United States Code, sections 3283, 3284, 3285, 3286, 3287, 3288, and 3290:

Damian, Kenneth J.
Davis, Charles T.
Hubbard, Richard B., III, [redacted]
Lightfoot, Donald R.
Powell, Fredrick C.

The following-named distinguished military students for appointment in the Regular Army of the United States in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, and 3288:

Abate, Claude W.
Allen, Richard S., Jr.
Baker, Robert F., [redacted]
Baker, Ronald W.
Bartlett, LeRoy, III
Beall, Raymond F., [redacted]
Blouin, James O., Jr.
Bolen, William S.
Bujakowski, Thomas E., [redacted]
Byrnes, James B., [redacted]
Cannan, Patrick F., [redacted]
Carter, Edward E.
Eager, Benjamin F., III
Edwards, Don R., [redacted]
Engen, Alan K.
Falcone, John P., Jr.
Fernandes, Alfredo J., Jr.
Freeman, Donald W.
Friedberg, Richard S.
Gaston, Joseph R., [redacted]
Grochowski, Gerald A.
Gustafson, Jan A., [redacted]
Hadaway, Bobby G., [redacted]
Hammett, Grady E.
Harris, Dalrymple M., Jr.
Hayes, William H., Jr.
Hunter, Dean H.
Irving, Robert J.
Johnson, Andrew J.
Kemp, James C., Jr.
Kish, Ernest S., [redacted]
Mann, Carl A.
McClure, William M.
McGill, Brian J.
Mitchell, Craig K., [redacted]
Moentmann, Werner A., [redacted]
Newman, Ned, [redacted]
Olsen, Gary A.
Ortiz, Luis
Osborne, John W.
Overcash, James R., Jr.
Owen, Charles S.
Parlow, Robert J.
Pastor, John D., Jr.
Prusinovski, Louis H.
Ramey, Arthur
Read, Donald B.
Reilly, William F., Jr., [redacted]
Rodimon, Stanley J., [redacted]
Sausker, William F.
Shaffer, Richard G.
Shimabukuro, Stanley S., [redacted]
Swearengen, Mark A.
Tann, Richard A.
Taylor, Gary L., [redacted]
Towne, Thomas J.
Wainscott, George T.
Waldrip, Emory L., II
Willson, Loyd M., [redacted]
Winn, Robert B.
Wolfkill, Harry H., [redacted]
Yoshina, Lloyd H., [redacted]

* These above appointments were made during the recess of the Senate.

SENATE

WEDNESDAY, JANUARY 16, 1963

(Legislative day of Tuesday, January 15, 1963)

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

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

O Thou whose throne is justice and truth: Frail creatures of dust, yet stamped with Thine image, serving out our brief span on the world's vast stage, we would set our little lives in the midst of Thine eternity.

As those to whom has been committed the stewardship of the fair and firm fabric of the Nation's life, grant us now, in a violent world, in these grim days of decision, a saving experience of inner quiet and serenity.

Knowing that all truth is Thine, that it is only truth that makes men free, and that all fetters of the mind and spirit and body, as they desecrate human dignity, are an offense to Thee, strengthen our will, we beseech Thee, never to be browbeaten by threatening evil, or to surrender to craven fear; that having done all for a just peace, to stand steadfastly where honor and duty draw the line from which there can be no retreat without our being recreant to Thy solemn trust, and thus failing both man and Thee.

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

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, January 15, 1963, was dispensed with.

MORNING HOUR DISPENSED WITH

Mr. MANSFIELD. Mr. President, in compliance with the request of the distinguished senior Senator from New York [Mr. JAVITS], at this moment I shall not request that there be a morning hour.

CORRECTION OF SENATE RESOLUTION 244, 87TH CONGRESS, 2D SESSION

Mr. MANSFIELD. Mr. President, I call the attention of the Senate to the fact that at this time I wish to offer a Senate resolution, so that a correction of a resolution can be made.

As the result of a printing error, Senate Resolution 244, which was agreed to by the Senate on February 7, 1962, contains the erroneous expiration date of January 1, 1963. From the Rules Committee report on this resolution, it is quite obvious that it was intended that this subcommittee be authorized for a full year ending on January 31, 1963.

Mr. President, I assure all Senators that their rights will be safeguarded; and at this time, in order that the RECORD may be corrected, I should like to offer an amending resolution and request its immediate consideration.

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

Mr. MANSFIELD. I yield.

Mr. RUSSELL. What is the effect of the resolution changing the date?

Mr. MANSFIELD. The usual date is January 31—in other words, for a full year. But, through error, the expiration date of the subcommittee was made January 1. The subcommittee is still operating; and if some action of this sort is not taken, the pay of the employees will be in jeopardy.

Mr. RUSSELL. To what subcommittee does the resolution refer?

Mr. MANSFIELD. To the Subcommittee on Banking.

Mr. RUSSELL. The Subcommittee on Banking?

Mr. MANSFIELD. Yes.

Mr. RUSSELL. Is the subcommittee functioning?

Mr. MANSFIELD. Yes; on a tentative basis, until this error is corrected.

Of course the resolution would be offered with the proviso that the status quo would be maintained and that the rights of any Senator would not be impinged upon in the slightest.

Mr. RUSSELL. Well, Mr. President, inasmuch as the Senate is a continuing body, I think the employees should be paid. [Laughter.]

Mr. MANSFIELD. Mr. President, I send the resolution to the desk, and request its immediate consideration.

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

The resolution will be read.

The resolution (S. Res. 43) was read, as follows:

Resolved, That section 2 of Senate Resolution 244, agreed to February 7, 1962, is hereby amended by striking out "January 1, 1963" where it appears therein and inserting in lieu thereof "January 31, 1963".

The PRESIDENT pro tempore. The question is on agreeing to the resolution.

Without objection, the resolution is agreed to.

CALL OF THE ROLL

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

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the proceedings under the quorum call may be dispensed with.

Mr. RUSSELL. Mr. President, I object.

The PRESIDENT pro tempore. Objection is heard. The clerk will continue to call the roll.

The Chief Clerk continued and concluded the rollcall, and the following Senators answered to their names:

[No. 4 Leg.]

Aiken	Hartke	Morse
Anderson	Hayden	Morton
Bartlett	Hickenlooper	Moss
Bayh	Hill	Mundt
Beall	Holland	Muskie
Bennett	Hruska	Nelson
Boggs	Humphrey	Neuberger
Brewster	Inouye	Pastore
Byrd, W. Va.	Jackson	Pearson
Carlson	Javits	Pell
Case	Johnston	Prouty
Church	Jordan, Idaho	Randolph
Clark	Keating	Ribicoff
Cooper	Kennedy	Robertson
Cotton	Kuchel	Russell
Curtis	Lausche	Saltonstall
Dirksen	Long, Mo.	Scott
Dodd	Long, La.	Simpson
Dominick	Magnuson	Smathers
Douglas	Mansfield	Smith
Eastland	McCarthy	Sparkman
Edmondson	McClellan	Stennis
Engle	McGee	Talmadge
Ervin	McGovern	Thurmond
Fong	McIntyre	Williams, N.J.
Fulbright	McNamara	Williams, Del.
Goldwater	Mechem	Yarborough
Gruening	Miller	Young, N. Dak.
Hart	Monroney	Young, Ohio

Mr. HUMPHREY. I announce that the Senator from Nevada [Mr. BIBLE], the Senator from North Dakota [Mr. BURDICK], the Senator from Nevada [Mr. CANNON], the Senator from Louisiana [Mr. ELLENDER], the Senator from Tennessee [Mr. GORE], the Senator from North Carolina [Mr. JORDAN], the Sena-

tor from Tennessee [Mr. KEFAUVER], the Senator from Wisconsin [Mr. PROXMIRE], the Senator from Missouri [Mr. SYMINGTON], and the Senator from Montana [Mr. METCALF] are absent on official business.

I further announce that the Senator from Virginia [Mr. BYRD] is necessarily absent.

Mr. DIRKSEN. I announce that the Senator from Colorado [Mr. ALLOTT] and the Senator from Texas [Mr. TOWER] are necessarily absent.

The PRESIDENT pro tempore. A quorum is present.

TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent for a morning hour for the introduction of bills and the transaction of routine business.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MANSFIELD. I ask unanimous consent to limit statements to 3 minutes in connection therewith.

Mr. CLARK. Mr. President, reserving the right to object——

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

Mr. CLARK. I yield to my friend from New York.

Mr. MANSFIELD. I yield.

Mr. JAVITS. I do not find in the unanimous-consent request the same caveat which the majority leader inserted into his request for action on the resolution on which we acted before; that it be without prejudice to the rights of all Members in this current issue before the Senate.

Mr. MANSFIELD. I make that request.

Mr. RUSSELL. Mr. President, reserving the right to object, I think we are getting down to the point of being almost childish. We go ahead and introduce bills and resolutions and consider them. We just passed a resolution in the Senate. Then Senators come in, during the morning hour, and desire assurances that are not at all necessary.

I do not know exactly what the Senators who are pressing this gag rule have in mind. They have conformed to every rule of the Senate, if there were anything to that, except those to which they object. This cannot affect the constitutional issue, unless it does in the mind of some Senator. It does not have to affect his vote.

I shall not object this morning, but I serve notice that beginning tomorrow morning I shall object to this addendum, which, in my opinion, is absolutely without any meaning at all and cannot serve any useful purpose. It cannot hurt the sponsors of the gag rule. It cannot help those who are fighting the gag rule.

This morning I shall not object, but tomorrow I shall object.

Mr. CLARK. Mr. President, will the Senator yield to me so that I might answer the question of the Senator from Georgia?

Mr. MANSFIELD. I yield to the Senator from Pennsylvania.

Mr. RUSSELL. Mr. President, I did not ask any question. I merely made a statement.

Mr. CLARK. Mr. President, those of us who believe in bringing democracy to the Senate, and who are thoroughly opposed to the incorrect kind of gag rule which now dominates this body, in this procedural matter are interested only in establishing that when the Senate has a morning hour, which is the conduct of business, we shall not later be charged with having waived our rights to have the Senate adopt new rules at the beginning of the session of the Senate.

As I understood the statement by the majority leader—who will correct me if I am mistaken—the assurance he just gave to the Senator from New York will protect us, in that, in effect, it means that there will be unanimous consent that when the Senate has a morning hour this shall not later be urged against us as the conduct of business which would waive our right, which we believe we have under the Constitution, to adopt new rules at the opening of a new Congress.

Mr. MANSFIELD. That is my understanding.

Mr. JAVITS. Mr. President, will the Senator yield further in connection with this unanimous-consent request?

Mr. MANSFIELD. I yield.

Mr. JAVITS. I think it would be a little anomalous if we were to accept the constitutional law advice of the Senator from Georgia, who would hardly accept ours; so, Mr. President, I propose, as one Senator, to proceed to protect these rights as we see them in respect to the action of the Senate. If that means no morning hour, then let the responsibility rest with those who object to a morning hour upon those conditions. We are not trying to inconvenience the Senate, but we will not jeopardize a substantive right.

May I ask the majority leader what are his plans in respect to this debate? Obviously, the lineaments of a filibuster are clear. I have been here long enough to recognize them. So have other Senators. Are we to have sessions from 12 until 6, in a nice, comfortable, convenient way? Are we to lengthen the sessions? What is the plan of the majority leader with respect to the effort to bring these matters to some kind of a vote; which is, after all, our great responsibility?

Mr. MANSFIELD. I wish to say, in response to the question raised by the Senator from New York, that so far as the majority leader is concerned, he intends to have the Senate come in at 12 o'clock for the time being, and to meet until 5 or 6 or 7 o'clock. I, of course, shall consult with the distinguished minority leader as events develop as to what we shall proceed to do, but I certainly do not look forward to all-night sessions. We have not had them for the past 2 years. We have a responsibility—a joint responsibility, I may say to my friend from Illinois [Mr. DIRKSEN] to consider the health of the Members of this body and to try to operate in a manner which will bring decorum and dignity to the Senate.

Mr. JAVITS. Mr. President, will the Senator yield further?

Mr. MANSFIELD. I yield.

Mr. JAVITS. I do not hold to the proposition that all-night sessions or exhausting or long sessions will break a filibuster. I do not believe they will. I thoroughly agree with the majority leader on that score.

Mr. MANSFIELD. I am happy.

Mr. JAVITS. I concur with the Senator completely.

I make only this point: There is a limit of time, in all decency, within which this matter should be debated. The only thing about which I wish to be solicitous is that Senators can then not rise to say, "Well, X days is not enough, because we have not been able to expose our position adequately. We need Y days."

So I implore the majority leader and minority leader to consider that question of a decent and proper time, in the interest of respect for the Senate and respect for the country, during which positions may be exposed; without at the same time having any illusions—and I have none—that filibusters can be broken by round-the-clock sessions, exhausting people, or wearing them, or anything like that.

Mr. DIRKSEN. Mr. President, who has the floor?

Mr. MANSFIELD. I yield to the Senator from Illinois.

Mr. DIRKSEN. I discussed informally with the distinguished Senator from New York the possibility of some kind of precipitate action, if necessary, after this subject had engrossed the attention of the Senate for about a week. That would come as of next Monday. I will accept my full responsibility in the matter, in the hope of expediting the action of the Senate.

I noted from the ticker tape that our distinguished friend from Georgia—and it is entirely proper and reasonable—stated that there can be no organizing or naming of committees until the matter now before the Senate is disposed of. If that is incorrect, then I am wrong as to what I saw on the ticker tape. But organizing the committees to go forward with work is the most important thing before us. So I will join with the majority leader, or will assume it on my own responsibility, early next week, even if a motion to table is required in order to get action.

I shall not shirk that duty, because I think the RECORD is clear as to how I feel about these questions. I am against all proposals of this kind. I am quite willing to go back or to take the existing rules.

At some time I shall occupy about 20 minutes of the Senate's time to make a little speech on the subject. Then I shall be ready with any kind of motion that will bring the question to a head.

With that understanding, I think the Senate can look for some kind of action next week. If we are to get something done, and if the administration wants a tax bill passed by the 1st of July, we must hurry in order to consummate action on a bill of such dimensions. We cannot spend too much time discussing the rules.

This subject has been under discussion for a long time. I have had a part in it for some time. I think I know my mind. I think a week would be sufficient.

Mr. JAVITS. Mr. President, will the Senator yield so that I may make a comment on what the Senator from Illinois has said?

Mr. MANSFIELD. I yield to the Senator from New York.

Mr. JAVITS. I compliment the minority leader for dispensing a little light into a murky sky. I think a week is a respectable, reasonable, and responsible time in which to elucidate the points of view which have been debated time and time again. True, the discussion is under new circumstances and in a different world, but still the same basic principle is involved. I am delighted to join the Senator from Illinois, and concur fully in what he has said.

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

Mr. MANSFIELD. I yield.

Mr. RUSSELL. I am not at all frightened by the hobgoblin painted by the Senator from New York with respect to our responsibilities. I have been aware of my responsibilities for a long time. I have never sought to run from them or shirk them. I am perfectly willing to assume my responsibility for any action of mine in the Senate. If I later find that I am in error, I hope I shall have manhood enough to stand up and apologize. But when we meet on the basis of the fiction that the Senate is not in session, when we have been meeting and proceeding under the rules of the Senate, I shall assume responsibility, whatever it may entail, for objecting to the fiction that by using certain words we can change the Constitution of the United States and its effect on the Senate in proceeding with matters of this nature.

I am not concerned about the hours of the sessions. In times gone by I have stood on the floor of the Senate for many hours. While I am not quite as young as I once was, I think I can remain in the Chamber about as many hours as the Senate may be in session.

With reference to the statement by the distinguished Senator from Illinois about the report that the Senator from Georgia would block organization of the Senate, the Senator knows I have no such power. I was asked by some members of the press as to my position with respect to laying the pending business aside and taking up some other business, such as the organization of the Senate. I stated that, so far as unanimous consent was concerned, I would not grant unanimous consent to laying aside this matter, until it was disposed of, for any other business. I think we should get it out of the way before we proceed to any other business, whether it requires discussion into next week, the week following, or next April.

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

Mr. MANSFIELD. I yield.

Mr. DIRKSEN. I have not the slightest quarrel with the Senator from Georgia. If I were in the same position as he is, I would probably do the same thing. I do not quarrel with him.

Mr. RUSSELL. I thank the Senator. I did not say he had. I merely said there would be no unanimous-consent agreement to lay this business aside temporarily; and that it would be necessary to displace it in order to organize the Senate and establish committee ratios.

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

Mr. MANSFIELD. I yield.

Mr. DIRKSEN. In regard to round-the-clock sessions—and I speak only for myself—I am opposed to round-the-clock sessions if they can be avoided. We know what happened to the very distinguished Senator from Oklahoma, Mr. Kerr, who, while narrating a story to his doctor while on the edge of his bed, fell to the floor and was gone. I was in Chicago yesterday, talking with a hotel manager, a friend of mine. An hour later he fell to the floor and was gone.

I think the leadership has some responsibility for protecting the health of Senators in this day and age. I do not like to have it said that the Senate is a Chamber of walking coronaries. It may be so; nevertheless, we have a duty to protect their health. I would certainly oppose long sessions, because I do not like the idea of the new bell system operating in my office and sounding like a big Pennsylvania engine coming through the office at 2 o'clock in the morning. I do not think that is conducive to the health, perception, acuity, and other physical capability of Senators to do their work in the public interest.

Mr. SCOTT. Mr. President, the Senator from Illinois mentioned my name——

Mr. DIRKSEN. Did I mention the Senator by name?

Mr. SCOTT. I think there are two Pennsylvania engines in the Senate.

Mr. MANSFIELD. Modern ones, too.

Mr. SCOTT. Mr. President, I rise to inquire what the parliamentary situation is. Is the Senate in the morning hour, or is it about to go into it?

Mr. MANSFIELD. As I understand the situation—and the Chair will correct me if I am wrong—unanimous consent has been granted for a morning hour for the introduction of bills and the transaction of routine business. I am unaware, however, what the situation is as to the request that statements made in connection therewith be limited to 3 minutes.

The PRESIDENT pro tempore. Is there objection to the request? Without objection, it is so ordered.

Mr. SCOTT. Mr. President, will the Senator permit me to introduce two bills?

Mr. CLARK. Mr. President, will the Senator yield to me, first?

Mr. MANSFIELD. I yield.

Mr. CLARK. I hope the minority leader, in his announced determination to file some motion to get the "show on the road" next week, will bear in mind what seems to me to be a desirable objective, namely, that each Senator who desires to speak upon the pending business should have an opportunity to speak before tabling motions to cut off debate are made or granted. I feel quite strongly, with the Senator from Georgia, that it would be quite unwise to attempt to organize the Senate until such time as the pending business has been disposed of. I hope also to make about a 20-minute speech upon this subject. I think every other Senator should have such an opportunity, and perhaps a longer opportunity, before an effort is made to cut off debate, because I am not in favor of gag rule.

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

Mr. MANSFIELD. I yield.

Mr. DIRKSEN. We can quickly ascertain which Senators desire to be heard on this subject, and for how long.

Mr. CLARK. That is a very sensible suggestion.

Mr. RUSSELL. I am surprised to hear the remarks of my distinguished friend from Pennsylvania. I recall that when the Senate debated the communications satellite bill, the Senator from Pennsylvania participated vigorously in opposition to the bill, and then voted in favor of gagging himself by voting for the cloture petition. He has shown his fidelity to the theory of voting to terminate debate regardless of whether all Senators who wish to speak on a subject have had the opportunity to speak as long as they desire.

Mr. CLARK. I did not engage in that filibuster, although I thought of doing so. I want the record to be clear on that point.

Mr. RUSSELL. Any time a Senator from the South objects to dispensing with the reading of the Journal, within 3 minutes the headlines shout, "A filibuster is raging in the Senate."

Of course, if the Senator from Pennsylvania objects, he is performing an act of great statesmanship.

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

Mr. MANSFIELD. I yield.

Mr. ERVIN. Did I correctly understand that inquiry was made as to what Senators wish to speak on the motion? I wish to be on record as saying that I would like to speak long enough to present my point of view.

The PRESIDENT pro tempore. The Senate is operating under the 3-minute limitation. The time of the Senator from Montana has expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from North Carolina may proceed for 1 additional minute.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the Senator may proceed.

Mr. ERVIN. I wish an opportunity to present the point of view that gagging the free representatives of free States in the Senate of the United States is not democracy, as characterized by the Senator from Pennsylvania [Mr. CLARK], but is, in my judgment, the height, the depth, and the breadth of autocracy at its worst.

Mr. SALTONSTALL. Mr. President, I hope the suggestion of the minority leader, which was agreed to, I believe, by the junior Senator from Pennsylvania, that the majority leader and the minority leader ascertain which Members of the Senate wish to speak on the motion, and for how long they wish to

speak, will be carried out. In that way we will have a better idea as to how long the daily sessions should be, and which Senators wish to speak on the subject. I hope the suggestion will not be dropped, but that some action will be taken on it.

Mr. MANSFIELD. The Senator makes an excellent suggestion.

Mr. President, I ask unanimous consent that the status of the so-called Humphrey resolution, which has gone over under the rule, be maintained without change.

Mr. RUSSELL. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. RUSSELL. I thought that resolution was offered as a substitute for the so-called Anderson resolution. Under the rule, that is taken care of by itself.

The PRESIDENT pro tempore. The status quo is automatically maintained.

Mr. RUSSELL. Yes; in connection with the other resolution.

While I am on my feet, let me observe that I am sorely disappointed to hear the distinguished minority leader and the distinguished Senator from Pennsylvania [Mr. CLARK] say that they would like to speak only for about 20 minutes on the subject under discussion. This issue is of such vital importance that I do not believe men who occupy the important positions which they occupy can possibly express their views on this subject in 20 minutes. I hope they will elucidate their views for a much greater length of time, so that the country may have the benefit of their counsel.

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

Mr. MANSFIELD. I have exhausted all my time under the 3-minute limitation. The Senate is now in the morning hour.

Mr. HOLLAND. I understood the Senator from Montana to propound a unanimous-consent request.

Mr. MANSFIELD. I did. It was granted. It was to maintain the status of the so-called Humphrey resolution, which has gone over under the rule; and I asked that its status be maintained without change. I understand that it is maintained automatically, and that the request is agreed to.

Mr. HOLLAND. Was the request to permit other business to be taken up without setting aside what is now the business of the Senate?

Mr. MANSFIELD. No; it was not.

Mr. HOLLAND. I thank the Senator.

EXECUTIVE COMMUNICATIONS, ETC.

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

REPORT ON PUERTO RICAN HURRICANE RELIEF LOANS

A letter from the Secretary of Agriculture, reporting, pursuant to law, on Puerto Rican hurricane relief loans; to the Committee on Agriculture and Forestry.

DISCHARGE OF CERTAIN MINORS IN THE NAVAL SERVICE OR THE COAST GUARD

A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to provide for the discharge of minors who enlist in the naval service or the Coast Guard without consent of parents or guardian (with an accompanying paper); to the Committee on Armed Services.

REPORT OF FEDERAL POWER COMMISSION

A letter from the Chairman, Federal Power Commission, Washington, D.C., transmitting, pursuant to law, a report of that Commission, for the fiscal year ended June 30, 1962 (with an accompanying report); to the Committee on Commerce.

AUTHORITY FOR PERFORMANCE OF CERTAIN FUNCTIONS OF FEDERAL AVIATION AGENCY

A letter from the Administrator, Federal Aviation Agency, Washington, D.C., transmitting a draft of proposed legislation to provide basic authority for the performance of certain functions and activities of the Federal Aviation Agency, and for other purposes (with an accompanying paper); to the Committee on Commerce.

OPERATION OF CERTAIN CONCESSIONS AT WASHINGTON NATIONAL AIRPORT

A letter from the Administrator, Federal Aviation Agency, Washington, D.C., transmitting a draft of proposed legislation to amend the act of October 9, 1940 (54 Stat. 1030, 1039), in order to increase the periods for which agreements for the operation of certain concessions may be granted at the Washington National Airport, and for other purposes (with an accompanying paper); to the Committee on Commerce.

AMENDMENT OF CERTAIN CRIMINAL LAWS APPLICABLE TO THE DISTRICT OF COLUMBIA

A letter from the Attorney General, transmitting a draft of proposed legislation to amend certain criminal laws applicable to the District of Columbia, and for other purposes (with accompanying papers); to the Committee on the District of Columbia.

NOMINATION FOR REAPPOINTMENT AS MEMBER OF THE DISTRICT OF COLUMBIA REDEVELOPMENT LAND AGENCY

A letter from the Commissioners of the District of Columbia, nominating, pursuant to law, Richard R. Atkinson for reappointment as a member of the District of Columbia Redevelopment Land Agency (with accompanying papers); to the Committee on the District of Columbia.

PAYMENT OF CLAIM MADE BY THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

A letter from the Under Secretary of the Navy, transmitting a draft of proposed legislation to authorize payment of a claim made by the Government of the United Kingdom of Great Britain and Northern Ireland (with an accompanying paper); to the Committee on Foreign Relations.

FEDERAL WIRE INTERCEPTION ACT

A letter from the Attorney General, transmitting a draft of proposed legislation to prohibit wiretapping by persons other than duly authorized law enforcement officers engaged in the investigation or prevention of specified categories of criminal offenses, and for other purposes (with accompanying papers); to the Committee on the Judiciary.

REPEAL OF SUBSECTION (d), SECTION 2388, TITLE 18, UNITED STATES CODE

A letter from the Attorney General, transmitting a draft of proposed legislation to repeal subsection (d) of section 2388 of title 18 of the United States Code (with an accompanying paper); to the Committee on the Judiciary.

AMENDMENT OF SECTION 3238, TITLE 18, UNITED STATES CODE

A letter from the Attorney General, transmitting a draft of proposed legislation to amend section 3238 of title 18, United States Code (with an accompanying paper); to the Committee on the Judiciary.

REPORTS ON CERTAIN POSITIONS IN GRADES GS–16, GS–17, AND GS–18

A letter from the Chairman, Railroad Retirement Board, Chicago, Ill., transmitting, pursuant to law, a report of that Board on positions in grades GS–16, GS–17, and GS–18, for the calendar year 1962 (with an accompanying report); to the Committee on Post Office and Civil Service.

A letter from the Chairman, U.S. Civil Service Commission, transmitting, pursuant to law, a report covering a Civil Service Commission position in grade GS–18 which has been established in addition to the number of positions otherwise authorized by law to be placed in such grade (with an accompanying report); to the Committee on Post Office and Civil Service.

RESOLUTION OF NEW JERSEY STATE SENATE

The PRESIDENT pro tempore laid before the Senate a resolution of the Senate of the State of New Jersey, which was referred to the Committee on the Judiciary, as follows:

Whereas four of the children of Mrs. William Tiu are particularly talented and have been appearing on television programs and have been otherwise active in the amusement field and appear to be entitled to special consideration in gaining U.S. citizenship; and

Whereas Mrs. Tiu has two other children born in this country; and

Whereas it appears necessary that the Congress enact a law granting such citizenship; and

Whereas New Jersey is especially interested in the matter and in obtaining this result: Now, therefore, be it

Resolved by the Senate of the State of New Jersey:

1. The Congress of the United States is hereby memorialized to enact a law granting citizenship to Mrs. William Tiu and her children.

