction of the patent system which is provided for in the Constitution of the United States, and which has been in its present form for a long time. The bill should be changed because originally it provided for the licensing of legitimate pharmaceutical businesses. That power of licensing would give the Government life and death control over every phase of drug manufacturing. It departed from the present regulatory principles which were founded on the quality of the end prcduct, and not on meticulous Government intervention in every process which produces that product.

The licensing provisions of the bill would overlap other provisions of the Food, Drug, and Cosmetic Act which work well in practice, and which themselves would be tightened by the bill.

The Department of Health, Education, and Welfare did not ask for a licensing bill. When Secretary Ribicoff was before the committee he said:

> The most that we would want, what we would be pleased to have, and what we could get along with explicitly is some system whereby we could tighten up some of the methods and conditions of manufacture and controls over quality and reliability.

No one is more eager to obtain those goals than is the Senator from Nebraska.

The bill originally approved for consideration by the Senate would not have been acceptable to this body. If it is the desire of the administration to enact a bill, we ought to consider the desires of the administration as listed in the Presidential letter, and to take the text and the tenor of testimony of the Commissioner of Patents and the Secretary of Health, Education, and Welfare, and fashion a bill that will meet the objectives for which they have asked.

I ask unanimous consent that there be printed in the RECORD at this point a brief summary of the amendments, what they would do, and the difficulties of the pending bill which they seek to overcome, so that this body may be informed as to the narrative and the tenor of the entire dispute.

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

SUBSTITUTE FOR SECTION 3

*Information on patents for drugs*

Section 3(b), with all amendments, lends itself to many constructions. The term "modification of a drug" is believed to mean only a new drug that is a close chemical relative of an existing drug, so close in chemical structure that the new drug is presumed to have properties not significantly different from those of the existing drug. Such a new drug is now regarded as presumptively "obvious" under section 103 of the Patent Code unless a surprising advantage is demonstrated. So construed, section 3(b) would not substantially change the law.

However, another possible construction would be based on the theory that section 3(b) would not be passed in the absence of a congressional desire to make a change. Terms such as "modification of drug" lend themselves to a broader meaning reaching beyond those modifications of existing drugs that would be presumptively "obvious" under the present law. In such event, drugs that are patentable, and should continue to be patentable, would be denied patent protection—for example, a drug which, even though having no convincingly demonstrated advantage over prior drugs, represents a genuine technical advance and useful new product competition that should continue to be stimulated by patent rights.

Moreover, the language of section 3(b) is unworkable, will create hardship, and will give rise to undesired consequences in specific and important instances, viz:

1. The case of the typical antibiotic, where chemical structure is unknown and it is therefore not known whether it is or is not a "modification of a drug."

2. The case where a product has utility both in the drug field and in another field. Disclosure of the drug utility—most desirable in the public interest—will be discouraged to avoid problems under section 3(b).

3. The case where a new standard of section 3(b) regarding comparison with the prior "drug" might be broadly construed to require otherwise unnecessary, socially useless, and highly dangerous tests of a prior chemical compound (in a manner not previously tested) on humans.

The Dirksen substitute is patterned on the statute (title 35 sec. 164) which has worked so well as to patents on plants for the Department of Agriculture. It would provide the flexibility that is desirable in consultations between the Patent Office and the HEW on any drug patent question.

SUBSTITUTE FOR LICENSING (IN NAME OF REGISTRATION)

S. 1552 proposes a new section 508 to the FDC Act which would set up a "registration" system which is, in effect, a licensing system.

This is wrong for the following reasons:

A. The licensing system would give the Government life-and-death power over every phase of drug manufacture.

B. It departs from the present regulatory principles which are founded on the quality of the end product, not meticulous governmental control of the processes which produce the product.

C. It would overlap other provisions of the FDC Act which work well in practice and which themselves are to be tightened up by other provisions of S. 1552.

In lieu of the proposed licensing system, the following amendments should be substituted:

1. A substitute section 508 setting up a true registration system under which each manufacturer and each plant is recorded in the FDA for its purposes and for public scrutiny, with provision for inspection of each plant at least once in every 2-year period. Amendment No. 1.

2. Amendment of section 704(a) of the act to strengthen the FDA's inspection authority, without interfering unreasonably in matters unrelated to potential violations of the act. Amendment No. 2.

3. Amendment of section 501(a)(2) of the act to declare a drug adulterated if it is not made in accordance with current good manufacturing practice. Amendment No. 3.

The proposed true registration system, coupled with strengthened inspection authority and provision for manufacturing controls in accordance with good manufacturing practice (and with the new drug procedures of section 505), would make the licensing system proposed in S. 1552 superfluous as well as undesirable.

The amendments of sections 704 and 501 would carry out recommendation No. 3 in the President's letter of April 10.

SUBSTITUTE FOR NEW DRUG PROCEDURES AND CRITERIA

*New drug clearance procedures*

A. S. 1552 would change the present procedure so that no new drug application could become effective unless and until the FDA specifically approves it. Under the present law, a new drug application becomes effective in 60 days (which FDA may extend to 180 days) unless the FDA acts to block it. The present procedure should be retained, with two changes: (a) Extension of the preliminary time for action from 60 to 90 days; (b) provision for hearing promptly after the 180-day period. This would eliminate the potential delay inherent in a requirement of affirmative approval, while preserving FDA's right to block marketing until it is satisfied with the evidence. This would be accomplished by amendment No. 4.

*Substitute for efficacy test on new drug original clearance*

B. Under the present law, the new drug must be shown to be safe for use. S. 1552 would also require that it be shown to be efficacious. However, S. 1552 does not make clear the burden of proof necessary to meet the test of efficacy. It should be made clear that the new drug applicant has met the test if he has presented substantial evidence (not necessarily preponderant evidence) that the drug will have the effects claimed for it. This would be accomplished by amendment No. 5.

The purpose of the amendment is to permit legitimate differences of opinion among responsible clinicians to be resolved by the medical profession in day to day practice, instead of being resolved for all doctors against the effectiveness of the drug by the fiat of the FDA staff. Experience proves that the majority of "experts" have often been wrong in initially condemning a new medicine.

*Substitute for safety and efficacy tests on new drug suspension*

C. Under the present law, a new drug previously cleared and on the market can be suspended, after hearing, if new evidence shows it to be unsafe. S. 1552 would permit the same suspension if new evidence shows it not to be efficacious. Recommendation No. 2 in the President's letter of April 10 is that a drug already on the market be subject to suspension if the FDA has substantial doubt as to its safety or efficacy, even though no new adverse evidence has become available since the drug first went on the market. However, "substantial doubt" is a slippery, elastic term, permitting suspension whenever the Secretary feels like it, without hope of meaningful judicial review. The test for suspension should be the same as on original clearance of new drugs. Suspension should be authorized on the basis of new evidence (evaluated with the old evidence), and only if, in the case of safety, the manufacturer cannot show the drug to be safe or, in the case of efficacy, cannot show substantial evidence that the drug has the effects claimed for it. This would be accomplished by amendment No. 6. This amendment would carry out the President's recommendation with respect to substantial doubt as to safety, but with safeguards, in the case of efficacy, to avoid suspension from the market of a safe drug for whose effectiveness there is substantial evidence.

*No change in definition of new drug*

D. S. 1552 would change the definition of "new drug" from one that is not generally recognized to be "safe" for use to one that is not recognized as "safe and efficacious" for use. This change is unnecessary to give FDA power to pass on the efficacy of truly new drugs, which are covered by the existing definition because, being new, they are not generally recognized to be safe. The change would also cause confusion when a new use is discovered for a safe old drug. For example, if aspirin in its normal dosage were to be newly recommended as efficacious for acne, it should not have to go through the elaborate new-drug procedure. If FDA believes the claim is false, it has ample power to seize the drug as "misbranded" under existing law. Amendment No. 7 would eliminate the change.

RECORDS AND REPORTS AS TO EXPERIENCE ON NEW DRUGS AND ANTIBIOTICS

This amendment would carry out recommendation No. 1 in the President's letter of April 10. It would add new language to existing sections 505(i) and 507(d) of the FDC Act, and add completely new sections 505(j) and 507(g) to the act. The amendment is in the form submitted by the administration, with additional language providing that FDA regulations with respect to records and reports of experience with drugs be promulgated with due regard for the ethics of the medical profession and that such regulations provide, where the Secretary of HEW deems it appropriate, for examination by the manufacturers of similar information obtained by the Secretary on their drugs.

OFFICIAL OR GENERIC NAMES OF DRUGS

*Requirement that labels include official name with conspicuousness required under section 502(c) (substitute for requirement that type be equal in size and prominence to trade name)*

S. 1552 would require that the generic name of a drug be printed in type at least as large and as prominent as that used for the trade name.

This is wrong because:

1. The FDC Act should not be used to deprive drug manufacturers of trademark rights and thus reduce their incentive to strive for excellence surpassing the minimum statutory standard.

2. It is impracticable and undesirable to establish fiat rules in the law with respect to the precise relative size of the various words on labels and advertising.

3. The present act gives the FDA adequate authority to require whatever information is necessary on labels and in labeling in such form as may be readily understood.

In lieu of the proposal in S. 1552, amendment No. 9 would require that the official name be shown on labels in accordance with section 502(c) of the act—that is, with the conspicuousness necessary to make it readily understood.

*Provision for rulemaking procedures in designating official names*

S. 1552 gives the Secretary of HEW standby authority to fix the official name of any drug when he finds that no name has been selected under the existing USP-AMA procedures or that the name selected is not useful or is unduly complex. However, S. 1552 does not provide for any hearing. Amendment No. 10 would insure, by reference to the Administrative Procedure Act, that interested persons would have an opportunity to participate and present their views before any official name is fixed by the Government for a drug. This would, among other things, minimize the risk of fixing a name that would conflict with a valid trademark.

SUBSTITUTE FOR PROPOSED SECTION 502(N) RELATING TO INFORMATION TO PHYSICIANS AND ADVERTISING

S. 1552 proposes a new section 505(n) in the act requiring that all advertising include warnings and statements as to efficacy. This is wrong because—

1. Advertising should continue to be covered by the Federal Trade Commission under the laws it administers, and not by the FDA under the FDC Act.

2. The present FDC Act and the regulations thereunder adequately provide for the furnishing of comprehensive information to practitioners.

3. It is impracticable for medical journal advertisements which are, of course, directed to practitioners, to include all the information proposed to be required by S. 1552.

4. The FDA authority should continue to apply to labels and labeling, and should continue to have the flexibility that now exists.

In lieu of the proposed new section 502 (n), the substitute amendment No. 11 would require that practitioners requesting information about a drug be furnished the package insert required to be included in every package, which contains complete information about the drug, and any other FDA-approved matter.

NO BATCH CERTIFICATION ON ADDITIONAL ANTIBIOTICS

S. 1552 proposes to extend Government batch certification control, now applicable to five specific antibiotics, to all antibiotics. This is wrong for the following reasons:

1. Batch certification control was adopted after World War II as a temporary measure when antibiotics were new.

2. Antibiotic manufacture now has no problems different from those of other drug manufacture.

3. Batch certification is enormously expensive and wasteful of Government and industry time and money, as the Comptroller General has pointed out.

4. Other provisions of the FDC Act adequately provide for antibiotics of unimpeachable quality without the cumbersome and expensive certification procedures.

In accordance with the above, batch certification should not be extended to any additional antibiotics.

Amendment No. 12 would leave batch certification in effect for the five antibiotics now subject to it.

Mr. HRUSKA. Mr. President, there was nothing secret about the meeting referred to. I know of no rule or tradition which calls upon any Senator or group of Senators not to meet for the purpose of fashioning any bill or any amendments to a pending bill and submitting them to a meeting of the committee to which they will later go for the purpose of considering the bill.

Any inference that the Senator from Nebraska [Mr. HRUSKA] or the Senator from Illinois [Mr. DIRKSEN] represents the American Pharmaceutical Association, if that was what the Senator from Tennessee [Mr. KEFAUVER] was making, would be seriously mistaken and deeply resented. My concern is for the consumer of the drug. When a patent system is perverted resulting in the loss of research funds and the crippling of the creativity and productivity of the pharmaceutical companies and foundations that have made America the No. 1 nation in the field of medical care and the manufacture of new drugs, so long as I can raise my voice it will be used in opposition thereto.

The battle over disease is not yet won. The toil for new discoveries in the field of medicine is not yet finished. I propose to do everything I can to see that we will not place ourselves in the tragic position of saying, "We have done everything we can. Therefore we must see to it that progress is to be slighted for price. The idea of advancing and improving the spectrum of pharmaceuticals and new drugs can be forgotten."

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

Mr. HRUSKA. I am happy to yield to the Senator from New York.

Mr. KEATING. The Senator from Tennessee [Mr. KEFAUVER], for whom I have great affection and admiration, has seen fit to make a political issue out of the bill and to place the blame on Republicans for scuttling his bill or endeavoring to defeat it.

As one Republican who does not serve on the Antitrust and Monopoly Subcommittee, let me say that when a representative of the Department of Health, Education, and Welfare meets with the members of the Judiciary Committee, and approves of the action that is taken, I hardly think it could be said that it is Republicans who are seeking to defeat the bill.

It is very unusual to bring in someone from the executive department for an executive meeting with members of the committee. I know nothing about the secret meeting; I did not attend any such meeting, nor did any member of my staff—but a representative of the Department of Health, Education, and Welfare met with the committee this morning and approved of the action which was taken. Under these circumstances, it is certainly stretching the point to blame this result on the Republican members of the committee.

The bill came before the full committee from the subcommittee after a long study. The subject is extremely complicated. The first part of the bill had to do with the patent laws. I found to my amazement, that the proposal had been given no attention whatever by the Subcommittee on Patents, the subcommittee to which we should look for advice as to what shall be done when changes in the patent law are to be made. The proposal in the bill would have drastically and completely changed the existing patent law as it relates to drugs. Therefore the measure was very properly sent to that subcommittee for study. It was reported back but it was recognized that some parts of it had not been the subject of any hearings. While it is true that we agreed to action in accordance with the desires of the Department of Health, Education, and Welfare with regard to the patent section, I still feel it would have been better to have had expert testimony on the provisions at issue. It is possible that there should be a change in the patent law relating to drugs. Who is to say? Certainly the Antitrust Subcommittee and the witnesses who were heard by the subcommittee were not experts on the patent features of the proposal.

Now we come to the licensing features of the proposal. I would not have thought that a proposal to license business people in this country would be a party issue.

There are many Democrats—I am certain—who oppose, as vigorously as I believe all Republicans oppose, the idea of saying that a man cannot go into business until he goes to some governmental department and gets permission. May the time never come in this country, which we have built up by private initiative and the ability to go out and compete in the market, when we shall say to a man that he must, without exception, go to a Government department to find out whether or not he can go into business and employ perhaps a half dozen people. It will never be done with my vote. I am not in favor of forcing Americans to go to a governmental agency to get permission to go into business.

I favor a sound drug bill. There is need for one. I thought we were proceeding in a constructive way. I was not invited to a so-called secret meeting. I did not know anything about it. I knew nothing more than what developed at the meeting this morning. I thought efforts had been made to reach a reasonable compromise. I do not speak as to the specific merits of the amendments which were offered, since I am not a member of either the Patents Subcommittee or the Subcommittee on Antitrust and Monopoly Legislation. This morning I had the impression that the general consensus—certainly it was two or three to one—was that some concessions would have to be made on all sides in order to obtain satisfactory legislation, and that the alternative was exactly as the Senator from Nebraska has stated it to be—either a bill with some concessions made by both sides, or no bill at all. I would prefer to see a bill.

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

Mr. KEATING. I yield.

Mr. HRUSKA. The vote that was indicated earlier, in a committee composed of 9 Democrats and 6 Republicans, certainly would remove the vote from the category of a partisan political vote.

Mr. KEATING. If it is possible to get a three-to-one vote in a committee made up like that, no one can charge that the Republicans were responsible.

Mr. CARROLL. Mr. President, this is a highly controversial issue. The bill is highly technical. As the Senator from Tennessee has said, some of us have been working on the bill for about 2½ years. I did not know that the Senator from Tennessee intended to make a statement today.

I believe the Senate is entitled to know this, even though I hesitate to say it. When the committee went into session this morning I found about 11 amendments which had been drafted by a group that none of us had ever heard of before. I do not call it even a secret group. No Member on the Democratic side, so far as I am aware—including the Senator from Tennessee [Mr. KEFAUVER], the Senator from Michigan [Mr. HART], the Senator from Connecticut [Mr. DODD], the Senator from Missouri [Mr. LONG], and I—ever knew that a so-called secret group was in session. I am not opposed to it for that reason. However, I believe the Senator from Tennessee has a valid objection and the right to present his case on the floor of the Senate. Any Senator who is chairman of a subcommittee which has worked on a bill for 2½ years is entitled to have a conference on a bill that is under consideration. To me this is a matter of comity, a matter of courtesy. I believe that my chairman, though acting in good faith, made a serious mistake when he said a conference with the Senator from Tennessee would have been futile. What about the rest of us on the committee? Would such a meeting have been futile?

It is not necessary again to enter into a discussion about the applicability of patent laws or whether there will ever be a licensing provision. None of us really believes that a licensing feature would become law.

The amendments which were submitted this morning—10 or 11 of them—were drafted by this so-called group. I asked what group had drafted them. I asked whether it was the staff of the Antimonopoly Subcommittee, which is one of the largest staffs of any committee in the Senate. There are technicians and experts on that staff.

This morning, when the Eastland-Dirksen group presented the 11 amendments, I, having learned something about filibustering in 3 or 4 years, asked for the floor. When I obtained it I held the floor and intended to speak until 12 o'clock, when I would make a point of order, so that there would be no action on these amendments. I believe the Senator from Tennessee is fully justified in asking the President where he stands and asking HEW where they stand; and to find out if a couple of junior executives who have no real technical knowledge of the bill, can draw up a bill without having had any knowledge of this kind of work. In 2½ years we have built up a very good staff, and I think this is very poor practice.

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

Mr. CARROLL. I will yield shortly. As I said in speaking to the Senator from Tennessee and the Senator from Michigan when we met today, the chairman made a mistake in not conferring. I have always said that I hoped we would view the amendments objectively and impartially; and I have always said we should find out whether the amendments are really good amendments.

I wish to say a word for the senior Senator from Mississippi, the chairman of the Committee on the Judiciary. I believe he was acting in good faith. I think he wants to get a bill. I felt then, and it is my feeling now, that he thought in order to get a bill he would have to do it in this fashion. I think that was an error of judgment. I see nothing calculated or premeditated about it. He was not malicious. He wanted to get a bill out of committee. I believe the White House has been pressing him to report a bill on medical legislation. I have expressed myself. I think he has made a mistake in the manner in which he did it. This is a highly controversial bill. We have been infighting for 2½ years. I say to the Senator from New York that the Senator from Tennessee was not trying to put the blame on the Republicans.

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

Mr. CARROLL. I yield.

Mr. KEATING. He said Republicans. He began his remarks by saying that the Republicans had killed the bill.

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

Mr. CARROLL. I yield.

Mr. KEFAUVER. I said that certain individuals met with the staff of the Republicans on the committee, the Senator from Nebraska [Mr. HRUSKA], and the Senator from Illinois [Mr. DIRKSEN], and also the Senator from Mississippi [Mr. EASTLAND]; and that no one on the majority side of the Antitrust and Monopoly Subcommittee knew anything about it, and I certainly did not know anything about it. We were not invited. I did say that the Republicans joined with the group in voting against the proposal that Commissioner Ladd had recommended as late as last Saturday. I said there was some division of opinion as to where Commissioner Ladd stood. Then I received word from him, and we got his letter. Then the Republicans—I did not say it, but I will say it now—voted solidly against the provision after Mr. Ladd clarified his position.

Mr. CARROLL. We must not blame it all on the Republicans. Most of the Democrats voted that way, too. I did not question their motivation at all. We have enough experience to know that from time to time little coalitions are at work. Whether or not there was a coalition in this case, the truth is we got only three votes on the Democratic side.

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

Mr. CARROLL. Not at this point. A few absentee Democrats might have gone along. We are experienced enough to know the pitfalls of this type of legislation. We are hitting into one of the biggest industries of the Nation, one with the highest prices, and one that is subject to the least regulation. Perhaps there is some justification for this. I, for one, never felt deeply about the licensing issue. I did not think it would pass. I felt deeply about the patent issue this morning, because it involves a question of law. It has something to do with utility. It has something to do with decisions.

I do not question the motivation of Senators who have a different viewpoint. I believe the able Senator from Tennessee [Mr. KEFAUVER] had a right to bring his case before the Senate. I hope this sort of procedure will not happen again. This morning, time after time, I asked the young man, "Whom do you represent? For whom do you speak? Do you speak for Secretary Ribicoff? For whom do you speak?" I felt sorry for the young man. I have known him for years. He is a young man of character, ability, and integrity. No doubt someone told him to go in and work with the committee. There is no doubt that there were others who were asked to work with the committee. There are little "juniors" who work for HEW; "juniors" from the Food and Drug Administration; and "juniors" who work for our own committee.

Nevertheless, the amendments are now before the committee, and we will examine them. My chairman wanted to hold a meeting this afternoon. I said we could not possibly hold a meeting because the great Senator from Illinois [Mr. DIRKSEN] was on the floor of the Senate today. Then it was proposed to hold a meeting at 10:30 tomorrow morning. I do not know whether I can permit a meeting to be held at 10:30 tomorrow morning, because we will miss another great Senator, the distinguished Senator from Arkansas [Mr. MCCLELLAN]. Perhaps we shall study the bill for several days in committee. I shall have to get a report on the amendments.

Nevertheless, I commend the Senator from Tennessee [Mr. KEFAUVER] for his courage and forthrightness in presenting the situation to the Senate. I do not believe I could agree with all his remarks. As I have said two or three times, I think there was an error in judgment on the part of the chairman of the committee. I hope this procedure will not be followed.

Mr. HRUSKA. Mr. President, will the Senator from Colorado yield?

Mr. CARROLL. I yield.

Mr. HRUSKA. The Senator characterized the pharmaceutical industry as one having high profits and few regulations. It is not my place to defend the pharmaceutical industry. The record which has been made over the past 2½ years will speak for itself. However, I do not believe the record will bear out the Senator's statement.

Nor do I believe that millions of people should have their confidence shaken in the quality of the products of an established industry which has done much to increase the span of life of Americans, not to mention to relieve the suffering of those who are ill.

When the subcommittee held its meeting, and those who held our convictions and shared our concern on behalf of the consumers were overridden, did we come to the floor of the Senate and complain about coalitions, simply because more Senators voted on the other side of the question than voted with us? We did not. But for some reason, when there is a vote of 9 to 3 in a committee composed of 9 Democratic and 6 Republicans, immediately it is charged that there is an unholy alliance. Is not that a strange phenomenon?

Mr. CARROLL. The answer is obvious. When we held those hearings, they were not secret. Votes were taken, and they were recorded. The Senator from

Nebraska may have justification for saying that sometimes the plans of the subcommittee were not revealed to him. Sometimes they were not revealed to me. But basically, when we voted, our votes were recorded. There was nothing secret about them.

Mr. HRUSKA. The Senator from Tennessee [Mr. KEFAUVER] now has in his possession a series of amendments which he has had in his file for a week or 10 days, or possibly 2 weeks. He has referred to them constantly. He says the amendments are for the purpose of complying with the wishes of the administration. Yet we have not seen them. They were prepared in secret; they are being held in secret. They have not been furnished to us. Yet when we in an open meeting propose amendments for discussion and adoption, and they are adopted, we are accused and complained of. Yet it appears that others may hold amendments in readiness for the purpose of having them considered, and that is supposed to be alright.

Mr. CARROLL. These amendments are supposed to have the stamp of approval of HEW and the White House. The amendments drafted by the Senator from Tennessee are his own. I assure the Senator from Nebraska that I have not received one of them. When the time comes, we will examine them.

Does the Senator say this is not secrecy? The amendments were prepared in the secrecy of the Senator's office. I do not challenge his integrity.

Mr. HRUSKA. The meeting was not held in my office. There was nothing secret about it. Representatives of HEW and representatives of the professional staff, on behalf of the chairman of the full committee, were present. Also present were representatives of the staff of the distinguished Senator from Illinois [Mr. DIRKSEN] and of my own office.

The chairman of the committee has already explained why he did not call in the Senator from Tennessee [Mr. KEFAUVER] and the members of his subcommittee.

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

Mr. CARROLL. Does the Senator from Mississippi now say that he had representatives at the meeting and that the Senator from Illinois [Mr. DIRKSEN] had representatives at the meeting?

Mr. EASTLAND. I invited them.

Mr. President, will the Senator from Colorado yield?

Mr. CARROLL. I yield.

Mr. EASTLAND. Did the Senator from Colorado say that my judgment was bad in the matter?

Mr. CARROLL. I said the judgment of the chairman of the Judiciary Committee was bad in not conferring with the Senator from Tennessee [Mr. KEFAUVER] and in not conferring with the other Democratic members of the committee.

Mr. EASTLAND. I think I used good judgment, because we have a bill which, as I understand, the administration favors. It meets the test which has been established by the President of the United States.

Mr. CARROLL. Then I say that——

Mr. EASTLAND. What is wrong with an accomplishment? I had no interest in the bill.

Mr. CARROLL. It has now been revealed that the Senator from Nebraska [Mr. HRUSKA] and the Senator from Illinois [Mr. DIRKSEN] had representatives at the meeting with them. There are Democratic members of the committee. What was wrong with inviting them?

Mr. EASTLAND. Democratic members were present.

Mr. CARROLL. Why were they not invited to the meeting?

Mr. EASTLAND. I do not know whether they are on the subcommittee or not. I opposed certain provisions in the bill. I took the bill which the administration submitted and worked out a bill. I had my staff act as referee. They got together and made a proposal. That was all there was to it.

Mr. CARROLL. It may be—and this is my hope—that the amendments are good; that they are accurate. Perhaps a bill can be drafted.

Mr. EASTLAND. Mr. President, will the Senator from Colorado yield for a question?

Mr. CARROLL. May I finish my statement.

Mr. EASTLAND. Yes.

Mr. CARROLL. I hope that this will be true. We will analyze the amendments carefully. I sincerely hope that if such a situation arises again, Senators who have worked on the bill for 2½ years will not be bypassed. This is why I have said that, in my opinion, the able Senator from Mississippi made an error in judgment.

Mr. EASTLAND. The Senator from Colorado is mistaken. I used good judgment.

Mr. CARROLL. That is a question.

Mr. EASTLAND. We have a bill.

Mr. CARROLL. That is the Senator's opinion, and I respect it.

Mr. EASTLAND. The bill meets the test. I have told the distinguished Senator from Colorado that the amendments which are pending, which have not yet been adopted, are largely requests of the President of the United States. They are to be considered for inclusion in the bill. They are not in the bill now, but we are putting the requests of the President of the United States into the bill.

Mr. CARROLL. That is what I was under the impression the Senator from Tennessee had asked for. If this is the President's method of operating and the HEW's method of operating, I think we are entitled to know it.

Mr. EASTLAND. It is not the President's method of operating.

Mr. CARROLL. I thought the Senator said that these are the President's amendments.

Mr. EASTLAND. Oh, they are. I have assumed full responsibility for the way the situation was handled, because the responsibility was placed upon me to get a bill.

I have done what I thought was necessary to get a bill. If the Senator wishes to blame me or condemn me, I am open to it. I have been condemned before in many languages.

Mr. KEFAUVER. I do not wish to labor the point. In the first place, the President's amendments are not kept secret from anybody. They were sent to the staff of the full committee, and they are available to anyone who wishes to examine them. I desire to agree to anything which is reasonable or moderate. I have agreed in the subcommittee to many changes which were moderate, as I believe the Senator from Illinois and the Senator from Nebraska will agree. I think I have always been amenable to a reasonable approach to entering into a compromise. But I do not want the people to misunderstand what is going on here.

Mr. EASTLAND. Mr. President, will the Senator from Tennessee yield?

Mr. KEFAUVER. I want the people to know that nothing in this bill will cut the price of drugs or will get away from dishonest advertising or from failure to state side effects, or will do very much to improve the quality of drugs.

Furthermore, one cannot put the President's letter side by side with these amendments and call it the President's program.

Also, this morning I called Mr. Cohen, the Under Secretary of Health, Education, and Welfare; but no high official of the Department of Health, Education, and Welfare seemed to know anything about someone's being up here and working out amendments to the bill.

Mr. EASTLAND. Mr. President, will the Senator from Colorado yield for a question?

Mr. CARROLL. I yield, provided I may do so without losing the floor.

Mr. EASTLAND. I will tell the Senator that a high official of the Department of Health, Education, and Welfare told me this afternoon that he favored the amendment. The administration has never asked for licensing of businesses. We have included a registration provision and we have included the rest of the President's recommendations.

This afternoon a high official of the Department of Health, Education, and Welfare told me—and I think that before this is over they will speak for themselves—that they favor it.

There is no point in damning the Senator from Nebraska [Mr. HRUSKA], the Senator from Illinois [Mr. DIRKSEN] or anyone else. Blame me; I have done it.

Mr. KEFAUVER. Will the Senator tell us who in the Department of Health, Education, and Welfare——

Mr. EASTLAND. The Senator from Tennessee knows very well. I will not call names on the floor of the Senate. I think my word can be taken.

Mr. KEFAUVER. But if there has been a change——

Mr. EASTLAND. There has been no change.

Mr. KEFAUVER. I have been told that there was a change.

Mr. EASTLAND. Well, I will deny that.

Mr. CARROLL. Mr. President, I merely wish to say——

Mr. KEFAUVER. Mr. President, I just want the people to know that so far as I am concerned——

Mr. CARROLL. Mr. President, I am trying to say, in conclusion——

Mr. KEFAUVER. That we are trying to get a bill that will bring down the cost of drugs.

Mr. EASTLAND. Mr. President, the Senator is getting a bill which largely includes what he wanted. Everyone knows that legislation is a matter of give and take. Grandstand stuff for votes is something else.

Mr. KEFAUVER. I do not know whether the Senator from Mississippi is accusing me of grandstanding——

Mr. CARROLL. Mr. President, I have the floor, and I will yield the floor after I make an observation.

The PRESIDING OFFICER. The Senator from Colorado has the floor.