2. The secretary of the senate is directed to transmit a copy of this resolution to the Vice President of the United States, the Speaker of the House of Representatives, and to the Senators and Representatives of this State in the Congress.

3. This resolution shall take effect immediately.

NOMINATION OF JOHN GREEN FOR COLLECTOR OF CUSTOMS—MEMORIAL

As in executive session, the President pro tempore laid before the Senate a telegram in the nature of a memorial, signed by J. W. Rajazuori, of Duluth, Minn., remonstrating against the confirmation of the nomination of John Green for collector of customs, which was referred to the Committee on Finance.

STUDY OF INTERGOVERNMENTAL RELATIONSHIPS BETWEEN THE UNITED STATES AND THE STATES AND MUNICIPALITIES—REPORT OF A COMMITTEE

Mr. MUSKIE, from the Committee on Government Operations, reported an original resolution (S. Res. 45); which was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on Government Operations, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative

Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by subsection 1(g)(2)(D) of rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of intergovernmental relationships between the United States and the States and municipalities, including an evaluation of studies, reports, and recommendations made thereon and submitted to the Congress by the Advisory Commission on Intergovernmental Relations pursuant to the provisions of Public Law 86-380, approved by the President on September 24, 1959.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1963, to January 31, 1964, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1964.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $115,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

BILLS INTRODUCED

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

By Mr. BEALL (for himself, Mr. BREWSTER, Mr. ROBERTSON, and Mr. WILLIAMS of New Jersey):

S. 250. A bill to provide for the control and progressive eradication of certain aquatic plants in the States of Maryland, Virginia, New Jersey, and Tennessee; to the Committee on Agriculture and Forestry.

By Mr. PASTORE:

S. 251. A bill to suspend for the 1964 campaign the equal opportunity requirements of section 315 of the Communications Act of 1934 for nominees for the offices of President and Vice President; and

S. 252. A bill to provide that section 315 of the Communications Act of 1934 shall not apply to candidates for the offices of President and Vice President of the United States, U.S. Senator and Representative, and Governor of any State; to the Committee on Commerce.

By Mr. PASTORE (for himself, Mr. MAGNUSON, and Mr. KEFAUVER):

S. 253. A bill to amend the Communications Act of 1934, as amended, relative to merger of domestic telegraph carriers; to the Committee on Commerce.

By Mr. HAYDEN (for himself and Mr. COOPER):

S. 254. A bill to provide for the acquisition of certain property in square 758 in the District of Columbia, as an addition to the grounds of the U.S. Supreme Court Building; to the Committee on Public Works.

By Mr. KEATING:

S. 255. A bill to amend section 4 of the act of July 6, 1945, as amended, so as to provide for payment of overtime compensation to substitute employees in the postal field service; to the Committee on Post Office and Civil Service.

By Mr. BOGGS:

S. 256. A bill to grant credit in the filling of certain positions in the postal field service to persons who have served in such positions under temporary appointments; to the Committee on Post Office and Civil Service.

By Mr. CARLSON:

S. 257. A bill for the relief of Mrs. Anna Sanford; to the Committee on the Judiciary.

By Mr. SCOTT:

S. 258. A bill to amend title II of the Social Security Act to increase to $2,400 the annual amount individuals are permitted to earn without suffering deductions from the monthly insurance benefits payable to them under such title; and

S. 259. A bill to amend the Internal Revenue Code of 1954 so as to allow a deduction for certain amounts paid by a taxpayer for tuition and fees in providing a higher education for himself, his spouse, and his dependents; to the Committee on Finance.

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

By Mr. YARBOROUGH:

S. 260. A bill to authorize the construction, maintenance, and operation of certain toll bridges across the Rio Grande; to the Committee on Foreign Relations.

S. 261. A bill to authorize the conveyance of certain lands in Harris County, Tex., to the State of Texas or the county of Harris; to the Committee on Government Operations.

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

By Mr. INOUYE:

S. 262. A bill to provide for a study and investigation of the desirability and feasibility of establishing and maintaining a National Tropical Botanic Garden;

S. 263. A bill to authorize the Secretary of Agriculture to make real estate mortgage loans on leased lands in Hawaii; and

S. 264. A bill to establish Federal agricultural services to Guam, and for other purposes; to the Committee on Agriculture and Forestry.

S. 265. A bill to authorize an investigation relating to the restoration and preservation of certain cultural and historical artifacts of the Ryukyuan people; to the Committee on Armed Services.

S. 266. A bill to increase the amount authorized to be appropriated annually to carry out the program for the conservation and restoration of the Hawaiian Nene goose, and to extend such program for an additional 5 years; to the Committee on Commerce.

S. 267. A bill to amend title 3 of the Sugar Act of 1948 to provide for the establishment of fair and reasonable minimum wage rates for workers employed on sugar farms, and for other purposes; and

S. 268. A bill to amend the Internal Revenue Code to allow gas tax refunds due for gasoline used by aerial applicators serving farmers to be refunded to the aerial applicators providing such service to farmers; to the Committee on Finance.

S. 269. A bill to provide that the Secretary of State shall investigate and report to the Congress as to the feasibility of establishing a Pacific International House on Sand Island, Hawaii; and

S. 270. A bill to authorize a contribution to the government of the Ryukyu Islands for the purpose of providing compensation for use of private property and damage to persons and property arising from acts of the U.S. forces before the entry into force of the Japanese Peace Treaty; to the Committee on Foreign Relations.

S. 271. A bill to provide cost-of-living allowances to judicial employees stationed outside the continental United States or in Alaska and Hawaii; and

S. 272. A bill to adjust the retirement benefits of certain retired district judges for the district of Hawaii; to the Committee on the Judiciary.

S. 273. A bill to provide a method of regulating and fixing wage rates for ungraded employees in the State of Hawaii;

S. 274. A bill to amend section 601 of title 38, United States Code, to restore to certain veterans in Alaska or Hawaii the right to receive hospital care; and

S. 275. A bill to amend the National Defense Education Act of 1958 to make certain benefits under that act available to teachers in nonpublic elementary and secondary schools; to the Committee on Labor and Public Welfare.

S. 276. A bill to amend section 131 of title 23 of the United States Code relating to industrial and commercial plans; to the Committee on Public Works.

By Mr. FULBRIGHT:

S. 277. A bill to amend the Federal Crop Insurance Act, as amended, in order to increase the number of new counties in which crop insurance may be offered each year; to the Committee on Agriculture and Forestry.

S. 278. A bill to amend the Internal Revenue Code of 1954 so as to allow a taxpayer to deduct certain expenses incurred by him in obtaining a higher education; and

S. 279. A bill to allow additional income tax exemptions for a taxpayer or a spouse, or a dependent child under 23 years of age, who is a full-time student at an educational insituation above the secondary level; to the Committee on Finance.

By Mr. FULBRIGHT (for himself and Mr. MCCLELLAN):

S. 280. A bill for the relief of Etsuko Matsuo McClellan; to the Committee on the Judiciary.

By Mr. JAVITS (for himself and Mr. KEATING):

S. 281. A bill to amend the Administrative Procedure Act to provide for the disclosure of certain communications received by Government agencies from Members of Congress with respect to adjudicatory matters, and for other purposes; to the Committee on the Judiciary.

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

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

S. 282. A bill to provide that the Alaska Railroad shall be subject to the provisions of certain Federal laws relating to safety in railroad transportation; to the Committee on Commerce.

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

By Mr. MOSS (for himself, Mr. MCGEE, Mr. BIBLE, Mr. KUCHEL, Mr. ENGLE, Mr. FONG, Mr. BENNETT, Mr. BURDICK, Mr. CHURCH, and Mr. ALLOTT):

S. 283. A bill to amend the Small Reclamation Projects Act of 1956; to the Committee on Interior and Insular Affairs.

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

By Mr. KEATING:

S. 284. A bill for the relief of Ethel R. Loop, the widow of Carl R. Loop; to the Committee on the Judiciary.

By Mr. LAUSCHE:

S. 285. A bill for the relief of Evangelia Georges Tsounos; to the Committee on the Judiciary.

By Mr. JOHNSTON:

S. 286. A bill to amend the Internal Revenue Code of 1954 so as to increase to $700 the amount of each personal exemption allowed as a deduction for income tax purposes, and to allow an additional exemption for a dependent child who is a full-time student attending college; to the Committee on Finance.

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

By Mr. McCLELLAN (for himself, Mr. BYRD of Virginia, Mr. GOLDWATER, Mr. BENNETT, Mr. EASTLAND, Mr. ROBERTSON, Mr. THURMOND, Mr. CURTIS, and Mr. STENNIS):

S. 287. A bill to amend the antitrust laws to prohibit certain activities of labor organizations in restraint of trade, and for other purposes; to the Committee on the Judiciary.

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

By Mr. McCLELLAN (for himself, Mr. HOLLAND, Mr. ERVIN, Mr. MUNDT, Mr. EASTLAND, Mr. GOLDWATER, Mr. ROBERTSON, Mr. STENNIS, and Mr. CURTIS):

S. 288. A bill to prohibit strikes by employees employed in certain strategic defense facilities; to the Committee on Labor and Public Welfare.

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

By Mr. SCOTT (for himself, Mr. HUMPHREY, Mr. BOGGS, Mr. FONG, Mr. BURDICK, Mr. MOSS, Mr. BIBLE, Mr. CHURCH, Mr. PASTORE, Mr. CASE, Mr. CANNON, Mr. MILLER, Mr. HOLLAND, Mr. RANDOLPH, Mr. DODD, Mr. PELL, Mr. KEFAUVER, Mr. INOUYE, Mr. NELSON, Mr. BAYH, Mr. McGEE, Mr. WILLIAMS of New Jersey, and Mr. JAVITS):

S. 289. A bill to further amend the Peace Corps Act (75 Stat. 612), as amended, to provide for the awarding of a medal to be known as the "Peace Corps Medal"; to the Committee on Foreign Relations.

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

By Mr. WILLIAMS of New Jersey:

S. 290. A bill to suspend for a temporary period the import duty on ethylene imine (monomer), polyethylene imine, and esters of amino-alkyl-sulfuric acid; to the Committee on Finance.

S. 291. A bill for the relief of Regina Tsang Lee; to the Committee on the Judiciary.

(See the remarks of Mr. WILLIAMS of New Jersey when he introduced the first above-mentioned bill, which appear under a separate heading.)

By Mrs. NEUBERGER:

S. 292. A bill for the relief of Yoo Chul Soo; to the Committee on the Judiciary.

By Mr. STENNIS (for himself and Mr. EASTLAND):

S. 293. A bill to prohibit the expenditure of public funds for certain military construction projects not authorized by Congress; to the Committee on Armed Services.

(See the remarks of Mr. STENNIS when he introduced the above bill, which appear in the speech delivered by Mr. McCLELLAN.)

By Mr. CLARK (for himself, Mr. SCOTT, Mr. YOUNG of Ohio, Mr. LAUSCHE, Mr. GOLDWATER, and Mr. MILLER):

S. 294. A bill to exempt from compulsory coverage under the old-age, survivors, and disability insurance program self-employed individuals who hold certain religious beliefs; to the Committee on Finance.

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

CONCURRENT RESOLUTIONS

WITHDRAWAL OF SOVIET TROOPS FROM LATVIA, LITHUANIA, AND ESTONIA

Mr. HICKENLOOPER submitted a concurrent resolution (S. Con. Res. 4) favoring action by the President to bring about the right of self-determination by the peoples of Latvia, Lithuania, and Estonia, which was referred to the Committee on Foreign Relations.

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

ESTABLISHMENT OF JOINT COMMITTEE ON ETHICS IN LEGISLATIVE BRANCH OF THE GOVERNMENT

Mr. JAVITS (for himself and Mr. KEATING) submitted a concurrent resolution (S. Con. Res. 5) to establish a Joint Committee on Ethics in the Legislative Branch of Government, which was referred to the Committee on Rules and Administration.

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

RESOLUTIONS

EXTENSION OF SENATE RESOLUTION 244, 87TH CONGRESS, AUTHORIZING COMMITTEE ON BANKING AND CURRENCY TO INVESTIGATE HOUSING MATTERS

Mr. MANSFIELD submitted a resolution (S. Res. 43) extending until January 31, 1963, Senate Resolution 244 of the 87th Congress, authorizing the Committee on Banking and Currency to investigate housing matters, which was considered and agreed to.

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

FUNERAL EXPENSES OF THE LATE SENATOR CHAVEZ OF NEW MEXICO

Mr. HUMPHREY (for Mr. ANDERSON) submitted a resolution (S. Res. 44) to pay certain funeral expenses of the late Senator Chavez, of New Mexico; which was considered and agreed to.

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

STUDY OF INTERGOVERNMENTAL RELATIONSHIPS BETWEEN THE UNITED STATES AND THE STATES AND MUNICIPALITIES

Mr. MUSKIE, from the Committee on Government Operations, reported an original resolution (S. Res. 45) authorizing a study of intergovernmental relationships between the United States and the States and municipalities; which, under the rule, was referred to the Committee on Rules and Administration.

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

STUDY OF CHARGES CONCERNING CONTRIBUTIONS BY FEDERAL EMPLOYEES TO POLITICAL PARTIES

Mr. WILLIAMS of Delaware (for himself and Mr. MILLER) submitted the following resolution (S. Res. 46); which was referred to the Committee on Rules and Administration:

Resolved, That the Committee on Rules and Administration, or any duly authorized subcommittee thereof, is authorized under section 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to make a full and complete study and investigation of allegations of solicitations by officers in the executive branch of the Government of direct or indirect contributions to political parties from employees in the executive branch, particularly those employees in the higher grades and positions, including, but not limited to—

(1) allegations that employees in the executive branch of the Government have been influenced by their superiors to make contributions, through support of fund-raising activities, to political parties, and

(2) allegations that the names of employees in the executive branch of the Government have been furnished by officers in the executive branch to persons associated with political parties for the purpose of enabling such persons to solicit contributions, through support of fund-raising activities, to such political parties.

Such study and investigation shall be conducted for the particular purpose of determining whether any of the actions alleged, if such allegations are substantiated, constitute a violation of any of the criminal or civil laws of the United States, or of the regulations of any department, agency, or instrumentality thereof, and whether, if such actions do not constitute such a violation they constitute a circumvention of the purpose and intent of such laws and regulations evidencing a need for the amendment thereof.

SEC. 2. For the purposes of this resolution, the committee, from the date on which this resolution is agreed to through January 31, 1964, is authorized to (1) make such expenditures as it deems advisable; (2) employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized at its discretion to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings upon the study and investigation authorized by this resolution, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1964.

SEC. 4. Expenses of the committee, under this resolution; which shall not exceed $, shall be paid from the contingent funds of the Senate upon vouchers approved by the chairman of the committee.

CREATION OF A STANDING COMMITTEE ON VETERANS' AFFAIRS

Mr. WILLIAMS of Delaware (for himself and Mr. BOGGS) submitted the following resolution (S. Res. 47); which was

referred to the Committee on Rules and Administration:

Resolved, That rule XXV of the Standing Rules of the Senate (relating to standing committees) is amended by—

(1) striking out parts 10 through 13 in subparagraph (h) of paragraph (1);

(2) striking out parts 16 through 19 in subparagraph (1) of paragraph (1); and

(3) inserting in paragraph (1) after subparagraph (p) the following new subparagraph:

"(q) Committee on Veterans' Affairs, to consist of thirteen Senators, five who are also members of the Committee on Finance, four who are also members of the Committee on Armed Services, and four who are also members of the Committee on Labor and Public Welfare. All proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects shall be referred to the Committee on Veterans' Affairs:

"1. Veterans' measures, generally.

"2. Pensions of all wars of the United States, general and special.

"3. Life insurance issued by the Government on account of service in the Armed Forces.

"4. Compensation of veterans.

"5. Vocational rehabilitation and education of veterans.

"6. Veterans' hospitals, medical care, and treatment of veterans.

"7. Soldiers' and sailors' civil relief.

"8. Readjustment of servicemen to civil life."

SEC. 2. Paragraph 4 of rule XXV of the Standing Rules of the Senate is amended by striking out "and Committee on Aeronautical and Space Sciences" and inserting in lieu thereof "Committee on Aeronautical and Space Sciences, and Committee on Veterans' Affairs".

SEC. 3. The Committee on Veterans' Affairs shall as promptly as feasible after its appointment and organization confer with the Committee on Finance and the Committee on Labor and Public Welfare for the purpose of determining what disposition should be made of proposed legislation, messages, petitions, memorials, and other matters theretofore referred to the Committee on Finance and the Committee on Labor and Public Welfare during the Eighty-eighth Congress which are within the jurisdiction of the Committee on Veterans' Affairs.

INCREASED EARNINGS WITHOUT DEDUCTION UNDER SOCIAL SECURITY ACT

Mr. SCOTT. Mr. President, I introduce for appropriate reference a bill that would increase to $2,400 the annual amount individuals are permitted to earn without suffering deductions from the monthly insurance benefits payable to them under old-age and survivors insurance.

At the present time if an individual earns more than $1,200—$1 of his or her benefits can be withheld for each $2 of his earnings above $1,200 and up to $1,700. For every $1 of earnings above $1,700, $1 of benefits can be withheld.

It is my feeling, Mr. President, that $2,400 is not an excessive amount.

With daily advances in the field of medical science, the average span of life has been increased. It has always seemed unfair to me to deny our older citizens social security benefits they have earned if they have the ingenuity and ambition to supplement their income with outside earnings.

The curtailment of their earnings at $1,200 in my mind is basically unfair and adversely affects the smaller income beneficiary.

With the Congress year after year concerning itself with the living standards and development of people all over the world, it would seem only just to raise the amount to $2,400.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 258) to amend title II of the Social Security Act to increase to $2,400 the annual amount individuals are permitted to earn without suffering deductions from the monthly insurance benefits payable to them under such title, introduced by Mr. SCOTT, was received, read twice by its title, and referred to the Committee on Finance.

INCREASED TAX DEDUCTION FOR HIGHER EDUCATION

Mr. SCOTT. Mr. President, I send to the desk a bill for appropriate referral which would amend the Internal Revenue Code so as to allow a deduction for certain amounts paid by a taxpayer for tuition and fees in providing a higher education for himself, his spouse, and his dependents. This legislation would allow the taxpayer to deduct amounts paid during the taxable year for tuition and fees with respect to any one individual to the extent that such amounts do not exceed $600. Deduction would not be allowed directly or indirectly for any personal or living expenses.

I would also like to point out, Mr. President, that this allowable deduction for any taxable year will be reduced, under my bill, by the amount by which the adjusted gross income of the taxpayer and his spouse for the taxable year exceeds $10,000. It is my feeling, Mr. President, that in the field of education this is one major relief that can be given to overburdened parents. I have long advocated that there should be some reduction and some tax credit for those parents who are sending their children through college. It would be of great assistance, if the Congress could give some tax relief to the parent who is terribly burdened by the very high cost of present-day higher education.

I appreciate that the Congress in passing the National Defense Education Act has expanded and improved educational programs to meet our needs of national defense. But there are many prospective and potential students who will be entering schools of higher education in this year and in the immediate future that do not necessarily qualify under the provisions of the National Defense Education Act. I have supported the National Defense Education Act in the past and intend to support any extensions that might be presented to Congress in the future. But at the same time, I do feel that many individual families in this country have been carrying a great financial burden by educating their children, and it is about time that the Congress does something to alleviate this situation. There is no question that we cannot do enough to enable deserving students to continue attending schools of higher education, even in face of the rising cost of such education, so that the intellectual stimulation necessary for our defense efforts and for our basic economy can be continued.

I hope, Mr. President, that this bill will receive favorable consideration early in this session of the Congress.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 259) to amend the Internal Revenue Code of 1954 so as to allow a deduction for certain amounts paid by a taxpayer for tuition and fees in providing a higher education for himself, his spouse, and his dependents introduced by Mr. SCOTT, was received, read twice by its title, and referred to the Committee on Finance.

A BILL FOR CONSTRUCTION OF TWO BRIDGES ACROSS THE LOWER RIO GRANDE BETWEEN TEXAS AND MEXICO

Mr. YARBOROUGH. Mr. President, I introduce, for reference to the appropriate committee, a bill to authorize the construction, maintenance, and operation of certain toll bridges across the Rio Grande.

The Rio Grande is an international waterway between Texas and Mexico and Federal consent, as well as the consent of Mexico and the International Boundary and Water Commission, is necessary before the bridges can be built.

The bill would authorize two different groups to build private toll bridges across the Rio Grande, in Hidalgo County, Tex. These two bridges would be in the vicinity of Pharr, Tex., and Donna, Tex., respectively.

This bill is similar to other toll bridge construction authorizations passed by other Congresses. Precedent is well established. Believing that the Lower Rio Grande River Valley is inadequately serviced by bridges connecting the two nations, and that commerce between Texas and Mexico would be aided by more bridges across the Rio Grande, I have supported efforts to build bridges at various points along the lower Rio Grande.

This authorization is urgently needed for economic development of the area affected, and enactment of this bill into law will provide a powerful booster to the growth of a vital part of my State.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 260) to authorize the construction, maintenance, and operation of certain toll bridges across the Rio Grande, introduced by Mr. YARBOROUGH, was received, read twice by its title, and referred to the Committee on Foreign Relations.

THE DE ZAVALA PARK IN HARRIS COUNTY, TEX.

Mr. YARBOROUGH. Mr. President, I introduce, for appropriate reference, a bill to authorize the conveyance of certain surplus Federal lands in Harris

County, Tex., to the State of Texas or the county of Harris for use as the De Zavala Park.

My fellow Texans are seeking to preserve both the homesite and the family burial grounds of Lorenzo de Zavala, scholar, author, a member of the Cortes of Spain, defender of liberty, a signer of the Texas Declaration of Independence, the first vice president of the Republic of Texas, and the author of a scholarly "History of Mexico."

My bill would withhold 142 acres around the De Zavala homesite and burial ground from the pending sale of the surplus U.S.-owned San Jacinto Ordnance Depot. The ordnance site is to be sold by the General Services Administration.

The De Zavala homesite and a private cemetery are on a point of land across the Houston ship channel from the San Jacinto battleground, a historic site close to the hearts of Texans.

The cemetery and homesite are owned by the State of Texas, but are entirely surrounded by the San Jacinto Depot.

In view of the impending sale by the General Services Administration of the De Zavala site, Texans have become deeply interested in Federal action to forestall loss of this historic site.

David Thomas, another signer of the Texas Declaration of Independence, is also buried on the De Zavala site. Thomas was the first attorney general of the Republic of Texas and was Acting Secretary of War of the Republic. Peter Jefferson Duncan, one of the captors of General Santa Anna, is also buried there.

The role of these three giants in Texas history deserves a fitting memorial.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 261) to authorize the conveyance of certain lands in Harris County, Tex., to the State of Texas or the county of Harris, introduced by Mr. YARBOROUGH, was received, read twice by its title, and referred to the Committee on Government Operations.

ALASKA RAILROAD SAFETY BILL

Mr. BARTLETT. Mr. President, on behalf of myself and my colleague, the junior Senator from Alaska [Mr. GRUENING], I introduce, for appropriate reference, a bill which will extend to the Alaska Railroad certain Federal laws covering safety and hours of service. These safety laws are identical to those that are now applicable to privately owned railroads in the lower 48. They deal with safety appliances, accident reports, boiler inspection, hours of service, and explosives and combustibles.

During the 86th Congress, Congress passed a comprehensive bill which placed the economic rate regulation of the Alaska Railroad under the Interstate Commerce Commission and also made these same safety acts applicable to the Alaska Railroad. President Eisenhower, however, vetoed this bill.

During the last Congress, I reintroduced the bill that had been previously vetoed. During Senate Commerce Committee hearings on the proposed legislation the Department of the Interior suggested that economic regulation of the Alaska Railroad by the Interstate Commerce Commission could be accomplished by the issuance of an Executive order by the President rather than by a legislative act. Since that time the Bureau of the Budget, the Interior Department, and the Interstate Commerce Commission have been working together on the issuance of the order. It is my understanding that drafts of this order have been circulated, comments have been received and the final draft of the order is in preparation. I expect the order to be issued within the next few weeks.

But, Mr. President, there remains the question of applying to the Alaska Railroad the safety laws which are now applicable to privately owned railroads.

Late in the last session I introduced legislation which was designed to accomplish this purpose. Since it was introduced in mid-September of last year, Congress had insufficient time to act upon it. I am, therefore, taking this first opportunity to introduce this proposed legislation and to call for early hearings and action on this remaining aspect of the problem. I sincerely hope that economic regulation can be a reality in a very short period of time and that attention can be directed to the important problem of the safety of the employees of the Alaska Railroad.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 282) to provide that the Alaska Railroad shall be subject to the provisions of certain Federal laws relating to safety in railroad transportation, introduced by Mr. BARTLETT (for himself and Mr. GRUENING), was received, read twice by its title, and referred to the Committee on Commerce.

SMALL RECLAMATION PROJECTS ACT OF 1956

Mr. MOSS. Mr. President, for myself and Senators MCGEE, BIBLE, KUCHEL, ENGLE, FONG, BENNETT, BURDICK, CHURCH, and ALLOTT, I introduce, for appropriate reference, a bill to amend the Small Reclamation Projects Act of 1956.

The small water projects loan program has proved itself a desirable supplement to the Federal reclamation program. Applications have been received and approved by the Secretary of the Interior and the Congress for 26 separate projects, involving loans estimated at over $66,300,000. On application for a loan and grant of $1,104,000 is pending before the Congress—the Settlement Canyon project in my State of Utah—and applications for five more projects have been filed with the Bureau of Reclamation, raising the total request for loans to about $76,500,000. Nine of the eighteen States in which the program is authorized have submitted applications.

The National Reclamation Association, which first saw the need for a small reclamation projects loan program, supports the amendments I am offering today, which will bring the program up to date. The most important provisions of my bill would reduce interest costs, authorize financial assistance on project planning, increase the total amount available for loans, and increase the size of individual loans.

I ask that the bill be allowed to lie on the table for 1 week for additional cosponsorship.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Utah.

The bill (S. 283) to amend the Small Reclamation Projects Act of 1956, introduced by Mr. Moss (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

AMENDMENT OF INTERNAL REVENUE CODE RELATING TO CERTAIN TAX DEDUCTIONS

Mr. JOHNSTON. Mr. President, I introduce, for appropriate reference, a bill to amend the Internal Revenue Code of 1954 so as to increase to $700 the amount of each personal exemption allowed as a deduction for income tax purposes, and to allow an additional exemption for a dependent child who is a full term student attending college.

This amendment is designed to allow parents a total of $1,400 personal exemption for each child they have in college. At present there is no relief afforded parents with children in college under Federal tax laws.

Under the provisions of this bill, any son, daughter, stepson, or stepdaughter in school receiving full support from the taxpayer would entitle the taxpayer to additional exemptions. The child must be enrolled in an educational institution which is authorized to confer any baccalaureate or higher degree, or whose curriculum consists of courses of instruction at least two-thirds of which count for credit toward a baccalaureate or higher degree.