Mr. CARROLL. Mr. President, this afternoon we have heard enough, it seems to me, about procedural matters to convince each Member that this is not the way to bypass the chairman of a subcommittee. If the White House is telling the chairman of the Senate Judiciary Committee one thing and is telling the Senator from Tennessee [Mr. KEFAUVER] another thing——

Mr. EASTLAND. Mr. President, will the Senator yield? The White House has told me nothing.

Mr. CARROLL. I was under the impression that these were White House amendments.

Mr. EASTLAND. I have never made such a statement. I said the people who were placed in charge of the bill by the executive branch of the Government agreed to help draft these amendments.

Mr. CARROLL. I just wish to make this closing remark: From what we have heard today, with this sort of procedure, it is a helluva way to run a railroad. [Laughter.]

Mr. EASTLAND. The point is that it is being run, and we are going to get a bill, and we are not going to argue about it.

Mr. HART obtained the floor.

Mr. KEATING. Mr. President, will the Senator from Michigan yield—for a question or a suggestion which I hope is constructive.

Mr. HART. I am sure it will be constructive; and if the Senator from New York will withhold it for just a moment, I shall appreciate that.

Mr. President, as the holder of parking license plate No. 85, my remarks will not reflect any sensitivity about failure to have consultation. I think I have not yet reached the stage where this situation affects my judgment.

All of us are familiar with the case of the lawyer who argued his case in the newspapers before the evidence reached the jury.

I feel very strongly that one section of the bill has been characterized in a fashion which will cause Members of this body to take a tentative position on it which later they will regret. When certain phrases are used, most Members react rather like an automatic sprinkler system. One of those phrases is, "You do not want to curb American business."

In order that all Senators may understand what we are talking about—and the licensing section was before the committee this morning—I should like very much to have the RECORD show in full at this point the licensing proposal of the bill which the Antitrust Subcommittee presented.

Mr. KEFAUVER. It is the registration section.

Mr. HART. Yes, the registration section. So I shall ask unanimous consent to have printed at this point in the RECORD that section of the bill.

Let us remember that we say there is nothing wrong with requiring and obliging the Government to inspect the books of a real estate dealer who wishes to sell a piece of property, and that there is nothing wrong with having the Government require one who wishes to sell stocks or bonds to make full disclosure. So what in heaven's name is wrong with requiring that before one can set up a bathtub, back-alley operating for the distribution of medicine, a similar requirement apply? That is what this section does; I want that understood.

Mr. KEFAUVER. Mr. President, will the Senator from Michigan yield?

Mr. HART. I yield.

Mr. KEFAUVER. In that connection I wish to say that Mr. Beasley, speaking for the Pharmaceutical Manufacturers Association, proposed just about the same thing—that there be registration, in order to prevent bathtub operators from engaging in this business—for, of course, the doctors may not have confidence in the medicine that is made by bathtub operators—and that in order to register and go into the business, one should maintain certain sanitary practices. He also said that one who does not continue to meet those standards ought to have his registration revoked or conditioned. That is the way this section of the bill is written—just about in the way Mr. Beasley recommended.

Mr. HART. And the amendment which was presented to us this morning—under whose sponsorship and through what evolution, I care not—would require that before the end of each year, anyone who wished to manufacture drugs would have to register his name and his business with the Secretary, and that within 2 years they would inspect it. This is substantive. But because of remarks made earlier, I think it would be well to have printed in full in the RECORD the proposed amendment offered in the committee this morning—after all, if there is any question about it, it might be well to have the amendment printed at this point, in connection with the debate—so that before this phase of the debate is concluded, this material will be available to Senators. Therefore, I shall ask unanimous consent that the registration section or amendment offered by the distinguished minority leader—on behalf of the administration, as I understood—be printed in the RECORD.

The PRESIDING OFFICER. Without objection——

Mr. EASTLAND. Wait a minute, Mr. President. It was offered by the minority leader on behalf of the minority leader; and I had accepted and agreed to the amendment.

Mr. HRUSKA. Mr. President, will the Senator from Michigan include in the request that the registration amendment be printed in the RECORD a request also to print in the RECORD the long section pertaining to factory inspection, together with the provisions for penalties if either registration or the factory inspection shows that there have been violations of the law?

Mr. HART. Would it not be well to have printed in full in the RECORD the amendments for committee discussion, this morning, numbered 1, 2, and 3?

Mr. EASTLAND. The Senator from Michigan would not object to having all the amendments printed in the RECORD, would he?

Mr. HART. No.

Mr. HRUSKA. Then let us have all of them printed in the RECORD.

Mr. EASTLAND. Let us have all of them printed in the RECORD, so it will show that it is a good bill.

Mr. HART. After Senators see what was before us at 10:30 this morning, they will understand the apprehension of some of us about the forthrightness with which it was proposed that we act.

Mr. EASTLAND. "Some" means very few, does it not, because the committee was overwhelmingly——

Mr. HART. Well, the record will show what it is.

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

REGISTRATION SECTION

On page 12, strike lines 3 through 8; and on page 14, commencing on line 12 strike all down through line 25, page 22, and insert in lieu thereof the following:

"(13) Chapter V of that Act (21 U.S.C. 351 and the following) is amended by adding at the end thereof the following section:

" 'REGISTRATION OF PRODUCERS OF DRUGS

" 'SEC. 508. (a) As used in this section—

" '(1) the term "manufacture, preparation, propagation, compounding, or processing" shall include repackaging or otherwise changing the container, wrapper, or labeling of any drug package in furtherance of the distribution of the drug from the original place of manufacture to the person who makes final delivery or sale to the ultimate consumer.

" '(2) the term "name" shall include in the case of a partnership the name of each partner and, in the case of a corporation, the name of each corporate officer and director, and the State of incorporation.

" '(b) On or before December 31 of each year every person who owns or operates any establishment in any State engaged in the manufacture, preparation, propagation, compounding, or processing of a drug or drugs shall register with the Secretary his name, places of business and all such establishments.

" 'Every person upon first engaging in the manufacture, preparation, propagation, compounding or processing of any drug in any establishment which he owns or operates shall immediately register with the Secretary his name, place of business and such establishment.

" '(d) Every person duly registered in accordance with this section shall immediately register with the Secretary any additional establishment which he owns or operates and in which he begins the manufacture,

preparation, propagation, compounding, or processing of a drug or drugs.

"'(e) The Secretary may assign a registration number to any person or any establishment registered in accordance with this section.

"'(f) The Secretary shall make available for inspection, to any person so requesting, any registration filed pursuant to this section.

"'(g) This section shall not apply to—

"'(1) pharmacies which maintain establishments in conformance with any applicable local laws regulating the practice of pharmacy and medicine and which are regularly engaged in dispensing prescription drugs, upon prescriptions of practitioners licensed to administer such drugs, or patients under the care of such practitioners in the course of their professional practice and which do not manufacture, prepare, propagate, compound, or process drugs for sale other than in the regular course of their business of dispensing or selling drugs at retail;

"'(2) practitioners licensed by law to prescribe or administer drugs and who manufacture, prepare, propagate, compound, or process drugs solely for use in the course of their professional practice;

"'(3) persons who manufacture, prepare, propagate, compound, or process drugs solely for use in research, teaching, or chemical analysis and not for sale;

"'(4) such other classes of persons as the Secretary may by regulation exempt from the application of this section upon a finding that registration by such classes of persons in accordance with this section is not necessary for the protection of the public health.

"'(h) Every establishment registered with the Secretary pursuant to this section shall be subject to inspection pursuant to section 704 and shall be so inspected by one or more officers or employees duly designated by the Secretary at least once in the two-year period beginning with the date of registration of such establishment pursuant to this section and at least once in every successive two-year period thereafter.'

"13(a) Section 301 of that Act (21 U.S.C. 331) is amended by adding at the end thereof the following new paragraph:

"'(o) The failure to register as required by section 508.'

"13(b) Section 502 of that Act (21 U.S.C. 352) is further amended by adding at the end thereof the following new paragraph:

"'(o) If it is a drug and was manufactured, prepared, propagated, compounded or processed in an establishment not duly registered under section 508 of this Act.'"

FACTORY INSPECTION

At the end of page 22, following line 25, insert the following: 13(c) section 704(a) of that Act (21 U.S.C. 374(a)) is amended to read as follows:

"(a) For purposes of enforcement of this Act, officers or employees duly designated by the Secretary, upon presenting appropriate credentials and a written notice to the owner, operator, or agent in charge, are authorized (1) to enter, at reasonable times, any factory, warehouse, or establishment in which food, drugs, devices, or cosmetics are manufactured, processed, packed, or held, for introduction into interstate commerce or after such introduction, or to enter any consulting laboratory, or to enter any vehicle being used to transport or hold such food, drugs, devices, or cosmetics in interstate commerce; and (2) to inspect, at reasonable times and within reasonable limits and in a reasonable manner, such factory, warehouse, establishment, consulting laboratory, or vehicle and all pertinent equipment, finished and unfinished materials, containers, and labeling therein, and all things therein (including records, files, papers, processes, controls, and facilities) bearing on whether articles which are adulterated or misbranded within the meaning of this Act, or which may not be manufactured, introduced into interstate commerce, or sold, or offered for sale by reason of any provision of this Act, have been or are being manufactured, processed, packed, transported, or held in any such place, or otherwise bearing on violation of this Act. The inspection authorized by this section shall not extend to (A) financial data, (B) sales data other than shipment records, (C) pricing data, (D) personnel data, (E) data of anything in or related to research activity: *Provided, however,* That inspection of data relating to clinical experience with respect to new drugs, and antibiotics within the purview of section 507, shall be made only to the extent authorized under and subject to the applicable provisions of section 505 (i) and (j) and Section 507(d) and (g), and with respect to other drugs shall be made in accordance with regulations to be issued by the Secretary which shall have due regard for the professional ethics of the medical profession and shall provide, where the Secretary deems it to be appropriate, for examination, upon request, by the persons to whom such regulations are applicable, of similar information received or otherwise obtained by the Secretary."

13(d) section 704(b) of that Act (21 U.S.C. 374(b)) is amended by inserting after the word "warehouse" the words "consulting laboratory."

QUALITY MANUFACTURING CONTROLS

At the end of page 22, after line 25, insert the following: "13(e) section 501(a)(2) of that Act (21 U.S.C. 351(a)(2)) is amended to read as follows:

"'(2)(A) if it has been prepared, packed, or held under insanitary conditions whereby it may have been contaminated with filth, or whereby it may have been rendered injurious to health; or (B) if it is a drug and the methods used in, or the facilities or controls used for, its manufacture, processing, packaging, or holding do not conform to current good manufacturing practice to assure that such drug meets the requirements of this Act as to safety and has the identity and strength, and meets the quality and purity characteristics, which it purports or is represented to possess. The Secretary is authorized to issue interpretative regulations, upon notice and in accordance with the procedures set forth in section 4 of the Administrative Procedure Act (5 U.S.C. 1003), which shall, in any proceeding involving this paragraph, be prima facia evidence of what constitutes current good manufacturing practice.'"

NEW DRUG CLEARANCE PROCEDURES

On page 12, commencing with line 13, strike all down through and including line 22, and insert in lieu thereof the following:

"(c) An application provided for in subsection (b) shall become effective on the ninetieth day after the filing thereof (or on such later date, not more than one hundred eighty days after the filing thereof, as the Secretary deems necessary to enable him to study and investigate the application), unless, prior to such day (or prior to such later date), the Secretary issues a notice to the applicant of opportunity for hearing as to whether the application satisfies the requirements of subsection (d). The date scheduled for the commencement of such hearing, if a hearing is requested, shall be the thirtieth day after the date of service of notice in accordance with the method of service set forth in subsection (g), unless a different date is agreed upon between the Secretary and the applicant.

SUBSTITUTE FOR EFFICACY TEST ON NEW DRUG ORIGINAL CLEARANCE

On page 12, commencing on line 23, strike all down through and including the word "order" on line 14, page 13, and insert in lieu thereof the following:

Section 505(d) of that Act (21 U.S.C. 355 (d)) is amended to read as follows:

"(d) If the Secretary finds, after due notice to the applicant in accordance with subsection (c) and giving him an opportunity for a hearing, in accordance with said subsection, that (1) the investigations, reports of which are required to be submitted to the Secretary pursuant to subsection (b), do not include adequate tests by all methods reasonably applicable to show whether or not such drug is safe for use under the conditions prescribed, recommended, or suggested in the proposed labeling thereof; (2) the results of such tests show that such drug is unsafe for use under such conditions or do not show that such drug is safe for use under such conditions; (3) the methods used in, and the facilities and controls used for, the manufacture, processing, and packing of such drug are inadequate to preserve its identity, strength, quality, and purity; (4) upon the basis of the information submitted to him as part of the application, or upon the basis of any other information before him with respect to such drug, he has insufficient information to determine whether such drug is safe for use under such conditions; or (5) on the basis of the information submitted to him as part of the application and any other information before him with respect to such drug, (A) there is a lack of substantial evidence (including substantial clinical evidence), supported by investigations of experts qualified by scientific training and experience to evaluate the effectiveness of drugs, that the drug will have the intended or purported physiological effect under the conditions of use prescribed, recommended, or suggested in the proposed labeling thereof, or (B) such labeling is false or misleading in any particular; he shall issue an order refusing to permit the application to become effective. If, after such notice and opportunity for hearing, the Secretary finds that clauses (1) through (5) do not apply, he shall issue an order declaring the application to be effective. Any such hearing shall be conducted, and the Secretary's order thereon shall be issued, on an expedited basis."

SUBSTITUTE FOR SAFETY AND EFFICACY TESTS ON NEW DRUG SUSPENSION

On page 13, commencing on line 15, strike all down through and including line 21, and insert in lieu thereof the following:

Section 505(e) of that Act (21 U.S.C., 355 (e)) is amended to read as follows:

"(e) The Secretary shall, after due notice and opportunity for hearing to the applicant, suspend the effectiveness of an application with respect to any drug under this section if the Secretary finds (1) that clinical or other experience, tests, or other scientific data show that such drug is unsafe for use under the conditions of use upon the basis of which the application became effective; (2) that new evidence of clinical experience, not contained in such application or not available to the Secretary until after such application became effective, or tests by new methods, or tests by methods not deemed reasonably applicable when such application became effective, evaluated together with the evidence available to the Secretary when the application became effective, shows that such drug is not shown to be safe for use under the conditions of use upon the basis of which the application became effective; or (3) on the basis of the new information before him with respect to such drug, evaluated together with the evidence available to him when the application became effective, that (A) there is a lack of substantial evidence (including substantial clinical evidence), supported by investigations of experts qualified by scientific training and experience to evaluate the effectiveness of drugs, that the drug will have the

intended or purported physiological effect under the conditions of use prescribed, recommended, or suggested in the labeling thereof, or (B) such labeling is false or misleading in any particular; or (4) that the application contains any untrue statement of a material fact. The order shall state the finding upon which it is based.

NO CHANGE IN NEW DRUG DEFINITION

On page 8, commencing with line 21, strike all down through and including line 5, page 9.

RECORDS AND REPORTS AS TO EXPERIENCE ON NEW DRUGS AND ANTIBIOTICS

On page 13, immediately following line 21, insert the following:

"(11a) Subsection (i) of section 505 of that Act (21 U.S.C. 355(i)) is amended (1) by inserting 'the foregoing subsections of' after 'operation of'; (2) by inserting the words 'and efficacy' after the word 'safety'; and (3) by adding at the end thereof the following new sentence: 'Such regulations may provide for conditioning such exemption upon the establishment and maintenance of such records, and the making of such reports to the Secretary, of data obtained as the result of such investigational use of such drugs, as the Secretary finds will enable him to evaluate the safety and efficacy of such drugs in the event of the filing of an application pursuant to subsection (b): *Provided, however,* That regulations issued under this subsection and under subsection (j) shall have due regard for the professional ethics of the medical profession and shall provide, where the Secretary deems it to be appropriate, for the examination, upon request, by the persons to whom such regulations are applicable, of similar information received or otherwise obtained by the Secretary.'

"(11b) Section 505 (21 U.S.C. 355) of such Act is amended by adding at the end thereof the following new subsection:

"'(j)(1) In the case of any drug for which an approval of an application filed pursuant to this section is in effect, the applicant shall establish and maintain such records, and make such reports to the Secretary, of data relating to clinical experience and other data or information, received or otherwise obtained by such applicant with respect to such drug, as the Secretary may by general regulation, or by order with respect to such application, prescribe on the basis of a finding that such records and reports are necessary in order to enable the Secretary to determine, or facilitate a determination, whether there is or may be ground for invoking subsection (e) of this section.

"'(2) Every person required under this section to maintain records, and every person in charge or custody thereof, shall upon request of an officer or employee designated by the Secretary, permit such officer or employee at all reasonable times to have access to and copy and verify such records.'

"(11c) Subsection (d) of section 507 of that Act (21 U.S.C. 357(d)) is amended by adding at the end thereof the following new sentence: 'Such regulations may provide for conditioning the exemption under clause (3) upon the establishment and maintenance of such records, and the making of such reports to the Secretary, of data obtained as the result of such investigational use of such drugs within the purview of this section, as the Secretary finds will enable him to evaluate the safety and efficacy for use of such drugs within the purview of this section in the event of an application for certification or release pursuant to subsection (a), provided, however, that regulations issued under this subsection and under subsection (g) shall have due regard for the professional ethics of the medical profession and shall provide, where the Secretary deems it to be appropriate, for the examination, upon request, by the persons to whom such regulations are applicable, of similar information received or otherwise obtained by the Secretary.'

"(11d) Section 507 of that Act (21 U.S.C. 357) is amended by adding at the end of such section the following new subsection:

"'(g)(1) Every person engaged in manufacturing, compounding, or processing any drug within the purview of this section with respect to which a certificate or release has been issued pursuant to this section shall establish and maintain such records, and make such reports to the Secretary, of data relating to clinical experience and other data or information, received or otherwise obtained by such person with respect to such drug within the purview of this section, as the Secretary may by general regulation, or by order with respect to such certification or release, prescribe on the basis of a finding that such records and reports are necessary in order to enable the Secretary to make, or to facilitate, a determination as to whether such certification or release should be rescinded or whether any regulation issued under this section should be amended or repealed.

"'(2) Every person required under this section to maintain records, and every person having charge or custody thereof, shall, upon request of an officer or employee designated by the Secretary, permit such officer or employee at all reasonable times to have access to and copy and verify such records.'

"(11e) Section 301(e) of that Act (21 U.S.C. 331(e)) is amended by inserting before the period at the end thereof a semicolon and the following: 'or the failure to establish or maintain any record, or make any report, required under section 505 (i) or (j) or 507 (d) or (g), or the refusal to permit access to or verification or copying of any such required record'.

"(11f) Section 302(a) of that Act (21 U.S.C. 332(a)) is amended by striking out '(e),'."

REQUIREMENT THAT LABELS INCLUDE OFFICIAL NAME WITH CONSPICUOUSNESS REQUIRED UNDER SECTION 502(C), SUBSTITUTE FOR REQUIREMENT THAT TYPE BE EQUAL IN SIZE AND PROMINENCE TO TRADE NAME

On page 9, commencing with line 12, strike all down through and including line 4 page 10, and insert in lieu thereof the following: Section 502(b) of that Act (21 U.S.C. 352(b)) is amended to read as follows:

"(b) if in a package form unless it bears a label containing (1) the name and place of business of the manufacturer, packer, or distributor; (2) an accurate statement of the quantity of the contents in terms of weight, measure, or numerical count; and (3) its official name (if such there be) printed in a manner complying with subsection (c) of this section: *Provided,* That under clauses (2) and (3) of this paragraph, reasonable variations shall be permitted, and exemptions as to small packages shall be established, by regulations prescribed by the Secretary."

PROVISION FOR RULEMAKING PROCEDURES IN ESTABLISHING OFFICIAL NAMES

On page 24, line 11, after the word "drugs" insert the following:

"Such designation shall be made as a regulation upon public notice and in accordance with section 4 of the Administrative Procedure Act (5 U.S.C. 1003)."

On page 24, line 21, after the word "shall" insert the following: "upon public notice and in accordance with the procedures set forth in section 4 of the Administrative Procedure Act (5 U.S.C. 1003)."

SUBSTITUTE FOR PROPOSED SECTION 502(N) RELATING TO INFORMATION TO PHYSICIANS AND ADVERTISING

On page 10, commencing with line 22, strike all down through and including line 8, page 12, and insert in lieu thereof the following:

"Section 502 of that Act (21 U.S.C. 352) is amended by adding at the end thereof the following new subsection: '(n) in the case of any prescription drug distributed or offered for sale in any State, unless the manufacturer, packer, or distributor thereof maintains for transmittal and transmits, to any practitioner licensed by law of that State to administer such drug who makes written request for information as to such drug, true and correct copies of all printed matter which is required to be included in any package in which that drug is distributed or sold, or such other printed matter approved by the Secretary available to practitioners on written request. Nothing in this paragraph shall be construed to exempt any person from any labeling requirements imposed by or under other provisions of this Act.'"

NO BATCH CERTIFICATION OF ADDITIONAL ANTIBIOTICS

On page 10, commencing with line 18, strike all down through and including line 21; and on page 13, commencing with line 22, strike all down through and including line 11, page 14.

On page 1, lines 3 and 4, strike the words "Drug Industry Antitrust Act", and insert in lieu thereof the following: "Drug and Factory Inspection Amendments of 1962".

SUBSTITUTE FOR SECTION 3—INFORMATION ON PATENTS FOR DRUGS

SEC. 1. Section 702 of that Act (21 U.S.C. 372) is amended by adding at the end thereof the following new subsection:

"(d) The Secretary is authorized, upon request from the Commissioner of Patents, to furnish full and complete information with respect to such questions relating to drugs as the Commissioner may submit concerning any patent application. The Secretary is further authorized, upon receipt of any such request, to conduct or cause to be conducted, such research as may be required."

Mr. HART. Mr. President, I conclude by making this point relative to the necessity for including in the drug bill a good registration and inspection provision: Unless we can put this provision into the law, we shall be kidding ourselves by suggesting that a reputable physician will prescribe generically, and that this is the way we can cut drug prices in this country. Unless a doctor can have confidence that there is very effective and very rigid inspection, it is unrealistic to expect him to prescribe other than by trade name.

I yield to the Senator from Tennessee.

Mr. KEFAUVER. Mr. President, the Senator from Michigan and the Senator from Nebraska have asked that all the amendments presented this morning be incorporated in the RECORD. That is a good idea, but since the amendments refer to lines and pages in the bill before the committee, I think the text of the bill to which they refer should be printed in the RECORD, so that we can have reference one to the other.

I ask unanimous consent that it be printed in the RECORD.

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

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Drug Industry Antitrust Act".

SHERMAN ACT AMENDMENT

SEC. 2. The Act entitled "An Act to protect trade and commerce against unlawful restraints and monopolies", approved July 2, 1890 (26 Stat. 209, as amended; 15 U.S.C. 1 and the following), is amended by inserting therein, immediately after section 6 thereof, the following new section:

"SEC. 7. (a) For the purposes of sections 1, 2, and 3 of this Act, every contract, agreement, or understanding entered into after the effective date of this section by (1) any applicant to the Commissioner of Patents for a patent for a drug (or his successor in title) with any other person granting any right under such application or for the purpose of having a patent, shall be made in writing and a true and correct copy or (2) any patentee, his heirs or assigns, with any other person in connection with the granting of any right or license of any person under such drug patent during the term of that patent, shall be made in writing and a true and correct copy thereof shall be filed by the applicant, patentee, his heirs or assigns, with the Commissioner of Patents within ninety days after the entering into of such contract, agreement, or understanding.

"(b) No copy so filed shall be made available for examination, without the consent of the person who filed such copy, by any person other than a duly authorized officer, member, or employee of the Patent Office, the Department of Justice, or the Federal Trade Commission. Nothing herein shall prevent the use of such copy in any proceeding in a court on behalf of the United States or before the Federal Trade Commission.

"(c) Where a uniform type of agreement, license, contract, or understanding is employed, the filing of a copy thereof, together with a statement setting forth the names of all the parties to any such instrument, or any additions or changes in terms of the uniform instrument with respect to any party thereto, may be filed in lieu of each separate instrument.

"(d) Failure of any person to file a copy of such contract, agreement, or understanding, as required to be filed under this section, shall be subject to a penalty of not more than $1,000 for each such offense and not more than $50 for each day of the continuance thereof, which shall accrue to the United States and may be recovered in a civil action brought by the United States.

"(e) As used in this section, the term 'drug' has the meaning given thereto by section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321)."

PATENTS FOR DRUGS

SEC. 2 (a) Section 100 of part II of title 35 of the United States Code (relating to the patentability of inventions and grants of patents) is amended by adding at the end thereof the following new subsection:

"(e) The term 'drug' means any drug (as defined by section 201 of the Federal Food, Drug, and Cosmetic Act) which may be dispensed only in conformity with the requirements of paragraph (1) of section 503(b) of the Federal Food, Drug, and Cosmetic Act."

(b) Section 101 of that title is amended by adding at the end thereof the following new paragraphs:

"(1) In addition to the other conditions and requirements for patentability under this title no patent may be granted for any modification of any patented or unpatented drug or for a combination of two or more drugs unless the Commissioner has determined that the therapeutic effect of such modification is substantially greater than that of the drug so modified or that the therapeutic effect of such drugs when taken in combination is substantially greater than the therapeutic effect of those drugs when taken separately, or unless the modification or combination possesses some other substantial advantage over the drug so modified or the drugs so combined.

"(2) The specification accompanying any application for a patent for a combination of two or more drugs, or for any drug involving a modification of any drug or combination of drugs, shall contain a full and complete written description of the manner of making the drugs so combined or the drug or combination of drugs so modified and the materials used therein, including the names of any drugs so used and a declaration as to whether such modification or combination is to be used as a drug. After receipt of any such application and before the granting of any patent thereon, the Commissioner shall transmit in all cases where he considers such referral to be either desirable or necessary as expeditiously as possible to the Secretary of Health, Education, and Welfare a request for his report and conclusion upon the question whether the combination or modification so described will have a therapeutic effect substantially greater than that of the drugs so combined or the drug so modified. Uon receipt of any such request, the Secretary shall conduct or cause the applicant to conduct or cause to be conducted such research as may be required. The applicant shall furnish to the Secretary such clinical data and other information as the Secretary may require.

"(3) Whenever the Secretary shall conclude that any combination of drugs or modified drug does not have the therapeutic effect prescribed in subparagraph (1) hereof, he shall so notify the applicant in writing by registered or certified mail addressed to the applicant at his last known address in the records of the Secretary. Within sixty days after the date of such notice, the applicant may submit in writing to the Secretary any additional information or material the applicant deems pertinent. After consideration of such additional information and material and opportunity for a hearing the Secretary shall make his final report and conclusion (with the reasons therefor) to the Commissioner. The Secretary shall cause to be kept a record of all information coming before him and his report and conclusion thereon.

"(3) The Secretary shall transmit in writing his final report and conclusion to the Commissioner which shall be made a formal part of the file record of the patent application. The report so made by the Secretary of Health, Education, and Welfare with respect to any such combination or modification shall be considered by the Commissioner in determining whether a patent therefor may be granted.

"(4) As used in this section, the term 'therapeutic effect' means the beneficial effect of the drug when used in the diagnosis, cure, mitigation, treatment, or prevention of disease in man, or its effect on the structure or any funtion of the body of man."

(c) Section 154 of title 35, United States Code, is amended by—

(1) striking out the word "Every" in the first sentence thereof, and inserting in lieu thereof the words "Except as otherwise specifically provided by this section, every"; and

(2) adding at the end thereof the following new paragraph:

"Every patent for a drug issued after the effective date of this paragraph shall contain a grant to the patentee, his heirs or assigns, of the right to exclude others from making, using, or selling that drug for the term of three years from the date of its issuance, and for any additional period (not exceeding fourteen years) during which the holder thereof grants to each qualified applicant an unrestricted license to make, use, and sell that drug in its finished form for use by the consumer. If, during any such additional period, the patentee fails to grant any such license to any qualified applicant within ninety days after receipt of a written request therefor made by that applicant, that patentee shall file with the Commissioner a written report of that fact. After receipt of any such report from the holder of any such patent, or after a determination made by the Commissioner on his own motion or upon complaint made by any applicant to the effect that the patentee has failed to grant to any qualified applicant any such license under any such patent within ninety days after receipt from that applicant during any such additional period of a written request for such license, the Commissioner shall cause notice of the cancellation of that patent to be published in the Federal Register and endorsed upon all copies of that patent thereafter distributed by the Patent Office. In this paragraph—

"(1) the term 'qualified applicant', when used with regard to any application for license to make, use, and sell any drug, means any person who at the time of such application holds an unsuspended and unrevoked registration issued under section 508 of the Federal Food, Drug, and Cosmetic Act and against whom no final injunction under section 508 is in effect; and

"(2) the term 'unrestricted license', when used with regard to a patent for any drug, means a license which (A) includes a description of the manner and process of making and using the invention in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected to make and use the same, and shall set forth the best mode contemplated by the patentee of carrying out the invention; and (B) contains no condition, limitation, or restriction upon the manufacture, use, or sale thereof other than the payment by the licensee of a royalty not exceeding 8 percentum of the gross selling price received by the licensee for the sale of that drug in its finished form for use by the consumer."

FEDERAL FOOD, DRUG, AND COSMETIC ACT AMENDMENTS

SEC. 3. (a) The following amendments are made to the Federal Food, Drug, and Cosmetic Act:

(1) Section 201(p)(1) of that Act (21 U.S.C. 321(p)(1), defining the term "new drug", is amended by (A) inserting therein, immediately after the words "to evaluate the safety", the words "and efficacy", and (B) inserting therein, immediately after the words "as safe", the words "and efficacious".

(2) Section 201(p)(2) of that Act (21 U.S.C. 321(p)(2)) is amended by inserting therein, immediately after the word "safety", the words "and efficacy".

(3) Section 201 of that Act (21 U.S.C. 321) is amended by adding at the end thereof the following new subsection:

"(v) The term 'State' means any State or possession of the United States, the District of Columbia, and the Commonwealth of Puerto Rico."

(4) That portion of section 502(b) of that Act (21 U.S.C. 352(b)), relating to misbranded drugs and devices, which precedes the colon contained therein is amended to read as follows:

"(b) If in packaged form unless it bears a label containing (1) the name, place of business of the manufacturer, packer, or distributor, and the registration number assigned under section 508 hereof to the person who manufactured, prepared or propagated the drug if it is a prescription drug; (2) an accurate statement of the quantity of the contents in terms of weight, measure, or numerical count; (3) its official name printed in type at least as large and as prominent as that used for any trade or brand name appearing on such label; and (4) the date, if any, beyond which the contents of such

package cannot be expected to produce their intended specific results".

(5) Section 502(e) of that Act (21 U.S.C. 352(e)) is amended by—

(A) striking out the words "If it is a drug and is not designated solely by a name recognized in an official compendium unless its label bears (1) the common or usual name of the drug, if such there be; and (2) in case it is fabricated from two or more ingredients, the common or usual name" and inserting in lieu thereof the words "If it is a drug fabricated from two or more ingredients unless its label bears the official name and quantity".

(B) by striking out in the proviso the words "of clause (2)".

(6) Section 502(1) of that Act (21 U.S.C. 352(1)) is amended by inserting in the first sentence thereof, immediately after "bacitracin,", the words "or any other antibiotic drug,".

(7) Section 502 of that Act (21 U.S.C. 352) is amended by adding at the end thereof the following new subsections:

"(n) In the case of any drug distributed or offered for sale in any State, unless the manufacturer, packer, or distributor thereof—

"(1) includes with any information transmitted to any practitioner licensed by law of that State to administer such drug (A) a true and correct copy of all printed matter which the Secretary has required to be included in any package in which that drug is distributed or sold, or matter approved by the Secretary available to practitioners on request, and (B) in the case of any drug as to which any application has been made effective under section 505 of this Act, a full, true, and correct statement of all findings of fact and determinations made by the Secretary under that section with respect to that drug, as the Secretary may require; or

"(2) includes in all advertisements and other descriptive printed matter issued or caused to be issued by the manufacturer, packer, distributor, or others with respect to that drug (A) the official name thereof printed in type at least as large and as prominent as that used for any trade or brand name thereof, (B) warning or summary thereof prepared with the approval of the Secretary as to any dangerous or harmful property or effect thereof, and (C) a full and correct statement of its efficacy: *Provided*, That the term 'advertisements' shall include all forms of advertising, whether transmitted directly to physicians, published in medical journals or other media, and whether in printed or oral form.

"(o) If it is a drug subject to the provisions of section 503(b)(1) of this Act and was manufactured, propagated, or prepared by a person who at the time of its manufacture, propagation, or preparation did not hold an unsuspended and unrevoked registration issued under section 508 of this Act."

(8) Section 505(b) of that Act (21 U.S.C. 355(b)) is amended by inserting therein, immediately after the words "is safe for use", the words "and whether such drug is efficacious in use."

(9) Section 505(c) of that Act (21 U.S.C. 355(c)) is amended to read as follows:

"(c) No application filed under subsection (b) shall become effective until the Secretary has (1) determined, after the conduct of such investigation and tests as he may consider necessary, that the new drug described in that application is safe for use and is efficacious in use, under conditions prescribed, recommended, or suggested in the labeling thereof, and (2) transmitted to the applicant in writing notice of his determination."

(10) Section 505(d) of that Act (21 U.S.C. 355(d)) is amended by—

(A) inserting in clause (1), immediately after the words "is safe for use", the words "and is efficacious in use";

(B) inserting in clause (2), immediately preceding the semicolon at the end thereof, a comma and the following: "or that the results of such tests show that such drug is not efficacious in use or do not show that such drug is efficacious in use";

(C) inserting in clause (4), immediately after the words "is safe for use", the words "and efficacious in use"; and

(D) striking out in clause (4) the comma following the words "he shall" and all thereafter to and including the comma immediately preceding the words "issue an order".

(11) Section 505(e) of that Act (21 U.S.C. 355(e)) is amended by—

(A) inserting therein, immediately after the words "The effectiveness of an", the word "approved"; and

(B) inserting in clause (1) thereof, immediately after the words "is unsafe for use", the words "or is not efficacious in use".

(12) Section 507 of that Act (21 U.S.C. 357) is amended by—

(A) amending the section caption to read as follows: "Certification of Antibiotic Drugs";

(B) striking out the word "or" where it appears immediately preceding the word "bacitracin" in the first sentence of subsection (a) thereof;

(C) inserting in the first sentence thereof, immediately after "bacitracin,", the words "or any other antibiotic drug,"; and

(D) inserting after "507" in the first sentence of subsection (e) thereof the words "and has not been exempted under section 507(c)".

(13) Chapter V of that Act (21 U.S.C. 351 and the following), relating to drugs and devices, is amended by adding at the end thereof the following new sections:

"REGISTRATION OF PRODUCERS OF PRESCRIPTION DRUGS

"SEC. 508. (a) As used in this section—

"(1) the term 'drug' means any drug which is subject to the provisions of section 503(b)(1) of this Act and is manufactured, prepared, or propagated for distribution in interstate or foreign commerce, or within the District of Columbia, a possession of the United States, or the Commonwealth of Puerto Rico; and

"(2) the term 'manufacture, preparation, or propagation' shall not include the compounding or other preparation of a drug by a pharmacist in compliance with a prescription given by a duly licensed physician for a particular patient.

"(b) The Secretary shall promulgate regulations prescribing the qualifications required for the manufacture, preparation, or propagation of drugs, and regulations prescribing for any plant, facility, or establishment engaged in the manufacture, preparation, or propagation of any drug or class of drugs such standards and requirements as he shall determine to be necessary (1) to insure the continued chemical structure, strength, quality, purity, safety, and efficacy of such drug or class of drugs, and (2) to provide for adequate inspection of such plants, facilities, and establishments. Such regulations shall include, but are not limited to, provisions relating to: the adequacy of any commercial testing laboratories which perform assays or other laboratory services related to the manufacture, preparation, or propagation of any drug or drugs; plant sanitation; raw materials used and analytical reports on such materials; formula cards and actual manufacturing working sheets; batch records; weighing and measuring controls; coding systems; facilities for maintaining separate identity for each drug; cleaning of equipment between batches; quarantine of drugs until after clearance with the control laboratory; and, the complaint file of the establishment. Any officer, agent, or employee of the Department, authorized by the Secretary for that purpose, may, during all reasonable hours, enter and inspect any plant, facility, or establishment (including all warehouses, laboratories, other premises, vehicles and all records and pertinent equipment used in connection therewith) operated or to be operated within any State by any registrant or any applicant for a registration under this section for the manufacture, preparation, or propagation of any drug.

"(c) Under regulations which the Secretary shall prescribe, he shall register and assign a registration number to any person, upon application and a showing by the applicant of proper qualifications, for the manufacture, preparation, or propagation of one or more drugs as specified in the application.

"(d) No person may engage within any State in the manufacture, preparation, or propagation of any drug unless such person holds an unsuspended and unrevoked registration issued under this section. No person may import any drug into any State from any foreign country, or distribute within any State any drug imported from any foreign country, unless such drug was manufactured, prepared, or propagated by a person holding an unsuspended and unrevoked registration issued under this section.

"(e) No registration may be granted under this section to any person for the manufacture, preparation, or propagation of any drug or drugs unless the applicant therefor demonstrates to the Secretary that the plant, facility, or other establishment in which such drug or drugs is to be manufactured, prepared, or propagated complies with the regulations adopted by the Secretary.

"(f) No registration may be granted to any person under this section for the manufacture, preparation, or propagation of any drug or drugs in any plant, facility, or other establishment within any foreign country unless the Secretary has determined that adequate and effective means are available to determine from time to time whether that plant, facility, or other establishment continues to fulfill the requirements established under subsection (b) with respect to that drug or drugs. If at any time the Secretary determines that such means no longer are available for that determination as to any such plant, facility, or other establishment he shall suspend or revoke any registration then in effect under this section for the manufacture, preparation, or propagation of that drug or drugs in that plant, facility, or other establishment until such time as he shall have determined that such means are available for that determination. Any registration granted under this section for the manufacture, preparation, or propagation of any drug within any foreign country may include such conditions, including compliance with any of the requirements of this chapter and of chapter III of this Act, as the Secretary may determine to be required for the protection of public health and safety and such fees as are necessary to provide and maintain adequate inspection as prescribed in this section.

"(g)(1) Within thirty days after notice to an applicant for registration under this section that his application has been denied, the applicant may file with the Secretary his objection to such action, specifying with particularity the basis for such objection and requesting a public hearing thereon. As soon as may be practicable after receipt of any such objection, the Secretary shall conduct such hearing to receive evidence with respect to the issues raised by such objection. After completion of that hearing, the Secretary shall promptly enter and make public his final order upon such objection. Each order entered upon any such objection shall include a statement setting forth in detail the findings of fact and the conclusions upon which the order is based.

"(2) In a case of actual controversy as to any such final order issued under this sec-

tion, the applicant for registration may obtain judicial review of that order by filing in the court of appeals of the United States for the judicial circuit wherein such person resides or has his principal place of business, or in the United States Court of Appeals for the District of Columbia, within sixty days after the entry of such order, a petition praying that the order be set aside.

"(3) A copy of each such petition shall be served forthwith by the petitioner upon the Secretary or upon any officer designated by him for that purpose. The Secretary thereupon shall certify to and file in the court a transcript of the proceedings and the record on which his order was based as provided in section 2112 of title 28 of the United States Code. Upon such filing the court shall have exclusive jurisdiction to affirm or set aside the order. The findings of the Secretary with respect to questions of fact shall be sustained if based upon a fair evaluation of the entire record. The court shall advance on the docket and expedite the disposition of all causes filed therein pursuant to this subsection.

"(4) If, in the course of any such judicial review, application is made to the court by any party thereto for leave to adduce additional evidence, the court may order such additional evidence to be taken before the Secretary and to be adduced upon the hearing in such a manner and upon such terms and conditions as the court may deem proper, if such evidence is material and reasonable ground has been shown for failure to adduce such evidence in the proceedings below. The Secretary may modify his findings of fact, conclusions, and order by reason of any additional evidence so taken, and shall file with the court any such modified findings, conclusions, or order. The judgment of the court affirming or setting aside, in whole or in part, any final order under this section shall be final, subject only to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28 of the United States Code.

"(h)(1) In addition to any other available enforcement remedy, upon a determination by the Secretary that any holder of any registration no longer possesses qualifications for the manufacture, preparation, or propagation of any drug or drugs, or that any plant, facility, or establishment, in whole or in part, no longer complies with the requirements specified therefor, the Secretary shall notify the registrant by registered or certified mail of the Secretary's determination and the grounds therefor and fixing a date, not less than thirty days after such notice, before which the registrant may demonstrate to the Secretary why he should not proceed in court for the suspension or revocation of the registration of such holder, or the registrant's right to manufacture, prepare, or propagate any drug or drugs in a plant, facility, or establishment, or in any part thereof, or to manufacture, prepare, or propagate any specified drug or drugs, as the facts may warrant. If, after the date fixed in such notice, the Secretary finds that good cause exists for proceeding in court, he shall file in the district court of the United States for the district in which the registrant resides or has his principal place of business a petition praying for the suspension or revocation of the registration, the registrant's right under the registration to engage in the manufacture, preparation, or propagation of any drug or drugs in any plant, facility, or establishment, or in any part thereof, or to manufacture, prepare, or propagate any specified drug or drugs, as he may deem the facts to warrant.

"Whenever the Secretary has made a determination that any registrant no longer possesses qualifications for the manufacture, preparation, or propagation of any drug or drugs, or that any plant, facility, or establishment, in whole or in part, no longer complies with the requirements specified therefor, in such manner as may substantially affect the safety of any drug or drugs, he may immediately proceed with the filing of a petition in court as hereinbefore provided and a petition praying for temporary injunction suspending the registration of such registrant, or the use of any plant, facility, or establishment, in whole or in part, or the manufacture, preparation, or propagation of any specific drug or drugs, pending the final determination of the cause. The district court, upon a showing by the Secretary that the safety of such drug or drugs may be substantially affected by the failure of the registrant to meet such qualifications, shall grant such temporary injunction, pending a final judgment.

"(2) A copy of such petition shall be served in accordance with the Federal Rules of Civil Procedure. Upon such filing the court shall have exclusive jurisdiction to determine the issues and enter judgment thereon. Such judgment of the court shall be final, subject only to review by the court of appeals as provided in section 1291 of title 28 and by the Supreme Court of the United States as provided in section 1254 of title 28 of the United States Code. The court shall advance on the docket and expedite the disposition of all causes filed therein pursuant to this section.

"(i) No person shall in any manner obstruct or interfere with, or attempt or conspire with any other person to obstruct or interfere with, the performance by the Secretary or any officer, agent, or employee of the Department of any duty imposed upon him by or pursuant to this section. Whoever violates the provisions of this subsection shall be fined not more than $1,000, or imprisoned not more than one year, or both.

"(j) Nothing in this section shall be construed to prevent any person engaged in the manufacture, propagation, or preparation of a drug or drugs on the day before the effective date of this Act from continuing such manufacture, propagation, or preparation of such drug or drugs until an application for registration has been filed by such person and finally acted upon by the Secretary or the court under this section: *Provided*, That such an application has been filed by such person with the Secretary within one hundred and eighty days from the effective date of this Act.

"REVIEW AND DESIGNATION OF OFFICIAL NAMES OF DRUGS

"SEC. 509. (a) The Secretary may designate an official name for any drug if he determines that such action is necessary or desirable in the interest of usefulness and simplicity. Any official name designated under this section for any drug shall be the only official name of that drug used in any official compendium published after such name has been prescribed or for any other purpose of this Act.

"(b) Within a reasonable time after the effective date of this section, and at such other times as he may deem necessary, the Secretary shall cause a review to be made of the official names by which drugs are identified in the official United States Pharmacopoeia, the official Homeopathic Pharmacopoeia of the United States, and the official National Formulary, and all supplements thereto, to determine whether revision of any of those names is necessary or desirable in the interest of usefulness and simplicity.

"(c) Whenever he determines after any such review that (1) any such official name is unduly complex or is not useful for any other reason, (2) two or more official names have been applied to a single drug, or to two or more drugs which are identical in chemical structure and pharmacological action and which are substantially identical in strength, quality, and purity, or (3) no official name has been applied to a medically useful drug, he shall transmit in writing to the compiler of each official compendium in which that drug or drugs are identified and recognized his request for the recommendation of a single official name for such drug or drugs which will have usefulness and simplicity. Whenever such a single official name has not been recommended within one hundred and eighty days after such request, or the Secretary determines that any name so recommended is not useful for any reason, he shall designate a single official name for such drug or drugs. Whenever he determines that the name so recommended is useful, he shall designate that name as the official name of such drug or drugs.

"(d) After each such review, and at such other times as the Secretary may determine to be necessary or desirable, the Secretary shall cause to be compiled, published, and publicly distributed a list which shall list all revised official names of drugs designated under this section and shall contain such descriptive and explanatory matter as the Secretary may determine to be required for the effective use of those names.

"(e) Upon a request in writing by any compiler of an official compendium that the Secretary exercise the authority granted to him under section 509(a), he shall designate the official name of the drug for which the request is made.

"SEC. 510. The Secretary shall publish in convenient and readable form and shall distribute on a current basis to physicians, hospitals, medical and nurse training schools, depository libraries, and Federal, State, and local government offices concerned with the handling and utilization of drugs, true and correct copies of all printed matter which the Secretary has required to be included in any package in which any drug is distributed or sold or brochures approved by the Secretary available to practitioners on request."

Mr. HART. Mr. President, I am prepared to yield the floor——

Mr. MANSFIELD. Mr. President——

Mr. PASTORE. Mr. President——

Mr. HART. Mr. President, I thought I had the floor.

Mr. MANSFIELD. I yield.

Mr. HART. I apologize. I thought I had the floor.

Mr. MANSFIELD. I yield the floor. Go ahead.

Mr. HART. This reminds me of what occurred earlier.

Mr. EASTLAND. That is, the Senator has the floor, but does not have the votes. Is that what he is talking about?

Mr. HART. The Senator from Michigan has not expressed any opinion as to who should or should not have been consulted, when or where, but based upon our discussion this afternoon and our experience this morning, it has been suggested that in the Judiciary Committee one of the reasons why we cannot get out of committee bills in a certain area is that we have a very able chairman. The converse is being demonstrated—that, if the chairman rules it, we can get other bills out. This also is a moral.

Mr. KEATING. Mr. President, will the Senator yield for a brief discussion?

Does the Senator decline to yield?

Mr. HART. I do not want to be put in the position of seeming not to want to yield.

Mr. MANSFIELD. I yield.

Mr. KEATING. My purpose was to make a suggestion which I hope will be constructive. Apparently there is some

difference of opinion as to whether the President wants the bill of the distinguished Senator or the amendments which we have before us. I suggest to the distinguished Senator from Tennessee that he have a talk with the President. It seems so simple.

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

The PRESIDING OFFICER. The Senator from Michigan has the floor.

Mr. KEFAUVER. I have talked with the President; I have talked with those who are advising him as to what they want in the bill. The bill as amended in the subcommittee follows the President's recommendations. Of course, I want to know how the administration stands now and what their position may be now, and the position of the Department of Health, Education, and Welfare; but judging by his letter and what has been told me, the subcommittee bill was the bill that was desired, with a few modifications. It would have brought prices down. This bill has some good features in it, but it would not bring prices down.

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

Mr. MANSFIELD. Mr. President, do I have recognition?

The PRESIDING OFFICER. Has the Senator from Michigan yielded the floor?

Mr. HART. I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. MANSFIELD. Mr. President, this little 5-minute speech started 1 hour and 35 minutes ago. I think all the members of the committee have had their say——

Mr. ERVIN. Except me. I have not.

The PRESIDING OFFICER. The Senator from Montana.

Mr. MANSFIELD. Mr. President, I yield the floor. I thought every member of the committee had had his say. I am trying to expedite the business before the Senate, for a number of reasons.

Mr. ERVIN. Mr. President, I feel, in view of the statement of the Senator from Tennessee, that I owe it to myself, as well as to the Senate, to say something.

I have not received any advice from either the White House or the pharmaceutical industry, as to how I should vote on the bill we have been discussing. I have been trying to use the faculties with which nature has endowed me and such experiences as I have had in deciding how to vote on the bill which the Senate Judiciary Committee has been considering.

I can assure the Senator from Tennessee that I am just as much interested in having cheap drugs as he is. I am interested in having cheap automobiles. I am interested in bringing down the cost of everything, because I think everything is too high. But I have some convictions in respect to what makes the free enterprise system work. I think the best description of the free enterprise system is that given by the English Poet Kipling in the poem in which he discusses the occasion on which the Kaiser called all the men of Germany together and made a suggestion that they should work for the Fatherland rather than their families. Everybody seemed to be in favor of the proposal until one old German arose and stated:

> Until men are built like angels
> With hammer and chisel and pin,
> We shall work for ourselves and a woman
> For ever and ever. Amen.

I think that poem reveals what makes the free enterprise system work. I think if we want to get new drugs, or improvements in drugs, or improvements in automobiles, or improvements in anything else, we must offer incentives. We must assure men that they will enjoy the fruits of their own labor.

I knew nothing about this bill until it came from the Subcommittee on Antitrust and Monopoly. At that time it had a provision in it, as I interpret it, which said that if any drug or pharmaceutical company risked its money and used its knowledge and skill in research, and discovered a new drug and got a patent on it, its patent would expire 3 years after it had discovered the new drug, and put the drug on the market, unless it consented to give licenses to any other drug manufacturers to manufacture and sell that drug at an 8-percent royalty.

That provision did not satisfy my notions of free enterprise. I thought that provision undertook to take the fruit of one man's labor and one man's research and one man's expenditure and give it to other men who had not spent any money, who had not exercised their brains, and who had not done any research. I thought it undertook to take the fruit of one man's labor away from him and give it to others who had done nothing to deserve it. I do not think the free enterprise system will work under any such method as that. I did not favor that provision because it runs counter to my understanding of the incentive which makes the free enterprise system work. I am opposed to taking the fruits of one man's labor, research, and industry, and giving them to another man who, in the words of the Bible, "reaps when he has not strawed."

I was opposed to that provision.

I was doubtful as to the wisdom of another provision in the bill which also involved an amendment of the patent laws.

I heard both sides of the argument on that. I heard what my good friend from Tennessee had to say about it, and I heard what the folks on the other side had to say about it. The more I heard the more confused the issue became. I did not know which side was right and which side was wrong. It may be that the patent law ought to be amended as provided in that particular section.

The section also had some provision authorizing the Commissioner of Patents to seek advice from the Department of Health, Education, and Welfare. I personally thought that provision ought to be sent to the Subcommittee on Patents for further study in order that its wisdom or unwisdom might be made manifest.

I left the Senate last Friday to attend a wedding in North Carolina and have not been at any secret meeting anywhere at any time about this matter. But when I went to the meeting of the Judiciary Committee this morning there was a gentleman present who said he represented the Department of Health, Education, and Welfare which was charged with certain duties under the first section of the bill which was acted upon at the committee meeting this morning. I voted for an amendment which this gentleman stated that the Department of Health, Education, and Welfare wanted the committee to adopt as a substitute for the provision. The vote for the adoption of this substitute was about 9 to 3. I thought the Department of Health, Education, and Welfare was under the control of the Democratic Party. I did not know that the minority leader, Senator DIRKSEN, or the able and distinguished Senator from Nebraska [Mr. HRUSKA] had charge of the Department of Health, Education, and Welfare.

When the amendment was offered I decided that I would vote for it for several reasons. In the first place, the debate left me in doubt as to whether the provision under consideration was sound or not. So, when the Department which was to be charged with some duties under the section came in and said, "This is the substitute we want," I voted for it in the belief that it was a good Democratic proposal, as well as something which was stated in simple understandable English.

Then the gentleman who said he represented the Department of Health, Education, and Welfare also said that the Department did not favor what is called the registration provision of the bill. I had read the registration provision, and I would call it a licensing provision. As I construed it, this provision would confer on the Department of Health, Education, and Welfare the power to exclude people from the manufacture of drugs. I stated that I would vote for a substitute amendment recommended by this gentleman which eliminated the licensing provisions, but gave HEW the power to make drug manufacturers take measures calculated to protect the public health.

I am fundamentally opposed to excluding people from earning an honest livelihood, and I am opposed to giving to the Government the right to say who can pursue a certain occupation and who cannot pursue that occupation, except under the most extraordinary conditions.

The Department of Health, Education, and Welfare representative said:

> The Department does not want this power. We do not want the power to license people. We do not want to exclude people from the drug business. All we ask is the power to control these people in the interests of public health when they are in the business.

And he also said:

> This amendment does what the Department of Health, Education, and Welfare wants to do.

Mr. President, it is always a refreshing thing to me to see any kind of a governmental agency which says it does not want more power. So, when the Department of Health, Education, and Welfare came in and said: "We do not

want the power that this bill attempts to give us," I said to myself, "The views of the Department are in harmony with mine. I do not believe that the Federal Government ought to say who can engage in business and who cannot engage in business. I think in a field like this, which affects the public health, there should be the power to control the person and to make him act in the interests of the public health in regard to manufacturing, when he starts manufacturing."

Mr. President, I am sorry that my vote did not please everybody. I voted my honest convictions. I voted my sincere convictions. I have not been to any secret meetings with anybody. I have not conspired with anybody. Nobody is responsible for my vote but me.

Mr. President, I am a somewhat modest person. The bill relating to drugs presents complicated questions. I do not claim that I have the absolute possession of all the truth in respect to them, and that those who disagree with me have none whatever. Consequently, I shall not criticize anybody who votes in a different manner from the way I vote on these questions. I shall say that I am as sincere and as intellectually honest in my vote as those who vote with me or those who vote the contrary position.

I make this statement because I think the place to settle differences between the members of the Judiciary Committee is first in the committee and then in the Senate.

I wish to apologize for feeling that I had to say anything whatever on this subject.

Mr. MANSFIELD. The Senator says little enough, and we enjoyed listening to him, as always.

The PRESIDING OFFICER. The Senator from Montana has the floor.

Mr. MANSFIELD. I now yield to the distinguished minority leader.

The PRESIDING OFFICER. The Senator from Illinois may proceed.

Mr. DIRKSEN. Mr. President, I hope my distinguished friend from Tennessee will do me the honor to give me a little attention. I have a great affection for him. I like his relentlessness. He is as single purposed as an Apache Indian. He is as gracious as a Victorian lady. There is a rare diligence about him, and a rare consistency about him also.

The difficulty is that we do not agree on the fundamental thesis. I am glad he is a patient man when he essays to change the result. His patience is certainly equal to that of Job. I think he makes Job look a little like an amateur, for he has spent 2½ years investigating price increases in the drug industry, and then when we finally come along with a bill, the bill has nothing whatsoever to do with prices. There is nothing in the bill which provides for a reduction in the price of drugs. This is quite a different kettle of fish. That is where the difficulty arises.

My name has been rather freely used in connection with the amendments which have been submitted.

The first amendment I submitted this morning was adopted by a vote of 9 to 3. There are six Republicans on the committee. I am sure it would take a great deal of eloquence and persuasion on my part to give anyone the idea that I was operating the Department of Health, Education, and Welfare. We simply cooperate in the interests of a good bill.

I am like the fellow who came home one night, who got his dinner and then told his wife he was going to sit up with a sick lodge brother. He got home at about 2 o'clock in the morning and, traditionally, his wife was waiting for him. "Where have you been?" she said. He said, "I have been sitting up with my sick friend." She asked, "What was his name?" He said, "His name was Murphy."

The wife did not bother the man further. In the morning the man went off to work. His wife got out the telephone book. She learned that there were 12 Murphys in the book. She called up every Murphy in the book and said to the Mrs. Murphy, "Was my husband with your husband last night?" And every one of the 12 Mrs. Murphys said, "Yes." [Laughter.] When the man got home that night, he put his dinner bucket on the kitchen cabinet, washed his hands under the spigot, and knew that the waters of vehemence were to come down with force upon his head.

He waited only for it to begin. When she got through, a great smile suffused his face like a western sunset.

She said, "I called up all the Murphys and you sat up in 12 different places last night."

He said, "Darling, never have I seen such cooperation on the part of the Murphys."

So we on this side have been cooperating in the interest of a bill.

My distinguished friend from Tennessee is a little frustrated. I have been frustrated, too. I have sponsored some legislative brain children which have never seen the light of day, or got through the great and realistic hour. So I have been frustrated. There is a plebeian and impolite term for it. I think it is called a bellyache. I shall ask my pharmacological friend from Minnesota to prescribe for it.

We are interested in a good bill. We have been confronted with a proposal to amend the basic patent law of our country. The Subcommittee on Patents had not even looked at the bill. What were we to do about it? Whether or not we were on good ground, I merely point out to the Senate that in our country there are approximately 180 million people. We have the strongest patent protection. There have been 60 major drug discoveries since 1940. In Great Britain, France, West Germany, and Switzerland combined, where there is an aggregate of 150 million people, but only intermediate patent protection, there were only 29 discoveries.

Italy has 50 million people. It has no patent protection on drugs. From 1940 to 1960 not a single patented drug discovery came from Italy.

Can anyone say that we have not a good patent law? If those figures do not prove that we have, I do not know what would. But the distinguished Senator from Tennessee wanted to sell us on the idea that we should amend the patent section of the Sherman Act in a drug bill. I suggest that Senators should read the proposed language. It is most intriguing. One is almost required to have a book of logarithms, a slide rule, and a U.S. Pharmacopoeia to read and understand it. My good friend talks about confusion. Sometimes there is confusion confounded.

Then, of course, in addition to other conditions and requirements for patentability, there is the question of the patentability of a drug. Under the proposed title no patent may be granted for any modification of any patented or unpatented drug or for any combination of two or more drugs unless the Commissioner determines that the therapeutic effect of such modification is substantially greater than that of the drug so modified.

What does that mean? It takes some puzzling to find out what that language means, except that we know it is a modification of the Patent Act. Why was it placed in this measure? The distinguished Senator from Tennessee put it in. He thinks we ought to lie back and accept it. In the interest of the preservation of a great patent system and a great drug industry, the provision was stricken.

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

Mr. DIRKSEN. I yield.

Mr. KEFAUVER. The provision was recommended after extensive hearings. It was recommended by the President of the United States in his letter, and was modified by the Senator from Arkansas [Mr. McCLELLAN] in his amendment. The language, "Or some other substantial advantage over the drug so modified" was strongly recommended by the Commissioner of Patents. The Commissioner of Patents gave his reasons, saying that the courts had eliminated the utility test in connection with drugs, and he noted the language as modified by the Senator from Arkansas [Mr. McCLELLAN] which would require him to pass upon whether drugs should be patented or not.

Mr. DIRKSEN. Mr. President, the statement of the Senator is an opinion and is not borne out by the record. I think that has been disclosed.

With respect to compulsory licensing, what an alien provision to put in our patent structure. I know one company that spent $31 million in research on a definite drug and its many derivatives. How can they get it back in 3 years? What do they do? They back off and say, "That leaves us no incentive for research."

Somehow they must get it back. That is why we insisted on striking out that provision. Who put it in there in the first place? We did not put it in the bill. It came from our distinguished friend from Tennessee.

I was gloriously written up in Mr. Drew Pearson's column as being one of those trying to increase the price of drugs. We are merely trying to keep a patent section intact in the hope of preserving the incentive of our free enterprise system. That goes also for registration. The section referred to is not

a registration section. It is a licensing provision.

Senators should read the conditions precedent and the conditions under which a license could be suspended. The burden of proof is upon the industry to prove to the Department of Health, Education, and Welfare that the industry ought to have their license back.

That has no place in the American system. I know that my gracious friend from Tennessee nurtures and cherishes those feelings with a deep conviction. But with an equally deep conviction I do not share them. I intend to fight them on every occasion. I am glad that the Committee on the Judiciary has reached such prestige now that it can hold its hearings in the Senate Chamber.

Mr. KEFAUVER. Mr. President, will the Senator yield for one correction?

Mr. DIRKSEN. I yield.

Mr. KEFAUVER. The Senator said that if a drug manufacturer was manufacturing drugs, the HEW could put him out of business, and the burden was on him to show that he had the proper sanitation, and so forth. The bill from the Subcommittee on Antitrust and Monopoly Legislation, of course, would require that the Commissioner of Health, Education, and Welfare obtain an injunction, and the burden would be on him to show that he did not have proper sanitation. So the Senator got that wrong, I am sorry to say.