College education has become expensive and more necessary than ever before for our country's welfare. This additional deduction will attempt to help parents compensate for the expense involved in keeping a student in college on a full-time basis. It seems only fitting that parents who take on the financial burden of sending sons and daughters to college should get this tax relief.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 286) to amend the Internal Revenue Code of 1954 so as to increase to $700 the amount of each personal exemption allowed as a deduction for income tax purposes, and to allow an additional exemption for a dependent child who is a full-time student attending college, introduced by Mr. JOHNSTON, was received, read twice by its title, and referred to the Committee on Finance.

AMENDMENT OF PEACE CORPS ACT, TO PROVIDE FOR AWARDING A MEDAL TO BE KNOWN AS THE PEACE CORPS MEDAL

Mr. SCOTT. Mr. President, in behalf of myself and Senators HUMPHREY,

BOGGS, FONG, BURDICK, MOSS, BIBLE, CHURCH, PASTORE, CASE, CANNON, MILLER, HOLLAND, RANDOLPH, DODD, PELL, KEFAUVER, INOUYE, NELSON, BAYH, MCGEE, WILLIAMS of New Jersey, and JAVITS, I introduce, for appropriate reference, a bill to further amend the Peace Corps Act, as amended, to provide for the awarding of a medal to be known as the Peace Corps Medal.

This bill has been drafted in consultation with Robert Sargent Shriver, Jr., Director of the Peace Corps.

At the beginning of this month, there were 3,501 volunteers overseas with the Peace Corps. An additional 883 Americans are undergoing rigorous training.

These volunteers are demonstrating that America is abundantly endowed with men and women with that sense of dedication and initiative that will produce meaningful service to country and mankind.

Occasionally the acts of one or more Peace Corps volunteers are so extraordinary as to bring special honor to the United States. These are the type of deeds to which this Nation has always responded with a symbol, a medal cast with words of appreciation. Similarly, Mr. President, I think the men and women of the Peace Corps should be rewarded for exceptional courage and merit.

It would be called the Peace Corps Medal and contain appropriate emblems and inscriptions to commemorate meritorious service to the United States. The recipients would be those who, in a particular situation, have conducted themselves with great courage and resourcefulness and through such action have made an uncommon contribution to the cause of world peace and understanding. Their deeds will be of the heroic in every sense of the word.

Already there have been several examples of unusual and distinguished service among the volunteers serving overseas. One young Peace Corps volunteer rushed to the aid of a drowning man who was given up for dead. Using mouth-to-mouth resuscitation, the volunteer refused to give up his attempt to save the man's life and untiringly continued his efforts until the man was brought back to life. The mere fact that he saved a life was not the whole story. Here was an American demonstrating how highly we value the lives of all human beings.

In another instance a Peace Corps volunteer serving in a small middle eastern village was credited by host country officials with saving from flood the rice crop in a 100 square mile area for the first time in 7 years, and at a time when other adjoining areas were undergoing the worst floods in recorded history.

One local official conservatively placed the value of the crops saved at nearly three-quarters of a million dollars. Under the direction of this one volunteer, close to a thousand villagers built dams, culverts, and regulators that stemmed the floodwaters and avoided catastrophe.

Then, let us pay tribute to these Americans who have gone forth endowed with an idealism kindled and nurtured by their forefathers, to lay the groundwork for a peaceful world. They are performing deeds no less extraordinary than those who have gone before them to protect the peace. America will never forget her citizens who have heeded the call of duty and performed that duty in time of need with extraordinary courage and devotion.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 289) to further amend the Peace Corps Act (75 Stat. 612), as amended, to provide for the awarding of a medal to be known as the Peace Corps Medal, introduced by Mr. SCOTT (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Foreign Relations.

Mr. SCOTT subsequently said: Mr. President, I call the attention of the Senate to the fact that today I introduced a bill to provide a medal for Peace Corps personnel, the medal to be awarded under circumstances of exceptional courage or unusual situations in the performance of duty above and beyond the normal call of the obligations which they assume. I have received favorable reaction to the bill from the Director of the Peace Corps.

There are a number of cosponsors of the bill. I ask unanimous consent that the bill may lie at the desk for 4 additional days in order that other Senators who wish to become cosponsors or who may wish to associate themselves with the bill may do so.

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

TEMPORARY SUSPENSION OF IMPORT DUTY ON ETHYLENE IMINE (MONOMER), POLYETHYLENE IMINE, AND ESTERS OF AMINO-ALKYL-SULFURIC ACID

Mr. WILLIAMS of New Jersey. Mr. President, for a number of years New Jersey industry has been engaged in the systematic research into a new chemical field, the manufacture and utilization of ethylene imines, products used primarily in the development of packaging agents.

Development of this new industry promises to significantly contribute to the economic growth of New Jersey and the Nation. As I understand it, 1,000 new jobs will be generated by this new industry and new capital investment is estimated to be from $5 to $25 million.

Today, Mr. President, there exists only one commercial manufacturer of ethylene imines, a foreign manufacturer. Experimental quantities of ethylene imines and esters of amino-alkyl-sulfuric acid, an intermediate compound in the manufacture of these imines, have been imported into this country for research purposes. To date, substantial progress has been made in improving the prospects for domestic manufacture and marketing of the product. Domestic industry has now come to a point where they find it necessary to import larger quantities of these chemicals to determine the magnitude of domestic markets and to establish the proper industrial specifications.

Though the duties collected are small in comparison with the new income the Government would derive from taxes, the tariff is enough to completely inhibit increased imports so necessary to the further development of this budding industry. Farsighted American businessmen have already invested over $2 million in this project. Their confidence in the dynamic nature of our economy will not contribute to our growth if we are unable to provide a favorable environment for innovation.

By every criterion of national interest suspension of duties on the entrance of these chemicals is desirable. There will be an increase in employment, a stimulation to investment, and a large increase in our tax revenues. By comparison, loss in tariff revenues is insignificant. In fact, even these revenues would disappear if research and development of this industry is frustrated.

Mr. President, because our economy does have so much to gain, I propose that we temporarily suspend the import duty of these chemicals.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 290) to suspend for a temporary period the import duty on ethylene imine (monomer), polyethylene imine, and esters of amino-alkyl-sulfuric acid introduced by Mr. WILLIAMS of New Jersey, was received, read twice by its title, and referred to the Committee on Finance.

WITHDRAWAL OF SOVIET TROOPS FROM LATVIA, LITHUANIA, AND ESTONIA

Mr. MILLER. Mr. President, on behalf of my colleague, the senior Senator from Iowa [Mr. HICKENLOOPER], and myself, I submit, for appropriate reference, a concurrent resolution calling upon the President of the United States to seek through diplomatic and economic action a withdrawal of Soviet forces stationed in Latvia, Lithuania, and Estonia, and the holding of free elections in those nations, to the end that they may once again live as free, independent, sovereign members of the community of nations.

The PRESIDENT pro tempore. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 4) was referred to the Committee on Foreign Relations, as follows:

Resolved by the Senate (the House of Representatives concurring),

Whereas the United States has consistently recognized and upheld the right of the Baltic peoples to national independence and to the enjoyment of all independent rights and freedoms; and

Whereas the Charter of the United Nations declares as one of its purposes the development of friendly relations among nations based "on respect for the principle of equal rights and self-determination of peoples"; and

Whereas the Union of the Soviet Socialist Republics has by force suppressed the freedom of the peoples of Latvia, Lithuania, and Estonia and continues to deny them the right of self-determination by free elections: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That the President of the United States should seek through diplomatic and economic action to bring about the withdrawal of Soviet forces stationed in Latvia, Lithuania, and Estonia and the holding of free elections in those nations to the end that they may once again live as free, independent, and sovereign members of the community of nations.

LEGISLATIVE CODE OF ETHICS

Mr. JAVITS. Mr. President, for myself and on behalf of my colleague, the junior Senator from New York [Mr. KEATING], I submit a concurrent resolution to create a Joint Committee on Ethics to develop a code of ethics for Members of Congress and all other legislative employees.

The public interest requires a clearly defined, enforceable code of ethics for Senators, Representatives and more than 25,000 employees in the legislative branch of the Federal Government. Establishment of such a code would support public confidence in Congress against the present danger of its weakening.

It is completely incongruous for Senate committees to question executive appointees rigorously on their financial affairs when those of us in Congress and our staffs are not subject to similar standards and requirements. We cannot continue to function on this double standard of ethics—a complete set for the executive branch but none for the legislative branch.

Last year Congress passed a law establishing an up-to-date conflict-of-interest code for the executive branch of the Government, but failed to match it with a code for the legislative branch. This year we should remedy that omission.

While creating a joint congressional committee to draw up a permanent code of ethics, the resolution would also set up an interim code to guide Members of Congress. The interim code would: require a Member of Congress to disclose immediately a financial interest valued at $10,000 or more in any activity subject to the jurisdiction of a Federal regulatory agency; would limit outside employment; would ban the use of confidential information for other than official purposes; and would bar the use of official influence to gain special privileges or exemptions.

I also, together with Senator KEATING, send to the desk a companion bill to require that any written or oral communication between a Member of Congress or his staff and a regulatory agency in adjudicatory proceedings be made part of the public record. The bill would amend the Administrative Procedure Act.

It should be noted that the Federal Home Loan Bank Board last year issued a regulation prohibiting certain ex parte communications altogether and requiring that the remainder be made a matter of public record. I believe this regulation is a valuable precedent and should spur Congress to enact a similar provision uniformly applicable to all agencies.

The PRESIDENT pro tempore. The concurrent resolution and bill will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 5) to establish a Joint Committee on Ethics in the legislative branch of Government, submitted by Mr. JAVITS (for himself and Mr. KEATING), was referred to the Committee on Rules and Administration, as follows:

Resolved by the Senate (the House of Representatives concurring),

POLICY AND PURPOSE

SECTION 1. (a) One of the most vital concerns of a free and representative government is the maintenance of moral and ethical standards for their representatives which are above cause for reproach and warrant the confidence of the people. The people are entitled to expect from their elected representatives in the Federal Government and the employees of the legislative branch a standard above that of the marketplace, for these public servants are entrusted with the welfare of the Nation. Yet these standards must be practical and should be fairly representative of the people who elect their representatives. Some conflicts of interest are clearly wrong and should be proscribed by sanctions in the criminal law; however, many are composed of such diverse circumstances, events, and intangible and indirect concerns that only the individual conscience can serve as a practical guide. But there are many possibilities of conflict in that shadowland of conduct for which guidance would be useful and healthy, but for which the criminal law is neither suited nor suitable. Therefore, the Congress finds that a code of ethics is desirable for the guidance and protection of its Members and the officers and employees of the legislative branch of Government, establishing the standards of conduct reasonably to be expected of them.

(b) It is also the purpose of this resolution to provide for a thorough study and investigation to determine necessary and desirable changes in existing conflicts of interest statutes applying to Members of Congress and to officers and employees of the legislative branch, and to develop a comprehensive code of ethics for the guidance of such Members, officers, and employees, by which the purposes of this resolution may be more fully assured in the conduct of the public business in the legislative branch.

ESTABLISHMENT OF JOINT COMMITTEES ON ETHICS

SEC. 2. (a) There is hereby established a joint congressional committee to be known as the Joint Committee on Ethics (hereinafter referred to as the joint committee).

(b) The joint committee shall be composed of seven Members of the Senate, appointed by the President of the Senate, and seven Members of the House of Representatives, appointed by the Speaker of the House of Representatives.

POWERS AND DUTIES

SEC. 3. (a) It shall be the duty of the joint committee to undertake a thorough study and investigation of the ways and means by which the policy objectives set forth in section 1 of this resolution can further be assured. In the conduct of such study and investigation the joint committee shall, among other things, determine to what extent existing conflict of interest laws or regulations applicable to the legislative branch should be strengthened and it shall recommend a comprehensive Code of Ethics in the formulation of which it shall have considered the following subjects:

(1) Outside employment or professional or business activity by Members of Congress or officers or employees of the legislative branch;

(2) Disclosure by Members of Congress or officers or employees of the legislative branch of confidential information acquired in the course of official duties or the use thereof for personal advantage;

(3) Use of their official position by Members of Congress or officers or employees of the legislative branch to secure unwarranted privileges or exemptions for themselves or others;

(4) Dealing by Members of Congress or officers or employees of the legislative branch in their official capacities with matters in which they have a substantial pecuniary interest;

(5) Conduct by Members of Congress or officers or employees of the legislative branch which gives reasonable cause for public suspicion of violation of public trust; and

(6) Other matters concerning official propriety and the integrity of the public service as it relates to Members of Congress, officers or employees of the legislative branch.

(b) The joint committee shall report to the Senate and the House of Representatives the result of its investigations together with such recommendations for the establishment of a Code of Ethics covering the legislative branch as it may deem advisable. Such report shall be submitted no later than March 31, 1964, and the committee shall cease to exist thirty days after the submission of its final report.

(c) Vacancies in the membership of the joint committee shall not affect the power of the remaining members to execute the functions of the joint committee, and shall be filled in the same manner as in the case of the original selection. The joint committee shall select a chairman and a vice chairman from among its members.

HEARINGS, SUBPENAS, DISBURSEMENTS, EMPLOYEES

SEC. 4. (a) The joint committee, or any subcommittee thereof, shall have power to hold hearings and to sit and act at such places and times, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. Subpenas shall be issued under the signature of the chairman of said joint committee, and shall be served by any person designated by him. Amounts appropriated for the expenses of the joint committee shall be disbursed one-half by the Secretary of the Senate and one-half by the Clerk of the House.

(b) The joint committee shall have the power to employ and fix the compensation of such experts, consultants, and clerical and stenographic assistants, to procure such printing and binding, and to make such expenditures, as it deems necessary and advisable, subject to the limitations of its appropriations. The joint committee is authorized to utilize the services, information, and facilities of such departments and other agencies of the Government as it may deem appropriate.

LIMITATION OF JOINT COMMITTEE'S POWERS

SEC. 5. The joint committee shall have no power of enforcement with respect to any Members of Congress or officer or employee of the legislative branch, and such power is reserved with respect to its Members, officers, or employees to each House or to any committee thereof which has been designated to carry out such functions.

INTERIM CODE OF ETHICS

SEC. 6. For the purposes of guidance for Members of Congress and officers and employees of the legislative branch during the period which the joint committee is considering the provisions of an appropriate Code of Ethics for Members of Congress and officers or employees of the legislative branch, the Congress hereby adopts the following standards as a guide to such Members, officers, or employees:

(a) No Member of Congress, or officer or employee of the legislative branch should have any interest, financial or otherwise,

direct or indirect, or engage in any business transaction, or professional activity or incur any obligation of any nature whether financial or moral, which is in substantial conflict with the proper discharge of his duties in the public interest; nor should any Member of Congress, officer or employee of the legislative branch, give substantial and reasonable cause to the public to believe that he is acting in breach of his public trust.

(b) In addition to the general rule set forth in paragraph (a), the following standards are applied to certain specified transactions:

(1) No Member of Congress, or officer or employee of the legislative branch of the Government should accept other employment which will tend to impair his independence of judgment in the exercise of his official duties.

(2) No Member of Congress, or officer or employee of the legislative branch of the Government should accept employment or engage in any business or professional activity which will tend to involve his disclosure or use of confidential information which he has gained by reason of his official position or authority.

(3) No Member of Congress, or officer or employee of the legislative branch of the Government, should disclose confidential information acquired by him in the course of his official duties or use such information for other than official purposes.

(4) No Member of Congress, or officer or employee of the legislative branch of the Government, should use or attempt to use his official position to secure unwarranted privileges or exemptions for himself or others.

(5) A Member of Congress, or officer or employee of the legislative branch of the Government should not by his conduct give reasonable cause for belief that any person can improperly influence him or unduly enjoy his favor in the performance of his official duties, or that he is affected by the kinship, rank, position, or influence of any person or political party.

(6) A Member of Congress, or officer or employee of the legislative branch of the Government should endeavor to pursue a course of conduct which will not give reasonable cause for belief that he is likely to violate his trust.

(7) Any Member of Congress, or officer or employee of the legislative branch of the Government, having a financial interest, direct or indirect, having a value of $10,000 or more, in any activity which is subject to the jurisdiction of a regulatory agency, should file with the Comptroller General a statement setting forth the nature of such interest in such reasonable detail, and in accordance with such regulations as shall be prescribed by the Comptroller General. As used herein, the term "regulatory agency" shall include such agencies as shall be designated by the Comptroller General, which list shall be published in the Federal Register as soon as practicable.

The bill (S. 281) to amend the Administrative Procedure Act to provide for the disclosure of certain communications received by Government agencies from Members of Congress with respect to adjudicatory matters, and for other purposes, introduced by Mr. JAVITS (for himself and Mr. KEATING), was received, read twice by its title, and referred to the Committee on the Judiciary.

LEGISLATIVE CONFLICTS OF INTEREST

Mr. KEATING. Mr. President, for many years going back to my service in the House of Representatives I have been urging conflict-of-interest legislation for the employees and Members of Congress. Unfortunately, these proposals have not been given any priority in our legislative deliberations, and while we have exercised some vigilance in curbing conflicts of interest in the executive branch we have done nothing to set our own house in order.

I have today again joined with my colleague [Mr. JAVITS] in introducing measures which we have been advocating to apply the same high standards of ethics to the legislative branch as Congress has imposed on the employees of the Federal departments and agencies. Enactment of these measures would eliminate the double standard of morality which now exists and would greatly enhance the confidence and respect of the public in the operations of the Congress.

Unfortunately, there is little basis for optimism in the past experience of these bills and resolutions. Since I am never content with mere gestures, I am currently working on a new approach to the problem which would enlist the help of outside experts and national and community leaders in the drive for conflict-of-interest reforms. I am particularly hopeful that we can obtain the same outstanding assistance from the Bar Association of the City of New York as we did on the Conflict of Interest Code for the executive branch which was enacted last year.

In its most noble sense, the function of government is to maintain a political and economic climate in which man can achieve his fullest development. In this view of the objectives of government, politics and ethics become blood brothers and political leaders have a solemn responsibility to set the very highest standard of conduct for the Nation. There is no room for a holier than thou attitude in this conception. Congress must not continue its neglect of its obligations in this area, and I hope that a way can be devised for putting an end to the legislative gap in the laws on conflict-of-interest laws before this session is over.

HONORARY CITIZENSHIP FOR WINSTON CHURCHILL—ADDITIONAL COSPONSORS OF JOINT RESOLUTION

Mr. YOUNG of Ohio. Mr. President, 2 days ago I introduced Senate Joint Resolution 5, to confer upon Sir Winston Churchill honorary citizenship of the United States of America.

At that time the distinguished senior Senator from Oregon [Mr. MORSE] and my colleague, the distinguished senior Senator from Ohio [Mr. LAUSCHE], and the distinguished senior Senator from Tennessee [Mr. KEFAUVER] joined with me as cosponsors of the joint resolution.

At its next printing, I ask unanimous consent that the following Senators may be joined as cosponsors of the joint resolution:

Senators HUMPHREY, YARBOROUGH, GRUENING, BARTLETT, INOUYE, BOGGS, WILLIAMS of New Jersey, and BYRD of West Virginia.

These distinguished Senators have requested that I add their names as cosponsors of the joint resolution. I am happy to do so.

Winston Churchill is one of the greatest men of our times. As I stated the other day, a thousand years from now people in far places will give thanks to this indomitable Englishman who helped restore to the people of the world their simple dignity as creatures of God.

The PRESIDING OFFICER (Mr. NELSON in the chair). Without objection, it is so ordered.

CIVIL SERVICE EMPLOYEES AND FUNDRAISING DINNERS—ARM TWISTING ON THE NEW FRONTIER

Mr. MILLER. Mr. President, in the Washington Post of yesterday and today there appear two articles by the able and long-experienced columnist, Jerry Kluttz, which relate to activities involving our career civil service employees and the purchase of $100 tickets to the Democratic Party's fundraising dinner here in Washington this Friday evening. These articles deserve comment, particularly on this, the 80th anniversary of the Federal civil service.

Mr. Kluttz reports that, if a fraction of what employees say is true, officials in a dozen or more agencies are violating the Hatch Act, either directly or indirectly, by putting pressure on employees to buy the $100 tickets on Government time and in Government buildings; further that as far as could be determined, no Federal agency has even bothered to investigate the numerous stories of pressure on employees to buy tickets. These activities have been labeled "wrong and unethical" by a highly respected Federal attorney. It appears that the technique being used is to have the Cabinet Secretary or head of an agency throw a cocktail party, limited to those who are willing to buy a $100 ticket to the fundraising dinner. The insidiousness of the method is that career employees, who are supposed to be free from partisan political influence in carrying out their duties, have the fear that their promotions or transfers to better assignments may well rise or fall on their coming through with attendance at the cocktail parties and the payment of $100 for the dinner ticket. Worse yet, as reported in today's article, employees who resent these unethical, arm-twisting methods are fearful of the consequences if they made public what has been happening to them.

It seems to me, Mr. President, that the Attorney General ought to conduct an immediate investigation of this whole affair to the end that those who have violated the Hatch Act are promptly prosecuted. Moreover, as leader of his party, I believe the President should issue a public directive to all Cabinet Secretaries and agency heads making it clear that no promotion or transfer shall be influenced, nor shall any adverse actions be taken, by reason of the failure of any employee to attend any cocktail party and purchase one of the $100 tickets. As a matter of fact, I think the President should publicly condemn the cocktail party, arm-twisting method.

I have also joined with my colleague, the distinguished senior Senator from Delaware [Mr. WILLIAMS] in a resolution to have the Senate Committee on Rules conduct an investigation.

Arm twisting seems to be a characteristic of the New Frontier, Mr. President. In the January 6 issue of the Des Moines, Iowa, Register there appears a timely article by the distinguished columnist, Mr. Richard Wilson, entitled "Government by Arm Twisting," and in the Waterloo, Iowa, Courier of the same date there appears an editorial entitled "Raise Donations by Intimidation." These articles call attention to the method used by key officials of the administration in raising money from private business firms for the ransom of the Cuban prisoners. An article on the subject, entitled "Firms Poured in Cash To Set Cubans Free," appeared in the January 9 Washington Post.

I ask unanimous consent that the articles by Mr. Kluttz and the other articles referred to be printed in the RECORD.

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

[From the Washington Post, Jan. 15, 1963]

THE FEDERAL DIARY—BUDGET PLAN ADVISED FOR $100 DINNER

(By Jerry Kluttz)

Play politics now and pay later is a gimmick being used by the Democratic National Committee to sell $100 tickets to hard-pressed Federal employees to its Friday dinner here.

The budget payment plan is being suggested to employees who plead financial troubles and say they can't afford the $100 affair. The minimum is $10 down and $10 a month. No interest is charged on the unpaid balance.

But as a career employee remarked after being called by a Democratic worker who urged him to attend the dinner and pay for it later: "If I go, the price I pay later could be my job when the Republicans return to power. But if I don't go, it could cost me a grade promotion which is several hundred dollars a year in higher salary."

Meantime, if a fraction of what employees say is true, officials in a dozen or more agencies are violating the law, either directly or indirectly, by putting the pressure on employees to buy the $100 tickets on Government time and in Federal buildings. As far as could be determined, no Federal agency has even bothered to investigate the numerous stories of pressure on employees to buy tickets.

Mainly, the indirect approach is used in the belief by officials that it places them on safe legal ground. The arm-twisting gimmick is the cocktail party. A score of such parties are being tossed Friday evening preceding the dinner by top officials who invite their own employees who will attend the dinner.

Employees say flatly that they have been called at their Government offices, on Government time, and told either by phone or in person by superiors that "we're expecting you" (and sometimes "your wife too") at the Secretary's or Administrator's (as the case may be) cocktail party.

This is hardly a subtle approach. The parties are limited to those who buy the $100 tickets.

A highly respected Federal attorney who has handled many cases involving Government employees yesterday denounced the cocktail party gimmick as wrong and unethical. He expressed the belief that a court would hold that an employee was subjected to coercion if he attends his agency's cocktail party and buys a $100 ticket against his better judgment.

"It's just like reaching into a fellow's pockets and taking $100," the legal expert commented acidly, and continued: "This practice should be stopped before the public service is badly damaged by it."

There are also reports of meetings being held in Federal buildings on Government time to discuss ticket sales and what can be done to prevail upon more employees to buy them. Some officials have been told that the employees in their agency have bought only half a dozen tickets while those in another bureau of comparable size have purchased 25 or more.

Meantime, a corporation representative here expressed the opinion that Federal workers were being subjected to an unusual amount of pressure this year to buy tickets because many companies can no longer do it and charge the expense off against Federal income taxes under the new expense account regulations.

He explained that his and many other companies had refused to buy the usual $1,200 table this year.

In the past, it was common practice for a company to buy one or more tables and give the tickets to friendly Members of Congress who would distribute them to friends and political supporters and take credit for the sales. Company representatives here say they have rejected numerous overtures from Capitol Hill to continue the practice because of the expense account rules.

Federal officials and employees alike say they realize that any political party must have money to finance operations but they wonder if tactics used by the Democratic National Committee and the Kennedy administration are proper and the best that can be devised.

A Democratic official said yesterday that the party had taken precautions to operate within the law. He said phone directories were secured from a number of Federal agencies and that they were used to look up home addresses and to send invitations to the $100 dinner to employees at them.

He also said some followup phone calls were made to employees at their homes by committee workers to urge them to attend the dinner. He said he had no knowledge of pressure on employees by their agencies to buy tickets. "I hope every ticket is purchased voluntarily," he added.

Another person with a background of political fund raising expressed the view that more than half a dozen eager-beaver Federal officials who are trying to make a big name for themselves in the eyes of the Democratic National Committee are causing all the trouble.

THE FEDERAL DIARY—$100 GALA TACTICS RAISE LEGALITY ISSUE

(By Jerry Kluttz)

This is being dubbed Cynic's Week by Federal employees. Too many of them are developing into cynics after what's happening to them.

On the one hand we have what is known as Civil Service Week. Idealistic statements have been made by the President and other officials to commemorate it and to lavish praise on the merit system. Its worthy purpose is to bring about more faith, confidence and public understanding of the Federal Government and the civil service system.

But on the other hand we have the Democratic National Committee and certain Federal officials who are resorting to high-pressure tactics to sell $100 tickets to a Democratic gala to be held Friday night. And no one within the executive branch, so far as is known, has raised his voice in public to even protest the actions of Federal officials which are of questionable legality.

Is it any wonder that we're developing a new crop of cynics in Government? Employee confidence in the merit system and the promotion system is being weakened during a week when it should be at its peak.

Even a few military officers are reported by employees to have yielded to pressure and have suggested to a civilian under them to buy $100 tickets. The employees say this is the first time uniformed personnel has become involved in a partisan fundraising drive.

I've personally talked with a score of Federal officials about the ticket selling and all of them have responded something like this.

"Personally, I deplore the pressure on employees to buy tickets as improper, unethical and no doubt illegal in some cases, and I wish the White House would stop it. But I don't know what I can do about it, and please keep my name out of it."

All of them were fearful of consequences if they blasted the pressure in public. Most of them were especially critical of the cocktail parties being given by agency officials as an inducement to sell tickets to employees. One commented: "The President encouraged us to be daring and to dissent but I don't believe this is the time for it."

An employee called to say he had worked through various groups for either repeal or modification of the Hatch Act which makes it illegal for Federal employees to participate actively in partisan politics.

"I've changed my mind after what I've been through and seen during the past week. The pressure on half a dozen of us to buy tickets has been terrific. If this can be done under the Hatch Act, then working for the Government would be unbearable for me if it's repealed. Now I believe we should have an even stronger law to protect us."