Mr. DIRKSEN. No, the Senator from Illinois did not get it wrong. The job we had was to sell the proposal in the subcommittee. The subcommittee has been at meetings in the minority leader's office a good many times. We merely stroll over there from here, and then day after day we discuss the bill about which we are speaking. I do not know how long those discussions have gone on. But putting the burden of proof in every case upon the industry or the person engaged in industry is not proper. On one previous occasion when a bill that dealt with mergers, and so forth, was before the Senate the then chairman of the subcommittee from the other side of the aisle invited the head of the Antitrust Division under the Eisenhower administration to come to my office. We sat around and talked. Finally the head of the Antitrust Division said to me, "Do you know what you are doing, Senator DIRKSEN?"

I said, "I certainly do."

He said, "What you are trying to do is to let industry pick its own battleground in a fight with Government."

I said, "What do you think I am trying to do if it is not that, in the interest of preserving a great, free system that has done so much, and whose incentives must be preserved."

Mr. President, we are as desirous as anyone else to get a good drug bill. I think if the amendments are agreed to, we will get a good drug bill. I salute the distinguished chairman of the Judiciary Committee. He presides over a great committee. He does it efficiently. He does what a chairman ought to do. When his administration asks for a bill, he is up against a stalemate. Then, of course, he calls in consultants and asks, "Can you fashion something that will be agreeable to all sides and yet effectively do the job?"

I salute him for the great chairman that he is.

Now we will carry this proposal back to the Judiciary Committee. We are supposed to meet tomorrow morning. I do not know how long the meeting will take. There will be about 8 or 10 amendments. I hope we shall deal with them expeditiously. I am even willing to agree with my distinguished friend from Tennessee that, with the consent of the committee, we take 5 minutes on a side on each amendment. In an hour and 30 minutes we can get a Senate bill on the calendar.

---

## INTERIOR DEPARTMENT AND RELATED AGENCIES APPROPRIATION, 1963

The Senate resumed the consideration of the bill (H.R. 10802) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1963, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oregon [Mr. MORSE] on behalf of himself and other Senators. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STENNIS (when his name was called). On this vote I have a live pair with the Senator from West Virginia [Mr. RANDOLPH] who, if he were present, would vote "yea." If I were at liberty to vote, I would vote "nay." I withhold my vote.

The rollcall was concluded.

Mr. HUMPHREY. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Connecticut [Mr. DODD], the Senator from Tennessee [Mr. GORE], the Senator from Alabama [Mr. HILL], the Senator from North Carolina [Mr. JORDAN], the Senator from Louisiana [Mr. LONG], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Michigan [Mr. MCNAMARA], the Senator from Rhode Island [Mr. PELL], the Senator from West Virginia [Mr. RANDOLPH], the Senator from Georgia [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS], and the Senator from South Carolina [Mr. THURMOND] are absent on official business.

I further announce that the Senator from Pennsylvania [Mr. CLARK], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from South Carolina [Mr. JOHNSTON], and the Senator from Missouri [Mr. LONG] are necessarily absent.

I further announce that the Senator from New Mexico [Mr. CHAVEZ] is absent because of illness.

I further announce that, if present and voting, the Senator from New Mexico [Mr. CHAVEZ], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from Alabama [Mr. HILL], the Senator from South Carolina [Mr. JOHNSTON], the Senator from North Carolina [Mr. JORDAN], the Senator from Missouri [Mr. LONG], the Senator from Rhode Island [Mr. PELL], and the Senator from Louisiana [Mr. LONG] would each vote "yea."

On this vote, the Senator from Virginia [Mr. BYRD] is paired with the Senator from Pennsylvania [Mr. CLARK]. If present and voting, the Senator from Virginia would vote "nay," and the Senator from Pennsylvania would vote "yea."

On this vote, the Senator from Arkansas [Mr. MCCLELLAN] is paired with the Senator from Michigan [Mr. MCNAMARA]. If present and voting, the Senator from Arkansas would vote "nay," and the Senator from Michigan would vote "yea."

On this vote, the Senator from Connecticut [Mr. DODD] is paired with the Senator from Florida [Mr. SMATHERS]. If present and voting, the Senator from Connecticut would vote "yea," and the Senator from Florida would vote "nay."

Mr. KUCHEL. I announce that the Senator from Vermont [Mr. AIKEN] is absent on official business.

The Senator from Connecticut [Mr. BUSH], the Senator from Indiana [Mr. CAPEHART], the Senator from New Jersey [Mr. CASE], the Senator from South Dakota [Mr. CASE], the Senators from New Hampshire [Mr. COTTON and Mr. MURPHY], the Senator from New York [Mr. JAVITS], the Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The Senator from North Dakota [Mr. YOUNG] is detained on official business.

If present and voting, the Senator from Connecticut [Mr. BUSH], the Senator from Indiana [Mr. CAPEHART], the Senator from New Hampshire [Mr. COTTON], the Senator from New Hampshire [Mr. MURPHY], and the Senator from Texas [Mr. TOWER] would each vote "nay."

The result was announced—yeas 42, nays 28, as follows:

[No. 85 Leg.]

YEAS—42

| | | |
|---|---|---|
| Anderson | Gruening | Metcalf |
| Bartlett | Hart | Monroney |
| Bible | Hartke | Morse |
| Burdick | Hickey | Moss |
| Byrd, W. Va. | Humphrey | Muskie |
| Cannon | Jackson | Neuberger |
| Carroll | Kefauver | Pastore |
| Church | Kerr | Smith, Mass. |
| Cooper | Kuchel | Sparkman |
| Douglas | Long, Hawaii | Symington |
| Dworshak | Magnuson | Talmadge |
| Eastland | Mansfield | Williams, N.J. |
| Engle | McCarthy | Yarborough |
| Ervin | McGee | Young, Ohio |

NAYS—28

| | | |
|---|---|---|
| Allott | Goldwater | Pearson |
| Beall | Hayden | Prouty |
| Bennett | Hickenlooper | Proxmire |
| Boggs | Holland | Robertson |
| Butler | Hruska | Scott |
| Carlson | Keating | Smith, Maine |
| Curtis | Lausche | Wiley |
| Dirksen | Miller | Williams, Del. |
| Ellender | Morton | |
| Fong | Mundt | |

NOT VOTING—30

| | | |
|---|---|---|
| Aiken | Fulbright | Murphy |
| Bush | Gore | Pell |
| Byrd, Va. | Hill | Randolph |
| Capehart | Javits | Russell |
| Case, N.J. | Johnston | Saltonstall |
| Case, S. Dak. | Jordan | Smathers |
| Chavez | Long, Mo. | Stennis |
| Clark | Long, La. | Thurmond |
| Cotton | McClellan | Tower |
| Dodd | McNamara | Young, N. Dak. |

So Mr. MORSE's amendment was agreed to.

Mr. MORSE. Mr. President, I move that the Senate reconsider the vote by which the amendment was agreed to.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

## ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that upon the conclusion of its business tonight, the Senate adjourn until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

## INTERIOR DEPARTMENT AND RELATED AGENCIES APPROPRIATIONS, 1963

The Senate resumed the consideration of the bill (H.R. 10802) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1963, and for other purposes.

Mr. MANSFIELD. Mr. President, there will be no further votes tonight. It is my understanding that the Senator from Washington [Mr. MAGNUSON] will offer an amendment which will be made the pending business. The amendment relates to access roads.

Before the amendment is offered, the Senator from Oregon desires to have the Senate take action on a concurrent resolution which he is prepared to submit.

## TRANSIT FARES FOR SCHOOLCHILDREN IN THE DISTRICT OF COLUMBIA—CORRECTION OF BILL

Mr. MORSE. Mr. President, Senate bill 1745, relating to fares for schoolchildren in the District of Columbia, has been sent to the White House. When the bill was engrossed by the House, one word was inadvertently omitted. It has been asked that a concurrent resolution, which I now send to the desk, be agreed to, so that the bill can be returned from the White House and the correction made.

The PRESIDING OFFICER. The concurrent resolution (S. Con. Res. 78) will be read.

The legislative clerk read as follows:

*Resolved by the Senate (the House of Representatives concurring)*, That the President of the United States be, and he is hereby, requested to return to the Senate the enrolled bill (S. 1745) entitled "An Act to amend the Act of August 5, 1955, relating to the regulation of fares for the transportation of schoolchildren in the District of Columbia"; that upon its return, the action of the Speaker of the House of Representatives and the President of the Senate in signing the said bill be deemed to be rescinded; and that in the reenrollment of said bill, the Secretary of the Senate be, and he is hereby, authorized and directed to make the following change, viz: On page 2, line 3, of the engrossed bill, after the word "return", insert the word "established".

Mr. KUCHEL. Mr. President, may I inquire of the Senator from Oregon if the concurrent resolution has been cleared with the leadership?

Mr. MORSE. It has been cleared with the leadership on both sides of the aisle.

Mr. KUCHEL. I thank the Senator from Oregon.

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the concurrent resolution (S. Con. Res. 78) was considered and agreed to.

## DEATH OF DAVID MULHOLLAND, A PEACE CORPS VOLUNTEER

Mr. SMITH of Massachusetts. Mr. President, last Saturday David Mulholland, 23, son of Mr. and Mrs. Henry Mulholland, of Quincy, Mass., and a Peace Corps volunteer in the Philippines, died at Clark Air Force Base Hospital, Manila. He was the first volunteer from my home State of Massachusetts to die serving his country in the Peace Corps.

David graduated from Tufts University in 1960 and joined the Peace Corps after working as a reporter on the Worcester Evening Gazette. He was sent by the Corps to Ilog, several hundred miles from Manila, and worked there as a teacher's aid. The Peace Corps representative in the Philippines described him as one of the ablest and most popular volunteers. He was a part of a group that organized Camp Brotherhood, the first free camp for children in the Philippines.

David's parents were at his bedside when he died. I know that the sympathy of all of us go to them today. At a time when all Americans are being asked to make sacrifices in our struggle to secure the friendship of people in distant lands, they have made the greatest sacrifice of all.

Director Sargent Shriver of the Corps said about David:

> His willingness to give of himself to others is in the highest and brightest traditions of his country.

I add to Mr. Shriver's statement that I feel David showed all of us that peacetime service to our country in this era of global cold war conflict can involve sacrifices as great as any during a time of real war. We owe a great debt to him and all other Americans who have chosen to serve abroad helping the people of countries less fortunate than our own.

## INTERIOR DEPARTMENT AND RELATED AGENCIES APPROPRIATIONS, 1963

The Senate resumed the consideration of the bill (H.R. 10802) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1963, and for other purposes.

Mr. MAGNUSON. Mr. President, I offer an amendment on page 31, after line 7, to insert an item of "$6,000,000." The amendment relates to access roads and, I understand, will be discussed tomorrow.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 31, after line 7, it is proposed to insert the following:

ACCESS ROADS

For acquiring by condemnation or otherwise additional roads needed for access to national forest lands in carrying out the Act of June 4, 1897, as amended (16 U.S.C. 471, 472, 475, 476, 551), $6,000,000, to remain available until expended.

Mr. HOLLAND. Mr. President, will the Senator from Washington yield for a question?

Mr. MAGNUSON. I yield to the Senator from Florida.

Mr. HOLLAND. What was the amount requested by the Bureau of the Budget for this item?

Mr. MAGNUSON. The Bureau of the Budget requested $2 million.

Mr. HOLLAND. What amount was provided in the House bill?

Mr. MAGNUSON. The House eliminated the item entirely.

Mr. HOLLAND. So the Senator's proposal is to raise by $4 million the amount of $2 million requested by the Bureau of the Budget and denied by the House?

Mr. MAGNUSON. The Senator is correct.

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

Mr. MAGNUSON. I yield to the Senator from New Mexico.

Mr. ANDERSON. I think it would be helpful if the Senator from Washington made a brief explanation of the amendment, because he is proposing a substantial increase. I support his amendment completely; I think it is necessary. Still, it would be helpful if the Senator would make a brief statement in explanation of his proposal.

Mr. MAGNUSON. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement in explanation of my amendment. I think the statement will explain clearly why I favor the amendment.

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

STATEMENT OF WARREN G. MAGNUSON ON H.R. 10802: MAGNUSON AMENDMENT ON ACCESS ROADS

On behalf of my colleagues and myself from the Northwest, I offer an amendment which would increase the funds appropriated to the Forest Service for the item "access roads" from $2 million to $6 million.

I shall explain briefly the urgent need for these additional funds, but first I would like to explain why this action is occurring today on the floor of the Senate. As the chairman of the committee knows, it was my intent to offer this amendment in committee when the bill was marked up. I was unable to be in the city on the day of the markup and thus it was not possible for me to personally present my amendment. However, while the amendment bears my name, I have offered it on behalf of myself and Senator JACKSON, the Senators from Oregon and Montana, and our colleague from Idaho, the junior Senators, Mr. CHURCH, Mr. ENGLE, and Mr. KUCHEL.

On page 1124 of the hearings is a table which shows that of all the major Forest Service programs the one which is most underfinanced is their road program. The planned level for funds is slightly over $75

million, a gap of $14 million. This amendment would further narrow the gap by $4 million.

We believe that the adoption of this amendment is of the utmost importance. Over the past several months it has become evident that the American timber industry has been experiencing competitive difficulties in marketing lumber due to the inroads which have been made by Canadian producers.

The central purpose of this amendment is to provide vitally needed funds now which will provide access on existing private roads which traverse the national forests. These roads serve almost 20 billion board feet of timber. These public timber stands in our national forests have an estimated allowable cut of timber of close to one-quarter of a billion board feet. In addition, in these stands there is an annual average timber loss due to insects and disease of over 60 million board feet.

The availability of these roads will accomplish several laudable purposes. First I would like to stress that the contemplated expenditure of $6 million is an investment. In 1 year alone $5 million in Federal revenues from the sale of timber will be returned to the Treasury. Perpetual revenues of at least $4 million a year will continue to accrue to the Federal Treasury. Thus, this $6 million investment will be paid back in a little over 1 year's time. I would, therefore, submit that from the standpoint of financial attractiveness we cannot defer this necessary work.

Secondly, our forest products industry is suffering from competition with the Canadians. One of the most critical aspects is that Canadian stumpage appears in some instances to be somewhat less costly to their producers than is ours. The Forest Service has submitted a report which shows that, while the appraised rates for both Canadian and American timber are reasonably comparable, the actual cost of the stumpage from public lands in the United States compared to the cost of stumpage from public lands in Canada becomes considerably higher because our mills must bid more vigorously to secure this public timber.

Canadian timber sells at a few percentage points above the appraised price whereas our Forest Service timber sells at 25 to 50 percent above appraised prices. Increasing the amount of timber that can be offered for sale will still provide that the Government receives the full value. The figures that I have cited on timber value represent the Forest Service estimate of appraised values not the prices resulting from competitive bids. If we can increase the amount of timber offered for sale our domestic producers will have to bid so vigorously against each other. Their costs will be reduced and the entire industry will be better able to meet the burden of Canadian competition.

The amendment is promised financially on the concept that it is better to sell 100 units of timber at $20 than to sell 50 units at $40. High stumpage prices cripple the industry's ability to compete with Canada.

Thus this appropriation offers a solid and realistic way to assist the lumber industry of this country.

This industry has stated repeatedly that it does not seek subsidies. I would emphasize that the appropriation of these funds can in no way be defined as a subsidy. The price of timber depends upon many factors, one of which is the presence or absence of a road. When a road is available, the price of the timber is higher than when it is necessary for the successful bidder to construct a road. In this case, the Government will have purchased a partial interest in private logging roads which traverse national forest lands and the price of the timber will reflect the availability of the roads.

When this appropriation was before the House Appropriations Committee, they decided to eliminate it, giving as their reason a decision by the Comptroller General rendered on March 2 of this year to the effect that the purchase of these roads could be accomplished under the funds made available for forest development roads and trails under the Highway Act. When this appropriation item was first placed in the budget 4 years ago there was some question as to whether forest road and trail funds could be used to purchase an interest in a private road and to recapture the share not attributable to Federal timber so that there would be no subsidy to private parties. This special appropriation provided for the recapture and did not attempt to settle that issue. The Comptroller has now held that the fees that would be collected are not in the nature of a toll and thus not prohibited by the Federal Highway Act. However, the Comptroller General's decision did not make any more money available because as we all know the Highway Act authorization sets forth certain amounts and the budget provides the necessary funds to liquidate this authorization. This special fund, therefore, is of absolute necessity. If we are going to act now to bring the type of economic stability to our lumber industry that the present situation requires, I think I can forecast that in the light of the Comptroller General's decision and the action that we expect may be taken on pending authorization requests for subsequent years, it will not be necessary to continue this special program.

I would emphasize, however, that we are faced with a practical reality. The conduct of the Forest Service timber sale program hinges on the availability of road funds. The Forest Service has made certain plans based upon its budget request. It needs more funds for essential road construction for timber harvesting in many areas. The availability of this $6 million under the special access road appropriation will actually "free up" the funds in the forest road and trail appropriation so that there can be a substantial increase in the construction of roads and thus in the marketing of national forest timber.

When the cotton and textile agreement legislation was before the Senate, there was debate upon an amendment which if adopted would have held up the cotton and textile agreement until agreements were reached on limiting the importation of timber and certain other agricultural products. A number of us were unwilling to support this proposal because it did not seem realistic to hold up agreements on cotton until something could be done for timber. We preferred a course of action which searched out practical and constructive steps that could be taken to strengthen our domestic timber industry because we are convinced that relief for this industry is needed and the merits of the case are such that it need not be tied to the welfare of any other commodity.

Before this session ends I am certain that we will be seeking to take appropriate action on several recommendations. This is one of them and it is one of the most important.

The Committee on Appropriations has taken another step which is closely linked to this proposal. They have restored a cut of $800,000 in timber sale money made in the House of Representatives. I am convinced that the reasons given in the House report result from an honest misunderstanding. The House reasoned that since there was a drop in the lumber market, the sales in the forthcoming year would not be in such heavy demand. I suspect that this same reasoning led to the conclusion that less funds were needed for access roads.

This is not the case at all. Our lumber industry has plainly indicated that it seeks to have the Forest Service increase its timber sale, increase its allowable cuts, and strive to reduce the costs of national forest stumpage by taking every reasonable and proper step. I, therefore, urge the adoption of this amendment for access roads and hope that the Senate conferees will do their very best to explain to our colleagues in the House why the Senate position should be maintained.

The chairman of the House Appropriations subcommittee is a man whose understanding of natural resource problems is great. He is one of the Nation's outstanding conservationists. I am sure that with the facts before him he will understand the great economic importance of this amendment and how it will contribute to the conservation of our natural resources. The national forest timber which is served by these roads is not now available for us. Much of it is rotting on the stump. It is not being conserved. The inability of the Forest Service to sell this timber curtails the capability of the forest products industry to meet Canadian competition. I, therefore, urge the adoption of this amendment.

Mr. MAGNUSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Washington will state it.

Mr. MAGNUSON. Do I correctly understand that my amendment will be the pending business tomorrow, assuming that the Senate adjourns shortly?

The PRESIDING OFFICER. The Senator is correct.

Mr. CARROLL. Mr. President, tomorrow I intend to call up my amendment on page 18, line 8, before the period, to insert a colon and the following: "*Provided,* That no part of this appropriation shall be used to remove any machinery, equipment, or facilities from the oil shale pilot plant at Rifle, Colorado".

I think an explanation of the amendment should appear in the RECORD for today, so that it may be read carefully before the amendment is offered and considered tomorrow.

Mr. President, the total appropriation for "Conservation and development of mineral resources," by the Bureau of Mines proposed by the committee is $26,887,000.

This is an increase of $337,000 over the amount passed by the House.

Part of that $337,000 is $187,000 to expand oil-shale research.

The sponsor of this sum for oil-shale research is the senior Senator from Wyoming [Mr. MCGEE]. It is my assumption, and I think his intention, that most of this sum will be expended in the petroleum research facilities at Laramie, Wyo.

It is my understanding that the senior Senator from Wyoming [Mr. MCGEE] did not intend, when he offered his amendment in committee, that any of the $187,000 be spent in connection with the pilot oil-shale plant at Rifle, Colo.

The Senator from Wyoming, therefore, advises me that he has no objection to my amendment, which simply provides that the money shall in no way be used to remove any equipment from the Bureau of Mines oil shale experimental plant at Rifle, Colo.

RUMORS OF PLANS TO MOVE RIFLE EQUIPMENT

For some time, Mr. President, we have been hearing rumors of plans within the Bureau of Mines to move out of the rifle plant one of the principal retorts.

The Bureau of Mines declares it has no such intentions, but the stories persist.

My amendment is merely insurance against rumor becoming fact.

In Colorado we are eager to see oil shale research accelerated with all possible speed. Any oil shale research done at Laramie, Wyo., benefits the State of Colorado, since the largest oil shale reserves in the United States are in Colorado.

Thus, Mr. President, I support funds for oil shale research.

I do insist, however, that in the course of this research there be no raid on the facilities already established in Colorado.

We hope soon, Mr. President, to have the Rifle oil shale pilot plant back in full operation. It is now in a standby condition. However, plans are in process right now to restore the plant to operation. These plans will soon be presented to Congress.

HOUSE REJECTED AMENDMENT

Mr. President, in the House of Representatives, on March 20, an amendment was offered to the Interior appropriation bill to add $187,000 for oil shale research.

The amendment proposed in the House was rejected.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement made by Representative WAYNE ASPINALL, in whose district the Rifle plant is located.

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

STATEMENT OF HON. WAYNE ASPINALL

Mr. Chairman, this amendment is untimely. The request of the Bureau of Mines of the Department of the Interior for the additional money is untimely. As I understand the situation the Bureau of Mines has not been able to justify their request for these moneys in their appearance before the Committee on Appropriations.

There is on foot at the present time, and has been for many months a proposed program between the Department of the Navy in the Department of Defense and the Department of the Interior to see whether or not they can arrive at some conclusion as to the operation of the oil-shale demonstration plant facility at Rifle, Colo.

As I understand the request for the appropriation of the moneys which the gentleman from Colorado [Mr. DOMINICK] is trying to place in this legislation it will mean the moving of the small retort at Rifle to Laramie. This small retort is very important, as far as the demonstration program is concerned. It is not really a test tube operation. It is an advance beyond the test tube operations which are carried on in the research work at Laramie.

There are many people who live in western Colorado who would like to see this facility reactivated. I would too, privided I thought there was any chance of getting value for the money we spend. However, $187,000 is no amount at all when you consider the approximately $19 million which have been spent on this project with all too few answers found to the problems involved.

I suggest that we defeat this amendment for a most insignificant sum of money, and permit the representatives of the Department of Defense and the Department of the Interior to arrive at their agreement. Then we can present to Congress a proposal for an effective and constructive approach to the whole problem. I feel that when we spend $19 million, or any sizable part of such sum, whether it is in my district, the district of the gentleman from Pennsylvania, or any other district, that we are entitled to get dollar-for-dollar value out of it. We have not got it in this operation, I am sorry to say.

Mr. Chairman, I look forward to the happy day when we shall start the development of our vast oil shale values. Their wise use has much to offer to our national economy as well as to our national security. They constitute great reservoirs of untold wealth. Further research in laboratories and demonstration plants is vitally needed, and, in my opinion, needed now. But what we need is a real program, not necessarily big for bigness sake, but certainly not so small that its contributions would, without any doubt, be so limited as to be of no real value. Mr. Chairman, I consider that what is proposed in the amendment is of such limited potential that it should not be considered at this time and I ask for the rejection of the amendment.

Mr. CARROLL. Mr. President, following Representative ASPINALL's remarks, the amendment was rejected. I have consulted with Representative ASPINALL concerning my amendment, and he agrees that a provision is necessary in the bill to guard against any attempt to pirate equipment from the Colorado oil shale facility.

Mr. President, at the proper time, I shall urge the adoption of my amendment.

---

## FAVORITISM OR MISMANAGEMENT BY THE DEPARTMENT OF AGRICULTURE

Mr. MILLER. Mr. President, so much attention has been given the Billie Sol Estes case lately that we may overlook the existence of other cases involving either favoritism or mismanagement on the part of the Department of Agriculture.

News accounts have brought out facts developed by investigators of the Billie Sol Estes grain operations; namely, that he received favored treatment in not being required to post an adequate bond for the Government grain stored in his warehouses. The Secretary of Agriculture has given assurance that there will be no loss to the Federal Government as a result of this favoritism. We are pleased to have this assurance, although the matter is yet to be completely investigated, and absence of loss would be purely accidental.

In my own State of Iowa, however, another case—this one involving what I would call incredible mismanagement on the part of the Department of Agriculture—has come to light. An outstanding news story on this case appeared in the Des Moines Sunday Register of June 10, carefully and painstakingly detailing the steps during which an Iowa grain elevator operator literally stole grain right out from under the nose of an Agriculture Department investigator for the Evanston office of the ASC commodity office. The Federal Government claims that the elevator operator owes it $240,000, consisting of $158,000 for 156,785 bushels of stolen corn, plus $67,136 for money already paid for storing and handling the stolen corn. The claim is covered by a $23,000 bond and an $83,000 bond, but the news story reports that there is legal doubt that the $83,000 bond is of the type on which the Government can collect.

From this account it appears that there was inadequate bonding of the elevator operator—not unlike the inadequate bonding in the Billie Sol Estes case. In the news account of the Iowa case, there is no hint of favoritism; but I believe that the case merits the attention of the McClellan investigating committee.

The taxpayers have a right to know why there was inadequate bonding; and they have a right to know why there was such inexcusable delay—from May 23, when the elevator operator's license was suspended for being 40,000 bushels short, until December 19, 1961—in issuing an order preventing the shipment of grain from the elevator. They have a right to know why the Evanston office on July 14 and 18 ordered shipment of 287,000 bushels of grain from this elevator to be completed by September 6, but none was shipped until August 22. Meanwhile, it appears that Government grain was being stolen by the elevator operator.

Finally, Mr. President, I trust that those responsible for this mismanagement, which has cost the taxpayers so much money, will be removed from the Federal payroll. With the addition of 100,000 more Federal employees to the Federal payroll on the New Frontier, I am confident there will be someone to take over their jobs.

I ask unanimous consent that appropriate excerpts from the Des Moines Register article be printed at this point in the RECORD.

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

STOLE CORN AS PROBE WENT ON—GOT 100,000 U.S. BUSHELS OUT OF BINS—BARBOUR'S THEFTS PUT AT $240,818

(By Nick Kotz)

An Iowa grain elevator operator stole more than 100,000 bushels of corn from the U.S. Department of Agriculture after the Federal Government already had started action against him for a smaller grain theft.

Alex V. Barbour, Jr., owner of the Hawkeye Mill at Knoxville, received a 3-year Federal prison sentence in Des Moines last week for theft of 156,785 bushels of Government surplus corn stored in his facilities. The Government loss is $240,818.

What has not been revealed previously is that most of Barbour's grain theft took place in the 6 months (June to December 1961) after—

1. The Iowa Commerce Commission revoked Barbour's warehouse permit for a small grain shortage.

2. The U.S. Agriculture Department had taken Barbour's warehouse off the approved list for storing Federal grain.

3. The U.S. Agriculture Department had called for Barbour to ship to other Federal facilities 287,000 bushels of Federal grain still in his possession.

Barbour shipped the Government only about 132,000 bushels during the 6-month period.

U.S. Department of Agriculture officials and U.S. Attorney Donald Wine acknowledged Saturday that they don't know what Barbour did with about $158,000 of grain stolen after the Agriculture Department investigation began.

Barbour has taken bankruptcy. The bankruptcy proceedings have not shown to date what became of the 151,000 stolen bushels of

grain or the money Barbour might have received for the grain.

Agriculture Department officials confirmed in an interview with the Sunday Register that Barbour continued to steal large amounts of Federal grain during a period of several months when Federal investigators actually were in Barbour's warehouse investigating the previous smaller shortage.

Agriculture Department officials reported an increasing shortage to the Evanston, Ill., regional office on several occasions while the investigation was in progress, it was learned.

ONLY 4,000 BUSHELS

However, Federal officials did not seal Barbour's warehouse until December 19, 1961, at which time only 4,000 bushels of grain remained in it.

Joseph Haspray, 19-State regional director of the Agriculture Stabilization Conservation Service Commodity Office at Evanston, Ill., was asked in a telephone interview how Barbour stole 100,000 bushels of grain after closing action was started against him for a previous shortage. Haspray said:

"The assumption under our system is that most persons are reasonably honest. Normally when a man gets in a short position, he doesn't continue stealing while you're investigating him. The point is, perhaps, we should have discovered this earlier."

Asked how the shortage could have continued to soar while Agriculture Department investigators were actually on the scene in Knoxville, Haspray said:

"The investigators are not policemen. They are there for the purpose of reviewing the records."

Questioned about what has happened to the missing grain that Barbour sold after the investigation started, Haspray replied:

"I would assume he sold it someplace. There's no way we can trace currency."

This is the chain of events in the State and Federal investigations after discovery of an original shortage in Barbour's grain storage facilities.

May 4, 1961: Wallace Dick, warehouse superintendent for the Iowa Commerce Commission, discovered a 34,000-bushel shortage in a routine check of Barbour's facilities. (The actual shortage could have been about 15,000 bushels greater because the commerce commission gives a generous 10 percent allowance for possible settling of grain in the bins.)

May 16, 1961: Iowa Commerce Commission checkers reported that Barbour was 40,000 bushels short (with the 10 percent allowance) of the 298,000 bushels his warehouse receipts indicated should have been on hand.

May 16: Commerce commission officials notified the Evanston Agriculture Department office of the shortage.

May 23: The Iowa Commerce Commission suspended Barbour's warehouse license pending a formal hearing on revocation of the license.

May 31: The Evanston regional office of the U.S. Agriculture Department issued an order removing Barbour's facilities from approved warehouse list—meaning he could not take in any more Federal grain.

June 6: Vernon Bruce, of Knoxville, regularly employed as a Federal warehouse grain examiner for Iowa by the Evanston office, checked the grain in Barbour's bins. Bruce said he found Barbour 18,950 bushels short of the 297,000 bushels his receipts indicated.

Bruce and Iowa Commerce Commission official Wallace Dick disagreed at about this time. Dick found a considerably larger shortage than Bruce did.

June 26: Iowa Commerce Commission checkers found Barbour now only 4,595 bushels short. Barbour told them he had purchased 14,000 bushels of grain to cover the previous shortage.

June 30: The Iowa Commerce Commission revoked Barbour's warehouse license. At a hearing 2 days earlier, Barbour told the commission he had replaced 40,000 missing bushels.

July 11: Federal official Haspray said the investigation division of the U.S. Agriculture Department was asked to start investigating Barbour on this date.

July 14 and 18: The Evanston office of the U.S. Agriculture Department ordered Barbour to ship the Federal Government all 287,000 bushels of its grain by September 6.

Agriculture Department records show that Barbour did not ship any grain to the Government until August 22 and shipped 132,725 bushels to the Government between August 22 and December 12 when his grain bins were virtually empty.

Regional Director Haspray said numerous telegrams were sent to Barbour when he did not start fulfilling the shipment orders.

July 1961: Agriculture Department Investigator Alexander M. Gibbon, of the Evanston office, went to Knoxville for several weeks to investigate the Barbour situation.

Gibbon reviewed Barbour's grain liability from January 1, 1961, to July 31, 1961, and in a September 16 report to the Evanston regional office noted that Barbour's shortage had increased to 64,000 bushels by the end of July.

Gibbon also noted that Barbour shipped out 39,000 bushels of grain on his own account (not to the Agriculture Department) during July.

Federal Warehouse Inspector Bruce, of Knoxville, and Iowa officials also acknowledge that Gibbon at this time discovered a 27,000-bushel shortage they had missed. Bruce said this shortage was missed because Barbour had falsely claimed to have shipped the Agriculture Department 27,000 bushels of corn in April when he had not done so.

July 1961: Iowa Commerce Commission official Dick said he made several telephone calls to the Evanston office telling them that the Iowa department was receiving no canceled receipts to indicate Barbour was shipping the Government its corn.

August to December 1961: David Fike, an Agriculture Department investigator for the Evanston office, went to Knoxville to investigate what was happening in the Barbour case.

Fike reported to the Evanston office and eventually to the U.S. attorney in Des Moines that the shortage in Barbour's grain bins was increasing monthly.

Fike's final report, not completed until early in 1962, showed that Barbour's grain storage was about 73,000 bushels at the end of August, 87,000 in September, 100,000 in October, 116,000 in November, and 152,000 by December 16.

October 6, 1961: Knoxville Federal warehouse Examiner Bruce made a physical examination of Barbour's bins on this date. Bruce reported to the Evanston office that Barbour still owed the Federal Government 230,000 bushels of grain but only had 134,000 bushels left in his storage facilities.

Bruce, who is a friend and neighbor of Barbour, said in an interview that it was obvious to him at this time that the shortage was still increasing.

Bruce said his only duty was to report the shortage and not to make any recommendations about action to be taken.

"Maybe we did goof up," commented Bruce, "but you just don't expect things like this to go on."

November 13, 1961: The U.S. Department of Agriculture in Washington referred the Barbour case for possible action to U.S. Attorney Roy Meadows in Des Moines. Donald Wine replaced Meadows as U.S. attorney 4 days later.

Late November 1961: Wine said that investigator Fike contacted him for the first time and informed him that Barbour's grain accounts apparently were not balancing.

Mid-December 1961: Wine said that Fike told him at this time it appeared that Barbour was stealing grain "right out from under my nose."

December 19, 1961: U.S. Attorney Wine obtained from Federal District Judge Roy L. Stephenson a civil restraining order sealing Barbour's storage bins and preventing him from shipping any more grain.

"This civil action was a holding move to stop Barbour from shipping out any more grain, but in a sense it was too late," Wine commented.

It was too late because by December 19 Barbour had only about 4,000 bushels of grain left in his storage facilities.

December 19, 1961: After issuance of the restraining order against him, Barbour filed a voluntary bankruptcy petition in Federal district court here.

Barbour listed debts of $336,722 including $170,000 to the Commodity Credit Corporation for 132,000 bushels of Federal corn. He listed assets of $134,499, consisting mostly of his interest in real estate and farm equipment.

Barbour's interests now are being handled in a Federal bankruptcy receivership action. Up to the present time, the bankruptcy proceedings have not indicated what happened to the 151,000 bushels of stolen corn or the money received for them.

January 3, 1962: Barbour was charged in Federal court with stealing 150,961 bushels (later raised to 156,785) of Federal grain stored in his elevator.

May 7, 1962: Barbour pleaded guilty to a 10-count Federal indictment charging him with stealing 156,785 bushels of corn from the U.S. Government. Of $240,000 the Government wants from Barbour, $158,000 is for stolen grain, and $67,136 is for money already paid to Barbour for storing and handling charges on the stolen grain.

At the time of sentencing, Federal Judge Stephenson asked Barbour what has become of the missing Federal grain or the proceeds from it.

Barbour's attorney replied that the thefts had taken place over a period of 5 years and Barbour now has no money from them.

However, records in the case show clearly that the theft of about 100,000 bushels occurred between June and December 1961, after Barbour's license was revoked and while he was under investigation.

Barbour's creditors, including the Federal Government, have a vested interest in this money, if any of it remains.

LITTLE CHANCE

At present, the Federal officials feel they have little chance of collecting the $240,000 from Barbour.

The Government will try to collect Barbour's two warehouse bonds which are for amounts of $83,000 and $23,000, but there is legal doubt whether the $83,000 bond is of the type the Government can collect a claim on.

Other persons also stand to lose.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Iowa yield?

Mr. MILLER. I yield.

Mr. WILLIAMS of Delaware. I compliment the Senator from Iowa for calling this to the attention of the McClellan committee and to the attention of the Senate, and I join in the request that the committee investigate this case along with the Billie Sol Estes case.

I think both the McClellan committee and the Committee on Agriculture and Forestry should give serious consideration and study to this subject to determine whether the bonding requirements for the storage of such grain are

adequate under existing law or whether there is a weakness in the administration of the present law. This makes two instances which have recently been called to our attention wherein the bonding requirements were not adequate. In this particular case, as in the other case, the Department officials who were responsible for this storage paid no attention to the warning they received that the bond was inadequate and that Government grain was being stolen.

I understand that in this instance they were advised that this storage operator was stealing grain but did nothing while another 100,000 bushels were stolen from right under their noses. They paid no attention to the warning they received, and the Department took no steps to protect the Government.

As a former grain dealer I cannot understand how any inspector could let more than 150,000 bushels of grain be stolen right under his nose without knowing it, and certainly a better explanation is in order than that which thus far has been advanced.

Mr. MILLER. I thank the Senator from Delaware.

I think a reading of the newspaper account indicates that the attitude of at least one Department of Agriculture official was that after a certain amount of grain had been stolen, he assumed that probably no more would be stolen. The attitude of those officials seemed to be, "We assume that people have a certain amount of honesty in these operations." But, of course, that is the precise reason why we have bonding requirements. We want to be sure to protect the interests of the taxpayers of the United States. Therefore, it is clearly improper to proceed on the basis of an assumption by some official that there is a certain degree of honesty, or on the basis of an assumption by some official that no more stealing will take place. We merely want reasonable protection.

The Senator from Delaware, having once been in the grain business, well knows that if someone had engaged in mismanagement in a private elevator business, he would not be on that elevator's payroll very long.

Mr. WILLIAMS of Delaware. Certainly not.

In this instance, as I understand it, the Department argued that in the beginning it proceeded on the assumption that everyone was honest. But in this case, the attention of the Department was called to the fact that this particular storage operator was stealing Government grain; and then the Department officials merely sat back and relaxed and said, "Since he knows that we know that he has stolen some of this grain he will not be prone to steal any more, so we can just take our time."

The result was he stole another 100,000 bushels. Secretary Freeman cannot say that the Government in this instance has not lost money, and I venture the opinion that if their own money had been at stake they would not have had that same degree of trust.

Mr. MILLER. I thank the Senator from Delaware.

Mr. President, I yield the floor.

## INTERIOR DEPARTMENT AND RELATED AGENCIES APPROPRIATIONS, 1963

The Senate resumed the consideration of the bill (H.R. 10802) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1963, and for other purposes.

### MADISON, WIS., FOREST PRODUCTS LABORATORY

Mr. PROXMIRE. Mr. President, on page 19 of the committee report on the pending bill there is a statement that the committee proposes an increase over the House allowance for various projects; and one of the projects, I am very pleased and very grateful to see, is "Preliminary planning and engineering for expansion of Forest Products Laboratory, Madison, Wis., $380,000."

This item was part of the President's budget of last year, and funds for it were approved by the Senate, but were not voted by the House; and, unfortunately, in conference this item was deleted from the bill. I understand this was the only forest research project in last year's budget that was not approved at that time.

So I am very grateful to the committee for including this item, even though the House did not; and I earnestly hope that in the conference the action of the Senate committee will prevail.

This item is of great importance to my State.

Senate approval of the $380,000 appropriation, this afternoon, for the Forest Products Laboratory, to start planning and architectural work, is an important step in the construction of the badly needed addition.

I personally appeared before the Senate Appropriations Committee to urge that funds for the new laboratory facilities be provided. I am delighted that the Senate committee agreed with my presentation and voted to provide the necessary funds. And I am even more gratified that the Senate this afternoon gave the project its OK.

Regrettably, no funds for the Forest Products Laboratory addition are provided in the House version of this appropriations bill. I hope that in the House-Senate conference that will take place in the near future, the Senate action will prevail. I intend to do all I can to insure this result.

The University of Wisconsin and the Wisconsin Legislature have already approved the sale of land to the laboratory for the proposed addition.

Failure to provide the needed funds now will prevent the planned orderly expansion of the laboratory on the basis of which this land transfer was approved.

---

## PROPOSED ELIMINATION FROM DEFENSE APPROPRIATION BILL OF ITEM FOR "FORRESTAL" CLASS AIRCRAFT CARRIER, AND PROPOSED REDUCTION OF FUNDS FOR B–70 MANNED-BOMBER PROGRAM

Mr. PROXMIRE. Mr. President, I submit two amendments to the Defense Department appropriation bill, which I understand probably will be called up tomorrow.

The first amendment would eliminate $280 million for a proposed new conventionally powered *Forrestal* class aircraft carrier.

The second amendment would reduce from $320 million to $171 million, for the fiscal year 1963—the amount requested by the administration—the appropriation of funds for the B–70 manned-bomber program.

The PRESIDING OFFICER. The amendments will be received and printed, and will lie on the table.

Mr. PROXMIRE. Mr. President, regarding the B–70 and its recent cousin, the RS–70, the $171 million requested by the Department of Defense and requested in the President's budget is adequate to continue development. More than $1 billion has already been made available for the B–70.

It is my hope that the Senate as a whole will endorse the judgment of the President and Secretary McNamara, based on rock-solid logical and factual analysis, by not appropriating funds above the budget request for the B–70.

The item for the aircraft carrier requested by the Navy is in the bill, as recommended by the Senate Appropriations Committee, for $280 million. But if past experience is any guide, it is unlikely that this ship can be built for less than $340 million.

Yet one-third of a billion dollars is only a downpayment on an aircraft carrier. The cost of one aircraft carrier, with supply and refueling ships, antiaircraft equipment, and airplanes, is over $1 billion.

Almost as large as the U.S. Capitol—the length of three football fields—with a top speed of 30 knots, confined to the surface of the ocean, and with none of the advantages of hardened protection or underwater concealment, an aircraft carrier is an inviting target.

To buy a conventional carrier in an age of nuclear submarines, intercontinental rockets, supersonic airplanes, and sky-to-ground missiles is to invest in obsolescence. This is particularly true in view of the fact that the testimony of so many experts is that the only use of such a conventional aircraft carrier is for conventional war, and that in terms of conventional war it would be better to replace none of our present aircraft carriers rather than make this proposed addition to the carrier fleet.

---

## THE STATE DEPARTMENT IS MISTAKEN IN OPPOSING THE FREEDOM ACADEMY

Mr. PROXMIRE. Mr. President, several Senators have sponsored proposed legislation creating a Freedom Academy to provide research and expert training to Americans in and out of government in the nonmilitary aspects of the cold war.

I feel that this legislation is urgently necessary for many, many reasons. Of course, primarily we need it because our Russian adversaries in the cold war have

been successfully engaged in this paramilitary activity and have been winning because of it. In addition, in the absence of such competent and responsible training, a number of ill-informed, irresponsible extremist groups have developed around the country, with do-it-yourself Red-fighting programs, that in some cases may do more harm than good.

After patiently waiting for many months, we have finally received a report on the Freedom Academy from the State Department. The gist of the report is that we are doing enough already.

This smug position is flatly contradicted by the lack of any effective Government action to equip America to fight this crucial cold-war battle except for a pitifully inadequate indoctrination of a few hundred foreign service officers for a few days.

Obviously, the present program does not even scratch the surface. I earnestly hope that the Foreign Relations Committee will give our proposal serious consideration, in spite of the State Department's adverse recommendation.

In this connection, the distinguished columnist, Roscoe Drummond, in a column carried nationally yesterday, wrote in strong support of the Freedom Academy bill. I ask unanimous consent that this article by Mr. Drummond be printed at this point in the RECORD.

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

[From the Chicago Sun-Times, June 10, 1962]

HOW OUR COLUMNISTS SEE THE WORLD—ROSCOE DRUMMOND: PRAISE AND REBUFF

WASHINGTON.—The bipartisan Senate sponsors of the Freedom Academy bill have received some bad news—and a little good news—from the State Department.

The bad news is that the State Department does not want Congress to pass the bill creating a Freedom Academy which would do independent research on methods of waging the cold war and would provide special training for people, inside and outside the Government, to conduct the nonmilitary side of the conflict more effectively.

Frederick G. Dutton, Assistant Secretary of State for Congressional Relations, in a 3-page, 1,200-word letter suffocates the Freedom Academy idea with praise for its purposes and with a "no" in every paragraph, saying in effect: "Hands off, we're doing just fine."

On the other hand, the State Department, worried by the public support which the Freedom Academy is winning and apparently in an effort to blunt the case for it, announces that it is preparing to add a 5-week course in cold war techniques to the regular curriculum of the Foreign Service Institute.

I call this negative good news. It is good because by it the State Department admits the need for doing more to provide specialized cold war training.

It is negative because it shows that the Department is doing nothing adequate to provide this training. A 5-week course thrown together by an improvised faculty for a few Government officials is like sending the Marines to Guadalcanal after preparing them for a game of table tennis.

Thus, the State Department concedes that what the Freedom Academy would do is needed and moves to meet that need inadequately—woefully inadequately.

Perhaps it is understandable that the State Department should resist the Freedom Academy proposal. Every arm of the Government is jealous over its traditional prerogatives. There is a built-in bureaucratic resistance to anything that might upset the status quo—or even appear to do so.

Dutton's letter shows that the State Department is extremely sensitive over its jurisdictional authority as the President's sole agent in foreign affairs. I think it is overly sensitive and that Dutton's rebuff to the sponsors of the Freedom Academy bill rests on a misreading and a misunderstanding of the project.

Fragments of the problem are being dealt with by research specialists today. The need is to draw together under one roof the most qualified experts to undertake coordinated and sustained research to provide, not a cursory course for a few weeks, but a complete, specialized, and thorough training.

The Freedom Academy would not be operational, would not undercut the State Department. The service academies—the Army, Navy, Air Force, and National War College—all undertake continuous studies of military strategy. This research is available to the services; it produces new ideas and breaks new ground, but the service academies do not undercut the Pentagon or take operational responsibility from the Chiefs of Staff.

The proposed Freedom Academy would not dilute or impair the authority of the State Department any more than the Naval Academy dilutes or impairs the authority of the Navy. It would strengthen the State Department by nourishing the insight and the expertness of all in Government dealing with the cold war.

I should think that Senator WILLIAM FULBRIGHT, of Arkansas, and Representative FRANCIS WALTER, of Pennsylvania, the respective chairmen of the Senate and House committees to which the Freedom Academy bill has been assigned, would not accept the State Department's negative attitude.

## LEAVES OF ABSENCE

Mr. HOLLAND. Mr. President, I ask unanimous consent that I may be excused from attendance on the Senate tomorrow, Tuesday, June 12, 1962.

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

Mr. HICKEY. Mr. President, I ask unanimous consent that I may be excused from attendance on the Senate on Wednesday, Thursday, and Friday of this week.

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

## DEFENSE CONTRACTS: IMBALANCE INCREASES

Mr. KEATING. Mr. President, the latest statistics released by the Defense Department show that military prime contracts awarded to New York State in the first 3 months of 1962, that is, January through March, amount to $670 million or 9.7 percent of the total. This is a decline from the previous quarter, October through December 1961, when New York State received 11.7 percent of the total. It is also a decline over the comparable January through March period of 1961 when New York received 10.6 percent of the total.

Mr. President, while New York's share declines, the dollar value of defense contracts going to California increases with each quarter. For the period January through March 1962, California received 24.6 percent as compared to 24 percent for the last quarter of 1961.

Mr. President, this imbalance is a serious one, not only from the point of view of New Yorkers who continue to pay nearly 20 percent of the Nation's taxes, but also to thoughtful citizens throughout the country who do not want to see defense work dangerously concentrated in one small area. Let me make this clear. I am not saying that New York should have work which they are not capable or willing to perform at the lowest possible cost. What I am saying is that more of an effort must be made to prevent defense work from becoming the particular preserve of one part of the country. Considerably greater efforts must be waged throughout the Defense Department to make use of capable firms which may happen to be located east of the Rockies.

Mr. President, just last week I received a letter from a small business in New York State which was anxious to get defense work. The president of the firm, which is located in Ithaca, New York, informed me that he had asked for a copy of the full specifications necessary for a certain item from the procurement office in California. He informs me that he was told that drawings and specifications could not be sent as the present supply was exhausted, but that he could travel to California if he wished to inspect the copies there.

Mr. President, section 2305, title 10 of the United States Code, provides that specifications and attachments must be "accessible to all competent and reliable bidders." Where this is not the case, the invitation is invalid, and no award may be made. I do not personally consider specifications available in California as "accessible" to a New York small business. If it is necessary to amend the procurement regulations in order to insure that specifications will be sent directly to any firm that is interested, then I intend to prepare, introduce, and fight for such an amendment to insure simple justice to small business people throughout the United State.

Mr. President, it is perhaps merely a coincidence that this matter came to my attention the very week that figures were released showing California's increasing preponderance of defense work at the expense of New York. Nevertheless, it reveals very strongly the need for increased effort by west coast agencies to provide full service and assistance to firms no matter where they are located. In fact, additional service in the nature of providing for complete information would not be amiss for firms located at such a great distance.

For these reasons, Mr. President, I am having legislation drafted to insure that information is made available to all firms which request it on any formally advertised bid from the Defense Department. I am very seriously disturbed over the present situation and over the treatment which apparently is accorded to New York firms in certain instances, and I intend to follow up this matter with vigor and determination to enlist the support of all my colleagues whose States may also be the victims of similar neglect by procurement agencies.

## OMAHA OFFICE OF THE PARK SERVICE

Mr. HRUSKA. Mr. President, earlier this year discussions occurred regarding a proposal to move the regional office of the National Park Service from Omaha, Nebr., to Cheyenne, Wyo.

This subject was gone into somewhat in the interrogation of Secretary Udall when he appeared before the House Appropriations Committee. A factual statement and other testimony is contained in the record of those hearings.

There was opposition to the move expressed not only by Representative GLENN CUNNINGHAM, of the Second Congressional District of Nebraska, but also by Representative BEN JENSEN, of Iowa.

The report of the House committee on H.R. 10802 for Interior Department appropriations reads in part in this regard:

> The committee does not believe that the proposed move of the regional office of the National Park Service from Omaha, Nebr., to Cheyenne, Wyo., is warranted, and has disapproved the use of any funds for this purpose.

No inquiry into this subject was made during the course of the Senate Interior Appropriations Subcommittee hearings on this bill. My further information is that no expression of interest was indicated on this point until the executive meeting of that subcommittee. Upon markup of the subcommittee there was inserted the following language:

> The committee feels that the National Park Service should not be denied the use of funds contained in this bill to transfer its region II headquarters from Omaha, Nebr., to Cheyenne, Wyo., if after the Secretary of the Interior's promised restudy is completed, the advisability of the transfer is confirmed.

The language of the Senate subcommittee is in direct conflict to that contained in the House report. The Senator from Nebraska sought in Appropriations Committee markup session to amend the Senate language so as to conform with the House language. Failing in this, he submitted an amendment which in effect would have required the Secretary to report the result of his restudy of this subject to the Appropriations Committees of the House and Senate for their action. This second proposal was also rejected.

The testimony given in the House hearings showed that there would be a minimum of about $200,000 spent during the course of the first year of such move over and above the present budget figures. It would involve an office having a little over 100 employees. It would involve moving Park offices presently located in very satisfactory and adequate Federal space to non-Federal space which would have to be rented. It was testified that some 20,000 square feet of space at approximately $3 per square foot would be required. The office has been in Omaha, Nebr., for many years. The officials and employees of the National Park Service stationed there would undoubtedly find it difficult to re-move. This would result in accelerated retirement, on the part of several and perhaps many of them. Such acceleration is always an additional expense and a great loss to Government service in view of the experience and the seasoning which such employees have attained in the Service involved.

The Secretary in his testimony before the House committee testified the basic consideration should be economy. There is no showing of any kind in the hearings that any economy would be achieved, either short range or long range.

Mr. President, if the National Park Service can expend within the course of this coming year an additional amount of about $200,000 to move this office, it must mean that they have $200,000 which they do not need. This amount is not large as sums around Congress go, but certainly it represents the tax dollars of many citizens which could be devoted to a much more useful purpose. On the basis that this move is unnecessary, it is submitted that the appropriation of this Department should be cut by those $200,000 rather than to have them use that sum for an unnecessary move.

While the Senator from Nebraska agrees with the language and the conclusion of the House committee, he would be satisfied with language which would require the Secretary of Interior to report his findings to the Appropriations Committee on each House for its further action after he has made his showing on the point. Certainly if he were asking for an expenditure of a new item of $200,000, we would like to have justification therefor. The amount is just as large whether it is for a new activity or for the expense of an unnecessary move of this kind.

During the hearings in the House, it was brought out that on previous occasions such a move had been proposed and discussed, so that the subject is not new. This is a fact, Mr. President, but in each previous instance after a thorough consideration by the Secretary and by the committees of the House and Senate, the proposal was rejected because there was no showing of any advantage by way of money savings, service or efficiency. In fact, the contrary was established.

It is my earnest hope that when conference on this bill is held that the language of the Senate report will be made to conform to that of the House report; or in the alternative that the language of the Senate report be modified and amended so as to include the requirement that the Secretary report to the House and Senate committees the result of his restudy, for further action of those committees.

Mr. President, in order that this matter may be sent out in its more complete factual background, I ask unanimous consent that there be printed at the conclusion of my remarks excerpts from the testimony of the House, as contained on pages 46 to 48 of its hearings.

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

OMAHA OFFICE OF THE PARK SERVICE

By the way, Mr. Secretary, I hope that you can tell us today that that proposal to move the regional Park Service office from Omaha, will not be consummated. I was greatly surprised when I heard that it was even contemplated. Maybe you are not ready to give the committee a categorical answer on that, yes or no, but I do want to read a letter here that GLENN CUNNINGHAM, of Omaha, wrote me on January 13. I didn't request the letter but he knew that I had talked to Connie Wirth, the Director of the National Park Service, and expressed my opposition to this proposed move. Of course, Connie told me that was orders from higher-ups.

I said, well, that must be Mr. Udall, the Secretary. The Secretary is the only fellow above you in this respect. So I asked him to tell you that I hoped this would not happen. However, GLENN CUNNINGHAM, the Congressman from the Second District, Omaha, writes me this letter, and I want it to appear in the RECORD:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, D.C., January 13, 1962.*

Hon. BEN F. JENSEN,
*Member of Congress,*
*House of Representatives, Washington, D.C.*

DEAR BEN: Late in the afternoon of January 5 I received a telephone call from an official of the regional Park Service office which was established in Omaha, Nebr., in March 1935, advising me that a directive had just been received by the Omaha office from Conrad Wirth notifying them that it had been determined to move the office from Omaha to Cheyenne, Wyo., and that the transfer was to be finally completed by September of this year.

Attempts have been made by the civil servants to do this before, and if my memory is correct it has been attempted on two different occasions. Once it was to be moved to Salt Lake City, and then to Denver, Colo. Each time facts and figures were presented to prove that such a move was not in the best interests of the Park Service and would be most uneconomical.

Upon learning of the action, I called Mr. Wirth, who confirmed that such an order had been issued but was quite indefinite relative to the details. I inquired if Mr. Udall concurred and he stated that he had.

I contacted members of the House Appropriations Committee who stated they would not favor such a move and so told Mr. Wirth. I am informed they would look with much disfavor upon Interior Department appropriation requests if he did not voluntarily reconsider this decision. They were upset because this action had been taken without even the slightest consultation with the Appropriations Committee.

I have been in contact with our Democratic Governor, Frank Morrison, of Nebraska, as well as the Democratic national committeeman from Nebraska, B. J. Boyle, and they both are opposed to the move.

Frankly, I am of the opinion that when economy and efficiency can be served by transfer of an agency from one location to another, I would not be concerned. But it has been proved in the past that a transfer out of Omaha of this agency would not be economical nor efficient. Figures supplied to me indicate that it would be a very expensive transfer. If all of the 101 employees were to move, the approximate costs of transporting furniture, per diem en route, and other expenses, would amount to $128,290.

Furthermore, it is my understanding that no adequate Federal space is available in Cheyenne, and assuming that this agency would require 20,000 square feet of space, at approximately $3 per square foot, which may be minimal, the rental cost would exceed $60,000 per year. In Omaha on the other hand, there is no such expenditure, as the Park Service occupies Government-owned quarters in the Federal Building.

I have reasons to believe that less than half of the personnel of the Omaha offices would be willing to move to Cheyenne and

many would take retirement, necessitating the recruitment of many new employees in the Wyoming area. These retirements would also be costly and involve a large expense to the Government, because not only would we begin paying retirement annuities earlier, but there would be lump-sum annual leave payments to make, as required by law. This of course would not be in the best interests of the Park Service because of the many fine, well-trained personnel who would be lost in the process. The loss of such personnel would be a crippling blow to the efficiency of the Park Service.

The regional director of the Park Service headquarters in Omaha is quoted as saying that Omaha is well situated as an office for region 2 of the Park Service. Statements made in Washington that the shift to a location "more conveniently serving national parks in Wyoming, Colorado, and Montana should result in increased efficiency" do not stand any test of accuracy. Region 2 is made up of Montana, North Dakota, South Dakota, Nebraska, Kansas, Wyoming, Colorado, Minnesota, Iowa, Missouri, and a part of Utah. Although there are 26 national parks under the supervision of the Omaha regional office, the Omaha regional director has stressed that in addition to serving national parks, his office aids States, counties, and metropolitan areas with their park systems. He further states the office also cooperates with such projects as the Army Engineers' development of the Missouri River Basin.

This is not a partisan matter with me nor with Nebraskans and midwestern people in general in any sense of the word. As has been stated, the Democratic officials, including the national committeeman and the Governor of Nebraska, also support opposition to this proposed transfer. For the good of the National Park Service, we would be deeply grateful for any assistance you might feel willing to give to stop this transfer.

Sincerely yours,

GLENN CUNNINGHAM,
*Member of Congress.*

What is your comment, Mr. Secretary?

Secretary UDALL. Why, of course, I am aware of several communications of the point of view represented in the Congressman's letter. We have attempted up to this point to treat this on its merits, and to try to get at the facts. I think it is significant that under two previous administrations this was proposed. I want to assure you that the only consideration that we weighed on it was the consideration of the merits, which concerns the primary factor of economy. I think this is the key to the whole thing. I hope you would agree with me it is the key to the whole thing.

As a result of the representations that you and others have made, I am quite willing to assure you today that we are going to back up and restudy the entire matter. I would like to have the facts and figures that you, or Congressman CUNNINGHAM, or anyone else has, so that we can evaluate them. I think we owe that to you and to the committee, but I do say that economy in the long run—not the economy of this year or next year, but what is most economical in the long run—that this ought to be the key and the answer to it. I think we ought to make our determination on that basis.

I do think we need additional facts, and I am willing to enter into a new study of it. This is our present plan. In other words, to make a whole review of that matter.

Mr. JENSEN. I appreciate that. You know, I am not a fellow who wants to spend money unnecessarily. I do know that Omaha, Nebr., is the headquarters for all of the Missouri River Valley development program, under the supervision of the Army Engineers. It is very important that that part of it be close to the Army Engineers, and they are in the same building.

I have many times had business dealings with one of the agencies; that is, the Army Engineers and the Park Service, and I would say, let's see what the other agency has to offer, and what position they have taken on this. It is a very fine setup they have there, Mr. Secretary.

This is another thing. There are 17 of those people who live in my district, and to uproot the families with children in them who have their homes there, is something very difficult. They just won't go. A lot of them cannot go. So you are dislocating a lot of sovereign governments—the American home, which is sovereign in every respect. To destroy a home, a sovereign government in this land of ours, is not good. So I am very serious and concerned about this matter and I just hope, yes, I pray, that this just will not be done, and that this proposed move will just not be consummated.

Thank you, Mr. Secretary, and thank you, Mr. Chairman.

Secretary UDALL. All right.

Mr. MAGNUSON. Mr. Secretary, in your view what is the basic consideration that led to this decision to move to Cheyenne? Is there a greater concentration of major parks in a reasonable radius of Cheyenne than Omaha, or what?

Secretary UDALL. The basic considerations which were evaluated in the making of the decision, as I indicated, we felt should be economy. Of course, when you start talking about economy you are also talking about the relationship of where an office is located with respect to the area it serves. It is felt that the proposed change would put it nearer the center of gravity and nearer the main areas that are presently in the park system. Over the long haul positive economies, therefore, would result.

It may be that there are factors that we did not evaluate. We are quite willing to back up and be sure that we have evaluated them. However, as you will see if you look at a map, these were the primary considerations. Yes.

Mr. MAGNUSON. You are not contemplating any revision of the makeup of the second region?

Secretary UDALL. No, no. That will remain the same.

Mr. MAGNUSON. Dr. Fenton.

Mr. FENTON. Yes.