[From the Des Moines (Iowa) Register, Jan. 6, 1963]

GOVERNMENT BY ARM TWISTING

(By Richard Wilson)

WASHINGTON, D.C.—Arm twisting is not a brandnew technique of government but it is a method quite well suited to the Kennedy political heritage. The technique can be used benevolently or malevolently as suits the mood of the Government.

More often than not the arm-twisting technique is resorted to when desired results cannot easily be gotten through regular government processes. It will not be disputed that Roger Blough and the executive committee of United States Steel had their arms badly twisted when they tried a year ago to raise steel prices against the will of the President.

That was what might be called defensive arm twisting and is commoner than the other kind, offensive arm twisting. In the offensive form, the arm of some laggard and reluctant person or corporation is grasped in a friendly but firm fashion. The bewildered victim, sensing from this friendly approach the possible application of a painful hammerlock, readily agrees to some course of action he previously had considered undesirable or even impossible.

CULTURAL CENTER

The effect is multiplied when the victim not only escapes possible punishment but can perceive certain rewards which offset the obvious disadvantages involved in the action he does not want to take.

Consider, for example, the case of the industry representative in Washington who had no interest in the $30 million National Cultural Center. If he thought about the cultural center at all, he considered it a waste of public funds to duplicate better facilities in the established cultural centers of the Nation.

This industry representative in particular, and he has many companions, was not permitted to pursue such heretical opinions.

He found his right arm firmly in the friendly grasp of Kennedy officialdom. The pressure was released only when the industry representative had agreed to the implicit suggestion that his status as a Washington insider, with much at stake in his relations with government, would be seriously impaired unless his company put up $1,000 for a fundraising dinner for the cultural center.

SHOTGUN WEDDING

Congress has not yet seen the wisdom of building the center, but the Kennedy administration, eagerly alert to the needs of the arts, is determined to build the edifice even though local institutions like the National Symphony Orchestra and the Ballet Theater are not much for it.

These methods have long been familiar in Washington political circles, at campaign fundraising dinners. But this was the first time that politics and culture had been joined in a shotgun wedding.

Arm twisting in an unacknowledged and loftier form (in the Kennedy version arm twisting must always be for humanitarian or charitable purposes or in the national interest) was implicit in the complicated deal for the release of the Bay of Pigs prisoners, who had lain heavily for 2 years upon the Kennedy conscience.

Congress would not ransom these prisoners; it regarded the proposed tractors-for-prisoners trade off as an immoral deal demeaning the dignity of the Nation. Nor would Congress appropriate money for medicines and food as ransom for the prisoners.

BOB KENNEDY AND COMPANY

The deal was arranged mainly through Bobby Kennedy and a corps of eagle-eyed Justice Department officials whose usual contact with businessmen is at arms length or in the courts.

Contribution of some $52 million in drugs and food was arranged as a ransom payoff, a good deal of it willingly and generously given. Bobby Kennedy was equally generous; he encouraged a tax deal saving a prosperous company $520 for each $1,000 gift in goods at the going market value.

Just as a guess, a $1,000 contribution, figured at cost, would bring a prosperous company a $750 tax saving. The biggest part of the cost of the Cuban ransom thus came out of anticipated Government tax revenues. This was arranged not by congressional sanction, or even Presidential action, but through a private deal between the chief law enforcement officer of the Nation and corporations having a big stake in their Government relations.

At least one corporation had an antitrust action pending. Its officials, told how much ransom contribution was expected from them, felt as if they were being blackmailed, though being constantly assured their arms were not being twisted.

The full list of contributors never has been made public and probably will not be. Nor are the various tax deals disclosed. All was done privately and smoothly behind the closed doors of the paneled and carpeted chambers of the Justice Department.

ANOTHER INSTANCE?

The release of the prisoners was heart warming, a much desired result. Granting the worth of the humanitarian purpose served in this case, it would be shocking if the method of doing it does not rest heavily on the national conscience.

How would the technique be applied in another instance? If Congress should decide to cut off aid to India, would corporations be pressured to contribute food, clothing and medicines and get a tax break for doing so?

Should U.S. broadcasters be pressured to contribute to the maintenance of Radio Free Europe because Congress won't appropriate enough money for the Voice of America?

Should the steel companies be pressured to build uneconomic low-grade ore plants for depressed areas when Congress won't appropriate the money for such plants?

The possibilities are endless; for government by private pressure is a heady technique. Unfortunately, it is a method which has strongly appealed to the Kennedys from the beginning.

[From the Waterloo (Iowa) Courier, Jan. 6, 1963]

RAISE DONATIONS BY INTIMIDATION?

At a time when the President is asking increased powers from Congress, the administration has been criticized in several instances for abuse of the immense power it already possesses:

1. Administration officials called in a group of leading defense contractors and President Kennedy told them in frank terms that they ought to contribute to the National Cultural Center being planned in the Capital.

2. During the trial of James R. Hoffa in Nashville, the statement was made in court that someone describing himself as a reporter for the Nashville Banner had contacted one of the jurors by phone. Attorney General Robert Kennedy called the publisher of the Banner and asked him not to publicize the matter for fear of causing a mistrial. But the newspaper nevertheless printed the story and offered a $5,000 reward for the arrest and conviction of the person falsely identifying himself as a Banner reporter.

3. During negotiations on the release of Cuban freedom fighters, Castro demanded payment of $2,900,000 which had been promised for release earlier in the year of 60 ill or injured prisoners. Attorney General Robert Kennedy raised a million from an anonymous donor and Gen. Lucius Clay borrowed $1,900,000 from a bank on his personal signature. American corporations are now being asked to make donations for the Cuban deal; and the question is whether they dare to refuse. During the drive for medical supplies, one company which has been indicted for antitrust law violation received a call from the Justice Department requesting a contribution.

There is nothing wrong, of course, in the simple act of requesting donations from corporations. None of the companies have openly charged that they were promised immunity from antitrust actions if they contributed or the loss of defense contracts if they refused.

But there is nevertheless an inference of impropriety when administration officials, with the power of life or death over businesses, ask for voluntary contributions. While the motives involved in the cases cited above are worthy, many examples could be cited to show that the Kennedys are fully capable of retaliating against those who resist pressure. The launching of an antitrust violation against steel companies which refused to accept the voluntary price stabilization program is the best example of this ruthlessness.

[From the Washington Post, Jan. 9, 1963]

FIRMS POURED IN CASH TO SET CUBANS FREE

(By Richard H. Hoenig)

NEW YORK, January 8.—American business made a substantial contribution to Fidel Castro's last-minute demand for $2.9 million in cash to assure uninterrupted return of the Cuban invasion prisoners.

A check of 25 of the Nation's largest companies indicated today that individual contributions to the special cash fund raised by Gen. Lucius D. Clay ranged from $10,000 to $150,000 and more.

Clay made the loan on his own signature in his capacity as head of a committee that advised and assisted the families of the Bay of Pigs invasion prisoners. Then he sent telegrams to industry leaders, seeking contributions toward the loan.

UNKNOWN DONOR

Castro claimed the $2.9 million was owed him for the release of 60 prisoners in April. Of the total, $1 million was pledged by an unknown donor solicited by Attorney General Robert F. Kennedy.

The cash fund was separate from the $53 million in drugs and food also pledged to Castro.

A number of corporations, questioned about contributions to the cash fund, were hesitant about disclosing details of their donation.

But Texaco Inc., Standard Oil Co. (New Jersey) and the Ford Motor Co. Fund Inc., a charitable, nonprofit corporation supported by Ford Motor Co., confirmed they had contributed $100,000 each to the fund.

RUMOR OF $150,000

General Motors was understood to have given $150,000 but officially the company would not comment.

Socony Mobil said it had contributed $25,000. Shell Oil Co. said it had made a liberal contribution "although not as much as some of the others."

Morgan Guaranty Trust Co. of New York City said it gave $10,000 and a spokesman added that a number of banks had taken part in raising the money. Over the weekend the Dallas Clearing House Association said it had given $10,000.

General Clay, president of Continental Can Co., declined to make public a list of all donors.

Some industry spokesmen cited several reasons for their hesitancy to say whether they had given money to the fund.

One was the controversial nature of the entire Cuban subject. Another mentioned by several company spokesmen was the fear of stockholder criticism at annual meetings scheduled for the next few months.

Another objection to disclosing particulars, mentioned by Clay, was the fear of being placed upon every solicitation list drawn up for any purpose.

AUTOMATION AND PROTECTION FOR LABOR

Mr. HUMPHREY. Mr. President, I wish to call to the attention of the Senate an article entitled "Kaiser Steel Workers Adopt Pact Giving Share of Cost Savings, Layoff Protection" which appeared in the Wall Street Journal on January 14, 1963.

I have, from time to time, spoken on the subject of automation, calling attention to the grave consequences which flow from this technological advance. Government, industry, and labor must continue to exert efforts to meet this challenge.

The article I am asking to be placed in the RECORD explains a new attempt to deal with automation. United Steel Workers and Kaiser Steel Corp. have tentatively approved a plan by which laborers will receive 32½ percent of future savings occurring because of technological advances. Beyond the concept itself is the further agreement that cost data will be supplied the unions in order to determine the extent of the cost savings.

This agreement sets a new precedent and is going to be an interesting experiment in industrial relations.

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

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

KAISER STEEL WORKERS ADOPT PACT GIVING SHARE OF COST SAVINGS, LAYOFF PROTECTION

Kaiser Steel Corp. employees voted by almost a 3 to 1 margin to adopt a labor contract calling for workers to receive a share of production cost savings and to be protected against layoffs due to automation.

The plan is basically aimed at replacing individual and crew incentive pay rates with a companywide incentive plan. It gives workers 32.5 percent of future savings in material, supply, and labor costs required to produce finished steel, sets up an employment pool, and other devices to protect workers against technological unemployment and provides that Kaiser workers get at least as much in future wages and fringe benefits as employees of other steelmakers.

The agreement covers nearly 7,000 workers at Kaiser's Fontana, Calif., operations. Effective date is March 1; it will run for at least 4 years and be subject to annual review and revision.

A Kaiser spokesman said the company hopes the sharing provision would "eliminate the need for long negotiations or strikes over wages and other economic issues." He estimated the plan could result in raising the average Kaiser steelworker's wage and fringe benefits, now equal to $4.12 an hour, from 10 cents to 75 cents an hour.

Officials of some other steel companies have assailed the plan. They dislike several aspects of it, including the disclosure to the union of confidential company cost data that unions have long been anxious to see.

HUMAN RELATIONS COMMITTEE

With the Kaiser agreement ratified, Steelworker Union officials are turning today to an accelerated schedule of meetings of the union-industry human relations committee in Pittsburgh. Under the contract negotiated last spring by other large steel producers, the joint committee was continued to seek solutions away from contract deadlines on vacation, overtime scheduling, assignment of work, contracting out work, and related matters.

The committee, composed of top bargainers in 1962's negotiations, will hear reports today from subcommittees working on the various problems.

Although the steel union hasn't officially decided yet whether to reopen its contract this year, it is expected to do so. These committee meetings, therefore, amount to a prelude to negotiations, because they offer top bargainers an opportunity to discuss many potentially troublesome issues and to probe attitudes on others. They also serve to discourage the Government from intruding in negotiations, as it did in 1962.

The committee can't write a contract and can only recommend solutions to the specific issues it is discussing. Because it consists of top negotiators, however, any recommendations made by the body would remove knotty issues from the bargaining table, speeding a new contract. Any matters unresolved by the committee may be reopened, along with wages and certain other benefits, after May 1; the union could strike 90 days later.

UNION MAY BRING UP PLAN

Some industry sources believe the union may bring up the new Kaiser plan if talks with the other makers are reopened this year. These sources say such a move would be primarily to get industry reaction and perhaps a weapon to get steelmakers to accept an extended vacation plan similar to that in the can industry. But most steel officials figure the union will want to study the Kaiser pact for a while before putting it forth seriously to the basic steelmaking industry.

Copies of the 40-page Kaiser-United Steelworkers agreement were made available before Friday's vote, answering some questions that have been bothering steelmakers since the accord was announced last month.

The text shows, for instance, that the data from which the Fontana local's share of savings is calculated "shall be available to the designated union representatives for examination and verification." These calculations will be made monthly and audited annually, with the company giving the union "basic summary statistics of production, man-hours, employment, employment costs, and material and supply costs."

In addition, the plan provides that any cost savings to be shared with the union will be adjusted to reflect the cost of capital expenditures made to reduce product cost on existing facilities, such as increasing open hearth furnace output with oxygen injection. Capital expenditures for new processes or new equipment to increase capacity, however, establish a department, or install a new process, such as a basic oxygen furnace, wouldn't be a basis for adjusting the figure. This idea appears destined to be met coolly by other steel companies, who think the company shouldn't share with the union the gains from new processes.

ROLE FOR PUBLIC BOARD MEMBERS

The contract also provides a future role for the three public members on the committee that shaped it. If Kaiser and the union are unable to agree on extending the initial pact, the plan provides that the three public members may mediate and issue a report, making recommendations for an accord.

While the public members would have no arbitration powers, their recommendations presumably would add pressure for renewal of a modified contract, rather than permitting the new concepts to be wiped away. This idea runs contrary to the thinking of most steel men, who feel introduction of third parties into bargaining causes the negotiators to ease efforts and delays a settlement.

The text clarifies benefits available to workers under the employment security provisions of the plan. Workers whose jobs are eliminated by automation would go into an employment reserve, or labor pool, where they would be paid at the rate of their old jobs, for at least the average hours worked per week in the plant, for not more than a year. The company figures these workers would have to be carried in the pool not longer than 5 or 6 months before attrition would provide openings for them with pay equivalent to their old jobs.

Workers who miss a promotion because of technological improvements will receive, up to 52 weeks, the standard hourly rate they would have received if they had been promoted. Any worker working less than 40 hours a week because of technological change will be entitled to his average hourly earnings for 40 hours anyway. Such payments will be deducted from the cost savings to be shared.

CONDITIONS AT JUNIOR VILLAGE

Mr. HUMPHREY. Mr. President, while Congress was adjourned during November and December a number of excellent articles were published in the Washington Post discussing the serious problems at Junior Village, the District of Columbia's shelter for dependent children.

As a member of the District of Columbia Appropriations Subcommittee, I naturally am deeply concerned about the massive problems that exist at Junior Village; namely, overcrowding, understaffing, poor physical facilities, and overly tight budgetary restrictions.

But I believe every Senator—whatever his formal committee assignment—should become familiar with the conditions at Junior Village. Since Congress seems unable to escape the responsibilities of a city council in relation to the District of Columbia, I hope every Senator will find time to read these articles and come to understand his responsibility in this situation.

As this series of articles by Post Reporter Dorothy Gilliam points out, over 715 children are herded into space for 320; 80 counselors must care for the entire population; the elementary school is seriously overcrowded. The list of needed improvements is indeed long.

This past fall, one of my staff assistants toured Junior Village unannounced. He talked with the children, the teachers, the counselors, and the administrators. He discovered that the people charged with running Junior Village were highly competent and dedicated people. He described them to me as a domestic peace corps in action. But he also saw that they were faced with insoluble problems, that they desperately needed help from the Congress.

I do not intend to make an extended statement this morning. But there are several encouraging developments that should be noted. President Kennedy emphasized the plight of Junior Village at one of his recent press conferences; Mrs. Kennedy attended a Christmas party at Junior Village and has indicated her continuing interest in the needs she discovered there. Several new cottages have been opened, thus relieving to some extent the heavy overcrowding. And a number of persons have offered to open their homes as foster parents. A large increase of foster parents is undoubtedly the most effective way to meet the short-run problems at Junior Village.

I must also mention that the Senator from West Virginia [Mr. BYRD], as chairman of the District Appropriations Subcommittee, made sure that Junior Village received additional money for cottages in the 1963 budget. My hope is that this year we will consider seriously providing funds for a new elementary school at Junior Village.

I shall have more to say on this subject in the months ahead. But, for the present, I urge Senators to read these articles and perhaps even take the time to visit Junior Village. These young citizens need all the help we can give them.

Mr. President, I ask unanimous consent that a number of articles dealing with Junior Village, that have been published in the Washington Post, be printed at this point in the RECORD.

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

[From the Washington Post, Nov. 28, 1962]

JAM AT JUNIOR VILLAGE WORRIES WELFARE UNIT

The Public Welfare Advisory Council voted yesterday to write District of Columbia Commissioner John B. Duncan expressing its urgent concern over conditions at Junior Village, where the population has reached an

alltime high of 700. The facility is designed for 320.

Dr. Paul B. Cornely told his fellow council members that after visiting the center, he concluded that conditions there "would not be acceptable to refugees from Europe."

Welfare Director Gerard M. Shea concurred, saying that every cottage is dangerously overcrowded.

"A counselor would be helpless if anything happened. There would be great difficulty in getting the residents out."

Shea said he was aware that the District's Health Department was winking at many violations of regulations that are in existence at the child-care facility.

He said that the great need was for more foster homes among area residents to take care of children who otherwise would become the city's charges at the village.

But he noted that in the past 5 years, the number of children in foster homes has increased a bare 300—from 1,295 in 1958 to 1,604 in 1962.

The letter to Duncan should emphasize the need for foster homes, increased stipends to foster parents, the urgency of planning for more buildings, and the necessity for more vigorous staff recruitment, council members agreed.

[From the Washington Post, Nov. 29, 1962]

DISTRICT HELPLESS AT JUNIOR VILLAGE JAM

The population at Junior Village continues to go up and up—and officials are unable to do anything about it.

Joseph S. Kosisky, Jr., superintendent of Junior Village, reported that the population jumped from an alltime high of 700 on Tuesday to 714 yesterday—with another 2 or 3 children expected.

The cottages at the village were designed to hold a maximum of 320.

"We can't turn anyone away," Kosisky explained. "We have no such authority. It's gotten past a ridiculous point."

Kosisky said there is no accounting for the tremendous jam because of the season. "It has been a steady climb. There is no difference between July and December."

Kosisky indicated there might be a temporary letup around Christmas. "Many parents, feeling warmhearted, get together and pick up their children for Christmas—then bring them right back the next day," Kosisky added.

On Tuesday, when the Public Welfare Advisory Council voted to write to District of Columbia Commissioner John B. Duncan about conditions at the village, Welfare Director Gerard M. Shea noted that every cottage is dangerously overcrowded.

[From the Washington Post, Dec. 7, 1962]

STUDY URGED OF AID CUT EFFECT ON JUNIOR VILLAGE

(By Dorothy Gilliam)

The District Health and Welfare Council yesterday urged an immediate study to relate the impact of the city's massive cutoff of relief aid to the rocketing population at Junior Village.

The Department of Public Welfare has scheduled such a study for early next year. But the council said in a statement yesterday: "We believe it should be carried out immediately and not postponed until an indefinite date in January.

"There is a great need to find out what has happened to the children and their parents whose help was terminated because of the special investigations," it asserted.

TWO THOUSAND EIGHT HUNDRED CHILDREN DROPPED

The Welfare Department said 2,800 children were dropped from welfare rolls here during the 4-month period ending in October. It is estimated 250 of these children now are at Junior Village where yesterday 717 children were crammed into space for 320.

Health and Welfare Council, which allocates the major portion of UGF funds, said it is "very seriously concerned at the growing crisis in the care of homeless children at the city's shelter for dependent youths."

Junior Village, the council said, is symptomatic of the serious underlying defects in the city welfare program.

In addition to the relief study, the group also recommended:

Adoption of the program of aid to children of unemployed parents. Under this program, the Federal Government will provide matching funds to the District. Congress approved this program in 1961, but the District has not adopted it.

Increase the board rate for foster home care. "It costs the District $185 a month to maintain a child at Junior Village, although it is generally conceded that foster homes are much better * * * even without considering the present conditions at Junior Village."

Set up a more extensive program of day care for children.

Add social workers to the Welfare staff so the present average of 180 may be reduced to 60 families per worker.

Grant the 126 new positions the Welfare Department has requested for Junior Village.

HAS GIVEN WELFARE A LIST

In another action on Junior Village, District Commissioner John B. Duncan said he had given Welfare a list of 10 or 12 places where the overload might be housed. Duncan declined to name them until they had been checked, but he said four or five were Government owned.

In a related development, Fire Chief R. C. Roberts reported to the District Commissioners yesterday that an inspection at Junior Village showed "no cause for undue alarm insofar as fire is concerned."

URGES SOME CHANGES

The automatic sprinkler system in eight multistory cottages should hold in check any fire that might occur until the buildings can be evacuated.

"The greatly overpopulated situation is the most serious deficiency noted," said Roberts "together with the apparent lack of sufficient adult supervising personnel * * * to provide the additional assistance needed if it should be necessary to evacuate any building."

Roberts did recommend some changes, including the substitution of removable wire screens for window bars, but he said there is no need for a fire patrol at the institution during the night.

Commissioners Walter N. Tobriner and Duncan, who had asked for the special inspection, said they were relieved by Roberts' report. Duncan said additional supervisors would be provided by shifting personnel from other jobs if necessary.

[From the Washington Post, Dec. 2, 1962]

SEVEN HUNDRED CHILDREN STARVED FOR SMALL HINT OF HOME

(By Dorothy Gilliam)

(First of a series)

Shirley, 4 years old, with flying pigtails and a beautiful smile—on the rare occasions when she brightens—is haunted by a daily famine.

Her hunger is not for food, but an unrelenting need for affection and personal attention. She shares this famine with more than 700 other children who have nowhere else to go and must call Junior Village—the city's shelter for dependents—home.

These children are in need because their families are deserted, destitute, mentally or physically ill, or in jail. Many come from broken homes and have led such disturbing lives they need psychiatric help which is not often forthcoming.

Shirley doesn't know she is a beggar.

WELCOMES STRANGER

But when a total stranger enters the room where she is playing in her baffling, cockeyed world of children only, Shirley rushes with arms outstretched, braids askew, weeping suddenly: "Mommy, Mommy."

Embraced, her lovely smile flickers. When she is released, the phantasy ends and tears flood the thin face. She yields easily to a fat little girl, about 3, who grabs the unknown visitor's skirt and announces, "This my mother, mine."

The famine haunts the whole village.

Shirley lives in a cottage with 89 children. Its capacity is 45. Big for her age, she nevertheless shares her high double-deck bed with another child. She and her cottage mates are unkempt, scampering about with soiled, tangled hair and runny noses because there simply aren't enough attendants to take care of them.

INSTITUTION FAILS

Supt. Joseph A. Kosisky sees the circumstances of the lives of all the Shirleys at Junior Village as double rejection—once by their parents and again by the institution that is supposed to act as a pseudoparent, but fails. "It's a crippling thing," he concedes.

The temporary home for dependents, where a baby spends its formative years untaught and unloved and where a 4-year-old is denied even the most basic form of personal attention, is the symbol of the city's rejection of these children who have no other home.

It lacks space—715 children are herded like cattle in space for 320.

It lacks staff—80 attendants must care for all the children. The overall population has risen by 100 in the past 4 months. Not a single counselor has been added. The overload is simply absorbed by the existing staff.

FUN IS RARE

Shirley is regimented. * * * A little deviation from the eternal commands—such as a visiting volunteer who brings an apple slice in the afternoon—prompts squeals of joy.

Junior Village is a frightening place for a girl of four. When she wakes up in the night, scared from a bad dream, there can be few soothing words from a counselor who has 43 others in her care. For Shirley, there is no lady next door; no dad to play an evening game or even to scold her. She knows just children—some with overwhelming problems, some who are bullies, a strange, make-believe world, where the paid help never has time for you.

Some of the people who care for her have college training, yet they must use their time cleaning the playroom and the dining area, serving meals, or washing dishes. Consequently, their morales droop.

One of them, wearily alighting from a ladder where she was hanging gay curtains in the big dormitory, said she took the job because she loved children, yet seldom has time to give to them. "I constantly have to remind myself I'm something other than a glorified maid," she said.

HARD TO FIND

Positions for a few new counselors have been included in the 1963 budget, but good people are hard to find for a salary of $3,560 or $4,110.

Assistant Administrator James Murray says the youngsters there would be better off living in a dump with love "even if this place were a palace."

But Junior Village is a far cry from being a palace. It is located in Blue Plains—at the heel of the city—on a low hill which overlooks nothing. Its buildings sit huddled to-

gether except for a hastily-built cinder block building at the foot of the hill which looks like a barn, is about as private as a barn, and houses 98 boys in space for 80.

The shelter is as socially isolated as it is physically removed from the community. Its so-called temporary nature should mean that youngsters' community ties are kept strong. It has become the last, sometimes permanent refuge for Washington's unwanted children.

Destitute children come in an endless stream—ragged, soiled, sometimes broken in spirit at 4 years old.

Shirley already shows the signs.

NO TRAINING

She talks tough—this is defensive and it attracts the attention she longs for. "Get out of the way, you," she told a younger child, pushing her over and scooping up the dirty blue clown with which the girl played. Shirley's world is largely without discipline, unless she really acts out her fear and anger violently. There is no one to instruct her.

Yet when a volunteer combs and brushes her hair, talking softly only to her all the while, she is just a 4-year-old who wants to be loved.

Hers is a rootless world. Her older brothers, also at Junior Village, are as floundering as she. She doesn't remember much about her mother. Shirley eats better than at home, yet the wish to go home—any home—never leaves.

"Do you have a little girl?" she'll ask a visitor. "Can I go home with you?"

[From the Washington Post, Dec. 3, 1962]

TODDLERS AT JUNIOR VILLAGE MUST SHARE BUSY ATTENDANTS

(By Dorothy Gilliam)

(Second in a series)

The little girl with bright red hair and a heart-shaped face had a vacant stare. She is 2.

Susan, we'll call her, has lived at Junior Village since she was 6 months old. The only mothers she knows come in 8-hour shifts and must be endlessly shared.

A single attendant tries to look after the many needs of Susan and the 20 others in her group. Sometimes the group is even larger; the very young population at this shelter for the city's dependent children is increasing daily.

She occupies a cottage—a 65-year-old brick building with three floors and no fire escape. Built for 45 babies, it houses 89.

Susan's world upsets her because she does not understand it. There are tears and laughter. But there is no one to applaud her first step or comfort her when she falls. Susan could burn a finger on the open radiator in the room where she plays and spend many anxious moments before she finally gets the attention of the nursing assistant.

There is no one to teach her that the huge bushy growth she sees daily from her second-floor dormitory window is a tree. There are many different hands that come at night to bathe her—volunteers from the community. She enjoys this sustained human contact. She steals a second bath whenever she can.

There are so many unwanted babies like Susan at Junior Village that the 51 youngest ones have been down the road to nearby District of Columbia Village where the old people sit out their final days.

The overcrowding at Junior Village is especially hard on toddlers. Denied the love they crave, many retreat into themselves. The few who receive sporadic visits from their parents often fail to recognize them.

Through no fault of the overburdened attendants, Susan lives in semineglect. She is mechanically dressed in the morning; her diapers are changed, hurriedly. But when her nose is runny, crusting uncomfortably about her nostrils, it remains that way because as the attendant said wearily, "I don't have time to wipe 21 noses."

Susan is an automaton, in a sense. When she hears "Group 1," she knows it is time to toddle over to the door with the others in her section, await its opening and, hanging onto a railing above her head slowly wind her way down a flight of stairs to eat breakfast or dinner. Yet it is doubtful that she has a sense of real identity.