## ADJOURNMENT

Mr. HICKEY. Mr. President, I now move, in accordance with the previous order, that the Senate stand adjourned until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 7 o'clock and 17 minutes p.m.) under the previous order, the Senate adjourned until tomorrow, Tuesday, June 12, 1962, at 12 o'clock meridian.

## CONFIRMATION

Executive nomination confirmed by the Senate June 11, 1962:

U.S. CIRCUIT JUDGE

Oliver Seth, of New Mexico, to be U.S. circuit judge for the 10th circuit.

# EXTENSIONS OF REMARKS

## Coming Events Cast Their Shadows Before

EXTENSION OF REMARKS
OF
**HON. JOHN H. DENT**
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
*Monday, June 11, 1962*

Mr. DENT. Mr. Speaker, throughout history men have repeatedly tried to change the course of the political, economical, and geographical destiny of the world's nations. None ever succeeded.

Of course there have been temporary achievements along the planned courses of the planners and schemers. When using the word "schemers" we cover the whole field of their activities from the beginning of time until the present.

Recently one of my friends sent me an article appearing in a foreign newspaper. In sending me the article he said in part:

Your long and lonely fight against the hidden but inevitable consequences of unrestricted uneconomic world trade seems to have more substance than meets the eye. In our rush to put personal considerations behind the all-powerful and unquestionable welfare of the state, we seem to have set aside all lessons of history and all concepts of the kind of life carved out of this wilderness by the Founding Fathers.

Too few of us are aware of the persistent drive toward Willkie's one-world idea. Maybe it is good, maybe it is the only way out. Be that as it may, the appalling thing to me as a citizen is the callousness of the architects of the grand plan, their utter disregard of the fundamentals of a free society, the doubletalk, the false front put on the whole scheme.

If joining a world federation of nations is the answer to the future of mankind, let us at least be told that this is the road we are taking. Let us not hide behind the interests of the powerful groups within our Nation and their counterparts in other nations whose main concept of human relations is based upon cash balances in the banks and the price of labor.

To some, statistics provide answers; to others, statistics provide alibies.

Mr. Speaker, after receiving the above-quoted letter, I read the article by C. Knolton Nash, not once but over again and again.

I tried to shoot it full of holes. I could not, simply because of my own studies and conclusions.

If Mr. Nash were wrong, why are we witnessing the greatest campaign in our political history since the ratification of our original Constitution? Why the millions of dollars and billions of words in support of a trade plan which, if inaugurated, will set the unfolding of the grand plan which Nash hails as "the superior State of the North."

Personally, like all Amricans, I can live under any conditions any other citizen can. However, I would like to know just what these conditions are going to be. Like all other Americans, I believe

I am entitled to know what is in store for my children and my children's children. I want, with my fellow Americans, a chance to voice an opinion and, in my case, as a Representative of the people, a chance to cast my vote one way or the other, knowing why and for what I am voting.

If the American people are being driven into a treaty-bound agreement, for economic, political, and military union because of fear of communism rather than in their own individual and national interest and other considerations, they ought to be told. If they know and still accept the course of action planned for them, well and good. It goes without saying, all of us will obey the will of the majority.

The people, in whose name all changes take place in government, can be talked into anything when they are kept uninformed and ignorant of the real purposes for the changes.

Throughout history this has been the case. The Russian people revolted. Did they revolt for the kind of tyranny that they have been subjected to? Did they vote to destroy their freedom of religion, their right to work in their own fields, the right to raise their own families? They did not.

If the revolutionary leaders would have proposed their plans for a police state openly, instead of building up the pressure against the known oppression of the ruling classes, there never would have been a communistic government.

Bringing our history closer to home and up to date, let us take a look at Cuba. Did the Cubans revolt for communistic Castroism, or did they revolt against corruption and tyranny, poverty, and century-old peasantry? The answer is obvious. They were uninformed, misled, and misguided.

I recognize, and so do you, that the revolution being planned for us may well be bloodless and it may well be the complete opposite of the tyranny of communism, but unless the people are aware of the real aims of the planners is it not much the same in the final outcome?

Americans will be Americans in much the same manner as Pennsylvanians are Pennsylvanians. We, in Pennsylvania, have a constitutional State authority, but regardless of how much we talk about States rights all of us know that the power and influence of the Federal Government makes our power independent but not absolute. We must, as a member of the family of States, live within the same rules set for the rest of the family. Like all families, the backward, less able, will get the greater benefits and considerations. This may be very good, but let us know what we are asking for.

As I have said—even this may be all right. All we can ask is that we be told, that we be let in on the plans. I shall venture a guess that few if any Members of Congress know or believe the situation to be other than what we are told it is. Few if any of the great mass of Americans believe or even give a thought to the consequences of an all-out capitalistic form of government. Outright capitalism as such means exploitation, planned economy, price fixing, profiteering, and separation of our peoples into classes, on educational, occupational, and financial lines.

There is a difference, however, in capitalism, in the degree of power given to any person or group. Constitutional, democratic capitalism such as we have developed in the United States of America, is the best known form of government yet devised by man. It gives the promise of greater personal freedom, fulfillment of individual ambition, desires, and wants than any other form of government. It is only when we lose sight of the human equation in our commercial planning, whether it be internal or external, that we endanger these concepts and promises of our way of life.

There was a time when the whole effort of this Nation was expanded toward the creation and protection of industry and jobs. We seem to have stopped the pendulum to the other side of the swing and now it appears that jobs and investments are secondary and production and trade are primary considerations of our planned economy. It will not work; simply and bluntly stated, it will not work.

Our memories are very short. When this Nation was caught up in the great whirlpool of human misery caused by the great worldwide depression of the late twenties and early thirties, did we attempt to solve the problem by automation, cut prices and more production? We did not; we did exactly the opposite. Did the Federal Government tax incomes to producers? It did not; it gave spending money to consumers.

## The United States and the Free World

EXTENSION OF REMARKS
OF
### HON. HENRY S. REUSS
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
*Monday, June 11, 1962*

Mr. REUSS. Mr. Speaker, I include my recent commencement address before Roosevelt University, Orchestra Hall, Chicago, Ill.:

THE UNITED STATES AND THE FREE WORLD
(By Representative HENRY S. REUSS, of Wisconsin)

There are many ways in which Roosevelt University is an appropriate memorial to the great American for whom it is named. But one springs most immediately to mind. Roosevelt University, in conception, was planned to fill a desperate contemporary need. In execution, it has been meeting that need.

Something better than three-quarters of Roosevelt students attend the university while holding down part-time jobs, another note that brings echoes of the age of Roosevelt and of a nation getting on with the day-to-day business of survival and at the same time planning intensively for the future.

Or again, consider the makeup of your university's board of trustees and board of advisers: labor leaders, financiers, lawyers, industrialists, sociologists, artists, people of both sexes, of all races and all faiths, including people without formal religious adherence. The university, like Franklin Roosevelt, makes a steady effort to get in touch with all the available wisdom of our society.

One correspondence between the university and the man it honors is seen most vividly in the magnificent building you occupy, the auditorium. Other American universities, both the ancient, privately endowed institutions of the east coast and the great legislatively endowed institutions of our own part of the country, have spent years and millions on the architecture of learning. We know the results. There are a few notable exceptions, mostly either survivals of the 18th century or daring experiments of the 20th. But by and large the architecture of learning in America may be divided into sham-Gothic, sham-Romanesque, sham-Tudor, sham-Georgian, and not only a sham-classic but a sham-neoclassic as well.

Roosevelt University, as you well know, has never enjoyed the advantages of wondering what to do with endowment income. The university has had to seize fast to whatever has been available and to make do with what was at hand.

The result? You have pursued your various paths to learning in one of the few universally recognized masterpieces of American architecture.

Surely there is something here of the spirit of the New Deal, the spirit of Franklin D. Roosevelt. The New Deal has been criticized for never really having had a master plan for grappling with the towering woes that beset the country in early 1933. The young administration of F.D.R. operated on a day-to-day basis, meeting each crisis as it came along, endlessly improvising, casting about for available wisdom and applying what wisdom it found to each day's needs.

Yet out of this prolonged improvisation came an enduring change in American life, a change for the better.

This same spirit of inspired improvisation can be seen at work in the vital relationship between the United States and the free world today.

Because of the overriding importance of the relationship between the United States and the free world, I would be very happy to lay before you today a simple, orderly, comprehensive statement of the philosophy of that relationship.

I would be pleased to be able to say, or to hear, that this country is leading the rest of the nations of the free world toward the greater realization of political and economic democracy. I should like, equally, to hear or to say that we nations of the free world are in the orderly, phased process of bringing into being a new world federation of peoples. The federation could even be developed, in outline, with representative government in which national representation is a fine balance of population, of gross national product, of attainment in learning or in scientific contributions to mankind. In this way, you and I might agree, all the factors of national identity might be taken into account and those Americans might be mollified who today regard with suspicion and alarm the presence in the assembly of the United Nations many a nation which, to use a phrase of the New Deal era, has never met a payroll.

But such an ambition is folly. The phenomenon we seek to describe, the relationship between the United States and the free world, is not a terrain feature or a chemical element which will hold still while we examine it. It is a changing, an evolving thing. Even as we look at it, it becomes something slightly different than what it was the moment before.

To illustrate: assuming that most of you are about the age of 22, in the year you were born the governing sentiment in this part of the country, according to most observers,

was that the United States had no relationship whatsoever with the rest of the world. What's more, no relationship was wanted.

This, of course, was an ancient American tradition, one that goes back to the Farewell Address of George Washington and his celebrated warning against "entangling alliances." Beyond the voice of the Father of His Country, that tradition was dictated, too, by the force of circumstances, by the thousands of miles of wilderness still to be explored and settled, by the very real distances separating America from the nations of Europe and from an Asia we were hardly aware of.

That tradition lingered on in our national consciousness long after it had served its purposes, long after it could be justified even by geography and travel time. In the year that you were born, that tradition, especially here in our Midwest, had gone sour and expressed itself in the doctrine of isolationism and the peculiar organization, America First, both of which would have shot the American eagle and made our national bird the ostrich.

As this country, in the years after World War II, was making painful efforts to come to grips with a new and only dimly understood world in ferment, that old tradition made what I take to be its last gasp: the frightened and desperate notion of "Fortress America."

Meanwhile, of course, the facts of modern life had made such a course utterly impossible. The change had been going on, gradually, for decades, for generations. It is worth recalling that one of the causes of our Revolution itself was our desire for a freer trade with the world. In the early years of the Republic, President Jefferson set a precedent for negotiating our national expansion with other powers when he made the Louisiana Purchase. President Monroe set an even more far-reaching precedent when he proclaimed, unilaterally, the conditions of independence which would obtain in the rest of this hemisphere. In fact, our American policy was never as "isolationist" as the America Firsters said it was in the year that you were born.

Our national realization of that change has proceeded with great rapidity and often with shock in the years of your lives. The first shock was World War II, and our participation in it on a global scale. American troops confronted the Nazis in Africa and Europe and fought back Japanese imperialism across thousands of miles of the Pacific. American industry shaped itself to support a worldwide effort against encroaching tyranny.

In the first years of peace, almost as a reflex action, we began to divest ourselves of that globe-girdling chain of responsibility we had assumed during the war. Then began the realization that having taken up the responsibility, we could not, in justice or even self-interest, put it down. We became what we are today, the center of a loose but worldwide chain of associated nations, held together first by the interests of mutual security but also by other interests in common.

I suggest that it is precisely those "other interests" that will loom more important in the years ahead.

I suggest that in the remaining years of the 20th century—at the end of which you graduates will be 60 years old—it is those nonmilitary interests which will be paramount in shaping the relationship between the United States and the free world.

I suggest that this change has already begun.

Surely one of the most dramatic aspects of our emerging relationship with the free world is the Peace Corps.

I became mixed up with the Peace Corps from the beginning. Five years ago, in southeast Asia, I saw at firsthand how our aid program overemphasized military hardware, and the more grandiose kinds of steel-and-concrete-projects, such as super highways. I saw these programs too often carried out by the kind of big car-driving, enclave-living, PX-shopping American caricatured in "The Ugly American."

It seemed to me that we Americans, inheritors of Thomas Jefferson and Abraham Lincoln, could do better. Indeed, in a small way, we were already doing better. There, going through the Cambodian jungle, I saw a team of four young American school teachers opening up the first schools the Cambodian villagers had ever known. They loved their work, and the Cambodians loved them. The only pity was that there were only 4 of them, rather than 400.

The appropriation to set up a study of the Peace Corps squeaked through Congress by the skin of its teeth 2 years ago. This year, the Peace Corps has received a thundering vote of confidence in Congress.

The men and women of the Peace Corps operate as human beings lending their technical knowledge and personal assistance to other human beings, rather than as Government agents directing the flow of machines and materials to other governments. Peace Corps people live with and in the style of their hosts. While on the job they receive subsistence and that's all. Their $75 a month is a "readjustment allowance" and is not paid until they finish their service. They speak the language as they share the lives of the people they work with.

Their goals are limited; they do not build military highways or air fields; rather they concentrate on small but significant improvements in agricultural methods, in food preservation, in mechanics practicable on the village level of technology. Village irrigation projects and village teaching projects are started, explained and helped with. While I visited our American Peace Corps team in the underprivileged countryside of Chile a few months ago, I grew very proud of these young people. In a world of aggressiveness and competitiveness, here were a few score young Americans performing a completely unselfish act.

The point here is not that the Peace Corps is an effective tool of American foreign policy. As a matter of fact, it is deliberately kept separate from foreign policy and from our military activities around the world. The point is that the Peace Corps is a radical departure in the relationship between the United States and the free world. At the same time it is an extension to our brothers in the free world of American principles and methods as old as the old frontier; community cooperation, for example, and universal education, and the drive to change one's conditions for the better through one's own efforts.

This, you will note, is quite different from a system of purely military alliances.

The same thing applies to our food for peace operation. The very name suggests a revolutionary approach to the ancient human problem of war and peace. How many wars in the history of man have been fought for food? From the Romans in Egypt to the Nazis in the Ukraine, conqueror after conqueror has justified his use of the rod of death by his need for the staff of life.

Food for peace is the beginning of a change. The program confronts our costly American crop surpluses with the fact that around the world people are still suffering from malnutrition and even, in time of disaster, from starvation. That these two things should coexist is deplorable. In a saner world, it would be unthinkable. Food for peace is a step toward that sanity.

In the Alliance for Progress, President Kennedy's new program of American aid to Latin America, still another step forward is taken. The Alliance, of course, is a renewal of the good neighbor policy of Franklin D. Roosevelt. But now it is spelled out much more precisely that the good neighbors are to be all the people of the lands to the south, and not, as too often in the past, merely the military or commercial ruling groups. Land reform, tax reform, and social progress generally are made a condition of aid under the Alliance.

Next I would cite this country's steady and determined efforts to bring about international agreement on disarmament. Progress at Geneva has not been sensational; the market for plowshares has not been ruined by the sudden availability of swords in great numbers to be beaten down. But progress has been made and, more important, in the face of whatever discouragement the United States has consistently continued negotiations. Two great powers, each one mortally suspicious of the other, are feeling their way toward a world in which war will become steadily more unlikely, as it has become steadily and immeasurably more horrible to contemplate.

Thus, even as our worldwide alliances themselves are revealing new depth of meaning for the relationship between the United States and the free world, we are working persistently to make military alliances in themselves less necessary than they have been in the past and are now.

Finally, consider for a moment our emerging new attitude toward world trade as that attitude is expressed in the Trade Expansion Act, favorably reported by the House Ways and Means Committee only this week. Like many others, I have certain reservations about the bill as written.

Chiefly, I object to the fact that, for all practical purposes, this country's entering into fruitful negotiation with the European Common Market is envisioned as entirely dependent upon the United Kingdom's joining the Common Market. This limitation is insured through the 80-percent clause: the legislation will empower the President to eliminate tariffs only on items of which the United States and the Common Market together account for 80 percent. But without the United Kingdom in the Common Market, there are no such items at all.

I object to this. England may join the Common Market; it may not. It may join next month, highly unlikely, or it may join years from now. I believe we should enter into a tariff cooperative with the Common Market now. I also believe the Common Market itself is too narrow and confined a concept for the free world. I believe that ultimately we must have free trade, or something approaching free trade, throughout the free world.

But the point is that the Trade Expansion Act is certainly a step in that direction, and as such deserves the backing of all Americans.

Now, surveying all these recent developments in America's relations with the free world, I think we perceive a profound change taking place. I think we see emerging, out of purely pragmatic actions, a philosophy that will guide our country in the years remaining in this century, the years of achievement in your lives, from the age of 22 to the age of 60.

In the beginning of the postwar world, our relations to the free world tended to be based on military considerations. We wanted military allies and we wanted round-the-world military bases. That is changing as an exclusive consideration. It is changing, pragmatically, because we have found that by itself it doesn't work.

The changes, however, carry us beyond pragmatism to our own American leadership in the humane meeting of human needs, to the idealism of Franklin Roosevelt and the New Deal. What we are fumbling our way toward is a New Deal extended to the world. In area after area we are working so that man's life in political freedom will

have the reliable material foundation without which political freedom is either impossible or meaningless.

Our militant anticommunism is becoming instead a program of pro democracy, pro the dignity of man. This, it seems to me, is as high a "manifest destiny" as a people could wish.

In observing the folk-ritual of the commencement speech, we come now to the place of the graduate in the future the speaker has sketched. Well, I am not a recruiting officer for the Peace Corps, but frankly, knowing what I know of Roosevelt University, I should be both surprised and disappointed if some of you didn't serve in the Corps, sharing for a period with others the skills and the heritage of freedom you have acquired here. Others may find themselves able to serve, publicly or privately, in the trade and the aid effort. That will crown the relationship of this country to the rest of the free world.

But those of you who do will necessarily be a minority. For all of you, there is a duty to understand the changes that are now taking place in the relations between the United States and the free world. Examine them in detail. Discuss them. Decide about them.

We have long repudiated isolationism as national policy. We are now groping our way toward a policy which can take its place in the decades to come. One could do worse than envision the New Deal extended to the free world. If you support this extension, as intelligent and aware citizens, and, some of you, as leaders and doers in this new field of American achievement, then you will have been true to your past. Then it will not be for nothing that you have come to maturity at a university named for Franklin Roosevelt.

## Memorial Day Address by Senator Long of Missouri

EXTENSION OF REMARKS
OF
### HON. HUBERT H. HUMPHREY
OF MINNESOTA
IN THE SENATE OF THE UNITED STATES
*Monday, June 11, 1962*

Mr. HUMPHREY. Mr. President, on May 30, Senator EDWARD V. LONG, of Missouri, told the 11th and 12th districts of the American Legion at memorial services in St. Louis that "patriotism, like charity, begins at home."

Senator LONG was the principal speaker at services held in the Soldiers' Memorial Building in the plaza.

"The first duty that patriotism imposes upon us," the Senator said, "is a duty of self-appraisal."

I commend the reading of this splendid address to every citizen. It is a thoughtful, challenging, and constructive message.

I ask unanimous consent that it be printed in the RECORD.

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

SPEECH BY SENATOR EDWARD V. LONG, DEMOCRAT, OF MISSOURI, BEFORE THE AMERICAN LEGION 11TH AND 12TH DISTRICTS, ST. LOUIS MEMORIAL DAY SERVICES, MAY 30, 1962

On Memorial Day, we are reminded that to be born and to die is the decree of all men. To be forgotten is the acme of human bitterness and the greatest sadness of human existence.

Ninety-four years ago, the observance of Memorial Day began with the decoration of Civil War graves. The original intent was that on May 30, living veterans should pay tribute to their comrades-in-arms who had fallen in battle.

When we refer to deceased war veterans, we speak of the honored dead. Even though Memorial Day has become the day when we pay tribute to all the dead, let me speak briefly of those who made the supreme sacrifice for the love of their country.

Our tribute to their sacrifice is valid only if we determine to maintain in ourselves a love of country as strong and self-sacrificing as that which we honor in them.

Love of our country is best summed up in a single word: "Patriotism." If I had to give a title to these brief remarks, I would say: "Patriotism, like charity, begins at home."

The first duty that patriotism imposes upon us is a duty of self-appraisal. Think: What would the country be like if everyone acted as I act?

When you talk to a veteran about war—that is, if he will talk about it—you soon learn that war is anything but glamorous. Victory in war comes after long, slow, grinding, stubborn, heroic acts. The heroism of peace is similarly a long task of drudgery and waiting. The poet, Longfellow, must have had the Armed Forces in mind when he wrote the line: "Learn to labor and wait."

Each man's duty is given its particular character by his own particular circumstances. Age and physical condition plays a big part in how a man governs his duty. Experience and training along with education and intellectual capacity also will play a major role. But, in all circumstances, it remains true that duty is not in the glamorous past nor the shining future. Duty is in the near-at-hand, in the immediate present, regardless of how dull and unexciting it may appear to be.

One of our more cynical writers of today defines duty as "That which sternly impels us in the direction of profit, along the line of desire." In making a self-appraisal of our own conception of duty, it is well for us to take stock and see if we fall in this same category. If we are doing anything purely for the money in it, it is high time we get out of that job and that attitude.

Judge what you are doing, and what you are going to do, by its value as a contribution to the society around you. This society may be limited to your immediate family and the neighborhood. Or, it could be the wider society of our Nation and the world. There is a basic necessity of making a living, of course, and a responsibility that each of us bears for himself and his family. I am not suggesting that you disregard the need for making money—that, too, is a duty, in fact. I am urging that each of us recognize that there are always numerous opportunities available for us to serve not only our families; but to serve also our neighborhoods and communities, as well as serving our country.

If you are settled in the work you intend to follow through the years, look outside your occupation and find ways for the improvement of physical and social conditions in your neighborhood, your city, your State, and the Nation. Let your position or job be not solely a means of earning a livelihood, but your way of living a good life and of serving your fellow man.

I urge you to take an intelligent and responsible interest in the affairs of your Government. Learn what is going on, form your opinion upon knowledge, and then make that opinion effective. Talk to your neighbors and your associates—write letters to your Representatives and officials, and, by all means, be sure to vote with conscientious attention to both men and issues. It is true patriotism to be deeply and continuously concerned for the welfare of your community and your Nation.

In short, put yourself into the place where you are most needed, and set yourself to work at the task in which you can do the most good.

This patriotism is not exclusively military, but it includes the willing acceptance and performance of military duties. He who has learned to love and serve his country in peace will be among the first to volunteer or willingly accept the draft in order to defend his country in war. He who has gladly accepted the drudgery of peace will have become ready to accept the obedience and hard work expected of a soldier in training and at war. The man who has learned to consider his life and work as devoted to the service of God and his fellow man will be ready to join effectively in the common effort of our military forces to guard against the possibilities of war, or to repel armed attack.

A practical, well-rounded patriotism is a matter for the whole man and for his whole lifetime. Patriotism is not a thing to be turned on as a band marches by and then quickly turned off. Love of country involves the building up of the country in all respects, not just the armed defense of attacking armies. It includes inspiring people with the love of God and with devotion to moral principle.

Furthermore, it includes concern with the honest and effective conduct of political and governmental affairs; the rehabilitation of criminals, the care and cure of the mentally ill, and the training and employment of the handicapped. Each of us must be inspired, not only with the impersonal ideal of love for our vast and varied land, but with a very near and personal love for our immediate neighbors. Then, and only then, can we all join hands in working together to make our city, our State, and our Nation a better place in which to live.

When we have this practical, down-to-earth patriotism, then we will have no disillusioning shock when military duty calls. I grant you that such service probably will be slow, with numerous discomforts, both large and small. But, where we love—we gladly serve. And in this service, ranging from trivial duties to the devotion of a lifetime, we best honor those who have died for our country.

In conclusion, the following lines from "Hail Columbia" seem most appropriate in recognition of the honored dead and of the gift they passed to us and our never-ending obligation to carry on:

"Hail, ye heroes,
Who fought and bled in freedom's cause.
Let independence be our boast,
Ever mindful what it cost.
Ever grateful for the prize
Let its altar reach the skies."

## The National Lottery of Chile

EXTENSION OF REMARKS
OF
### HON. PAUL A. FINO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
*Monday, June 11, 1962*

Mr. FINO. Mr. Speaker, I should like to apprise the Members of this House of the national lottery of Chile. In Chile, as in many other Latin American nations, lotteries are frequently used to assist charitable and welfare organizations.

Last year, the gross annual receipts came to $23 million of which the Government received some $5½ million. Most of the moneys were earmarked and used for institutions such as the Red Cross, public health and universities.

Mr. Speaker, it is difficult to understand why we, in the United States, do not make the gambling urge work for the general good. A national lottery in this country cannot only strike a lethal blow at organized crime but pump into our Treasury over $10 billion a year in additional income which can be used to cut taxes and reduce our national debt.

## Excerpts From Address by Hon. Alexander Wiley, of Wisconsin, Over Wisconsin Radio Stations, Concerning Impact of Proposed Legislation on Agriculture

EXTENSION OF REMARKS
OF
### HON. ALEXANDER WILEY
OF WISCONSIN
IN THE SENATE OF THE UNITED STATES
*Monday, June 11, 1962*

Mr. WILEY. Mr. President, in a weekend address over Wisconsin radio stations, I was privileged to discuss the impact of proposed legislation now before Congress concerning U.S. agriculture.

I ask unanimous consent that the text of my remarks be printed in the CONGRESSIONAL RECORD.

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

EXCERPTS FROM ADDRESS BY HON. ALEXANDER WILEY, OF WISCONSIN, OVER WISCONSIN RADIO STATIONS, CONCERNING IMPACT OF PROPOSED LEGISLATION ON AGRICULTURE

In agriculture, as elsewhere in American life, we, as a people, are experiencing broadening horizons and dramatic far-reaching changes and progress.

Fundamentally, the scope of farm operations continues to be local in terms of land, machinery and equipment, labor, taxes, and, yes, markets.

In a shrinking world, however, we find, more and more, that events elsewhere—regionally, in Washington, or around the world—may affect the price of farm products, as well as the economic status of the farmer.

For these reasons, then, it becomes necessary to extend the horizons of agricultural planning from the local to the national and global areas. Currently, such factors which bear significantly upon the economic outlook in agriculture here in Wisconsin and across the Nation include: (1) The proposals now before Congress for liberalizing reciprocal trade agreements; if adopted, as recommended then would result in a greater flow of imports; and (2) the increased agricultural production of other economically advancing countries creating greater competition on the world market.

Now, what does this mean to the Wisconsin farmer?

Within our economic system, farm prices are determined, to a large degree if not entirely, by the law of demand and supply. Currently, there exists a $9 billion surplus of farm commodities. To reduce such stockpiles, efforts are being made—and renewed efforts are needed—to find outlets at home and abroad.

Annually the U.S. exports, either in sales, or under Government programs, amount to about $5 billion. Of the 1960–61 U.S. exports, Wisconsin's equivalent share, that is, proportionate contribution to national sales, has been estimated as follows: $31.5 million for field crops; $28.5 million for livestock and livestock production, including dairy products; $2.3 million for vegetables; and $2 million for other commodities.

Currently, the Ways and Means Committee is winding up its consideration and writing a new bill for revision of trade agreements. The Congress, of course, will need to consider this very carefully.

Recognizing the need for flexible authority in administering tariff policy, the Congress cannot and should not relinquish its voice in determining such policies. Why?

(1) Because of its constitutional responsibilities; and (2) traditionally, the Congress, I believe, is more sensitive to the day-to-day needs of the American people and the economy. Without reflecting unfairly on the competence of well-qualified administrative officials, there may be instances, in any administration, in which policy deemed good for the world—by ivory tower bureaucrats—may not always be good for America, including the American farmer.

In evaluating the proposals for liberalizing trade agreements, then, Congress—among other things—must (1) preserve its constitutional voice in tariff and quota regulations; (2) write in necessary safeguards to prevent damage to the domestic economy; (3) assure a hearing, and as necessary assistance, for industries adversely affected by trade agreements; and (4) assure that trade agreements are mutually beneficial.

Recognizing that there must be a two-way flow of trade, congressional objective must be to (a) encourage the expansion of U.S. exports way beyond the 4 percent of our production now flowing abroad; and (b) to adopt the kind of trade policy that will protect domestic industries and business that may be adversely affected by necessary changes in general trade agreements.

## Is Our Trade Policy a Free Trade or a Protectionist Trade Policy?

EXTENSION OF REMARKS
OF
### HON. JOHN H. DENT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
*Monday, June 11, 1962*

Mr. DENT. Mr. Speaker, recently I received a letter with an attachment on protectionism that should be read to all Members of Congress. I also received some correspondence from Japan.

Whether we agree with the writer or not, the fact remains that statements such as these have been kept from the public press while millions of words, making less sense, have been published in support of a trade policy that few, if any, of us can describe or analyze.

Is our trade policy a free trade or a protectionists trade policy? Are we going to make our ports free ports, where we can buy all products at the customshouse at prices you run into in the free markets such as Shannon Airport, Panama, and the foreign sales offices in our international airports.

Frankly, if I thought that we could better our economy with this kind of trade policy as proposed in H.R. 9900—now the clean bill reported H.R. 11970—I would be the leading fighter for the bill. I cannot see it, maybe it is because 4 years ago I predicted the failure of the 4-year extension of the Reciprocal Trade Act when we were promised the same benefits from that act as we are again being told will come to the American economy.

It is no secret that the failure of the 4-year extension forced abandonment of any attempt to renew the Trade Agreements Act. That is why we have H.R. 11970, which is nothing but a rehash of the Reciprocal Trade Act with a little dressing thrown in to make it look like something new, something bold but, in truth, is something worse and something old.

I have supported the free trade idea, but never have I gone so far overboard that I would be willing to vote for legislation that spells out unemployment and closed factories as a blessing.

Where I come from, my people work and want to continue working at jobs with reasonable wages. They are not so willing to give up a bird in the hand for two in the bush.

I find among my colleagues the same protective instinct for their people. The farm Members want no part of free trade for farm products. The same goes for cotton, textiles, oil, and many other products protected by agreement. They see no wrong in free trade for the other fellow. The little fellow without a strong voice in Congress, in the press, in the hands of the powerful, is being fed to the wolves of what some of us, having nothing to lose, call progress.

The first of these letters follows. In some instances, I have deleted the name of the sender for reasons best know to the writer.

FEBRUARY 7, 1962.

DEAR CONGRESSMAN: I agree with your position and disagree with Dr. Russell who says that because we exported 20 to 16 ratio in dollars, we created 20 jobs for 16 lost.

In the first place I want to make some general statements.

1. I don't believe it is possible to build a civilization without protection. Every civilization we have had was protected in some way or another. The Indians even had protection. Some time after the stone age, the priests and other leaders of the church had to have protection against being killed by members of the proletariat.

2. One hundred and fifty years ago the United States began its existence. At that time the country of India had more natural resources than the United States. They still have more but look at the difference. We started to build our economy and the first thing we did was put on a protective tariff. This protected our industries so we could pay enough wages to provide purchasing power, and gave us revenue. Russell didn't include this revenue in his statement. Taxes would have to be raised to compensate for the loss in revenue if tariffs are lowered.

I have contended for a long time that Ford was the greatest economist the United States ever had. You are old enough to remember when he raised the wages to $5 a day. Businessmen all over the United States complained and asked why he did it. His reply was he wanted to sell cars to these men and they couldn't buy cars without money. That is still a fundamental in any economy but

all the economists think about is trying to buy something cheap. They forget to provide purchasing power.

3. Russell states in his article that we are exporting $20 billion worth of goods and importing $16 billion worth. None of the economists ever talk about exporting in terms of tonnage or in terms of man hours. For the sake of illustration, I have converted the $16 billion worth of imports to man hours at the going wage in Germany which is 85 cents an hour. This shows we are importing 20 million man-hours.

I have converted the $20 billion of exports to man-hours, assuming they are man hours, so a comparison can be made, and find we are exporting about 5 million man-hours.

I have yet to see an economist who wants to do business at our level. They all want to go to the world level and we can't do that without seriously impairing our whole economy.

Some place I read that the members of the National Association of Manufacturers was polled on the lowering of the tariff—25 percent wanted the tariff lowered, 25 percent do not, and the other 50 percent have no opinion because they don't know what is going on or don't know anything about the economy. The truth of the matter is this Nation is self-sustaining up to about 98 percent. We probably could increase the foreign trade to 5 percent without hurting our economy seriously.

The foreign trade that will not hurt is to trade agricultural products for strategic minerals and stockpile them. They will stockpile, of course, much easier than grain and it won't cost very much money for a place to stockpile the minerals.

There are some other propositions in the request for the power to lower tariffs which strike me as very serious. I don't think there is a man living that should be given the power to raise and lower taxes at will, or to raise and lower tariffs at will.

A bill to raise or lower taxes, to my mind, is another authority that should not be granted. It is my humble opinion that if it was, the first thing that would be done would be raise taxes because I don't believe the money is going to roll in from 1961 profits.

Steel had to absorb that wage increase, many other industries have cut prices in an attempt to get business, discount houses are running rampant all over the country so the profits will be down. All the economists forget that Uncle Sam gets his money from profits. Taxes should be lowered but they cannot be until some of this unnecessary spending is stopped.

Herter says there are a billion people waiting to have their economy developed. I don't know how Herter expects to sell these billion people anything when their income is $100 per year, or less. Going back to India, their income is $70 per year per capita.

For 150 years India has tried to make so-called free trade work. Other nations have tried it, particularly England. Now the whole economy of the Common Market is starting in with a plan that was adopted by the United States 150 years ago. The irony of it all is that the economists have this administration sold on the idea that we should adopt the economy that has kept those nations in the Common Market in poverty for all these years.

---

Mr. Speaker, these two letters are self-explanatory but apropo to the discussions on H.R. 9900—now the reported clean bill H.R. 11970.

TARIFFS KILL JOBS

(By Dean Russell)

Representative NOAH M. MASON, of Illinois, top Republican on the House Ways and Means Committee, is now predicting that the tariffs in the United States will definitely not be lowered and will probably be raised. "If the administration tries to continue the Reciprocal Trade Act in its present form, there will be a devil of a fight," he states.

MASON claims that most Congressmen are now opposed to our 27-year-old policy of lowering tariffs for nations that lower them for us, and that this increasing opposition could easily result in the defeat of the act when it comes up for renewal next June.

It so happens that Representative MASON has always been one of my favorite Congressmen. My only real disagreement with his voting record is on the issue of tariffs. In defense of his campaign for higher tariffs, he generally advances the familiar arguments of protecting American jobs and industries against "cheap foreign labor."

He is correct in his observation that if it were not for Government protection against foreign competition, many persons in the United States would lose their jobs, and a considerable number of American companies would be forced out of business. But MASON completely ignores the American consumer and the multitude of jobs and industries that depend on foreign trade.

He dramatizes the jobs and industries that are threatened by the $16 billion worth of yearly imports into the United States. But he just ignores the far larger number of jobs and industries that are involved in our $20 billion worth of exports—automotive and electric equipment, steel mill products, machine tools, coal and cotton, petroleum products, and many others. Comparatively speaking, prohibitive tariffs would destroy 20 American jobs and companies for every 16 saved. And worse still, the companies that would be destroyed by this policy are our most efficient ones that pay the highest wages. Apparently, our high tariff Congressmen completely ignore the obvious fact that foreigners cannot continue to buy from us unless they are permitted to sell to us.

Actually, tariffs never protect jobs for the Nation as a whole. But tariffs do always increase prices for consumers throughout the country. Today, you and I are paying higher prices for clothing and watches (and many other items), because the American manufacturers of those products are protected by tariffs. I am just as opposed to protection and subsidies for industry as I am opposed to protection and subsidies for farmers, unions, and professional men. I cannot logically and morally be for one and against the other.

Mr. Speaker, I wonder if the dean would wipe out the job protection contained in the immigration laws. How can he buy a suit from a union worker in the United States as cheaply as one from Hong Kong? He cannot, but by the same token he would have to be paid the same as a Hong Kong professor.

For example. Perhaps our protectionists could understand this issue better if they would consider the economic effects in Illinois of a tariff against all products from our other 49 States. Here is how it would work:

We do not have, for example, an automobile industry in our States. The reason is simple—we can buy cars cheaper from Detroit and, in effect, pay for them with machine tools that we produce cheaper than they do. We could easily create an automobile industry in Illinois, however, if the State were permitted to put a 25-percent tariff against imported cars.

Mr. Speaker, there is a vast difference between our economy operating under one set of rules and laws, one currency, and so forth, and free trade is possible.

With that amount of Government protection (really a concealed subsidy), capital would flow from our machine tool industry into our new automobile industry that could then offer the owners of the capital a higher return on their money. That development would immediately increase costs (and prices) for machine tools because those companies, in turn, would then have to pay a higher price to hold and attract the needed capital. And for a while at least, the machine tool companies would also have to pay higher prices for labor because the new automobile industry would bid especially high for the services of those skilled mechanics.

Thus, even if Detroit didn't retaliate with tariffs against our machine tools, the higher prices would automatically mean that fewer would be sold. That, in turn, would mean fewer jobs in the machine tool industry. Meanwhile, you and I would also have to pay $500 more for a car. In turn, that added cost would mean that you and I would have $500 less to spend for housing, education, entertainment, and so on. Thus those industries would also have to lay off workers. And since Illinois would soon run out of unemployment benefits, those people would have no choice but to scratch out a living as best they could. Under those circumstances, obviously it wouldn't be much. But unquestionably, many new jobs would have been created in our new automobile industry.

Mr. Speaker, maybe the dean ought to know the difference between a self-contained equalized economy and a dog-eat-dog international trade economy.

After that arrangement had continued for 10 years or so, it would be almost impossible to stop it; the protectionist politicians would quickly and correctly point out that all the jobs in our high cost Illinois automobile industry would be wiped out overnight if we removed their protection from competition and permitted those "cheap cars from Detroit" to be sold in our local markets.

Mr. Speaker, this is the kind of far-fetched examples and logic fed to the unthinking Americans by proponents.

THE ECONOMIC FACTS ABOUT COMPETITION AND TRADE

That is always the final result of Government protection and subsidies and interference with the free market economy. The absence of tariffs among our 50 States explains better than anything else why our level of living is so high. It is due almost entirely to competition, natural specialization, survival of the most efficient managers and companies, and the free movement of labor and capital from one industry and one section of the Nation to any other industry and section.

Those economic facts about competition and trade also explain why the nations of Europe are now establishing a tariff-free Common Market. The advocates of that project are well aware that the ultimate result will be better jobs at higher pay for all employees, lower prices for all consumers, and even higher profits for the owners who are capable of operating in a free and competitive economy.

For both economic and political reasons, the United States should provide the leadership for lower (not higher) tariffs among nations.

Mr. Speaker, is it not true that the Common Market, while establishing free trade within, is wisely and necessarily putting up a strong protection tariff wall against imports?

I warned in 1958 that we were the only trading nation that allowed diplomacy, political and sentimental considerations to govern our economic action.

I predicted then that we would be flooded with cheap-labor-produced consumer goods, depriving our workers of job opportunities.

Again I issue this same warning. If you wish to ignore my appeals to economic reasoning, you may do so. However, will you kindly read and study the following letters, one from the United States and the other from Japan.

The following is a letter received from the Ballo Thermometer Co., Leesburg, Fla.:

BALLO THERMOMETER CO.,
*Leesburg, Fla., May 22, 1962.*

Hon. JOHN H. DENT,
*U.S. House of Representatives,*
*Washington, D.C.*

DEAR MR. DENT: We sent an inquiry to the Japanese firm whose letter is enclosed, asking for prices on fever thermometers. This was done to keep abreast of the latest developments of the impact of imported fever thermometers versus American made.

As you know from previous testimony, we are in a critical situation. According to this letter, if the Japanese Government intends to eliminate their own self-imposed quota on fever thermometers entering the United States, this will mean the kiss of death to the American thermometer industry.

This company is one of six or seven now exporting thermometers into the United States of America. How can we be helped?

Sincerely,

BALLO THERMOMETER CO.

The following is a letter received from the Phoenix Brand Hospital & Surgical Supplies, Kobayashi Shoji K. K., in Tokyo, Japan:

"PHOENIX" BRAND HOSPITAL & SURGICAL SUPPLIES (KOBAYSHI SHOJI K. K.),
*Tokyo, May 11, 1962.*

BALLO THERMOMETER CO.,
*Leesburg, Fla., U.S.A.*

DEAR MR. ———: Your cable of the 9th has been appreciated, in which we note that you want 100 gross fever thermometers per month.

To our great regret, however, we have so many orders from the presently established customers that no more goods are available for you for the time being. Last year, U.S. buyers were not so active in their purchase of Japanese thermometers, but this year they are rather active while the number of good thermometer manufacturers has been decreased. As a result, almost all the manufacturers have full orders almost beyond their production capacity. Our shipment is also seeing delay after delay, which is the present situation.

For information, the Japanese Government's quota system now in force is expected to be suspended next year. As we are planning an increased production, maybe we shall be able to make a definite offer in October or November this year.

Kindly excuse the inability of making an offer this time.

Sincerely,

KOBAYASKI SHOJI K. K.
T. KOBAYASHI.

I call your attention to letter No. 1. There are only two manufacturers left in the United States—with 184 million people—but Japan has 6 or 7 that export to the United States. Japan has 70 million people. I know that we must help Japan in its trade deals; but can we become a buyer nation? Is this not the tragedy of our trade policies? The little people are being pushed out of business while monopolies and importers provide the products.

Is it not the same process as that which happened when the chainstores pushed the independent grocer to the wall? Now we have the chainstores endangered by the discount house. Many Members of Congress, most of them free traders, have sponsored legislation to curtail the discount houses and national chainstores with a quality stabilization (fair trade) bill. Funny how they can see the danger to our economy, our wage scales, our investment incentives with unfair cutthroat competition here at home, but think nothing of eliminating a whole industry, small, but important to a self-sustaining economy, with unfair foreign competition.

We note also that another group of Members, all free traders, have introduced an anti-cut-price bill making it unlawful for any agricultural products to be offered for sale in an area away from the source of production at prices lower than the cost of production within the sales area.

What in heavens name is the difference between this and my amendment disallowing foreign competitive products to enter our country at less than our costs of production.

Can Ballo Thermometers Co. make thermometers with U.S. costs, labor, taxes, and raw materials to sell at anywhere near the price of the Japanese import? They cannot.

I know; I heard their testimony. It is contained in the hearing reports.

I even find that one of the strongest boosters for the no tariff on manufactured products legislation is himself a sponsor of a protectionist bill creating a new tariff on an untariffed, free entry item.

This bill would place a 50-percent tariff on shrimp imported into the United States. Upon investigation we find that bill was given hearings by the sponsor and a favorable report written in spite of the fact that much of the shrimp comes from so-called underdeveloped nations in the Latin American areas.

I have said it before and I repeat, scratch a free trader and he will bleed like a protectionist. The above examples of shortsighted protectionism are reminiscent of the story of the Socialist organizer trying to win a convert. He made the pitch that under socialism everybody shared alike. The intended victim asked whether "if you had two horses would you give me one?" The answer, "Yes, sir." "If you had two cows would you give me one?" "Yes, sir." "If you had two goats would you give me one?" A little pause and then the Socialist gave this answer: "You go jump in the creek, you know I got two goats."

Now you will note the second letter and the fact that the Japanese cannot produce fast enough to provide for our market. When they can, watch the fur fly. The marketplace in every U.S. city will look like a trade fair with U.S. goods almost extinct.

In fact, you will note that the Japanese are waiting for the Congress to pass this new trade bill without restrictions and they will then lift their voluntary quotas and you can kiss the U.S. thermometer industry goodby.

It will not be the first time. Ask the small oil producer and the coal miner what happened under the voluntary oil quota deal.

It got so bad that even Eisenhower, a free trader, had to establish quota limits to keep the American domestic oil industry and what was left of the coal industry alive for future emergencies.

I cannot believe that the industry and labor spokesmen who appeared before the Committee on Imports were making up tall tales or deliberately falsifying their records. I believe that they are in trouble—do you?

I do not oppose free or expanding trade legislation, I do, however, oppose legislation that does not require equity in tariff rates between trading nations before any further tariff or other trading restrictive covenants are lowered or removed.

How can any Member vote for legislation that denies an American, no matter how small his interest and stake in our economy, the right to his day in court.

Without strong peril point and escape clause requirements, this legislation will spell the deathknell of many of our small independent producers, most of them situated in small communities.

I do not mind being a citizen of the world, the same as some of our great advisers, but I want to live and prosper in the United States of America.

## Dramatic About-Face: McClatchy Press Now Favors Weakening of the Preference Principle

EXTENSION OF REMARKS
OF
## HON. CHARLES S. GUBSER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
*Monday, June 11, 1962*

Mr. GUBSER. Mr. Speaker, there is increasing cause to suggest that the title of House bills 11244 and 11245 should be changed from the so-called regional preference bill to the preference confusion bill.

Everybody is confused. The most ardent advocates of public power, including the principals of Interior, Reclamation, APPA, REA, Bonneville and other agencies, are fighting among themselves. Obviously the proposed giant Federal grid system is incompatible with preference. Those who advocate one cannot support the other. The issues are contrary and cannot be reconciled.

The public power press is also confused. In California, three newspapers of the McClatchy chain, the powerful Sacramento, Fresno and Modesto Bees, dominate the great central valley. They are among the most articulate of all spokesmen for public power. Since before any national leader of public power was born, the McClatchy Bees have been all out in their advocacy of public power, and for half a century they have held as high as the Bill of Rights the principle of preference.

Just to show you how confusing this regional protection bill can be, let me cite for the RECORD the contradictory editorials of the McClatchy Bees on this ill-advised piece of hypocritical legislation.

On April 20, 1962, the Sacramento Bee ran an editorial under the heading, "Intertie Proposal Erodes Public Power Preference." The editorial pointed out that under reclamation law, public agencies shall have first call on Federal power. "This is fundamentally right to guarantee that the people will receive the benefits from their own project," the editorial declared.

"The Pacific Northwest is entitled to protection against unreasonable raids on its power," said the Bee in the April editorial, adding this statement of its basic philosophy about public power: "But this should not be given at the expense of the time-honored and tested preference clause."

Further quoting that editorial: "This bill weakens the preference principle and should be examined closely by Congress."

I submit that this is an honest and serious evaluation by an ardent spokesman of unflinching loyalty to the public power cause.

However, even the McClatchy Press is confused now as it reexamines the bill and assesses the pressures and counterpressures within the public power forces. I quote from an editorial in the same newspapers this week. The editorial, in the Sacramento Bee issue of June 5, 1962, is titled "Northwest Is Entitled to Power Protection."

This editorial is an about-face. Now the Bee totally ignores the peril to preference in advocating that the bill be passed. "Nothing could kill off the intertie more completely than to have this protective legislation fall by the wayside," the editorial declares.

I was shocked to note that in the second editorial, the Bee criticizes me for agreeing right down the line with what it said in the first editorial.

Obviously, the McClatchy advocates of public power are as confused as everybody else over this bill. The pressures for Federal transmission lines have bent the Bee thisaway today; the pressures for preference bent the Bee thataway yesterday. While Congress considers this "preference confusion bill," we can wonder only which way the pillars of public power will be bending tomorrow.

## Health Care Benefits for the Aged Bill

EXTENSION OF REMARKS

OF

### HON. THRUSTON B. MORTON

OF KENTUCKY

IN THE SENATE OF THE UNITED STATES

*Monday, June 11, 1962*

Mr. MORTON. Mr. President, last Thursday, June 7, I introduced a bill, S. 3386, which would establish a health care benefits for the aged program. In response to requests, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3386

A bill to provide for Federal financial participation in State programs established for the purpose of assisting individuals age sixty-five or over in obtaining health benefits insurance on a voluntary basis

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Health Care Benefits for the Aged Act".

DEFINITIONS

SEC. 2. For the purposes of this Act—

(a) The term "Secretary" means the Secretary of Health, Education, and Welfare.

(b) The term "State" includes District of Columbia.

(c) The term "State plan" means a State plan for health benefits for the aged.

(d) The term "State agency" means the agency established or designated in accordance with section 4(a)(11).

(e) The term "contract" means the policy, contract, agreement, or other arrangement entered into between a carrier and a State agency for the purpose of providing for the participation by individuals in a health benefits program under a State plan.

(f) The term "health benefits program" means a group insurance contract provided by a carrier for the purpose of providing, paying for, or reimbursing expenses for health services.

(g) The term "carrier" means a voluntary association, corporation, partnership, or other nongovernmental organization which is lawfully engaged in providing, paying for, or reimbursing the costs of, health services under group insurance contracts in consideration of premiums payable to the carrier.

(h) The term "premium" means the amount of the consideration charged by a carrier for participation by an individual in a health benefits program provided by the carrier.

(i) The term "State share" means the portion of the premium to be paid by the State with respect to the participation of an individual in a health benefits program.

(j) The term "individual share" means the portion of the premium to be paid by an individual for his participation in a health benefits program.

(k) The term "taxable year" means a taxable year as defined in section 441(b) of the Internal Revenue Code of 1954.

(l) The term "Federal income tax liability" means, in the case of any individual, the amount of the income tax imposed for the taxable year on such individual under part I of subchapter A of chapter 1 of the Internal Revenue Code of 1954, determined without regard to the provisions of part IV of subchapter A of chapter 1 of such Code (other than section 37 of such part IV). The amount of the Federal income tax liability under a joint return shall, for purposes of the preceding sentence, be deemed to be the amount of the Federal income tax liability of each of the parties to such return.

APPROPRIATION

SEC. 3. For the purpose of enabling each State to assist individuals residing therein who are age sixty-five or over to obtain, through prepaid health benefits plans, provisions of, payment for, or reimbursement for the expenses of, health care services at subscription rates which such individuals can afford to pay (determined on the basis of the amount of their Federal income tax liability for the taxable year), there is hereby authorized to be appropriated for each fiscal year a sum sufficient to carry out the purposes of this Act. The sums made available under this section shall be used for making payments to States which have submitted, and had approved by the Secretary, State plans for health benefits for the aged.

STATE PLANS

SEC. 4. (a) A State plan for health benefits for the aged must—

(1) provide for the participation, on a voluntary basis, by all residents of the State who are age sixty-five or over in a health benefits program which complies with the provisions of section 7;

(2) provide for adequate dissemination to such residents of full and complete information concerning the benefits provided under such program, the terms and conditions thereof, and the amount of the premium therefor;

(3) provide for such review by the Secretary and such other safeguards as the Secretary may determine to be necessary or desirable to assure that the premiums for participation in any such health benefits program reasonably and equitably reflect the cost of the benefits to be provided thereunder, and that participants therein shall receive the benefits to which they are entitled thereunder without undue delay;

(4) make suitable provision for the receipt, under such program, of benefits by participants residing in the State but who are temporarily absent therefrom;

(5) provide that any individual, who is enrolled under such a program for any taxable year, and who, during such year, changes his residence to another State, shall not be precluded from continuing to participate in such program for the remainder of such year by reason of his change of residence;

(6) provide that the full amount of the premium for such program with respect to each individual participating in such program shall be paid by the State;

(7)(A) provide that the individual share of any such premium shall be fixed in accordance with regulations issued by the Secretary under section 8, and that such share shall be collected by, or under the supervision of, the State agency; and

(B) provide that the tentative amount of such share, in the case of any individual, shall be determined on the basis of the amount of the anticipated Federal income tax liability of such individual as contained in his most recent declaration of anticipated Federal income tax liability (filed in accordance with section 9), and that, in the event of any discrepancy between the amount contained in such declaration and such individual's actual Federal income tax liability as reported to the State agency pursuant to section 11, a proper adjustment in the amount of such share will be made;

(8) provide that the State plan shall be in effect in all political subdivisions of the State, and, if administered by them, be mandatory upon them;

(9) provide that the cost of administration of the State plan will be paid by the State;

(10) provide such methods of administering (including methods relating to the establishment and maintenance of personnel standards on a merit basis, except that the Secretary shall exercise no authority with respect to the selection, tenure of office, or compensation of any individual employed in accordance with such methods) as are found by the Secretary to be necessary for the proper and efficient operation of the plan;

(11) either provide for the establishment or designation of a single State agency to administer the plan, or provide for the establishment or designation of a single State agency to supervise the administration of the plan;

(12) make provision, in accordance with regulations promulgated under section 10, for verification of representations made by individuals incident to the determination of

their share of the premium for participation in such a health benefits program; and

(13) provide for prompt notice to appropriate law-enforcement officials of any facts or circumstances suggesting that any fraud or misrepresentation has been committed by any individual in connection with his participation, or application for participation, in a health benefits program under the State plan.

(b) The Secretary shall approve any plan which fulfills the conditions specified in subsection (a), except that he shall not approve any plan which imposes, as a condition of eligibility to participate in a health benefits program provided under such plan—

(1) any residence requirement which excludes any resident of the State; or

(2) any citizenship requirement which excludes any citizen of the United States.

PAYMENT TO STATES

SEC. 5. (a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has a plan approved under this Act, for each quarter, beginning with the quarter commencing October 1, 1962, an amount equal to the sum of the amounts expended, during such quarter, under the State plan as the State share of the premium for a health benefits program under such plan with respect to each individual participating in such program, not counting so much of any expenditure with respect to any individual which is attributable to payment of such a premium in excess of $125 per annum.

(b) The method of computing and paying the amount referred to in subsection (a) shall be as follows:

(1) The Secretary shall, prior to the beginning of each quarter, estimate the amount to be paid to the State for such quarter under the provisions of subsection (a). Such estimate shall be based on (A) a report filed by the State containing its estimate (determined in accordance with regulations issued by the Secretary) of the amount payable to it under subsection (a), (B) records showing the number of individuals in the State who are sixty-five or over, and (C) such other data as the Secretary shall find useful. In making any such estimate with respect to an individual who, prior to the date such estimate is made, has (incident to his participation during such quarter in a health benefits program under the State plan) filed in accordance with section 9 a declaration of anticipated Federal income tax liability, the estimated amount payable to the State under subsection (a) with respect to such individual shall be based on the State share of the premium for such individual's participation in such program, determined on the basis of data contained in such declaration.

(2) The Secretary shall then certify to the Secretary of the Treasury, the amount so estimated by the Secretary, reduced or increased, as the case may be, by any sum by which the Secretary finds that his estimate for any prior quarter was greater or less than the amount which should have been paid to the State under subsection (a) for such quarter.

(3) The Secretary of the Treasury shall thereupon, prior to audit or settlement by the General Accounting Office, pay to the State, at the time or times fixed by the Secretary, the amount so certified.

OPERATION OF STATE PLANS

SEC. 6. In the case of any State plan which has been approved under this Act by the Secretary, if the Secretary, after reasonable notice and opportunity for hearing to the State agency administering or supervising the administration plan finds—

(1) that the plan has been so changed as to impose any residence or citizenship requirement prohibited by section 4(b), or that in the administration of the plan any such prohibited requirement is imposed, with the knowledge of such State agency, in a substantial number of cases; or

(2) that in the administration of the plan there is a failure to comply substantially with any provision required by section 4(a) to be included in the plan, or any other provision of this Act (or regulation issued thereunder by the Secretary) relating to the administration of the plan;

the Secretary shall notify such State agency that further payments will not be made to the State until the Secretary is satisfied that such prohibited requirement is no longer so imposed, and that there is no longer any such failure to comply. Until he is so satisfied he shall make no further certification to the Secretary of the Treasury with respect to such State.

HEALTH BENEFITS PROGRAMS

SEC. 7. (a) In order to qualify under the State plan, a health benefits program must—

(1) be offered by a carrier which is licensed to issue group health insurance in the State;

(2) be offered under a contract which contains a detailed statement of benefits offered, including such maximums, limitations, exclusions, and other definitions of benefits as the Secretary shall by regulations prescribe;

(3) offer participation of noncancellable or guaranteed renewable basis; and

(4) offer each participant in the program a choice of either (A) ordinary or short-term illness coverage, or

(B) long-term or catastrophic illness coverage.

(b) Subject to the requirements contained in subsection (a), a health benefits program may be of the following types:

(1) SERVICE BENEFIT PLAN.—

(A) Hospital benefits.

(B) Surgical benefits.

(C) In-hospital medical benefits.

(D) Ambulatory patient benefits.

(E) Supplemental benefits.

(2) INDEMNITY BENEFIT PLAN.—

(A) Hospital care.

(B) Surgical care and treatment.

(C) Medical care and treatment.

(D) Prescribed drugs, medicines, and prosthetic devices.

(3) COMPREHENSIVE MEDICAL PLANS.—Benefits of the types specified in this subsection under paragraph (1) or (2) or both.

(c) For purposes of this section the term—

(1) "service benefit plan" means a statewide plan under which payment is made by a carrier under contracts with physicians, hospitals, or other providers of health services for benefits of the types described in subsection (b)(1) rendered to participants in such plan, or, under certain conditions, payment is made by a carrier to the participant;

(2) "indemnity benefit plan" means a statewide plan under which a carrier agrees to pay certain sums of moneys, not in excess of the actual expenses incurred, for benefits of the types described in subsection (b)(2); and

(3) "comprehensive medical plan" means—

(A) a group-practice prepayment plan which offers health benefits of the types referred to in subsection (b)(3), in whole or in a substantial part on a prepaid basis, with professional services thereunder provided by physicians practicing as a group in a common center or centers. Such group shall include physicians who represent at least three major medical specialties which are applicable to aged persons, and who receive all or a substantial part of their professional income from prepaid funds; or

(B) individual-practice prepayment plans which offer health services in whole or substantial part on a prepaid basis, with professional services thereunder provided by individual physicians who agree, under certain conditions specified under regulations issued by the Secretary, to accept the payments provided by the State plan as full payment for covered services rendered by them including, in addition to in-hospital services, general care rendered in their offices and the patients' homes, out-of-hospital diagnostic procedures, and preventive care, and which are offered by organizations which have successfully operated for a period of not less than six months prior to entering into a contract with a State agency.

AMOUNT OF STATE SHARE AND INDIVIDUAL SHARE

SEC. 8. (a) The amount of the State share with respect to any individual for any period within a taxable year of such individual shall be based on the Federal income tax liability of such individual for such year and shall be determined in accordance with a schedule issued by the Secretary.

(b) Such schedule shall provide that the State share shall be—

(1) in case such period is a period of twelve months and the amount of the annual premium is $125 or less—

(A) an amount equal to 100 per centum of the premium, if the individual has no such tax liability for such year, (B) an amount equal to 20 per centum of the premium, if the individual has such a tax liability of $400 or more for such year, and (C) an amount (equal to not less than 20 per centum nor more than 100 per centum of the premium) established by the Secretary in regular inverse proportion to the amount of such individual's tax liability as aforesaid, if the individual has such a tax liability for such year but the amount thereof is less than $400;

(2) In case the amount of the annual premium is more than $125, the amount provided by paragraph (1) with respect to the first $125 of such premium plus 100 per centum of the excess of such premium over $125; and

(3) in case such period is less than twelve months, an amount which bears the same ratio to the amount of the State share (as determined under paragraph (1) or paragraph (2), as the case may be) as the number of months in the period bears to the number twelve.

(c) The amount of the individual share of any individual for any period shall be equal to the amount, if any, by which the amount of the premium with respect to such individual for such period exceeds the amount of the State share with respect to such individual for such period.

DECLARATION OF ANTICIPATED FEDERAL INCOME TAX LIABILITY

SEC. 9. (a) As a requisite to participation in a health benefits program under a State plan by any individual for any period within any taxable year of such individual, such individual shall file in duplicate, prior to the beginning of such period, with the State agency (or the local agency administering the State plan) a declaration (in such form and manner as hereinafter prescribed) of his anticipated Federal income tax liability for such year.

(b) Any such declaration shall be filed under oath or affirmation and shall be filed on forms supplied to the State agency by the Secretary. Such forms shall be prepared by the Secretary with the advice and assistance of the Secretary of the Treasury and shall require the submission of such data as may be necessary to provide, insofar as possible, an accurate estimate of the Federal income tax liability of the individuals filing such forms.

REPORT OF AMOUNT OF FEDERAL INCOME TAX LIABILITY TO STATE AGENCY

SEC. 10. Each individual who, during any taxable year, has participated in a health benefits program under a State plan approved under section 4(b), shall, at the time

he files his Federal income tax return for such year, report to the State agency (on such forms and in such manner as the Secretary shall by regulations provide) the amount of his Federal income tax liability as determined by appropriate data contained in such return.