So the child is silent and withdrawn without really knowing why. She cries with loud yelps when a bigger child snatches away a toy. Otherwise, she toddles around or sits, staring as if she doesn't see. Only occasionally does a smile light her face.

Because children of Susan's age are traditionally easiest to place in foster homes, observers find especially alarming the tendency for the population to grow steadily younger.

But there are not enough foster homes. And District rules for these dwellings are so strict and complex that it is harder to qualify here than in neighboring Maryland and Virginia.

If Susan continues to grow up at Junior Village, her world will be the restricted one of children unwanted like herself.

If past experience is any indication, she is likely to cling to these children out of all normal proportion, grow up with a somewhat distorted set of values, drop out of school before graduation, and grow into an adult dependent.

[From the Washington Post, Dec. 4, 1962]

YOUTH AT JUNIOR VILLAGE IS A GENERATION WITHOUT HOPE

(By Dorothy Gilliam)

(Third of a series)

The plight of the younger child at Junior Village is frightening. They live crowded like animals in space for half their number; spend their formative years untaught and unloved, suffer from personal and emotional neglect.

Yet, if for no other reason than that they are so young, there is hope for them. Foster home placement, remote for all, is better for the younger child. They also are not hesitant about crying out their needs even to strangers.

The older child at the city's so-called temporary home for homeless youngsters is worse off because he is without hope. Some have spent many years at the lonely Blue Plains shelter, years which have taken their toll in warped attitudes and distorted views of life.

There are fewer counselors and fewer volunteers for this age group. Because they do not need help in looking after their physical needs, they are largely forgotten. They are the unreachables: caught between uncertain childhood and less certain adulthood, unequipped with the social values that will make possible a normal adjustment to adult life.

Many need some sort of psychiatric counseling, but don't get it. Others should be placed in a residential treatment facility. Neither of these courses of treatment is available.

Larry, for example, who is 14, was so disturbed that he attended school only 5 days of his 3-month residence at Junior Village. His foster parents, who were relatives, left Washington for a warmer climate and decided the boy was extra baggage they could not afford. He was put in the village, but never recovered from the rejection of his kinfolk.

The boy would leave the reservation for public school with the other older children each morning, lunch sack and 5 cents allowance in hand, but would never arrive there. He went instead to his old neighborhood, to gaze at his old home, or to the nearby Potomac, to stare at the water.

He was finally transferred to the Receiving Home as a delinquent because he did not go to school. Perhaps, one employee of the village said, the more secure institution will help him, "at least," the employee added, "he'll have his own bed."

Junior Village has many other similarly distraught children whose problems—unlike Larry's—go unattended because they have not yet exploded. Superintendent Joseph A. Kosisky thinks psychiatric counseling should be available to a large number of the 712 children crammed into the shelter built for 320.

But when one counselor has 43 boys under his wing, or two counselors have 49 girls to look after, there is no time to listen to everyone's troubles, or to motivate them individually to study or achieve.

Thus the difficult adolescent period is complicated for these youngsters by their own insecurity, the bleak future and life in the institution.

Jean, 13, is another example. She is sullen, incurious, withdrawn until she perceives that someone really wants to listen.

Her brothers and sisters are scattered—some at the village, others living with relatives. She doesn't know where her father is; she refused to discuss her mother. All she wants is out, yet she doesn't have any place to go.

The cottage she lives in was built for 25 girls, 49 live there.

"Have you ever lived in a place like this?" she inquired of a visitor to whom she had only slightly thawed after a long conversation. "Until then, you don't know what I'm talking about," she said.

She vowed never to marry or have children "because people only get tired of children." Her life, she said, would be a hopscotch between boy friends.

If there were enough paid counselors so that some could show an interest in her, Jean might be able to untangle her values. She may never be put in a foster home where she could get such help because of her age. The Department of Public Welfare does not even have enough foster homes for the younger dependents—those on the priority list.

Many of the older children have gone too far to be found. In the lounge for older boys, a lanky lad of 17, his long legs stretched out before him, read a comic book. Asked why he was not in school, he replied in a bored voice that he would enroll in January. Then he abruptly left the room.

A counselor later expressed doubt that he would ever return to the classroom. "He's only in the ninth grade; he'd be too embarrassed." So he waits out his 18th birthday, doing odd chores around the place.

There is little doubt that in him and many other adolescents at Junior Village, the city is rearing a dependent generation. For example, only 2 of the 43 youths, aged 13 to 18, attend high school although over half are of high school age. The others are in junior high. They do poorly, a counselor said, and few graduate.

Village officials want facilities to provide a trade for the youths whose academic achievement falls somewhere between elementary and junior high school.

Otherwise, these would face a dependent future without adequate preparation either for self-support or good citizenship.

[From the Washington Post, Dec. 15, 1962]

MOUNTING CRISIS AT JUNIOR VILLAGE IS FAR FROM INSOLUBLE

(By Dorothy Gilliam)

(Last in a series)

How can the average Washington citizen help Junior Village out of its desperate situation?

The Department of Public Welfare is looking for 378 volunteers to help out in 3

new cottages for babies and preschoolchildren slated to open early next year.

About 150 volunteers already take over where the paid help leaves off, spending an average 3,000 hours monthly doing everything from bathing babies to sponsoring recreation programs. In general, officials point out that the community has been good to the institution.

Yet volunteer aid will be to little avail unless the city moves quickly and decisively to correct the ills of the institution.

Here are some of the things experts feel the city fathers must do:

See that Junior Village gets an adequate staff with sufficient salary to induce trained counselors to come to the institution. Persons without a high school education are now among the caretakers. Yet the salary range of $3,560 to $4,110 hardly attracts top people.

Clean up the relief mess that is thought to be partly responsible for the unprecedented rise in the population in recent months.

Develop more foster homes and set up a separate foster home code that would unravel the redtape for prospective foster parents.

Tackle head on the problems of economic and social dependency that cripple the homes from which these youngsters come.

Work toward setting up two separate institutions—one for emergency placement and another geared to the needs of children who must remain at the institution many years.

Provide facilities to train children who do poorly in learning a trade.

Improve casework by the public assistance and child welfare divisions to keep children out of Junior Village, or to get them out.

Even if all these things are accomplished, the volunteer would still have an important part to play in helping these children feel they are an accepted part of the community.

Betty Queen, the Welfare Department's Consultant on Volunteers, thinks the large team of volunteers being sought for the new cottages would help to right some of the Village's wrongs, especially with the younger children.

Mrs. Queen said, "We want to give these children enough individual attention through volunteers so they can begin to recognize themselves as human beings. We want volunteers to help them walk, to talk, to know their names, to teach them what a house is, to read them bedtime stories."

Junior Village officials note that community response soars in the wake of a newspaper or television spotlight on the institution. Often, however, this interest fizzles, leaving youngsters grasping at a straw that is no longer there.

Supt. Joseph A. Kosisky says the best the city and Congress can do for these children is not too much. "These are kids whose only crime is having no home."

With adequate staff and facilities, Junior Village could fill a small part of these children's deprivation. As it is now operated, the children who pass through its doors are being short-changed for life.

This is the way officials put it in a publication, entitled, "Welcome to Junior Village":

"The staff would be the first to disabuse the reader of the notion that a good job is being done at Junior Village."

TRIBUTE TO SENATOR RUSSELL AND SENATOR HILL

Mr. HUMPHREY. Mr. President, last Thursday a number of Senators joined in a round of well-deserved tributes to two of the Senate's most distinguished members, the senior Senator from Georgia [Mr. RUSSELL] and the senior Senator from Alabama [Mr. HILL].

I happened to be absent from the Chamber during these tributes, and I want to be sure that the RECORD shows that the Senator from Minnesota joins in these tributes with conviction and enthusiasm.

The senior Senator from Georgia has now entered his thirty-first year of service in this body. His patriotism, his dedication to public service, and his ability as a Senator, command our respect and praise. As each Senator knows who has matched wits with the Senator from Georgia, he truly is the guardian of the inner sanctums of Senate rules. He summons up precedents with a snap of the finger. He argues his case with brilliant effectiveness.

I am sure the Senator from Georgia has committed the entire Senate manual to memory. He always is an eminently skillful, fair, and respected proponent on such matters as we will be discussing today and in the days to come.

But I know the Senator from Georgia has the admiration and respect of the Nation for his great contribution to this Nation's defense, as chairman of the Armed Services Committee. He has served in this capacity for 12 years—the period of time when we were and are faced with the powerful Communist threat. The entire free world is permanently in his debt for his untiring and relentless attention to our defense and security.

He has been also a sympathetic friend of every American farmer in his role as chairman of the Agriculture Appropriations Subcommittee. Such programs as rural electrification, agricultural research, the Farmers Home Administration Price Support and Marketing Programs, and the school lunch program are, in a large measure, results of his hard work and honest concern for our rural population.

I trust the Senator from Georgia will be with us for at least 30 more years. He keeps me on my toes. I have to do my homework when I know that my friend from Georgia will be on the floor. He has my sincere congratulations upon the completion of his 30th year as a U.S. Senator.

I wish also to commend my distinguished colleague and good friend, the senior Senator from Alabama, on his 25th anniversary as a U.S. Senator.

When Senator HILL first came to Congress in 1923, as a Member of the House of Representatives, he was the youngest Member of Congress at that time. He has remained ageless through the years. I look at him and I feel old. I work with him and I know I am getting old. He is a remarkable individual.

As many of my colleagues remarked last Thursday, Senator HILL already has left a monument to his outstanding career of public service. It is living testimony to his deep concern for adequate health standards and facilities for every resident of the United States.

The Hill-Burton Act has resulted in better hospital facilities in almost every city, town, and village of this country. The contribution toward easing human suffering and bringing the advances of medical science to our citizens is truly historic in proportions.

Likewise, he has been in the forefront of those people concerned with expanding medical research through the National Institutes of Health. He has been the principal driving force in making the National Institutes of Health the outstanding medical research center in the world.

The people of Alabama, the people of the United States and, yes, the people of the world surely lead more full and complete lives due to Senator HILL's labors in their behalf.

I consider it a great privilege to stand here and add my word of congratulations to those already delivered on the date of his 25th anniversary as a U.S. Senator. I salute a great American.

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

Mr. HUMPHREY. I yield.

Mr. RUSSELL. I express my appreciation to the Senator from Minnesota by saying that "Praise from Sir HUBERT is praise indeed." I learned that line from my copybook when I was in the sixth grade.

Mr. HUMPHREY. It is pleasant and easy to praise the distinguished Senator from Georgia.

EIGHTIETH ANNIVERSARY OF CIVIL SERVICE SYSTEM

Mr. CARLSON. Mr. President, it was 80 years ago today that President Arthur signed the Pendleton Act, which created the civil service system. Previous to that date, the Nation's Federal employees were selected only on the basis of partisan credentials. The result was that the Federal employees, upon whom the Nation depended for the administrative work of the Government, became the victims of a spoils system.

Public-spirited citizens were aroused over this situation; and as a result, Congress approved and President Arthur signed the Pendleton Act on January 16, 1883.

This morning, appropriate services were held in the departmental auditorium to commemorate this very important event in the Nation's history. An inspiring program was presented under the direction of Mr. Warren B. Irons, Executive Director of the Civil Service Commission.

The Commission itself, presided over by Chairman John W. Macy, Jr., Commissioner Frederick J. Lawton, and Commissioner Robert E. Hampton, issued a statement to the employees of the Civil Service Commission.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD that statement, and also the text of an outstanding speech delivered on this occasion by Hon. John W. Macy, Jr., Chairman of the U.S. Civil Service Commission.

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

To the Employees of the Civil Service Commission:

On this the 80th anniversary of the signing of the Civil Service Act, it is fitting that we, the men and women of the Civil Service Commission, pause to reexamine the basic tenets of the merit system and to rededicate

ourselves to the principles of democracy and opportunity for which it stands.

The Commission's four score years of service have been marked by the achievements of dedicated employees who have made outstanding contributions to the Government and the country. We believe that the fine staff which is found throughout the entire Federal service speaks in daily tribute to the ideals of the Civil Service Act and the benefits it has produced.

Our thanks go out to you on this occasion for the fine job which is being done. The achievements of the past give ample reason to look forward with confidence to the future of the civil service system and the contributions it will continue to make.

JOHN W. MACY Jr.,
Chairman.
FREDERICK J. LAWTON,
Commissioner.
ROBERT E. HAMPTON,
Commissioner.

ADDRESS BY JOHN W. MACY, JR., CHAIRMAN, U.S. CIVIL SERVICE COMMISSION, AT THE 80TH ANNIVERSARY OBSERVANCE OF THE CIVIL SERVICE ACT, JANUARY 16, 1963

Eighty years ago this morning, a few blocks away at the White House, President Chester A. Arthur signed into law a basic principle of government. With his signature he joined with the Congress in producing a major revolution in the staffing of the National Government. The seeds of this revolution had been planted over nearly a century of experience in the life of the Republic. First had come a rejection of an aristocracy in government in the age of Jackson. And later, a mounting outrage over government by partisan patronage. Even in the grim days of the Civil War Abraham Lincoln was unable to walk from his bedroom to his office at the White House without being bedeviled by office seekers equipped only with partisan credentials. This spoils system had finally taken its toll in the assassination of President Garfield by that persistent office seeker, Charles Guiteau. Earnest civic leaders and reforming editors had demanded this revolution. Congress had acted after years of study. The Civil Service Act became a reality and the merit system was born on that January 16 in 1883.

As custodians of that revolution the Civil Service Commission has had the privilege and the obligation to build, to maintain, and to improve an employment system under the specifications of the merit principles. Consequently, it is most fitting that we pause in our work assignments on this anniversary day to rededicate ourselves to these principles and to pay tribute both to the founders of those principles and to those who have been the beneficiaries of them—the civil servant and the American citizen.

It is important that we understand and reinforce these principles on the contemporary scene. At times in the course of our concern with new conditions we may lose sight of these fundamental values which constitute the keystone of the system we administer.

The principle of merit in public employment means open competition available to all citizens. It is recognition of the past in terms of abilities and with equal opportunity for all to offer their talents in competition. It is the principle that an individual's ability shall be the sole standard applied in appointment, advancement and recognition in Federal service. It is the principle that extraneous, nonquality standards, such as party membership, old school tie, or personal friendship shall not be applied in filling public positions. It is the guarantee that efficient and faithful service shall not be terminated by arbitrary or capricious action. It is the assurance to the American citizen of efficiency and integrity in public office. These highly valued principles constitute the living goal of the system for which we have responsibility.

In the 80 years since President Arthur signed the Pendleton bill as the Civil Service Act, vast changes have taken place in the Nation and in the Federal service. Wars have been fought, economic adversity overcome, population exploded, science and technology advanced. These and other changes have expanded and ramified the role of the Federal Government in American life. To meet this change there have been dramatic developments in Federal employment. Whereas barely 100,000 Federal employees served the Nation in 1883, modern government requires the service of 25 times that number. Whereas the Civil Service Commission was primarily concerned with the development of examinations for clerical positions, the Commission today must recruit and examine for a vast array of occupations and professions with increasingly complicated job requirements. And with the passage of time the basic Act we honor today has been buttressed and extended through the enactment of other significant laws providing additional rights and guarantees, protection for retirement and against illness, compensation on an equitable and comparable basis, opportunities for training and education and other features which form the composite framework of Federal employment policy. With each new enactment the Commission has gained added responsibilities but the basic commitment to the principles of the original Civil Service Act form the backdrop before which all other activities are performed.

In honoring the past and in celebrating the significance of this important date, it is essential that we continue to look ahead toward new goals of achievement in behalf of the American people. The pace of change has quickened. The scope of operations has become global. In our time we have the mission to carry forward in these critical and demanding times the principles that were estbalished 80 years ago. To that end, the Commission, joined by responsible officials throughout the Government, must work to sustain the improvement and strengthening of the career service to meet all future demands. We must emphasize our quest for quality in the Federal service at every recruitment source across the land. We must contribute our ideas and actions to the selection, development and retention of men and women who can effectively carry out the public policies of our time in a responsive and creative fashion. We must provide counsel to Federal managers and supervisors in their effort to reach new standards of productivity and utilization. We must, in the face of employment figures of major magnitude, not forget the individual with his own special capabilities and interests. We must join our efforts with other public officials to assure that big government serves the will of the people in the service it provides. In short, it is our privilege in 1963 to have the public responsibility to apply the principles enunciated in 1883 in the interest of our national Government. With the dedication and ability possessed by the men and women in the Commission today, I am confident that these objectives will be met and that we can add future years of even greater service to the American people to the fourscore which we celebrate today.

LAYOFFS ON LONG ISLAND

Mr. KEATING. Mr. President, amid the general rejoicing on Long Island at the important space works contracts recently awarded to Grumman Aircraft Corp., there has been a tendency in some circles to forget numerous hardships and serious layoffs now taking place at American Bosch-Arma. The irony of the situation at Arma is that the Defense Department keeps telling them that their future depends on winning bids. Yet the cause of their present distress is that they did offer the best proposals for the guidance system of the Titan III missile. But no sooner had they started to work out production details when the Defense Department changed its mind and decided to turn elsewhere for an admittedly less advanced and sophisticated system. Meanwhile American Bosch-Arma management and labor are leaving no stone unturned in their aggressive search for new contributions to make to the defense effort. Both management and labor deserve credit for their unwillingness to take this blow lying down. The Engineers Association of Arma has been very active in pursuing the question and now the Long Island Federation of Labor has joined in the effort to keep Arma's fine team of scientists, engineers, and technicians together. I applaud and support these efforts 100 percent.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD two articles on this subject published in the Long Island Daily Press and Newsday.

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

[From the Long Island Daily Press, Jan. 9, 1963]

UNIONS HUNT WAYS OF GETTING NEW DEFENSE CONTRACTS FOR LONG ISLAND

Union leaders sat down here today to find ways of getting more defense contracts for Long Island.

Uppermost on their agenda was the future of American Bosch Arma Corp. in Garden City, threatened with extensive layoffs.

Pentagon officials have expressed fears that the firm's highly trained technical team would dissolve without new Government contracts.

Bosch Arma began laying off personnel after a Government decision not to produce a new guidance system for the Titan III rocket.

The company produces guidance systems for the Atlas missile and was in line for work on the Titan project.

As a result of the Government decision, Arma's staff was further cut to the point where it numbered only 53 percent of what it was 18 months ago.

The latest layoffs cost the jobs of 161 scientists, engineers and technicians plus 65 draftsmen and production workers.

William Warner, president of Arma Local 418 of the International Union of Electrical Workers, said he hoped to meet with Defense Department officials to "hammer home" the implications of the layoffs.

Meanwhile, the Arma situation stirred action in another union quarter yesterday.

Charles J. Browne, president of the Long Island Federation of Labor, called on Defense Secretary Robert McNamara to act quickly to prevent dismemberment of Arma's technical staff.

Browne, however, was heartened by statements of a defense official following a recent tour of Long Island industry.

The official, Ronald N. Linton, Director of the Office of Economic Utilization for the Defense Department, said Arma's future depends on its success in winning bids on contracts.

[From Newsday, Jan. 9, 1963]

LONG ISLAND LABOR UNIT BIDS MCNAMARA ACT ON ARMA; NEW LAYOFFS SET

GARDEN CITY.—The president of the 90,000-member Long Island Federation of Labor urged Secretary of Defense McNamara yesterday to take swift action to ease the job crisis at the Arma Division of the American Bosch Arma Corp. At the same time, it was disclosed that Arma is laying off an additional 226 employees this week and next—bringing the number of layoffs in the last year to 1,630.

Charles J. (Chuck) Browne, president of the labor federation, told McNamara in a telegram that Arma had reduced its payroll by 47 percent in 18 months. When the current layoffs are completed next week, Arma will have 3,556 employees remaining. Browne urged the Defense Secretary to act quickly "to prevent dismemberment of the highly integrated Arma engineering team." Browne is still awaiting a reply from the White House on a request made December 28 to meet with President Kennedy to discuss the Arma crisis.

A spokesman for the federation said the labor group hoped that McNamara would help obtain new Government contracts for Arma. Arthur Sylvester, Assistant Defense Secretary for Public Affairs, said McNamara would have no comment until he had a chance to study Browne's telegram and Arma's general situation. Browne's telegram had the support of the leaders of three Arma locals of the International Union of Electrical Workers—William Warner, president of local No. 418; Owen Hoey, president of local No. 460, and Frank McCall, president of local No. 464.

Many of Arma's troubles stemmed from the loss last summer of a $35 million contract for the guidance system on the Titan III missile. The latest layoffs involve 161 scientists, engineers and technicians, and 65 draftsmen and skilled bench workers. Browne told McNamara that he was worried about the threat of a breakup of Arma's technical team if new Government contracts were not obtained. "As a head of a labor organization of 90,000 workers, I have been especially concerned about this, not only because it menaces a vital link in Long Island's defense production capability, but in its national aspect as well," Browne said.

CHARLES BRANTLEY AYCOCK, APOSTLE OF PUBLIC EDUCATION

Mr. ERVIN. Mr. President, no Governor of any State has made contributions to public education superior to those of Charles Brantley Aycock, who served as Governor of North Carolina from 1901 until 1905. One of the magnificent new dormitories at East Carolina College in Greenville, N.C., was named in his memory at dedicatory services held on the campus of this great institution of learning on December 9, 1962. In dedicatory remarks made by me on that occasion, I attempted to set out in brief compass the life and services of this great North Carolinian. I ask unanimous consent that my dedicatory remarks on this occasion be printed at this point in the RECORD.

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

CHARLES BRANTLEY AYCOCK, APOSTLE OF PUBLIC EDUCATION

We meet today at East Carolina College for this twofold purpose:

1. To dedicate this magnificent building to the service of the youth of North Carolina, and to the memory of Charles Brantley Aycock, one of the most beloved and most useful of all the mortals who have called the Old North State home.

2. To accept as a gift from his family to this great institution of learning his portrait.

Let me relate the prominent external events of the life of this great North Carolinian.

Charles Brantley Aycock was the youngest of the 10 children of Benjamin Aycock and his wife, Serena Hooks, devout Primitive Baptists, whose English ancestors settled in the coastal plain of North Carolina in early days. The day of his birth was November 1, 1859, and the place of his birth was his father's farm near Fremont in Wayne County.

A farmer by vocation, his father was one of the outstanding political leaders of Wayne County, represented his district in the State senate, and served as clerk of the superior court of Wayne County. The tax records of Wayne County indicate that he possessed substantial acumen in economic matters. They show that by 1860, he had acquired 1,036 acres of land near Fremont valued at $10,000, and 9 slaves worth an additional $10,000.

Aycock received his preliminary education in private academies in Fremont, Wilson, and Kinston. His most formative schooling was that received at the academy in Wilson, which was known as Wilson Collegiate Institute. Here he developed his talent for oratory in debates with his schoolmates, met Varina Davis Woodard and her younger sister, Cora Lily Woodard, and formed enduring friendships with Henry Groves Connor, Josephus Daniels, and Frank A. Daniels, who were numbered among his stanchest admirers and supporters in afteryears. It is interesting to note that as a youth of 16 years he taught 75 pupils, of whom 20 were older than he, at a school in Fremont for 1 term during an interim between his attendance at Wilson Collegiate Institute and the academy in Kinston.

Aycock entered the University of North Carolina in 1877. Despite a lack of aptitude in mathematics, he completed the prescribed course of study in 3 years and graduated with a degree of bachelor of philosophy in 1880. He was able to accelerate his graduation by attending the University Normal School for Teachers during two summer sessions.

While a student at Chapel Hill, young Aycock became an insatiable reader of good books, and participated in many campus activities, serving as president of the Philanthropic Literary Society, as a member of the editorial board of the North Carolina University magazine, and as chief commencement marshal. He distinguished himself in his senior year by winning the two most coveted student awards, the Bingham Medal for English Composition, and the Mangum Medal for Oratory. In addition to these student activities and achievements, he served for a time as the editor of the Chapel Hill Ledger, a small weekly newspaper and began the study of law under Dr. Kemp P. Battle. His closest friend at Chapel Hill was his roommate, Frank A. Daniels, whom he had met at Wilson Collegiate Institute. While a student at Chapel Hill, he transferred his religious allegiance from the Primitive Baptist to the Missionary Baptist Church, and retained his membership in that denomination for the remainder of his life.

After graduating from the University of North Carolina, Aycock continued the study of law in the office of A. K. Smedes, an able lawyer in Goldsboro, the county seat of Wayne County. He and Frank A. Daniels were licensed to practice law by the Supreme Court of North Carolina in January 1881, and forthwith established a legal partnership in Goldsboro under the firm name of Aycock & Daniels. Aycock frequently stated in subsequent years that his share of the gross fees of this partnership during its first year totaled $144. This partnership continued until Aycock's inauguration as Governor.

On May 25, 1881, Charles Brantley Aycock married Varina Davis Woodard, a lady of beautiful character. They had these three children: Ernest Aycock, who died in infancy; Charles Brantley Aycock, Jr., who died at the age of 17; and Alice Aycock, the accomplished wife of Dr. Clarence Poe, distinguished author and editor of Raleigh. Varina Woodard Aycock died July 9, 1889.

On January 7, 1891, Aycock contracted a second marriage with his first wife's younger sister, Cora Lily Woodard, who was noted for her gentleness of manner and devotion to domestic life, and who survived him many years. They had these seven children: William Benjamin Aycock, Mary Lily Aycock, Connor Woodard Aycock, John Lee Aycock, Louise Rountree Aycock, Frank Daniels Aycock, and Brantley Aycock. Only three of them, John Lee Aycock of Chicago, Ill.; Brantley Aycock, an able member of the Kinston bar; and Mary Lily Aycock, the charming wife of Maj. Lennox Polk Mclendon, a brilliant member of the Greensboro bar, survive.

While he necessarily devoted his major efforts to serving the clients of his legal firm, Aycock affiliated himself with the Baptist Church, the Masons, the Pythians, and the Odd Fellows in Goldsboro, and took an active part in the educational and political affairs of his community, area, and State.

Since he had establishd a reputation as a devoted advocate of free public schools for all of North Carolina's children before his graduation from the university and headed the successful movement to establish a graded school system for Goldsboro shortly after his admission to the bar, it is not surprising that Aycock was called to served for one term as superintendent of public instruction of Wayne County, for many terms as chairman of the board of trustees of the Goldsboro graded schools, and for some years as a member of the board of directors of the Normal School for Negroes after its removal from New Bern to Goldsboro.

No North Carolinian ever manifested a greater devotion to the Democratic Party than Aycock. He campaigned for the party before he was old enough to vote, actively participated in precinct, county, district, and State meetings and conventions of the party throughout life, and championed its cause upon the hustings in all campaigns in all areas of North Carolina from 1888 until the day of his death. He was Democratic nominee for presidential elector for the Third Congressional District in 1888, and for presidential elector at large for North Carolina in 1892. As a reward for his services in these capacities, he was appointed U.S. district attorney for the eastern district of North Carolina by President Cleveland, and held this office from 1893 until 1897.

He won undying fame for his political oratory in the campaigns of 1892, 1894, and 1896 when he fought in vain to prevent the disintegration of the Democratic Party, and in the campaigns of 1898 and 1900 when a rejuvenated Democratic Party under his leadership redeemed the State from Republican and Populist rule, and established by constitutional amendment what was popularly called white supremacy. His debates with Marion Butler in 1892, and with Dr. Cyrus Thompson in 1898 have been equalled in North Carolina forensic history only by those between Zebulon Baird Vance and Thomas Settle in their quest for the governorship of the State in 1876.

Aycock had his first personal stake in a statewide campaign in 1900 when he was the unanimous nominee of the Democratic State convention for the office of Governor, and was chosen for that post by the largest

majority ever given any candidate for that office in any contested election up to that time.

Charles Brantley Aycock was inaugurated as Governor of North Carolina on January 15, 1901, and executed the duties of that high office in a most enlightened manner during the ensuing 4 years. In his messages to the legislature, he urged the enactment of laws providing adequate public schools for the education of all the children of the State, establishing fair election machinery, creating better procedures for preventing and punishing lynching, erecting a reformatory for boys, and regulating and restricting child labor in industry. He insisted on all occasions that "no real reform or betterment of the people could be achieved without adequate public schools." As a consequence of his untiring zeal for education, Aycock has become known as the educational Governor. Oliver H. Orr, Jr., did not err in his recent biography entitled "Charles Brantley Aycock" when he declared that "as an agitator for schools and a creator of sentiment for education, Aycock perhaps has no peer among the Governors in American history."

After his retirement from the governorship, Aycock returned to Goldsboro, renewed his law partnership with Frank A. Daniels, resumed the chairmanship of the board of trustees of the Goldsboro Graded Schools, and served as trustee of the University of North Carolina and of Littleton Female College. He remained in Goldsboro until 1909 when he removed to Raleigh and established a lucrative law practice in partnership with one of his college mates, Robert W. Winston, a former superior court judge, who was destined to win fame in after years as a writer of history.

Aycock maintained his residence in Raleigh the remainder of his life. While living there he acted as an adviser, moderator and harmonizer in Democratic Party affairs, participated in the trial of much important litigation, and spoke on many occasions in near and remote places on educational topics.

Notwithstanding a serious heart condition, which arose after his removal to Raleigh, Aycock announced his plan to enter a contest with Senator Furnifold M. Simmons, Gov. William Walton Kitchin, and Chief Justice Walter Clark for the Democratic nomination for the U.S. Senate in a primary scheduled for November 1912. This plan did not materialize because he died of a heart attack on April 4, 1912, in Birmingham, Ala., while addressing the Alabama Education Association on "Universal Education." It is significant that the last word he uttered was "education." Two days later, his body was laid to rest in Oakwood Cemetery at Raleigh in the presence of a sorrowing multitude who deplored the comparative brevity of his useful life.

I have endeavored to detail the chief external events in the life of Charles Brantley Aycock. These external events do not explain his consummate professional skill as a trial lawyer, his inspiring eloquence as a public speaker, his undeviating devotion to the Democratic Party, or his unceasing dedication to the cause of public education.

If we are to understand these things we must know something of his character and characteristics, his political philosophy, and his loyalties to existing groups and traditions, and something of the events which called his unusual gifts into action.

Aycock was attractive in manner and person. Standing about 5 feet and 11 inches in height and weighing somewhat less than 200 pounds, his open countenance, blue eyes, self-reliant and sincere attitude, and obvious incapacity for guile caused people instinctly to repose in him a confidence, which was never abused.

While he was considerate and gracious in his personal relations with others and observed the highest ethical standards in his dealings with adversaries at the bar or in politics, Aycock relished combat in the courtroom and the political arena, where he invariably seized the initiative and neither asked nor gave quarter. His fighting spirit combined with his attractive personality and his eloquence of speech to make him a most formidable advocate for a client or a cause.

Although his voice was high pitched and slightly nasal and tended to develop a harshness of tone in the upper reaches, Aycock was one of the most effective and eloquent public speakers our land has known. He omitted the use of manuscript or notes and spoke extemporaneously, or, as he put it, "hot from the shoulder." His versatility in oratory knew no bounds. He spoke with like fluency chaste English and the vernacular of the people. He used humor to amuse or illustrate, and sarcasm to demolish. He appealed with equal force to the reasons or the emotions of his hearers. He possessed to a remarkable degree the rare oratorical power to move his audiences to laughter or tears.

Aycock had well defined philosophies in respect to both law and government. He maintained at all times that it is the duty of courts not to make law but to enforce existing law. He did this because he recognized clearly the fundamental truth, which some men now in high places seem incapable of comprehending, that when judges base their decisions on personal notions of justice rather than on precedents, they substitute the caprice of men for the rule of law.

As a county seat lawyer, Aycock accepted his clients as they came to him, regardless of whether they were rich or poor, black or white, powerful or weak, or corporate or personal. He fought to secure for all of them their full rights under the law. He believed supremely that the right of every man to a fair trial and the safety of the people themselves imposes upon the lawyer the duty to defend unpopular causes, no matter what consequences he may suffer for so doing.

The devotion of Aycock to the Democratic Party had both intellectual and emotional origins. He believed that the Federal Government has the powers granted it by the Constitution, and that all other powers are reserved to the people or the States. He believed that a strong centralized government far removed from the people inevitably imperils their liberty. He believed that good government and very little of it is the best government. He believed that even the best men need the restraint of the Constitution, and for that reason revered the doctrine of the separation of powers and the system of checks and balances devised by the Founding Fathers. He believed that government should secure equal opportunities to all men and grant special privileges to none.

These things being true, Aycock's political philosophy was in complete harmony with the principles of the Democratic Party as expounded by Thomas Jefferson and as accepted by the Democrats of his own generation.

Next to his loyalty to his family, Aycock's most intense loyalties were to the white people of the South and the Democratic Party, which acted as their protector during the dark days of Reconstruction and its aftermath. It was inevitable that this should be so. His study of history left him with an abiding belief in the superiority of Anglo-Saxon people. Three of his older brothers served in the armies of the Confederacy, and he venerated Robert E. Lee as the greatest product of the South because of his fidelity to the traditions of his own people and to their ideals. He deplored as inexcusable the action of the national Republican Party in seeking to perpetuate itself in power by disfranchising most of the natural leaders of the southern whites and enfranchising illiterate southern Negroes just released from slavery whose ignorance and inexperience made them incapable of the intelligent use of the ballot.

He regarded the internal strife provoked by the participation of illiterate Negro voters in political affairs the State's major short-range problem, and was convinced that the establishment of what was popularly called white supremacy by an appropriate suffrage amendment was necessary for the ultimate welfare of both the white and Negro races.

These loyalties, events and convictions inspired Aycock to lead the successful fight in the campaign of 1900 to write into the constitution of the State a so-called "grandfather clause" and a literacy test for the regulation of suffrage in future elections.

Aycock's unceasing dedication to the cause of public education had its beginning in an incident of his boyhood. His mother, Serena Hooks Aycock, was born in 1817, and grew to womanhood at a time when North Carolina had no public schools and North Carolinians had little concern for the education of their daughters. As a consequence she was unable to read and write. As a boy, Aycock was deeply moved by seeing his mother make her mark when signing a deed and then and there made a vow that he would devote whatever talents he might possess to procuring for every child born in North Carolina an opportunity for obtaining a public school education.

Aycock was faithful to this vow at all times and in all his activities. When he advocated the adoption of the constitutional amendment prescribing a literacy test for suffrage, he united the proposed amendment, public education, and the future prosperity of the State into one issue. He asserted that the literacy test for suffrage would induce the people to demand improved public schools, that improved public schools would result in education and racial peace, and that these in turn would make the State prosperous.

His own conception of the function of education underwent an evolutionary process. At first, he conceived that the role of education was utilitarian in that it enabled one to know something, to do something, and to be something. He gradually came to the view that the ultimate purpose of education is to enable each individual to make of himself all that God gave him any possibility of being.

Aycock's unceasing advocacy of public education implanted in the minds of North Carolinians the conviction that education is the right of every citizen and the duty of the State, and left in their hearts the dream that someday every child born in the State shall have the opportunity to burgeon out all that is within him.

In return, North Carolinians manifested their undying love for him by placing statues of him upon the grounds of the State capitol in Raleigh, and in Statuary Hall in the U.S. Capitol at Washington.

THE NECESSITY FOR TAX CUTS NOW

Mr. JAVITS. Mr. President, in view of the fact that the President has made taxes his primary issue at this congressional session, I believe Senators will be interested in reading an editorial entitled "Why We Are Urging Cuts in Taxes Now," published in Life magazine for January 11, 1963.

The criteria and ideas which are developed in the article very much support the President's proposals, and will support those in Congress who favor them, as I hope a majority will, as we develop the subject and get a better view of what savings are to be expected in terms of

closing loopholes and eliminating inequities, so that the whole picture may be before us.

Mr. President, I ask unanimous consent that this very important editorial, which has reached so many millions of Americans, may be printed at this point in the RECORD.

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

WHY WE ARE URGING CUTS IN TAXES NOW

"He left a Corsair's name to other times, Link'd with one virtue and a thousand crimes."—BYRON.

Instead of a 19th century pirate, Byron could have been describing the present Federal tax system. Its one virtue is its yield: the enormous sums of money ($81.4 billion in fiscal 1962) the American people are willing to assess themselves and hand docilely over to a comparative handful of revenue collectors. A list of its crimes—inequities, discriminations, complexities, distortions of effort, discouragements of enterprise, misallocation of resources, etc.—could fill several books and have.

But the reason our tax system is likely to be the No. 1 political issue of 1963 is not its crime alone. Even its solitary virtue is now badly tarnished. Its fabulous yield has not proved great enough to prevent a series of almost chronic deficits in the Federal budget, while the growing resentment of its uneven voracity has begun to undermine the honesty of the taxpayers on which self-assessment depends.

So now nobody has a good word for our tax system. It is one of the worst in the world. In any panel of experts, such as the one Life assembled last month, the subject of discussion is never its virtue but how and how soon the system can best be changed. Years ago the late Randolph Paul called the income tax a wasting asset of the Nation, because of the increasingly complex pattern of exemptions made politically necessary by the burdensome level of its rates. The asset has now wasted to the point where revision is a national necessity. The voices of Life's panel, and many other expert voices, call for a tax cut. We have some views on that, and here they are.

The President's proposals for change, shortly to be presented in detail to Congress, were outlined in general terms in his New York Economic Club speech last month. He wants an across-the-board cut in both personal and corporate income tax rates, plus "elimination or modification of many tax privileges" to make the structure simpler and fairer. That is a good general approach. But it was not the best thing about that New York speech. The best thing was that Kennedy is proposing his cuts, and probably his reforms, for the right reasons, reasons that should command bipartisan support.

He and his advisers want to lift the dragging effect of taxes on private investment and consumption. They want to raise our economic growth rate by releasing more dynamism in the free enterprise system, on which the health of the whole economy depends. They want to expand the incentives and opportunities for private expenditures. Only thus, they now concede, can the economy be stimulated to use all its resources, hire its excess unemployed and grow fast enough to stay ahead of the demands on it. Only through lower tax rates, they now argue, can private incomes grow fast enough to yield enough tax revenues to balance these huge and growing Federal budgets. Tax rates are too high, revenues too low, argues Kennedy, and the soundest way to raise revenues in the long run is to cut rates now.

This paradox, in our judgment, is the simple truth. But there is a risk in acting on it. The immediate result of a tax cut will be a loss in revenue, thus guaranteeing an even larger deficit in fiscal 1964 than the $8 billion we are already in for in 1963. Kennedy calls this a transitional deficit and says it is safer than the chronic deficits of recent years because the economy, stimulated by tax revision, should start to yield much greater revenues, of budget-balancing proportions, in and after 1964. But if the economy's response to this stimulus should be disappointing, the transitional deficit could really land us in the soup, perhaps reviving inflation, worsening our balance-of-payments problem and starting an international run on the dollar.

Kennedy maintains that he is not seeking a deficit for its own sake, or thinking in old mechanical Keynesian terms. He does not want a quickie tax cut like the one he almost asked for last summer to combat an expected recession. There is no expected recession. Instead there is a long-term problem of what economists call high-level stagnation, and tax revision is a long term response to that. In dealing with a long-term problem, the chief risk lies in procrastination—in doing nothing.

As any member of the House Ways and Means Committee will tell you, tax legislation is difficult to write and easy to put off. But the longer revision is put off, the harder it gets. Weighing the risk to the dollar against the risk of inaction, we conclude that there will never be a better time for tax revision than 1963. We favor a tax cut now. The risks can be minimized if four other conditions are met.

First, the President should be firm in his promise to keep the lid on nondefense expenditures, not only to keep the transitional deficit as small as possible but to lend conviction to his claim that a balanced budget is his ultimate goal.

Second, monetary policy should be designed to offset the deficit's inflationary potential and its threat to gold. That is to say, interest rates should be high enough to attract foreign capital, not low enough to suit the easy-money politicians. The President has implied that he favors this sensible course.

Third, the tax rates should be cut not in one fell swoop but in stages. The Committee for Economic Development recommends a 2-year program, the National Association of Manufacturers (and the Herlong-Baker bill) would spread revisions over five. The confident expectation of cuts to come will have its stimulating effect in the present, especially on private investment decisions, while the more cautious the immediate cut, the less it enlarges the deficit.

Fourth, this should be a serious and wholesale reform of the tax structure, not just a pleasant rebate of dollars. The base-broadening and loophole plugging reforms in the President's bill will probably be modest, necessarily so at first; for the voracious rates are the root evil of the system and a tax cut is the No. 1 tax reform. But as rates approach a saner level (for instance, the CED's goal of a 17- to 60-percent range in the personal income tax and a reduction from 52 to 42 percent in the corporate) then special tax shelters such as capital gains, municipal bonds, depletion allowances, etc., become less valuable to their beneficiaries and easier to restrict. At present, in a New York banker's words, our tax-strangled economy is gasping for breath through the so-called tax loopholes, and we should not plug them all until the stranglehold of the rates is relaxed.

If these four conditions are met, responsible men can give wholehearted support to tax cuts. We need a better tax system. This is the year to start getting it.

SENATOR RANDOLPH CALLS FOR TAX EXEMPTION INCREASE AND PROPOSES DEDUCTIONS FOR TUITION EXPENSES

Mr. RANDOLPH. Mr. President, I request unanimous consent to have printed in the RECORD at this juncture as a part of my remarks a press release prepared for distribution on Janury 7, 1963, relating to a proposal to increase from $600 to $750 the personal exemption under the Federal income tax for taxpayer and dependents; and proposed deductions for tuition expenses.

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

Declaring endorsement of the administration's effort to stimulate the national economy with a tax reduction, Senator JENNINGS RANDOLPH, Democrat, of West Virginia, announced today his hope that the program would concentrate a large portion of the reduction in the lower income brackets.

"Based on past experience, especially in such instances as veterans' dividend payments," stated the senior Senator from West Virginia, "reductions in taxes for those paying on the lower incomes are the quickest means of injecting new buying power into the economy."

"My initial choice, and one for which I will seek enactment," continued Senator RANDOLPH, "is the raising of personal exemption for taxpayer and dependents from $600 to $750. Such a measure would be the most equitable in spreading the benefits of tax cuts where they are most needed, but it also would be an effective means of increasing consumer purchasing power."

Senator RANDOLPH pointed out that such an exemption would release, according to Treasury estimates, approximately $4.5 billion for added consumer purchases, of which $3.6 billion would be generated among families with incomes of less than $10,000 a year. He commented further:

"With the additional economic activity that these purchases would generate amounting to a so-called multiplier factor of 2, the total estimated to be injected into the national economy would be on the order of $9 billion. Apart from the economic factors, my desire to raise the personal exemption to $750 is based on studies which indicate that in terms of the present Consumer Price Index, the $750 exemption is today's equivalent of the $600 exemption in 1948, the year the $600 exemption was established."

Senator RANDOLPH indicated that soon he will recommend allowing an income tax deduction for educational tuition expenses, not only at the college level but also for private secondary and elementary school tuition. "This is not a substitute for Federal aid to education," he commented, "but is recognition of the increasingly burdensome costs placed on many parents for the education of their children. I have initiated studies to determine these costs at the various levels of education and to ascertain what might be a reasonable and equitable tax deduction. I shall make my recommendations when the studies are completed."

THE UNITED STATES AND THE UNITED NATIONS IN THE CONGO

Mr. CURTIS. Mr. President, an editorial recently appeared in the Omaha World Herald, restating the position of Dr. Albert Schweitzer with regard to the activities of the United States and the United Nations in the Congo. Officially, we have supported the United Nations in

its activities and have never found any merit on the side of its opposition. I am sure we can agree that Dr. Schweitzer is a man who can speak authoritatively and free from prejudice. I believe his comments deserve the attention of my colleagues.

Therefore, I ask unanimous consent to have the editorial printed in the RECORD.

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

FROM DR. SCHWEITZER

Through President Kennedy the U.S. Government backs the United Nations in the Congo, gives credence to all that the World Organization says there, approves of what it does.

Thus, in the eyes of official Washington, it was all right to rob the Katangan bank, all right to crush Moise Tshombe after saying he would not be crushed, all right to set up a new Katangan government as weak and as phony and as utterly dependent upon the U.N. as the central government in Leopoldville.

But were these actions right?

A man whose knowledge of Africa is greater than President Kennedy's and whose character is as pure as the President's, doesn't think so.

We refer to Dr. Albert Schweitzer.

The missionary-doctor-musician is one of the great men of our time. It would be impossible to believe that he is in the pay of an international mining cartel, or that he believes in white supremacy, or that he is a liar—all of which charges have been directed at others who dare to defend Tshombe and his Katangan government.

It is likewise impossible to discount Mr. Schweitzer's knowledge of Africa. As he said in his little publicized letter to the Premier of Belgium, he has been a resident of Africa for nearly 50 years.

Dr. Schweitzer wrote:

"It is inconceivable that we find in our day a foreign nation at war with Katanga in an effort to make it pay revenues to the rest of the Congo. Reason and justice demand that this foreign state [the United States] and the United Nations withdraw their troops from Katanga's territory and respect in future the independence of this country."

Reason and justice—and the interests of the United States as well—demand that Americans stop supporting United Nations forces which are actively hostile to Western interests.

Dr. Schweitzer is deeply interested in the Congo, and he is incensed at the artificial union of Katanga and the other Provinces of the former Belgian Congo.

His letter continued:

"The colonial empire of the Congo no longer exists. There are left two distinct branches of this empire composed of peoples and tribes who, from the time of colonialism forward, have opposed each other. They are absolutely independent entities.

"It follows that no war waged by one of the above parties against the other for purposes of subjugation has the slightest justification in law. It also follows that no foreign state can pretend to have the right to subject one part of the Congo to the other part."

So said Albert Schweitzer, a good man, a wise man, a moral man and an expert on Africa. Yet his advice was ignored, and others who have expressed views similar to his have been discredited and even abused by the U.N. moralists who robbed the bank in Katanga.

The world is indeed upside down in many places, and nowhere is this unhappy fact more apparent than in the Congo.

THE CUBAN PRISONER TRANSACTION

Mr. CURTIS. Mr. President, we share the joy of those families who were recently reunited with their valiant fathers, husbands, and sons who survived the invasion of the Bay of Pigs.

The generosity of America is ever present. But, has its method in this instance served the best interests of this Nation? Has precedent been established which may haunt us in the future? I ask unanimous consent to have printed in the RECORD an editorial from the Oakland Tribune of December 27, 1962, entitled "The Cuban Prisoner Deal."

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

THE CUBAN PRISONER DEAL

At a time of the year when it is customary for families to gather together, most of our citizens joined in rejoicing that Cuban families long separated were again joined together—husband and wife; father, mother, and son; brother, sister, and old family friends.

The stories and pictures out of Florida as the Bay of Pigs captives returned were at one and the same time tearful and joyous. But the moving scenes must not sugar-coat the operation to the point where the darker aspect cannot be seen.

We have encouraged international extortion. We have participated in the paying of ransom (cold cash as well as supplies). A $2,900,000 check drawn on the Royal Bank of Canada was in the hands of Castro as evidence of good faith. In addition there was some $53 million worth of food and drugs to bolster the Castro regime in Cuba.

There were additional hidden extra costs for transportation and storage. However, if we just take the figure of $55 million, we paid Castro something over $46,000 for each man released, which is probably one of the most costly extortion jobs in history and makes the kidnaping ransoms of the roaring twenties look like small pickings.

Both the Government and a part of the business community have condoned the operation and a new precedent has been established for buying our way out as a method of freeing people from Communist prisons all over the world.

Will $46,000 per person now be the "established price"? Or will it soon go up to $75,000 or to $100,000? What a potential racket for bandits around the world to seize Americans and hold them for ransom. If we will pay $46,000 a head for Cubans, will we not pay that much or more for American citizens, some of these ruthless men will reason?

At other times and under previous administrations our policies were boldly stated and courageously enforced:

"Millions for defense but not one cent for tribute." Or much later when our citizen, Perdicaris, was kidnaped and held for ransom by the bandit chieftain Raisuli, Teddy Roosevelt sent the message "Perdicaris alive or Raisuli dead." The messages were short but understood by those for whom they were intended. Our moral position was strong though the power of our Nation was much weaker in those years.

There can be no claim either that Government funds were not involved. The donations made are a deductible income tax item. Fifty-two percent of corporate donations would otherwise have gone into the Public Treasury and varying percentages of private donations would otherwise have been Government income.

In the cold gray dawn after the moment of rejoicing we cannot help but believe that history and the conscience of our people will view this transaction as one of shame and humiliation. For our Nation this act of ransom payment does not measure up to our finest hour.

THE FEDERAL-STATE WATER RIGHTS CONTROVERSY

Mr. SIMPSON. Mr. President, I ask unanimous consent to have printed in the RECORD a speech given before the National Association of Counties, December 13, 1962, at Las Vegas, Nev., by Hon. Marlin T. Kurtz.

Mr. Kurtz is speaker of the house, Wyoming State Legislature, and a man most knowledgeable on the subject of water and water law.

Wyoming, and I am sure the Nation, may be indebted to Mr. Kurtz for his singularly outstanding contribution to the study of the rapidly decreasing supply of water, our most precious natural resource.

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

THE FEDERAL-STATE WATER RIGHTS CONTROVERSY AND STATE GOVERNMENT

I am pleased to be able to meet with the western region of the National Association of County Officials. I am also pleased to appear on this water problems panel this morning. I call your attention, however, to the fact that I am the only lay person appearing on the panel. I feel complimented to be on the same panel with three legal experts in the field of water law. It may be, however, that I will be able to supply information of interest from the field of legislation as regards both the State and Federal approach, as well as taking a look at the working relationship between the two levels of government.

It may be well for me to mention early in my talk the Council of State Governments. I realize over the years that it is not a movement too well known, yet it has become very important in the field of government. The Council of State Governments is a movement that was started by Mr. Toll in Colorado a considerable number of years ago. It is set up to study Federal-State relationships. It is a national movement made up of several regions. The professional staff is small and the central office is in Chicago. The western region, of which we are part, consists of the 13 Western States with the regional office in San Francisco. At present we have four active committees in the western region. These committees are agriculture, public lands, highway policy problems, and water problems. Each of these committees is looking at its own particular problems within its field, and the working relationship as between States on an interstate basis along with the overall interstate relationship with the Federal Government. Much good has come from the work of these various committees.

It was in our public lands committee work of several years ago that we learned of your organization of NACO and of your interest in public lands problems. As a result, we have had at the last two meetings with representatives from your membership working with us on such things as payment in lieu of taxes and legislative jurisdiction of Federal enclaves. Through these contacts we have learned that your organization and ours, particularly in the western region, have very much in common. It appears to me that we have much to gain in working together

shoulder to shoulder in pushing toward common objectives.

In looking at this matter of Federal-State relationships, I would just like to mention briefly that in our Federal Constitution, it was provided that the Federal Government have certain rights. Those rights were so specified. It was also made very specific in the Federal Constitution that those rights not specified to the Federal Government were reserved to the States.

In looking at the problems of water, both intrastate and interstate, I might point out that as the various States of the West came into the Union, that in every instance the incoming State declared in some measure that water within the State was a vested right and the water belonged to the State. They also set up priorities for domestic use, agriculture use, industrial use, etc. In more recent time, legislation in many instances has set up priority rights for recreational use, pollution abatement and pollution control, etc. If this has not been done, it has become a problem in the individual State.

Again expressing a principle of government, I have always preferred that laws be made by legislation rather than by court decision. Legislative processes bring about laws desired by the people. Court decisions bring about laws that are merely an interpretation of the court on what they think the legislative processes meant to express. Quite often this is far afield from what the legislature intent had been originally.

It is my opinion that the various State governments throughout the West have been negligent in keeping abreast of their water problems. As a result, it has left sort of a vacuum whereby Federal Government has seen fit to start encroachment in the field of water. There is an exception to this, however, in that the Western States have been very diligent in working at interstate compacts. They have really gone to work in solving their problems in common along major river drainage basins. However, the Federal Government has really started to step into this picture as witness the National Water Resources Planning Act of 1961. Here we have an example of where the Federal Government either knowingly or unknowingly proposed to take over the matter of interstate planning on a river drainage basis. I will not dwell on detail here, but certainly the plan is one that is dangerous to the successful tradition that has developed over the years. I would like to point out here that it is my opinion that not all wisdom comes from the Federal level. It has been my observation in recent years that many people on the Federal payroll by some process or other have come to believe that they have the final answer to all problems. On the contrary it is my opinion, that there is considerable intelligence coming from people at local and State levels. Let's not forget these facts and govern ourselves accordingly.

There is another phase of Federal-State relations that we must consider with great care. As I worked in government over the years, I have become very much aware that Federal departments have come out with rules and regulations that have been given the same stature in law as are congressional acts. This I believe is a dangerous precedent and must be challenged. It has been my observation at the State level for instance that the State Legislature of Wyoming has passed numerous bills with a general understanding and with an obvious intent. However, by the time bureaus and departments, as well as the courts get through interpreting what we have done, we just don't recognize the legislation as we understood it at the time of its passage. I am inclined to believe that this is more true at the Federal level than at the State level. As we work at this matter of Federal-State relationship I believe that we should become more and more conscious of the problem. Just because the Federal personnel make a ruling it is not necessarily a result of a congressional act. In other words, I call your attention to some rule that might be set up by BLM or the Forest Service or some other Government agency, it probably has come as a result of some employee's interpretation rather than just legislative act. It may have come too as a result of overexuberance on the employee's part in interpreting his sphere of authority. It is my contention that this type of procedure must be brought to a head by, if necessary, a court test.

Now going back to water again, I would like to indicate to you how prominent the Federal Government has become in the field of water regulation. In our State of Wyoming our legislative council recently completed a bibliography type of water study. In this study, they found that 15 State agencies were associated with water administration in the State of Wyoming and 49 Federal agencies were associated with water problems. This I am sure will be news to most of you. My contention is that, for instance, in Wyoming on the basis of what I have just told you, we need to get busy in order to reestablish the overall control of water within the State. This is a matter of setting up not only priorities of use, but what State agencies are subservient to other State agencies and who has the overall State control. Of course, I point out too that the 49 Federal agencies should be set into the proper perspective as their relationship with the overall State authority on water.