VERIFICATION OF ACCURACY OF DECLARATIONS OF ACTUAL FEDERAL INCOME TAX LIABILITY

SEC. 11. The Secretary and the Secretary of the Treasury shall cooperate in promulgating rules, regulations, and procedures for the purpose of—

(a) comparing amounts of actual Federal income tax liability reported by individuals to State agencies pursuant to Sec. 10 of this Act and the amounts of the actual Federal income tax liability of such individuals, as disclosed by Federal income tax returns submitted by such individuals or as determined by the Internal Revenue Service subsequent to the submission of such returns;

(b) assuring that, in the case of any such discrepancy, appropriate action will be taken to adjust the amounts of the State share and the individual share of the premium with respect to the individual to whom such discrepancy relates.

AMENDMENTS TO THE INTERNAL REVENUE CODE OF 1954

SEC. 12. Section 213(e) of the Internal Revenue Code of 1954 (relating to definition of medical care for purposes of deduction of medical expenses) is amended by adding after paragraph (2) thereof the following new paragraph:

"(3) Notwithstanding the provisions of paragraph (1)(A), no amount paid with respect to an individual toward any premium for participating in a health benefits program under a State plan approved under section 4(b) of the Health Care Benefits for the Aged Act shall be considered as an amount paid for medical care."

## The Tragic Days of Estonia, Latvia, and Lithuania

EXTENSION OF REMARKS

OF

### HON. STEVEN B. DEROUNIAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 11, 1962*

Mr. DEROUNIAN. Mr. Speaker, on this occasion of the commemoration of the victims of the Soviet mass arrests, executions, and deportations from the Baltic Republics of Estonia, Latvia, and Lithuania, I would like to draw attention once more to the findings of the Select Committee on Communist Aggression, published in 1954:

1. In 1939, the U.S.S.R., after concluding a secret pact with the Nazis which divided Eastern Europe into spheres of influence, did impose so-called mutual assistance pacts upon Estonia, Latvia, and Lithuania.

2. The mutual-assistance pacts so imposed upon the Baltic States called for the establishment of Soviet Russian military bases and airfields in each of those nations, at the same time guaranteeing that there would be no interference with their internal affairs, including their political structure and social and economic systems.

3. Contrary to the provisions of those mutual assistance pacts and other existing treaties, the Soviet Union, without provocation, did in June 1940 invade and take military and political control over Lithuania, Latvia, and Estonia, thus committing an act of unprovoked aggression.

4. Under the protection of the occupying Red army forces, political commissars of the Kremlin (Vishinsky, Dekanozov, and Zhdanov) did dissolve the legal Governments of Estonia, Latvia, and Lithuania and arbitrarily established puppet governments to control the people.

5. A network of political agents of the U.S.S.R. did on July 14, 1940, conduct elaborately staged mock elections in the Baltic States with the support of powerful Red military forces, the results of which were completely assured long before the first ballot was cast. Only one list of candidates, handpicked by the Kremlin representatives, was presented to the voters, and the exercise of the secret ballot was denied.

6. By the process of mock elections the political commissars of the U.S.S.R. did install puppet parliaments in Lithuania, Latvia, and Estonia, which on July 21–22, 1940, adopted a resolution prepared in Moscow, petitioning the Supreme Council of the Soviet Union for recognition as a Soviet republic. This action by the puppet parliaments was in violation of the sovereign will of the Lithuanian, Latvian, and Estonian people and in violation of the legal constitutions of those nations which required a popular referendum on such an issue.

7. The U.S.S.R. has been and is now engaged in a ruthless program of sovietization in Estonia, Latvia, and Lithuania, employing the well-known Communist tactics of arrest and detention without cause, torture chambers, mass deportations to slave-labor camps, population transfers, and wide-scale political murders.

These basic findings, which have never been legitimately contradicted, serve as a grim reminder of the reasons for our noting today the anniversary of the mass deportations of tens of thousands of Baltic peoples in 1940 and 1941.

## Freedom of the Press

EXTENSION OF REMARKS

OF

### HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 11, 1962*

Mr. DENT. Mr. Speaker, I am sure the rules of the House dictate the time allocations and the fact that open and free debate is often impossible. However, only the conscience of the producers limit newspapers, radios, and TV coverage.

One wonders how the many little voices wanting to be heard in their pleas for a better understanding of the other side of the problem can help but feel frustrated and in a way, discriminated against.

During these long months of discussion, the overwhelming tonnage of newsprint and the cubic volumes of preheated air put out over TV and radio waves in favor of this legislation makes opposition to the trade bill one of the world's wonders.

I do not take delight in being put in a position of almost solitary opposition simply because I do not oppose trade legislation, expanded or otherwise. I do oppose the kind of legislation, however, that promotes trade without regard to equity, without reasonable consideration of the economic facts and with practically no regard to history, our own, or any other nation's.

If we think passing this bill will remove foreign trade from the realm of cold, hard commercialism, we are as wrong as we will ever be, and in time—pursuing this course to its ultimate—we will be as dead as the proverbial dodo bird, industrially.

For a while, as chairman of a committee attempting to get the facts on the impact of foreign imports on American employment, I was ready to throw in the sponge.

Invitations to persons who had much to say to the public about the great benefits of our trade proposal were ignored in some cases, and politely refused in others.

However, it soon developed that there were many Americans who felt they should be heard and whose testimony proved to me and to any other person who attended the hearings, that the problem was serious and that the whole story was not being told to all the people.

A few of the news reporters tried to cover the hearings but when they filed their stories, somehow, they never appeared in print.

Right when I was at my lowest point, I ran across something said by that immortal American and great Democrat, Thomas Jefferson. In speaking of the press of his day, he made the following observations:

I deplore the putrid state into which our newspapers have passed, and the malignity, and the mendacious spirit of those who write them * * * these ordures are rapidly depraving the public taste.

After letting off this oversupply of indignation, Jefferson added the following:

It is, however, an evil for which there is no remedy, our liberty depends on the freedom of the press and that cannot be limited without being lost.

How true, and I believe each of us, in our turn, have had occasion to feel as Jefferson must have when he penned his blast at the contemporary press.

However, like most of us in public life, he recognized that in spite of the attitude of some of the press, freedom of the press was and certainly is essential to our way of life.

I doubt if any sensible or sane American would do anything that would, in any way, restrict the freedom of the press.

There is a serious threat, however, to this freedom. It is not a legislative restriction, nor is it in any way a direct curtailment of their freedom.

The danger to the press comes in the form of indirect censorship when a newspaper finds itself financially interested in TV or radio—both of which are licensed, regulated, and supervised by the Government through legislative enactments.

One cannot help but wonder if the press is not doing to itself what it has feared would be done by Congress; namely, a restriction and restraint of the essentials of the fundamental freedom of the press, whether we consider the press

as that media represented by journalism, or we include radio and TV.

Recently, I was invited to appear on what was labeled as a "fair report" on the trade controversy.

The indignation of some of the persons who for hours, and even days, worked to make this TV broadcast a truly representative presentation shows the methods employed and the biased reporting of the subject.

Attached hereto are some of the letters and protests of the principles in what Mr. Gustkey called a fiasco. As I have said so many times, an informed people make few mistakes, but a misinformed people can destroy themselves.

John Stuart Mill once said:

If all mankind, minus one, were of one opinion, and only one person were of the contrary opinion, mankind would be no more justified in silencing that one person, than he, if he had the power, would be justified in silencing mankind.

Mr. Speaker, the rights of an individual cannot be denied without, in turn, denying the rights of all the peoples.

One wonders how long it will be before we finally realize that a man's job is his most valued economic possession.

If an individual is wrong, in most cases, the individual is the victim, but when the leaders are wrong, the whole nation suffers.

In my humble opinion, the added protest of Father John A. O'Brien shows that the charge against the TV chain is not an isolated case but rather it appears to be the rule.

The letters and protests follow:

AMERICAN FLINT GLASS WORKER'S
UNION OF NORTH AMERICA,
*Toledo, Ohio, May 23, 1962.*

*To All Local Union Officers, Executive Board Members, International Representatives.*

DEAR SIR AND BROTHER: Some weeks ago members of the American Flint Glass Workers' Union, officials of the Imperial Glass Co., of Bellaire, Ohio, and others interested in preserving the American handmade glassware industry, devoted several days and many hours cooperating with CBS–TV in an effort to bring to the attention of the American people the adverse effect low-wage imports have had on our industry. We were assured that in return our case would be presented adequately and fairly.

Television camera crews worked in the Imperial Glass Co. for several days. Our members participated in a filmed meeting with Congressman DENT that lasted from early in the evening until well past midnight. In addition, Representative Mangiopane accompanied the TV crew to Cambridge and Newark, Ohio, and Paden City, W. Va., where photographs were taken of 3 of the 19 glass plants that have been shut down in recent years. All of the facts were presented before the television cameras.

Unfortunately for us 99 percent of the story concerning the plight of the American handmade glassware industry and others similarly, adversely affected by imports was left on the cutting-room floor of CBS. Instead of a fair projection of the impact of imports, TV viewers received on May 24 what we believed to be a highly slanted presentation in favor of H.R. 9900.

At a time when the great and fully automated steel industry has resisted legitimate wage increases and is seeking special tax concessions because of low-wage competition from abroad, the American people are being brainwashed into the belief that only a few clarinet manufacturers, bicycle hornmakers and glass workers are affected by low-wage imports.

Our local union officers, members, and glass industry officials in the Ohio Valley, worked hard and presented a fine case concerning the effects of imports. We are sure that if the American people had an opportunity to view the entire story they would have been awakened to the long-range detrimental effects that low-wage competition from abroad will have upon our entire economy.

Present indications are that H.R. 9900 will be passed. Nevertheless, in spite of the great forces arrayed against us, we should all continue to work hard to achieve protective amendments to this piece of legislation that so adversely affects so many of our members.

Sincerely and fraternally,
GEORGE M. PARKER,
*International President.*

---

[From the Martins Ferry (Ohio) Times-Leader, June 4, 1962]

GLASS FIRM PRESIDENT SAYS HE WAS DUPED BY TV PROGRAM

The President of the Imperial Glass Corp., of Bellaire said today that he was duped by the producers of the CBS network television program, "CBS Reports."

In a bitterly worded letter to glassworkers in the Ohio Valley, Carl Gustkey declared he was "misled, hoodwinked, tricked, deluded, deceived and actually lied to" so that he and others would cooperate in the filming of scenes for a program dealing with the proposed Trade Expansion Act now before Congress.

Gustkey offered his "humble, contrite" apologies to the glassworkers and said that he was the "duped-stupe, used tool and Judas' goat" who set up the glass workers as "innocent clay pigeons for a premeditated and planned program to reduce to ashes the arguments of those who oppose the act."

For the convenience of the camera crews, Gustkey and others arranged a protest meeting at the Mellott Memorial Library in Bellaire. During the meeting, which, he said involved considerable effort and expense, CBS cameramen recorded and photographed statements in opposition to the trade legislation.

The meeting lasted for 5 hours and some of the participants were summoned from distant points.

Gustkey said he was assured that the program would be fair but, although the camera crews were busy in Bellaire for more than 7 hours, only a minute part of the scenes taken were used on the air.

He charged that, hundreds were "manipulated and used" in Bellaire.

Gustkey called the program diabolically misleading and said that the Bellaire statements were edited out to weave a pattern of proof in favor of the legislation.

Opponents of the bill were presented on the program, Gustkey charged, as pathetically insignificant in our Nation's economy.

"How could anybody call this program educational or for the public good when it was so slanted and so one-sided?" he asked.

Gustkey said that in an intense effort to help the glass industry he only harmed it.

After a quarter of a century of fighting for the industry, he said, he was unwittingly used against it.

He said he will always regret "to my dying day that I was the prime implement that sucked you in too."

The program included scenes taken at various points in the Nation to reflect sentiment concerning the bill and to show the effect foreign competition is having on U.S. industry.

Strong statements in favor of the bill were made during the program by President Kennedy, former President Eisenhower, former Secretary of State Christian J. Herter and other public figures.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, D.C., June 1, 1962.*

Mr. GENE DE PORIS,
*Producer, "CBS Reports,"*
*New York, N.Y.*

DEAR GENE: I had the doubtful pleasure of witnessing the results of our endeavors on the "CBS Reports" last week. I hesitated to write to you about the matter because it has been said that you can't be hung for what you don't say. However, my deep resentment at the manner in which the subject was presented compels me to at least go on record as being, to say the least, disappointed.

It was not the short period of time allotted to my presentation that disturbed me so much. It was the inhuman and inconsiderate treatment of the glass industry, as such. I speak now especially of the hundreds of workers and their families who sat in a crowded, uncomfortably hot and close room, for hours on end in a sincere and honest effort to present—in their small way—what they thought was to be an appeal to the mass of American TV listeners.

The handling of the commentary by David Schoenbrun was as biased a narration and commentary as I have ever heard in a so-called presentation of facts, and I underscore "facts."

There are some of us who are fighting for what we believe to be the survival of a system, a system we inherited and feel morally obligated to pass on to future generations containing all of the fundamental freedoms, rights, and prerogatives that were handed to us, plus whatever refinements and betterments we are capable and courageous enough to add thereto.

Nobody seems to care about the very simple truth that the facts and figures presented to the public in the press and in the very show in which we participated, are as phony as a $3 bill. We all seem to be prone to overlook the damage, the hurt, and the anguish caused to the peoples of a community when their industry, their jobs, and their community is sacrificed on the altar of expediency in the name of the common good, with the promise that the injury to this group would be made up by added benefits to another group.

Who am I, as a Member of Congress, to place myself in the position of a judge and a jury, condemning one group of workers to relief, Government handouts, divorcement from their selected occupation or trade, and even removal from their homesites, friends, neighbors, and families in order that another worker, who, by the very nature of his industry, and his geographic location, is to be helped to a better way of life at the sacrifice of the condemned.

Who amongst us has the right to say that a glassworker in Bellaire, Ohio, doing the job he knows best, receiving a standard American wage, paying the cost of living, his taxes, his community betterment programs, feeding and clothing his family, willing and able to compete within his own geographic and domestic economy, is to be displaced as a worker in order that an airplane worker in Indiana or Connecticut, or anywhere else, can work at the production of airplanes which, for the moment being noncompetitive worldwide, can be sold in the world market.

The problem goes deeper than that portrayed by the misnamed "CBS Report," entitled "Breaking the Trade Barrier." The problem goes down to the fundamentals of the American way of life, and whether a man, living within this economy, obeying its laws, paying his share in the free enterprise system, competing with his fellow worker, is to be compelled to compete for a livelihood with workers in other countries not governed by the same situation of fundamental laws and principles that he must obey.

I know that defeat in this matter for the point of view that I represent is inevitable, but I can also say—with full confidence—that history in its cold evaluation of the facts, will point to this issue as the one in which the American news media dipped to that low depth commented on by Thomas Jefferson when he made the following remarks: "I deplore the putrid state into which our newspapers have passed, and the malignity, the vulgarity, and the mendacious spirit of those who write them * * * these ordures are rapidly depraving the public taste.

"It is, however, an evil for which there is no remedy: our liberty depends on the freedom of the press and that cannot be limited without being lost."

The sad part of the whole matter is that for approximately 30 years, as a legislative member of the State and Federal Government, I have religiously supported every major issue, strengthening and guaranteeing the freedom, not alone of the press, but of all news media. What Thomas Jefferson did not know is that the very freedom that we have so vigorously guarded for them, even against the known abuse by individuals within the news media, was that the day would come when the major newspapers of this country would place themselves in a position where they would, in fact, create a self-censor, self-restraint, of the very freedoms guaranteed them by our Government, in their interest to protect television and radio income-producing affiliates which happen to be licensed, supervised, and restricted by governmental laws and regulations.

I hold no brief against you for the final presentation of this matter. It is no major damage to me, as an individual, or to any of us who participated, but it is certainly a very serious matter to the millions—and I repeat—millions of Americans already affected adversely, and to the millions more who will be affected adversely by this unwarranted, uneconomic attack upon what we so proudly hail on the Fourth of July as our way of life.

With every kind regard, I am,

Sincerely yours,

JOHN H. DENT,
*Member of Congress.*

---

A DEEP APOLOGY TO IMPERIAL EMPLOYEES AND THEIR FRIENDS

Someone owes abject apologies to everyone who so courteously cooperated, and who so willingly and sincerely participated in the recent, lengthy local filming of a "CBS TV Reports" presentation finally called "Breaking the Trade Barriers," a minute part of which was nationally televised on May 24 at 10–11 p.m., E.D.S.T., and I reckon I'm the one—so I here offer personal, humble, contrite from-the-heart expression of regret to each of you.

More than anyone else in the glass business, it was I who was the "duped-stupe," the "used tool," the Judas' goat and it was I who set up all of you as innocent clay pigeons for deliberate and nigh-deadly destruction in what turned out to be, in my opinion, a premeditated and planned public program to reduce to ashes the arguments of those who oppose the proposed Trade Expansion Act of 1962, now before our Congress.

A running, longhand, personally kept daily diary, almost hour by hour, of the initiation, entire planning, and actual developments of the CBS contacts with me on this matter from New York City and while here in the Bellaire area, indicates to me, that I, we, were mislead, hoodwinked, tricked, deluded, deceived, and actually lied to—and proves to me just how gullible a person or persons can be when a skilled imposture is presented to them.

The TV cameras turned here for a total of well over 7 full hours, the report was going to be "fair," cameras were "covering foreign competition too," the Jamestown Glasshouse "will be filmed and included," participants were called in from afar at great expense, full community and local-area glasshouse cooperation was enlisted, we all fell for and were really worked over at a tiring 5-hour meeting of protest where hundreds were faultlessly manipulated and many used as testators to the point of utter exhaustion, et cetera. To what avail? Only to the advantage of the proponents of H.R. 9900.

In an intense calculated effort to help our industry, I only harmed it. In an attempt to carry out my duty to the proud workers in America's first and oldest industry, I just plain aided and abetted those who have already and would further sell us down the river. Can you dare imagine it? I, of all people in our valiant industry, who has fought continually (if not successfully) for our mutual welfare for over a quarter of a century, being used against it? Well, it is no longer a figure for wildest imagination or conjecture—I was. What an ass.

One never complains of personal or business defeats when brought about by honest, fair, honorable means. But people, all people, have the right to complain, especially in America (or we did have once upon a time), when they are victims of outrageously unfair tactics and of being kicked when they are already down. I was so handled. Our entire industry was so handled. You were so handled. And we have all been so handled for years upon years. Yet we are so small we are not of importance.

I'm deeply sorry, and will always regret to my dying day, that I was the prime implement that sucked you in, too. I shall continue to be an advocate of international fair trade, and a vocal and active adversary of international free trade, as I've so been during my lifetime. How can I be otherwise, after suffering, along with you, these past 28 years, the absolutely unfair and seriously damaging impact of imports on our industry and seeing as clearly as anything can be revealed how H.R. 9900 could completely annihilate the few of our jobs that are left industrywide, and what is left of our investment?

That I was used to harm you bespeaks only of my hill country stupidity. Had it not been for me, our industry would not have been a part of that TV feature. Mine is the blame. There are no words, however, to assuage the situation for my placing you in a position where you inadvertently aided in an insidious campaign to brainwash the American Congress and the people it is supposed to represent, into a further selling out of our economy, planned and directed by the alleged leaders of America, most of whom never have earned a dollar in all their lives in the competitive mart of business or in industrial or commercial employment of self or personal capital earned by the sweat, blood, and tears that inevitably accompanies the personal pursuit of wages and salaries and the production of profits and dividends.

I know exactly how each of you feel. Perhaps I even feel the heartache a little bit more because of the responsibility that I assumed, leading to our participation in what could become for us, a vast contribution toward our own economic oblivion. Everywhere I go I'm greeted with "hello sucker." A supermarket cashier said last Saturday, "Mr. Gustkey, you sure got took on the CBS show Thursday night." If it were I only who had "got took" my heart would be lighter. The establishment took all of us.

Our actual expressed experiences were even edited out of the diabolically misleading show in order to help weave a pattern of proof for Commerce Secretary Hodges' publicly stated callous accusations that we who have every right to oppose H.R. 9900 are but foolish "mental midgets, economic illiterates, and business boobs." Since we were presented as so pathetically insignificant in our Nation's economy, it can be presumed henceforth that we amount to nothing in the eyes of our Congress, and through the deliberate aim of "CBS Reports," and both Eisenhower and Kennedy, the American public will now believe it is completely proper for our Government to continue its nefarious effort to toll out our death knell.

I now conclude this tirade against tyranny—against tyranny in our Government and against tyranny in the public communications system. Hell, how could anybody call this program educational or for the public good when it was so slanted and so one-sided.

It's way past time for our country and Congress to awaken from their apathy toward our beloved Nation's domestic welfare and the economic security of our own citizens. Brethren and "sistern," let us pray.

Yours in utter disgust,

GUSTKEY.

JUNE 1, 1962.

---

THE NATIONWIDE COMMITTEE OF INDUSTRY, AGRICULTURE AND LABOR ON IMPORT-EXPORT POLICY,
*Washington, D.C., May 28, 1962.*

Dr. FRANK STANTON,
*President, Columbia Broadcasting System, New York, N.Y.*

DEAR DR. STANTON: On two occasions at a 2-year interval I have had the pleasure of participating in a radio debate over your system with Mr. Charles P. Taft. I have appreciated the opportunity thus offered to help present to the public the issues on a national question, i.e., the tariff and trade question.

The two occasions were debates and each participant had equal opportunity to set forth his views. Whatever debates may be worth they cannot be questioned on the basis of bias unless the participants were selected in a manner designed to produce concealed bias. This would not likely be the case.

During the past week I witnessed the "CBS Report" that was devoted to the President's trade bill. It showed a glass plant in Bellaire, Ohio, and a few other plants in Indiana, etc., and featured several speakers.

I am sorry to say that the total effect was one of almost complete bias and could well be classified as out-and-out propaganda for the President's proposal.

It is not necessary to say or to imply that this was intentional. It is serious enough to aver that such was the effect.

Perhaps the best analogy would be to say that it was as if a prosecuting attorney in presenting a case to a court were permitted first to make the opening statement, then to select the witnesses without challenge, to lead them, if not by word, then by interpretation, allow no rebuttal, and then to make the closing statement. The witnesses might range in stature from a factory worker to the holders of the highest office in the land (in this case the President and his immediate predecessor), and the latter happily or by coincidence would support the prosecution.

In no court of law would such a procedure be even remotely tolerated. It violates the most rudimentary element of fairness and represents a travesty of equity or just treatment.

Let me add that this program was not the only TV program that is guilty of such a travesty. It is one thing to editorialize in a newspaper, where the news columns presumably give the facts (I say presumably because the shortcoming here is sometimes quite notorious), but something quite different in a TV program when the presentation is all there is.

The TV under circumstances such as those of your May 24 "CBS Report," runs very close to making of itself a mouthpiece of official governmental propaganda in a highly controversial issue.

I presume I should ask for equal time but I do not think this would really reach to the heart of the question.

Meantime, I assure you of my esteem of what I am sure are your high principles and aims.

Sincerely,

O. R. STRACKBEIN,
*Chairman.*

[From the Steubenville (Ohio) Register, May 31, 1962]

FATHER O'BRIEN CHARGES TV SHOW RIGGED, SLANTED

NOTRE DAME, IND.—A priest who was one of three Catholic spokesmen on a nationally televised program dealing with birth control has charged "the whole format of the program was rigged against those who opposed, on moral grounds, the use of artificial contraceptive devices."

Father John A. O'Brien, research professor of theology at the University of Notre Dame, complained in a letter to Frank Stanton, president of the Columbia Broadcasting System, that the May 10 program "CBS Reports: Birth Control and the Law," was "one sided, slanted and biased."

The priest recounted that after he accepted an invitation to appear on the program, he found the procedure "quite unsatisfactory and bewildering."

"I was before the camera for approximately 2 hours in which I answered a great variety of questions about whose formulation I had nothing to say as well as nothing to say in regard to what portions of this material would be used," Father O'Brien detailed.

"My uneasiness and concern over this unusual arrangement were further heightened by the consciousness that the director of the program itself (Eric Sevareid), was an all-out partisan of the opposing side. Can you imagine any court of justice allowing what portions of the testimony of witnesses of the opposing side were to be presented to the jury and what were to be excluded? Yet this was precisely the strange and almost incredible arrangement to which my two colleagues and I were subjected," he continued.

Father O'Brien emphasized in the letter that there "is a hard core of rigorous intellectual reasoning underlying the opposition of the Catholic Church to the use of artificial contraceptive devices, mirroring the ethical conviction held by virtually all Christendom up until the last decade or two, which never came to the surface in the program."

"On the contrary," Father O'Brien continued, "practically every device was used to promote the use of contraceptives and even to render that mandatory in public institutions, and to belittle and disparage the viewpoint of the opposing side."

Father O'Brien pointed out Federal law requires equal time be allocated each side in airing divergent views of the two major political parties and said substantially the same arrangement should be expected in presenting divergent views of two major religious faiths on such a program.

The priest said he has advocated repeatedly for the removal of birth control in politics, "for ending the cold war on this subject and for the working out of an arrangement in connection with public institutions which will respect the constitutional rights of both sides to follow their religious and ethical viewpoints."

"I greatly fear that programs of the one-sided, biased, and rigged character of 'Birth Control and the Law' will not be conducive to the achievement of that desired end," he said.

The Catholic spokesmen with Father O'Brien on the program were Father Dexter L. Hanley, S.J., a professor of the Georgetown University Law School, Washington, D.C., and John Philbin of the Cana Conference in the Chicago archdiocese.

# HOUSE OF REPRESENTATIVES

## TUESDAY, JUNE 12, 1962

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Psalms 86: 7: *In the day of my trouble I will call upon Thee: for Thou wilt answer me.*

Almighty God, grant that the reality and blessedness of Thy companionship and counsel may be with us during these days of stern demands and difficult decisions.

May it be our constant and abiding certainly that Thou wilt help us when we fall and heal us when we fail.

We earnestly beseech Thee that we may sense the pressure and urgency of our high vocation and act without delay in discharging the duties and tasks which await us.

Wilt Thou give wings to our prayers that they may lift us unto the highlands of the spiritual and bring back the blessings we so greatly need, although we know not how to ask for them except with the cry of a broken spirit and contrite heart, which Thou art always ready to hear and answer.

In Christ's name we offer our petition. Amen.

### THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and a joint resolution of the House of the following titles:

On May 24, 1962:

H.R. 10607. An act to amend the Tariff Act of 1930 and certain related laws to provide for the restatement of the tariff classification provisions, and for other purposes.

On May 28, 1962:

H.R. 1372. An act for the relief of Rocco Cambrea;

H.R. 1435. An act for the relief of Jacinto Machado Ormonde;

H.R. 1533. An act for the relief of Lee Kyong Ja;

H.R. 5610. An act for the relief of Pierino Renzo Picchione;

H.R. 7777. An act for the relief of Elisabetta Piccioni;

H.R. 8195. An act for the relief of Ronald L. Mutter; and

H.R. 8515. An act for the relief of James R. Banks.

On May 31, 1962:

H.R. 1349. An act for the relief of Fong Chun Hong;

H.R. 1588. An act for the relief of Fong Kai Dong;

H.R. 1604. An act for the relief of Spencer E. Hewitt;

H.R. 1650. An act for the relief of Irene Kemeny;

H.R. 1697. An act for the relief of Viola Borwick Warbis;

H.R. 1701. An act for the relief of Mrs. Kikue Yamamoto Leghorn and her minor son, Yuichiro Yamamoto Leghorn;

H.R. 1703. An act for the relief of Maximo B. Avila;

H.R. 1918. An act for the relief of John D. Morton;

H.R. 2687. An act for the relief of Miss Helen Fappiano;

H.R. 2838. An act to exempt from taxation certain property of the Army Distaff Foundation;

H.R. 3005. An act for the relief of Sister Mary Aurelia (Chiara Di Gesu);

H.R. 3148. An act for the relief of Maddalena Haas;

H.R. 3696. An act for the relief of Gertrude M. Kaplan;

H.R. 4365. An act for the relief of Sp. 5 Daniel J. Hawthorne, Jr.;

H.R. 4380. An act to quiet title and possession to an unconfirmed and located private land claim in the State of Louisiana;

H.R. 4563. An act for the relief of Abraham Gelb;

H.R. 5686. An act for the relief of Mrs. Willie Mae Brown;

H.R. 5689. An act for the relief of Felicja Saulevicz;

H.R. 6344. An act for the relief of Mon Fred Young;

H.R. 6464. An act for the relief of Cecil D. Rose;

H.R. 6772. An act for the relief of Hendrikus Zoetmulder (Harry Combres);

H.R. 6773. An act to repeal the act of August 14, 1957 (Private Law 85–160);

H.R. 7477. An act to repeal section 409 of the Public Buildings Act of 1949, requiring the submission of a report to the Congress concerning eligible public building projects;

H.R. 7671. An act for the relief of Louanna L. Leis;

H.R. 7752. An act to amend the District of Columbia Alcoholic Beverage Control Act, as amended, and for other purposes;

H.R. 8030. An act to amend the act admitting the State of Washington into the Union in order to authorize the use of funds from the disposition of certain lands for the construction of State charitable, educational, penal, or reformatory institutions;

H.R. 8482. An act for the relief of Paul J. Pericle;

H.R. 8628. An act for the relief of Joseph A. Tedesco;

H.R. 8916. An act to authorize grants for planning and carrying out a project of construction for the expansion and improvement of the facilities of George Washington University Hospital in the District of Columbia;

H.R. 8941. An act to authorize acceptance of the gift made to the United States by the will of Esther Cattrell Schmitt;

H.R. 9060. An act for the relief of Rhea G. Burgess;

H.R. 9097. An act to authorize the Secretary of the Interior to sell certain public lands in Idaho;

H.R. 9188. An act to relieve Theodore A. Anderson from loss of agricultural conservation program benefits;

H.R. 9409. An act for the relief of Mrs. Iris Ann Landrum;

H.R. 9596. An act for the relief of Daniel E. Moore;

H.R. 9597. An act for the relief of James N. Tull;

H.R. 9647. An act to authorize the Secretary of the Interior to enter into an amendatory contract with the Burley Irrigation District, and for other purposes;

H.R 9699. An act to authorize the Commissioners of the District of Columbia to sell certain property owned by the District of Columbia located in Prince William County, Va., and for other purposes;