There is another way that I might illustrate this matter of Federal encroachment. I will need to go to another general other than water to illustrate that encroachment. In our State, we have 12 Federal agencies having to do with agriculture. There is only one of these Federal agencies that has any significant relationship to the State government. This is in the case of the Federal extension service. The reason for close coordination here is that the moneys are provided on a matching basis between the Federal, State, and county governments. As a result, the planning program is done pretty much at grassroots level by the counties. However, in all other instances these Federal agencies come right into the middle of our State and our counties and have no official relationship to the State government. That is, our Governor has nothing to say about what they do, our legislature has nothing to say about what they do, and our courts do not have jurisdiction over them. In other words, the Federal Government is coming direct from Washington, D.C., into our local communities without having any working relationship with State government. It is my contention that this type of procedure must be stopped, but it must be stopped by the State and county governments filling a vacuum and doing their own planning and bringing about activity as a result of local grassroots activity as coordinated by the county and State governments. It is very apparent that the type of thing that has happened in the field of agriculture, as I have just related, is the type of thing coming in the field of water, unless we pick up the ball and aggressively carry it to a legitimate objective.

I have outlined these problems from a legislative angle and an interstate angle as I have seen them. I have been rather harsh in my criticism of Federal encroachment, but I realize this has come largely as a result of a lack of activity on the part of county and State governments. Consequently, my recommendation is that we have much to do in our respective fields of endeavor as well as coordinating our approach and doing our planning on a constructive basis. Only such a concerted effort on our parts will prevent the continued and increasing Federal absorption of States rights.

Thank you.

THE MAINE CONGRESSIONAL DELEGATION

Mrs. SMITH. Mr. President, to the best of my knowledge, I think that the Maine congressional delegation has a very unique distinction. I believe that it is the only State congressional delegation that holds regular monthly meetings—at least the only State congressional delegation with a membership from both political parties that holds regular monthly meetings.

This practice has been followed since 1953, when I became the chairman of the Maine congressional delegation. Prior to that time, the delegation met irregularly. From 1953 to 1961 I served as chairman of the delegation.

In January 1961 I proposed that the position of permanent chairman be abolished—as I felt that the other members of the delegation should have their turns at being chairman—and replaced with a rotating chairmanship system with the chairmanship rotating with each monthly meeting among the then five members of the delegation. My proposal was adopted and the delegation found the rotating system so satisfactory that, at its first meeting this year, the delegation voted unanimously to continue the rotating system.

In a radio broadcast in Portland, Maine, this past Sunday, I reported to the people of Maine on the action taken and the subjects discussed at the January 9, 1963, meeting of the Maine congressional delegation.

Because I think the subject will be of interest to other State congressional delegations and may give them some encouragement to do the same thing and how to do it, I ask unanimous consent to place in the body of the RECORD my radio broadcast on the Maine congressional delegation.

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

This is your senior Senator, MARGARET CHASE SMITH, initiating the public service program of WGAN during the 88th Congress in which your members of the Maine congressional delegation make a weekly report to you—a weekly congressional report.

Inasmuch as this broadcast is the first of the series in 1963 and for the 88th Congress, an appropriate subject for it is the operation of the delegation itself. It is timely to report on this since the first delegation meeting of the 88th Congress was held in my office this past Wednesday afternoon.

At that meeting the delegation voted unanimously to continue the system of rotation of meetings and chairmen—much the same as the rotation of the broadcasts of the individual members of the delegation on this program. The rotation system was first proposed by me 2 years ago and adopted at that time.

Until that time I had been the permanent chairman and all meetings were held in my office. I proposed the change to the rotation system because I felt that the other members of the delegation should have their turns at being chairman and having the meetings in their offices instead of such

privileges being exclusively mine. I also felt that it would be conducive to the maximum of nonpartisanship in the operation of the delegation.

The delegation has found the rotation system so satisfactory that it voted unanimously to continue it. However, the delegation did make some changes—all of which were by unanimous vote. First, instead of having the first two meetings go to the Senators, the delegation voted to have the rotation according to service seniority, which means that the next delegation meeting will be chairmaned by Representative McINTIRE rather than Senator MUSKIE as has been the case since 1959.

The delegation voted also to go back to the old day and hour of the monthly meetings—to go back to having the regular monthly meetings on the first Monday of each month at 4 o'clock in the afternoon instead of the 9 o'clock morning hour on the first Tuesday of each month.

The delegation voted to hold monthly meetings even though there may not be any agenda or any specific subject set for discussion. It was voted that three would constitute a quorum. It was further voted that the senior Senator would call and hold the first meeting of every new Congress but not every new session.

Set for future discussion were the subjects of (a) appointments to the military academies, (b) oil imports, (c) the Quoddy-Allagash-Rankin Rapids-St. John River matter, and (d) the Hood Milk Co. request for its representatives to meet with the delegation.

I then placed before the delegation a matter not for its action but rather for its information and for the information of the people of Maine since the press was present at the meeting. Opening the meetings to the press and making the meetings public was my proposal made 2 years ago and adopted by the delegation in the theory of the so-called right to know.

I made the following statement.

"There is a serious matter on which I would like to speak. It is a matter of printed reflection on the integrity of the delegation—on the two Senators. The Portland Press Herald, the Augusta Kennebec Journal, and the Waterville Sentinel on December 21, 1962, carried a story that stated that the delegation did not meet in September for two reasons—because there had been some hard feeling between Senators SMITH and MUSKIE and because Labor Day was in that month.

"The hard feeling charge is a very serious matter because it charges, in effect, that the two Senators would permit any differences of principles, policies and views to so degenerate into personal pettiness as to cause cancellation of a delegation meeting dedicated to the interest of the State of Maine and the people of Maine.

"Though Senator MUSKIE and I are of opposing political parties, I have no hesitancy to defend him from this serious misrepresentation. To my knowledge, he has never prevented or cancelled a delegation meeting because of any hard feeling. To the contrary, with respect to the September date, Senator MUSKIE wrote me on September 10, 1962, stating, 'This is merely to advise that due to the lack of business pending, there will be no delegation meeting tomorrow.'

"As for myself, the ridiculous falsity of the misrepresentation is proved in the fact that a week before, on Tuesday, September 4, 1962, I walked over to Senator MUSKIE's office arriving there at 9 o'clock that morning expecting the regular monthly delegation meeting to be held at the regular hour and at the regular time of 9 a.m. on the first Tuesday of the month.

"Even if the writer had written the story in a speculative tone, as contrasted from its factual tone, the matter would have been most serious. For the writer did not see fit to consult me or my office to check on the accuracy or inaccuracy prior to the writing and publication of the story.

"But the seriousness of the misrepresentation is even greater in that the writer wrote in a factual tone with a flatly unqualified statement that the delegation did not meet in September because there had been some hard feeling between Senators SMITH and MUSKIE.

"Two weeks ago I wrote the writer of the story about this serious misrepresentation, pointing out my going to Senator MUSKIE's office on September 4, 1962, expecting the regular meeting to be held—and Senator MUSKIE's letter of September 10, 1962.

"The response of the writer was that she would be glad to have anything I wanted to say about this for publication. Since the public correction of her misrepresentation was her responsibility, I declined to accept her responsibility and instead replied that such act of correction was a matter for her own conscience.

"The misrepresentation is grave. But the indicated attitude of the writer is even more grave. For as of this time—2 weeks later—to my knowledge she has taken no initiative to make a public correction herself. Inasmuch as a reasonable time for correction has elapsed, I feel an obligation to the people of Maine to make this refutation in fairness to both Senator MUSKIE and myself."

At the conclusion of the reading of my statement, I disclosed that as a matter of courtesy to the writer, my office had twice that day—at 12:45 p.m. and at 3 p.m.—given advance notice to the writer that I would be making a statement concerning the writer at the delegation meeting at 4 p.m., but that the writer had stated that she could not be present with the other members of the press at the meeting because she was too busy with arrangements for the dinner of the Women's National Press Club to be held that night.

Senator MUSKIE stated that his reaction to, and interpretation of, the story was not the same as mine. He said that he did not regard the matter as being as serious as I did; that while the writer's style of writing was subject to criticism, he did not believe the writer was guilty of misrepresentation; that he felt that the story had been speculative instead of in a factual tone; but that the statement of the writer was incorrect, was in error, and was unfortunate; that contrary to the statement of the writer, a delegation meeting was not held in September when he was the chairman because of lack of pending business and not—and I repeat "not"—because of any hard feeling between himself and Senator SMITH; and that he was not aware of any hard feeling on the part of Senator SMITH toward him.

I am extremely proud of my record on participation in the meetings of the Maine congressional delegation and I resent such misrepresentation that I would cause the prevention of a delegation meeting because of any personal feeling.

The ridiculous nature of such a false charge is further abundantly clear from the actual records of the delegation. In the first place, I have the best record on attendance of delegation meetings of any member of the delegation. In the 14 years that I have been in the Senate, I have missed only 1 delegation meeting. That was 8 years ago back in 1955. And since the writer attributed the cause of no delegation meeting last September to her fancied hard feeling between Senator MUSKIE and myself—I think it is only proper to point out that the only delegation meeting I missed was 4 years before Senator MUSKIE even became a member of the delegation. In other words, I have not missed a delegation meeting during all of the time that Senator MUSKIE has been a member of the delegation.

During all of my 22 years in Congress I have never canceled a delegation meeting. Staying on the job not to miss record rollcall votes in the Senate and not to miss the Maine congressional delegation meetings is one reason why I stay in Washington instead of going out of town to make speeches while the Senate is in session.

I am proud of this record, and I do not propose to stand by silently and let a reporter tarnish that record with a misrepresentation so obvious as this one.

THE U.S. SENATE AND ITS RULES

Mr. HAYDEN. Mr. President, during the current debate on the wisdom of amending the Senate cloture rule, it is particularly appropriate to direct the attention of the Senate to an article by the senior Senator from Nebraska [Mr. HRUSKA] published in the November 1962 issue of the National Parliamentarian, entitled "The U.S. Senate and Its Rules."

Senator HRUSKA points out the intrinsic logic of the present rules in a legislative body whose role is to assure an equal voice for each of the several States in the law-making process. In a carefully reasoned manner the article demonstrates that the crucial issue in this debate is not whether there is a right to abuse these rules, but rather how the proper function of the Senate would be severely handicapped without them.

The National Parliamentarian is the official journal of the National Association of Parliamentarians, an organization dedicated to the preservation of the principles of parliamentary law. Its national president this year is Mrs. William H. Hasebroock, of West Point, Nebr.

I ask unanimous consent that the article by Senator HRUSKA, to which I have referred, be printed in the body of the CONGRESSIONAL RECORD.

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

THE U.S. SENATE AND ITS RULES

(By ROMAN L. HRUSKA, U.S. Senator from Nebraska)

Our country, at the time of our Constitution's fabrication, was driven by a kind of dynamic tension. This tension pervades the operational structure and philosophy of the entire political, economic, and social system.

It also pervades the Constitution designed to govern that system. In that document's delicately balanced mechanism, force is set against force, power against power, and interest against interest. The Constitution-makers deliberately provided a well-balanced mechanism to cope with an everlasting struggle between those determined upon action and those determined to oppose such action. To each side were given powerful weapons. And, to round out the system, each side was liable to be transformed at any moment into the operational counterpart of its opponent.

The Senate is, of course, intimately and thoroughly involved in this process. Its rules and procedure directly reflect that involvement. Many people tend either to ignore or to resent the fact that Senators do not represent individuals as such but rather individuals as they are organized into States. The rules of the Senate implicitly recognize that fact.

They also reflect another significant characteristic of the Senate, its relatively small size. George H. Haynes has written:

"The Senate rules were intended for a body which at the time of their adoption had not more than 20 Members, and which

it was believed would always remain relatively small. Hence, many matters * * * were left to the control of that courtesy and deference which it was expected would characterize the small group of Senators in the intimate contacts of the Senate Chamber. Despite the fact that the Senate's membership is now larger than it was originally, the Senate still cherishes the tradition that in most of their relations its Members shall be governed by custom and mutual courtesy rather than by an elaborate code of formal rules. Of the original list of rules the list of all but three is to be found, in practically the identical phraseology, in the standing rules of today." [1]

Unlike the House of Representatives, the Senate does not have to contend with the problems that accompany a large membership. It has relatively few rules and perhaps, as a distinguished foreign observer has put it, "even fewer than it needs." [2] But the few it does have enable the Senate to retain a flexibility of action and a tolerance of individuality that its sister body can hardly afford.

This tolerance of individuality and, therefore, of minorities is a considerable prize. The protection of the rights of the minority is, after all, as precious an element of democratic government as is the fulfillment of the will of the majority. This protection is one of the unique and outstanding features running throughout the entire Constitution.

There is no automatic guarantee that the majority is in the right. Quite frequently the minority possesses the truth. The history of the Senate presents numerous instances in which the minority preserved the majority, against the latter's will, from acts of folly. President Andrew Johnson was saved from conviction on impeachment because a minority of one-third held fast. Not the least to be said for the Senate is that it is a bastion for minorities, political, economic, social, ethnic, or whatever.

And here we have arrived at the crucial problem underlying the rules of every legislative body, or of any organization for that matter. That problem involves the balance that is to be maintained between the quite reasonable desire of a majority to convert its numbers into legislative victories and the equally reasonable desire of a minority to protect itself from such victories at its expense. To put the matter in an even more troublesome form, we are faced with a conflict between order and liberty.

In terms of the democratic ethos, this is an insoluble problem. The House of Representatives compromise sacrifices much of each Member's individual rights. Prof. Lindsay Rogers has well described this type of development.

"The major problem of parliamentary procedure has been the reconciliation of two irreconcilable principles: certainty of business and liberty of discussion. The leaders of a legislative body must be able to have their program acted upon, but to accomplish this there must be frequent curtailment of debate. Taciturnity is rarely a characteristic of a person chosen to represent constituents, and there is thus a fairly constant tendency for those who control the procedure of a legislative assembly to sacrifice discussion to their timetable and to deal more and more ruthlessly with the rights of their own followers and of opposing minorities. Changes of rules have had two principal objectives. They have been designed, in the first place, to make it certain that the majority steamroller would proceed and not be stopped by the minority; and, secondly, to prevent the course of the steamroller from being diverted through members of the majority venturing to repudiate the leaders and their program." [3]

The Senate was originally selected and has chosen ever since to lean in the other direction. There is a story, perhaps apocryphal, that George Washington described the Senate to Thomas Jefferson as the saucer into which the hot tea of the House of Representatives was poured to cool.

The Senate has always accepted this cooling function seriously. In accomplishing that function, it has continued to emphasize freedom. Instead of curtailing rights, the Senate's rules glorify them. Instead of curtailing debate, the Senate's rules encourage it. "To grant to one's opponent in high political discussion and maneuver each and all of the rights that one demands for himself—that is, uniquely in this country certainly, and perhaps in all the world, a Senate rule," observes William S. White.[4]

This has been so from the earliest days of the Republic. The very first page of Jefferson's historic manual gives us a quotation from Hatsell's "Precedents" which sets the spirit of the rules. "As it is always in the power of the majority, by their numbers, to stop any improper measures proposed on the part of their opponents, the only weapons by which the minority can defend themselves against similar attempts from those in power are the forms and rules of proceeding." [5]

The Senate has zealously guarded this heritage by refusing to accept radical changes in its rules. The basic rules were drawn up during the first session of the Senate. They consisted of 19 articles. The total today is 40, but the spirit of the first 19 still prevails.

There have been only four major recodifications, in 1806, 1820, 1868, and 1884, plus the additions made by the Reorganization Act of 1946. These revisions, in Haynes' words, "have been significant of no urgent spirit of revolt or reform; they have been authorized when the accumulation of changes through a long series of years made a new codification desirable." [6] Numerous attempts to institute drastic changes have been beaten off, especially in recent years. In 1949, 1953, 1957, and 1959, for example, the Senate met and defeated vigorous movements to impose a strong cloture rule.

The last two of these struggles occurred during my own service in the Senate. They reinforced in a striking fashion my appreciation of the concept that the Senate of the United States is one of the last—indeed, perhaps the very last—symbols of a republic of federated states which America truly is. The Senate remains this Nation's single most effective agency to impart and preserve that very vital characteristic.

One of the most colorful and eloquent defenses of the position adopted by the majority of Federalists, Democrats, Whigs, and Republicans over the decades was delivered by Senator James A. Reed, of Missouri, on June 4, 1926. In the heat of a battle to prevent the imposition of cloture, he roared: "Gag rule is the last resort of the legislative scoundrel." He continued:

"Gag rule is the thing that men inexperienced in legislative proceedings always advocate at first, and if they have any sense, nearly always retire from as gracefully as possible after they have seen it in operation.

"As long as we preserve complete freedom of speech in this body we will have done much to preserve the prestige of the Senate. That, however, is not important. We will have done much to promote a condition of deliberate and careful action. That is the great desideratum." [7]

In more measured and dispassionate tones, Senator Henry Cabot Lodge, of Massachusetts wrote:

"Debate in the Senate has remained practically unlimited, and despite the impatience which unrestricted debate often creates, there can be no doubt that in the long run it has been most important and indeed very essential to free and democratic government to have one body where every great question could be fully and deliberately discussed. Undoubtedly there are evils in unlimited debate, but experience shows that these evils are far outweighed by the benefit of having one body in the Government where debate cannot be shut off arbitrarily at the will of a partizan (sic) majority * * * the full opportunity for deliberation and discussion, characteristic of the Senate, has prevented much rash legislation born of the passion of an election struggle, and has perfected still more that which ultimately found its way to the statute book." [8]

Not infrequently the Senator's devotion to its traditions is misunderstood. The way in which the proposal to establish a Department of Urban Affairs was handled is a recent and excellent example. When the Senate refused to discharge one of its committees from further consideration and jurisdiction of a resolution concerning this proposal, the vote was widely interpreted as indicating that a majority of the Senators opposed setting up such a Department.

In fact, the vote proved nothing either way on that score. The issue for many, perhaps most, Senators was whether, at the command of the administration, orderly procedure was to be disrupted by removing from a respected standing committee of the Senate a measure it was conscientiously considering. This has been done in the past only under extraordinary circumstances. In this instance, there were no such circumstances and the Senate rightly rejected an attempt at coercion from the executive branch.

A further factor, depriving the vote as one on the merits, was the hostility created in the minds of some Senators because the President sought to circumvent the will and procedures of the Congress by resorting to the Reorganization Act instead of allowing the normal and usual methods to function in passing on the merits of the proposal.

Incidentally, the whole affair involved a paradox familiar to parliamentarians, and this because of the President's resorting to the Reorganization Act. Those who opposed the Department were put into the position of voting against the consideration of a resolution of disapproval, while the proponents were attempting to bring the same resolution to a vote hoping to defeat it.

Despite this and many other successful defenses of the traditional Senate way of doing things, there have been in recent years some unhappy indications of erosion. One of these is of particular importance because it has developed out of the traditions and rules of the Senate itself.

Unanimous-consent agreements have been a familiar element of the Senate scene for at least a century. Prior to 1914 these arrangements to take a final vote on a specified date and time were gentlemen's agreements governed by custom and not enforcible by the Chair. As might be expected in the Senate, they were never violated. Since the adoption of rule XII, paragraph 3, in

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[1] Haynes, George H., "The Senate of the United States; Its History and Practice," Boston, Houghton Mifflin, 1938, p. 340.

[2] Brogan, D. W., "Politics in America," New York, Harper, 1954, p. 313.

[3] Rogers, Lindsay, "The American Senate." New York, Knopf, 1962, p. 120.

[4] White, William S. "Citadel, the Story of the U.S. Senate." New York, Harper, 1956. pp. 56–57.

[5] Senate Manual, 87th Cong., 1st sess., p. 357.

[6] Haynes, op. cit., p. 341.

[7] CONGRESSIONAL RECORD, 69th Cong., 1st sess., June 4, 1926, pp. 10707, 10710.

[8] Lodge, Henry Cabot, "The Senate of the United States" and other essays. New York, Charles Scribner's Sons, 1921, pp. 17–18.

1914, unanimous-consent agreements have operated as orders of the Senate.

These agreements, whereby the entire body voluntarily gags itself on a specific measure, seem quite innocent at first glance. A single objection, after all, blocks any agreement. And these agreements were relatively innocent in the days when they were used sparingly and were limited to setting a time for the end of debate and the final vote.

In recent decades, however, they have become more elaborate. They now frequently include limitations on the time for debate on amendments; they fix the time for voting on amendments; they divide and designate the control of time; and a great many of them require that motions and amendments be germane to the business under consideration. In effect, the Senate has very frequently operated in recent years under conditions similar to those imposed upon the House of Representatives.

There is no doubt that these agreements are useful devices for expediting the transaction of business. But there is no getting away from the fact that they impose, in Rogers' phrase, "a species of closure." [9] A very good case can be made that what the Senate needs is not greater speed but more thorough consideration of legislation.

It is often said that these are days in which swift action is required. In almost the same breath we hear complaints that Congress should give way to the demands of the executive branch because in this complex world the latter has a firmer grip on the complexities.

The fact is that the Senate can act swiftly and has done so when the need has arisen. Furthermore, it is because of those very complexities that the Senate's deliberative function is now more valuable than ever. In my judgment, to dilute or impair it, carries high threat to the true mission and purpose of this body.

Woodrow Wilson's words, written in 1885, are as true today as they were then. He declared that "it must be regarded as no inconsiderable addition to the usefulness of the Senate that it enjoys a much greater freedom of discussion than the House can allow itself. The Senate's opportunities for open and unrestricted discussion and its simple, comparatively unencumbered forms of procedure, unquestionably enable it to fulfill with very considerable success its high functions as a chamber of revision." [10]

It is to be hoped that the Senate will continue to devote itself to the traditions and ideals it represents.

SENATOR RANDOLPH SUPPORTS EFFORTS TO LESSEN FILIBUSTERING TACTICS

Mr. RANDOLPH. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a press release prepared for distribution on January 4, 1963, emphasizing my opposition to filibustering tactics and my support of efforts to amend the rules of the Senate relating to limitation of debate.

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

Stating that he continues to be an opponent of filibustering tactics, Senator JENNINGS RANDOLPH, Democrat, of West Virginia, says he intends to support efforts to be made in the Senate to change the rule on debate limitation.

If the proposal is brought to a vote, Senator RANDOLPH announces that he will be among those recorded for a rules amendment to permit a majority of Senators voting to invoke cloture, instead of the present requirement of two-thirds of those voting.

The West Virginian says it is his belief that no cloture motion ever will be filed until after there has been extended debate on an issue, and he reminds that even after cloture is invoked each of the 100 Senators would be entitled to an additional hour to discuss the business before the Senate.

"I believe in the validity and the necessity of allowing reasonable periods of debate," Senator RANDOLPH explains, "but I am opposed to unreasonable delaying tactics by any bloc to prevent an issue from being brought to a vote. And I believe a majority of Senators voting—not two-thirds—should be sufficient to invoke a rule that the point has been reached where each Senator shall be allowed an additional hour—or a total of 100 hours of debate—before there shall be a vote on the pending issue. We must expedite the legislative processes in the public interest. Filibusters extend sessions of the Congress excessively, create unjustified extra expenses, and delay the enactment of vital legislation."

Senator RANDOLPH adds that if the motion for a majority rule fails he will support an amendment to compromise at a figure of three-fifths of Senators voting as the requirement to invoke cloture. He says that although he prefers the majority vote amendment to existing rules, a change from the present two-thirds to three-fifths of members voting would represent progress.

In the 86th Congress, Senator RANDOLPH supported a three-fifths of members voting proposal, but that amendment failed. He then voted for the amendment by which the Senate changed the rule from two-thirds of the constitutional membership to two-thirds of the Senators present and voting as the requirement to invoke cloture.

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

AMENDMENT OF RULE XXII—CLOTURE

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from New Mexico [Mr. ANDERSON] that the Senate proceed to the consideration of Senate Resolution 9 to amend the cloture rule of the Senate.

WHAT IS THE U.S. FUTURE IN EUROPE?

Mr. MORSE. Mr. President, I rise to make what will be, for me, a major speech on foreign policy. It is on the subject, "What Is the U.S. Future in Europe?"

During the delivery of my remarks I shall not yield until my formal remarks are completed. I shall follow that policy in the interest of time, and also because I believe that by following that procedure we can have a much more helpful colloquy at the end of my speech, for then it will be possible to refer to the speech in its entirety.

Mr. President, out of the debates and commentaries of the last several weeks has come the realization to Americans and Europeans alike that the foundations of the North Atlantic community are undergoing changes that require review and reconsideration of the foreign policies of all our countries.

Although I was a floor manager for the North Atlantic Treaty when it was ratified by the Senate in 1949, I am not among those who believe that treaty bound us forever to Europe to the extent of a perpetual U.S. presence on the Continent.

In fact, Mr. President, one of the greatest honors ever bestowed upon me was in 1949, when Senator Arthur Vandenberg invited the Senator from Vermont [Mr. AIKEN], the late Senator Tobey, of New Hampshire, and myself to assist him as floor leaders in the handling of the NATO treaty through this body. He particularly assigned to me article 5 of the treaty, which dealt with the problem of the one-for-all, all-for-one doctrine. On the basis of that experience, I have never ceased in my abiding interest in the problems of NATO.

Today, I shall discuss some of the problems of NATO—knowing that many persons will disagree with some of the conclusions I have reached, but also knowing that many agree with me. Many of the questions I shall raise in the course of my remarks this afternoon in regard to the future of NATO are also being raised at the grassroots of America.

I would have the Senate always remember that the foreign policy of our Nation belongs to the American people, and that the American people can direct their own foreign policy wisely and in our national self-interest only to the extent that they are appraised of the facts in regard to international problems. So convinced am I of that tenet, Mr. President, that on many occasions on this floor I have pleaded for the lifting of the bars of secrecy on a good many of the facets of U.S. foreign policy; and today I plead that cause again.

Mr. President, when there is any particular bit of information the concealment of which is necessary in order to protect the security of our country, I am satisfied that the American people would want it kept secret; and I would join in any such policy on the part of an administration of any party.

But I am still of the view that there is much about U.S. foreign policy of which the American people are not aware, because of the fact that they have not been supplied with all the information to which I believe they are entitled. So long as I sit on the Senate Foreign Relations Committee, I shall continue—as I have done many times—to raise the question, "Why cannot this be told the American people?"

Mr. President, I am very proud to report to the people of our Nation that, in my opinion, under this administration more information on more phases of U.S. foreign policy is being made available to the people of the Nation than during any other time in my 18 years of service in this body. It is my view that this administration also recognizes the importance of an enlightened American public opinion if America is to remain free; and, of course, questions of foreign policy are fundamental to the preservation of American freedom.

I mention this bit of philosophy of mine at the outset because in the speech

[9] Op. cit., p. 186.

[10] Wilson, Woodrow. "Congressional Government," Boston, Houghton Mifflin, 1885, pp. 216, 219.

I shall present certain factual information which does not in any way violate any of the secrecy prohibitions. It is information gathered from my own research, and I wish to assure my colleagues that I have very carefully checked in regard to the propriety of presenting in this public fashion today the information contained in this speech.

Mr. President, it is regrettable that so many people responsible for foreign policy in the United States today seem to have lost sight entirely of the original purposes and objectives of the North Atlantic Treaty. They have taken it for granted that NATO was, and should be, permanent, and that this country must see to it that it is permanent.

If we do base American policy of the next 10 or 20 years on that assumption, then we are really transforming NATO into an alliance with new purposes and new objectives. If that is desirable—and I think it would be desirable for us, if we are joined wholeheartedly by our NATO partners—then the American people and the people of Europe should understand that our nations are embarking on something new.

That is why I am directing this speech to the subject of NATO and what its future and our future in Europe should be. Obviously, I do not make the assumption that this is a closed question. Not only is it open, but it should be debated and discussed in the highest foreign policy and military councils of the United States and Europe.

ORIGINAL PURPOSES OF NATO

It is easy to be misunderstood when one discusses an alliance. I want to put my comments in perspective by saying at the beginning that I have not the slightest doubt that close ties of commerce and history will continue to bind the North Atlantic Community, irrespective of difficulties over the Common Market, over Skybolt, or over any of the other individual issues that may arise.

But it is to describe the obvious to say that things are not the same today as they were in 1949, when the North Atlantic Treaty was ratified and made effective.

In fact, one of the major premises of that treaty no longer exists. That premise—and it is spelled out in the report on the treaty by the Senate Foreign Relations Committee—was the economic ruin of Europe and the necessity of providing Western Europe with a sufficient degree of military security to permit economic recovery to proceed.

In the words of the committee report:

> It (the treaty) should facilitate long-term economic recovery through replacing the sense of insecurity by one of confidence in the future.

And again:

> The European recovery program is designed to cure Europe's economic ills; the treaty is an antidote for insecurity. Obviously, each of the programs can contribute much toward the success of the other. On the one hand economic health is essential to stability and defensive strength. On the other hand, the treaty can do much to stimulate new business enterprise and increase production by dispelling the fear that has haunted Western Europe since the war.

That fear was, of course, that Communist armies, whose foreboding presence nearby had made possible a successful Communist coup d'etat in Czechoslovakia, would sweep across a defenseless Europe. Large domestic Communist parties within many of these countries were also preying upon the misery of their people.

As one who participated fully in the debates which resulted in Senate ratification of that treaty in 1949, I am satisfied that it has accomplished this purpose. Together with the Marshall plan, it contributed to a degree of economic recovery in Western Europe that has surpassed all previous levels of prosperity.

EXTENT OF U.S. AID

It was a corollary of this objective of the treaty that the United States would have to furnish the great bulk of NATO's forces for some time, both directly and by military aid to our partner members. It was clear from the report that for each European member, economic recovery would always have priority over their contribution to NATO defenses. To quote again from the report:

> In the event there is competition between the two programs for manpower and materials, the committee has been assured that economic recovery will have first priority. The restoration of defense capacity will not be permitted to interfere with economic recovery. No increase in the armed forces of the parties, above that provided for in their present budgets, is currently contemplated.

The result was that for several years the United States not only made good on our obligation to contribute our own share of NATO, but made good much of the European share, too.

The first fiscal year—fiscal 1950—proposed U.S. grants of $1,130 million, exclusive of Greece and Turkey, for pact members.

Since fiscal 1945 through June of 1962, the United States furnished to all NATO partners military aid totaling $17,228,400,000. That figure includes all military aid to Greece and Turkey, before and after their NATO membership. In addition, this country has spent $1,908,600,000 for the U.S. share of the NATO infrastructure and other regional obligations.

Specifically, these figures for military aid are as follows:

Mr. President, I ask unanimous consent that a table showing our military aid to NATO countries—country by country—since the inception of the pact be printed at this point in my remarks.

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

[In millions]

Belgium and Luxembourg	$1,156.4
Denmark	605.3
France	4,262.4
West Germany	951.9
Italy	2,292.5
Norway	797.0
The Netherlands	1,252.8
Portugal	336.6
Spain	537.7
United Kingdom	1,045.0
Greece	1,602.8
Turkey	2,288.0

Mr. MORSE. The combined military and economic aid to these countries is truly impressive. Since World War II, we have spent over $41.5 billion on all kinds of aid to NATO countries. In addition to military aid, the figures for economic aid are shown in a table which I ask unanimous consent to have printed in the RECORD at this point. The table shows the economic aid that we have contributed to each one of the NATO countries since World War II.

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

[In millions]

Belgium and Luxembourg	$739.5
Denmark	300.3
France	5,175.6
West Germany	4,047.5
West Berlin	131.0
Iceland	70.2
Italy	3,463.3
The Netherlands	1,228.6
Norway	349.8
Portugal	152.1
Spain	1,173.6
United Kingdom	7,668.2
Greece	1,784.8
Turkey	1,581.3

Mr. MORSE. Mr. President, this aid represents a tremendous sum of money—$41,500,000,000 since World War II. Across our land, whether the politicians fully realize it or not, rising with increasing frequency, is the question, How much longer, and with what justification?

The American people are entitled to an answer, for it is their foreign policy and their money that is involved.

The President of the United States, the Secretary of State and Members of Congress are but trustees of the people's foreign policy. As we begin this new session of Congress with predictions that there will be enlarged expenditure requests for economic and military foreign aid, I think now is the time to serve clear notice on the administrators of foreign policy that they must expect to be asked in great detail for the evidence and the data justifying a continuation of our present foreign policy aid, and justification for any proposal for an increase of that aid in any segments of the program.

Mr. President, it is in that spirit of fulfilling what I consider to be an obligation that I owe as a trustee—and only one of the trustees—of a people's foreign policy that I raise the various questions and make the comments that I make in my speech today.

The great bulk of these sums was dispensed several years ago, but they still represent the extent of the American investment in a sound and prosperous Europe.

Certainly, those figures refute any hint that the United States has been guilty of poor faith toward our NATO partners.

So does the stationing of large numbers of Americans under the NATO command. Indeed, even today the United States is furnishing 25 percent of the NATO Central European Command. This command has only 24 of the 30 divisions required for it: The United Kingdom is furnishing 3 of these; the

United States 5, plus 3 armored regiments; France 2; Germany 9; Belgium 2; the Netherlands 2; and Canada 1 brigade.

I ask unanimous consent to have printed at this point in the RECORD certain pages from a publication called the Communist Bloc and the Western Alliances—The Military Balance, 1962–63.

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

PART II—THE WESTERN ALLIANCES

Strategic forces

All strategic nuclear forces are under national control except for the NATO Striking Fleet Atlantic and the NATO Striking Force South which are called the U.S. 2d and 6th Fleets respectively. An essential component of the strategic forces of the West is its air and missile warning systems.

1. U.S. Air and Missile Bases

The United States has seven separate strategic weapon systems, and during 1962 rapid progress was made in the buildup and deployment of her missile systems. The U.S. Secretary of Defense has claimed that the American strategic forces could still carry out devastating counterattack on the centers of Soviet military power, even after absorbing the full impact of a Soviet first strike. Nevertheless strenuous efforts are being made to enlarge the size of the American strategic retaliatory systems and to make them less vulnerable to surprise attack. This is partly with a view to retaining the option of using the deterrent in a controlled and selective fashion in response to any local Soviet aggression.

Strategic Air Command is divided into (a) the 2d, 5th, and 8th Air Forces and the 1st Missile Division, all based on the continental United States; (b) the 16th Air Force in Spain, the 7th Air Division in the United Kingdom, and the 3d Air Division based on Guam.

Strategic aircraft: By the beginning of 1963 the B–52 force should have expanded to the planned ceiling of 630 planes in 14 wings all based on the continental United States. Some will still carry only multimegaton free falling bombs, but the B–52G's (which have been in service for a year) carry—alternatively or additionally—two apiece of the Hound Dog missiles which can deliver 4-megaton warheads over 600 miles. The Skybolt 1,000-mile missile for the B–52H will not be in service in 1963.

The phased reduction of the B–47 medium bomber force, which was halted in 1961 at a level of 850 operational aircraft, is being resumed. Two wings of B–58 aircraft, with 45 aircraft in each, will be in position by December 1962.

About 600 KC–135 aerial tankers are in service extending the ranges of the bombers by inflight refuelling.

The practice of maintaining 50 percent of SAC aircraft on a 15-minute ground alert is being continued.

Missiles: About 90 Atlas missiles are operational; within a year the number should rise to 126; the first 66 missiles are on soft sites, but the remainder are to be deployed in hardened sites. Thirty-six Titan I missiles are in service now and another 18 can be expected by the end of 1962. Thirty-six Titan II's, which can be fired from underground silos, will become operational during 1963 and early 1964. One hundred and fifty Minuteman missiles will be deployed in hardened silos by the end of 1962. Funds have been voted for a total of 800 Minuteman, of which 450 are planned to be deployed by July, 1963.

2. RAF Bomber Command

This force includes about 180 Vulcan, Victor, and Valiant bombers, each able to deliver one or more multimegaton free falling bombs. It is trained and organized either to carry out strategic strikes in conjunction with or independently of U.S. strategic forces or to reinforce RAF oversea commands if a conventional or tactical nuclear war threat develops.

A number of squadrons have already converted to Vulcan B2, and will convert to Victor B2; both can carry the Blue Steel standoff bomb. This missile, which flies with a thermonuclear warhead, is now becoming operational. As the planes to carry it are being acquired the Valiants are being increasingly employed as aerial tankers. About 100 Valiants are still flying in various roles.

Bomber Command keeps a proportion of its planes on ground alert.

Bomber Command also maintain 60 Thor missiles. The warheads are under Anglo-American dual control. These Thors are due to be scrapped by October 1963.

3. The French Striking Force

A Strategic Air Command has been formed and is at present equipped with 40 Vautour IIB's capable of delivering high explosive bombs. This command will eventually have 50 Mirage IV light bombers capable of delivering the nuclear fission bombs that will then be available and supported by 12 KC–135 aerial tankers. The first seven Mirages are due to be delivered in 1963.

4. European Missile Bases

The Italian and Turkish Air Forces maintain two and one squadrons, respectively, of Jupiter MRBM's. There are 15 missiles per squadron. In both cases the warheads remain under American control.

5. Seapower

A high percentage of the 2,000 planes which can be embarked on the 21 attack carriers of the U.S. Navy could make a thermonuclear strike, but nearly half are designed primarily for air defense and would presumably be used in that role in general war. The most important attack plane (numerically) is the A–4D Skyhawk, about 1,500 of which are flying with the U.S. Navy and Marine Corps. About 150 A–3D Skywarriors are also in service and the first A–3J Vigilantes are now being introduced.

Nine Polaris ballistic nuclear-powered submarines have been commissioned and the figure is expected to rise to 18 by the end of 1963. Each boat is armed with 16 missiles. The first 6 were given the A–1 Polaris which has a range of 1,200 nautical miles but the next 13 are being given the A–2 which can travel 1,500 nautical miles. Unlike the carriers each of which is organic to one of the main U.S. Navy fleets, these submarines form a separate command.

The British Fleet Air Arm now has two squadrons of Buccaneer aircraft in service. These can fly off carriers to deliver a thermonuclear bomb.

6. NORAD

This command was formed through the integration of the Canadian and American air defenses. It includes 5 Canadian interceptor squadrons whose CF–100 aircraft have now been almost entirely replaced by 66 F–101's.

The U.S. Air Defense Command has 1,500 fighters of which 500 are manned by the Air National Guard. They include some 400 F–101's, 700 F–102's, and about 250 F–106's: the F–101's and F–106's have air-to-air missiles with nuclear warheads. Some F–86's and F–89's still in service will soon be withdrawn. The ADC also operates a considerable number of Bomarc ground-to-air missiles. Of these 180 are Bomarc A's with a range of 250 miles and by July 1963 they will be supported by about 150 Bomarc B's with a 440 mile range. The RCAF will man 2 Bomarc B squadrons with 28 missiles apiece.

The U.S. Army contribution to NORAD consists of the Nike series of ground-to-air missiles of which there are 12 launchers in a battery. The Nike-Ajax has an HE warhead and a slant range of 20 miles whereas the Nike-Hercules has a 75-mile slant range and offers the option of a nuclear warhead. In January 1962 76 Nike-Ajax batteries were still being manned by National Guard units but these are steadily converting to the Hercules. About 100 Hercules batteries have been established so far.

The distant early warning line is the northernmost and most important of three lines of radar stations intended to track incoming manned aircraft. Airborne and seaborne stations constitute similar chains on the flanks of the DEW line and down the Central Pacific. Additionally two ballistic missile early warning systems stations are in operation in Greenland and Alaska. A complementary one at Fylingdales in Yorkshire should become operational by mid-1963. It will be used for tracking rather than detection. The BMEWS detection sets already in use can give SAC the necessary 15-minute warning.

North Atlantic Treaty Organization

There are three major military commands in NATO—those of Europe, the Atlantic, and the channel, respectively. Of these, only Allied Command, Europe, has national forces assigned to its operational control in peacetime. However, all three commands include earmarked forces which are forces that member countries have agreed to place at the disposal of the commanders in the event of war. Other forces remain under national control, either to insure the defense of the national territories or to meet commitments outside the NATO area.

The deployment of tactical nuclear weapons into NATO land forces is continuing. The principal ones involved are Honest John at brigade or divisional levels and Corporal and Redstone at corps or army levels. The United States is the only country that has produced any nuclear warheads appropriate for missile delivery and she retains control over them even when the missiles themselves are operated by other national forces. Under the "double key" arrangements the nuclear warheads can only be fired by the mutual agreement of the United States and the host country. During 1963, Pershing and Sergeant will partially replace Redstone and Corporal, respectively, in the U.S. 7th Army and Pershing will be acquired also by the Bundeswehr. The 7th Army has introduced Davy Crockett mortars, which can throw a nuclear or high explosive shell 2,000 to 4,000 yards, down to the level of armored reconnaissance companies, but it appears that atomic warheads are retained at a higher echelon.

The NATO infrastructure program in Europe has been responsible for the development of 220 standard NATO airfields capable of all-weather operation of all types of aircraft. They constitute the chief bases for the 5,500 or so tactical aircraft belonging to the air forces in Europe of the NATO powers. Only major infrastructure achievements include the building of 5,300 miles of fuel pipelines, together with storage tanks for 160,000 tons and the construction of 27,000 miles of communications and signals networks.

Certain pieces of equipment have been designated as standard for NATO although this does not mean that they have been, or are intended to be, introduced into all national forces. The major weapon systems concerned include the Hawk and Sidewinder antiaircraft missiles, the Bullpup guided bomb, the F–104G Starfighter and Fiat G–91 fighters, and the Breguet 1150 Atlantique maritime patrol aircraft. Multilateral production programs for each of these systems have been initiated by various

groups of NATO countries. The most important of these is the F–104G Starfighter. It is intended to produce 233 by the end of 1962 and another 716 over the following 3 years. Of the total, 604 are to go to Germany, 125 to Italy, 120 to the Netherlands, and 100 to Belgium. Canada is independently producing 200 for its own forces and 150 for Greece and Turkey. In addition, Denmark will receive 40 F–104's, and Norway 20, from the United States.

1. Allied Command, Europe

This has its headquarters near Paris and it covers the land area extending from the North Cape to the eastern border of Turkey, excluding the United Kingdom, the defense of which is a national responsibility, and Portugal which falls under Allied Command Atlantic. It also includes Danish and Norwegian coastal waters.

Allied Command, Europe, is divided into the following subordinate commands:

(a) Allied forces, central Europe, has its headquarters in Fontainebleau and comprises 24 divisions (out of the required 30) assigned to the Supreme Commander, as follows:

United Kingdom, 3; United States, 5, plus 3 armored regiments; France, 2; Germany, 9 (3 more are being organized); Belgium, 2; Netherlands, 2; Canada, 1 brigade.

The tactical air forces available include some 3,500 aircraft of which 500-plus U.S. fighter-bombers and a smaller number of British Canberras have a nuclear capability and the range to cover important sections of eastern Russia. An integrated early-warning and air-defense system has been developed for West Germany, the Low Countries, and northeast France, of which an important element is 13 Army Hawk battalions.

The command is subdivided into Northern Army Group and Central Army Group. Northern Army Group is responsible for defense of the sector north of—roughly speaking—the Gottingen-Liège axis. It includes the British and Benelux divisions, three of the German divisions, and the Canadian brigade. It is supported by 2d Allied Tactical Air Force which is comprised of British, Dutch, Belgian, and German units. Other land forces are under CENTAG and other air forces under the corresponding air command—4th ATAF.

So far seven countries have contributed one or more reinforced infantry battalions to form a mobile task force. It is intended that this group should have nuclear weapons and organic air and sea transport. It is to serve as a reserve formation for NATO as a whole.

Central Europe is taken to include the Heligoland Bight and so the command would control the German North Seas Fleet and part of the Dutch Navy in the event of war.

(b) Allied forces, northern Europe, has its headquarters at Kolsaas in Norway and is responsible for the defense of Norway, Denmark, Schleswig-Holstein, and the Baltic approaches. All the Danish and Norwegian land, sea, and tactical air forces are earmarked for it. The Germans have assigned one division, two combat air wings, and their Baltic Navy. The division is counted as part of the central European forces when assessing progress toward SACEUR's 30-division target.

(c) Allied forces, southern Europe, has its headquarters in Naples and is responsible for the defense of Italy, Greece, and Turkey. The forces assigned include 14 divisions from Turkey, 8 from Greece, and 7 from Italy, as well as the tactical air forces of these countries which comprise some 1,000 warplanes. Various other divisions have been earmarked for AFSOUTH and so has the U.S. 6th Fleet which would become Striking Force South if NATO became involved in war.

(d) Allied forces, Mediterranean, has its headquarters in Malta and is primarily responsible for safeguarding communications in the Mediterranean and territorial waters of the Black Sea and for protecting the 6th Fleet. The national fleets and maritime air forces of Italy, Greece, and Turkey, together with the British Mediterranean Fleet, are assigned to or earmarked for this command.

2. Allied Command Atlantic

The duties of Supreme Allied Commander, Atlantic, in the event of war are (a) to participate in the strategic strike and (b) to protect sea communications from attack from submarines and aircraft. For these purposes the eight NATO naval powers that border on the Atlantic have earmarked forces for exercises and, if need be, for war. SACLANT is responsible for the North Atlantic area north of the Tropic of Cancer including the northern North Sea. Three subordinate commands have been established—Western Atlantic Area, Eastern Atlantic Area, and Striking Force Atlantic. The striking force is provided by the U.S. 2d Fleet with its two or three attack carriers.

There are probably about 450 escort vessels serving in the navies of the nations concerned of which a high proportion are wholly or partly designed for antisubmarine work. About 250 of these are normally serving outside the Atlantic area and a substantial fraction of the remainder would be undergoing repairs and refitc at any one time. Most NATO navies are equipping and training their submarine forces primarily for ASW and well over 150 boats are potentially available in the Atlantic for such duties. The 8 nations in Allied Command Atlantic also have about 375 long-range land-based maritime patrol planes in operation, a large majority of which are stationed on or near Atlantic coasts. Furthermore the U.S. Navy alone has over 1,000 carrier-borne specialist antisubmarine fixed-wing aircraft and helicopters of which about half are embarked at any one time. Another 300 or so are serving in the other navies concerned. The overall total that could be quickly operational from carriers out on Atlantic sea stations is probably around 400.

All these estimates include units earmarked for channel command.

3. The Channel Command

The role of channel command is to exercise maritime control of the English Channel and the southern North Sea. Many of the smaller warships of Belgium, France, the Netherlands and the United Kingdom are earmarked for this command as are some maritime aircraft.

National forces

Belgium

General: Population: 9,200,000. Length of military service: 18 months. Total armed forces: 110,000 (34 percent conscripts). Defence budget: $364,000,000.

Army: Total strength: 85,000—2 infantry divisions with M–47 tanks; 2 reserve divisions.

Navy: Total strength: 5,000—50 minesweepers.

Air Force: Total strength: 20,000—400 planes including 2 interceptor squadrons of CF–100 and 5 of Hunter 6 and 6 fighter-bomber squadrons of F–84's. Some Nike-Ajax and Honest John missiles. Two transport squadrons. (All these forces are assigned to NATO.)

Canada

General: Population: 18,000,000. Voluntary military service. Total armed forces: 124,000. Defense budget: $1,589,000,000.

Army: Total strength: 50,000—1 brigade group of 6,500 men in Germany; 3 brigades in Canada (2 earmarked for NATO), 43,000 militia.

Navy: Total strength: 21,700—1 16,000-ton carrier (partly A.S.), 43 escorts, 1 submarine, 10 minesweepers.

Air Force: Total strength: 52,500—5 fighter squadrons in NORAD; 12 fighter squadrons in Europe, becoming 8 by early 1963. By late 1963 they will convert from F–86's and CF–100's to 200 CF–104's; 4 transport squadrons; 4 maritime squadrons (3 Argus and 1 Neptune) earmarked for SACLANT.

Denmark

General: Population: 4,600,000. Length of military service: 16 months (24 months for NCO's), becoming 12 months. Also reserve liability. Total armed forces: 46,500 plus 150,000 mobilizable reserves (excluding the volunteer Home Guard). Defense budget: $180 million.

Army: Total strength: 32,000—2⅔ armored infantry brigades, each with 6,000 men in 5 battalions including 1 tank battalion with Centurions, 4 reservist armored infantry brigades could mobilize in 24 hours, 2 Honest John battalions (with conventional warheads), 55,000 Army Home Guards for local defense.

Navy: Total strength: 7,000—18 escorts, 3 submarines, 8 minesweepers, 13 other ships.

Air Force: Total strength: 7,500—200 warplanes in 3 F–100 and 3 F–86 squadrons and one Hunter squadron, 1 Nike-Ajax battalion with 36 missiles. Some Hawk units to be established soon.

France

General: Population: 46 million. Length of military service: at present about 2 years, to be reduced to 18 months by March 1963. Total armed forces: 705,000 by May 1963. Defense budget: $3,531 million (1962), $3,786 million (1963).

Army: Total strength, 500,000 by May 1963.

The army is being reorganized. It will contain six divisions of which two will be in Germany assigned to NATO and four in France under national command. Each division will have three brigades of which one may be armored. Tank regiments are equipped with M–48 battle tanks and AMX–13 light tanks. The army has 1,000 light planes and helicopters.

The two NATO divisions in Germany include one mechanized and one armored. Those in France will include one light armored (equipped with AMX–13's) and one airborne, which is available for deployment overseas.

France is organized into military districts for the training and mobilization of reservists. Over 2,000 men are in Berlin.

Navy: Total strength, 68,000—two 22,000-ton carriers, one 11,000-ton carrier, one 14,000-ton carrier (partly A.S.), 2 cruisers, 86 escorts, 19 submarines, 111 minesweepers. The Aeronavale has 12 squadrons, including 6 of fighters. During 1962 it has received 40 Etendard IV and 45 more are ordered.

Air Force: Total strength: 137,000.

(a) Strategic Air Command.

(b) First Tactical Air Force has 450 aircraft of which 75 are in Germany assigned to NATO. Since late 1961 Mirage III's (440 of which are ordered) have been entering service, in addition to other French-built aircraft, to replace F–84's, F–86's, and F–100's.

(c) Air defense of the territory: 10 squadrons of Super Mysteres, 5 squadrons with 70 Vautour II N's, Nike-Ajax units.

(d) Transport Command with 200 Noratlases.

Germany

General: Population: 53,400,000. Length of military service: 18 months plus 9 months reserve full-time training liability up to the age of 45. Total armed forces: 353,000 (one-third conscripts), becoming 500,000 in a year or two. All except the territorial forces are assigned to NATO. Defense budget: $3,750 million.

Army: Total strength: 245,000 (350,000 planned ceiling by 1963–64), 5 armored infantry divisions, 2 armored divisions, 1 mountain division, 1 airborne division, 3 more armored infantry divisions are being prepared. All divisions are being brought to 90 percent war establishment.

Each division echelon has about 5,000 men in special units of AA, field artillery, signals, engineers, etc. It normally contains three brigades. Grenadier brigades have 4,000 men and 50 tanks and armored brigades 3,000 men and 100 tanks.

The battle tank force includes 1,500 M–47's and approximately 1,000 M–48's.

At divisional level Honest John missile battalions are maintained. Corps troops are to receive Sergeant for evaluation in 1963. Three Pershing battalions should be operational under direct army group command by 1964. There is a territorial force of 22,000 men for staff and rear area duties.

Navy: Total strength, 25,000—1 naval air wing (Sea Hawks and Gannets), 38 escorts, 15 submarines, 72 minesweepers, 57 other ships.

Air Force: Total strength, 83,000 (100,000 planned ceiling)—7 fighter and fighter-bomber wings, 1 reconnaissance and 1 transport wing at 90–100 percent full strength. Eventually G–91's will replace F–84's and F–86's, and also equip 3 more fighter/fighter-bomber wings and 3 more reconnaissance wings which, together with 2 more transport wings, are due to form by December 1965. There are some Hawk and Nike-Ajax battalions.

Greece

General: Population, 8,400,000. Length of military service: 24–30 months, followed by 19 years on the first-line reserve. Total armed forces, at least 160,000. The annual callup is 55,000. Defense budget, $170 million.

Army: Total strength, about 120,000, with a large first-line reserve, 10 infantry divisions, of which about 3 are close to full strength. A recently formed armored division has M–47 battle tanks. Eight divisions are NATO-assigned and the rest earmarked. Some Honest John batteries are in service.

Navy: Total strength, 17,000—1 cruiser, 23 escorts, 2 submarines, 19 minesweepers, 10 other ships.

Air Force: Total strength: 22,000. About 250 F–84's, F–86's, and F–100's. Throughout 1962 G91's were entering service. F–104's are also being procured. Some Nike-Ajax units.

Italy

General: Population: 51,000,000. Length of military service: 18 months for the Army and Air Force, 24 months for the Navy. Total armed forces: 470,000. Defense budget: $1,255 million.

Army: Total strength: 370,000—5 infantry divisions (3 regiments in each), 5 alpine brigades, 2 armored divisions, 2 Honest John battalions with M–47 tanks. Most of these formations are close to war establishment of 10–15,000. The rest would be filled out with reservists. The Carabinieri police could provide another 80,000 infantrymen. Most of these forces are earmarked for NATO. N.B. The U.S. Southern European Task Force based on Vicenza has 2 Corporal and 2 Honest John battalions.

Navy: Total strength: 40,000—2 cruisers, 49 escorts, 6 submarines, 114 minesweepers, 3 other ships.

Air Force: Total strength: 60,000 in July 1963—7 air brigades of which 2 are fighter; these have F–84F's and F–86E's, but will convert to F–104G's, starting in 1962, 3 fighter-bomber aerobrigata are replacing their F–84F's with G–91's, 2 squadrons of which have already been formed, 2 Jupiter squadrons, each with 15 missiles, have been formed. A Nike-Ajax complex has been established near Venice. All combat elements are NATO assigned.

Luxembourg

General: Population: 350,000. Length of military service: 9 months. Defense budget: $7 million.

Army: Total strength: 5,500. A brigade would be available to NATO after mobilization.

Netherlands

General: Population: 11,600,000. Length of military service: 20–24 months plus 15 years reserve liability. Total armed forces: 141,000. Defense budget: $555 million.

Army: Total strength: 98,000—2 mechanized divisions assigned to NATO; 1 infantry division, 3 infantry brigades and army corps troops, to be formed by callup of reservists, earmarked for NATO. Tank battalions are equipped with Centurion tanks. Some Honest John units.

Navy: Total strength: 23,000 including 4,000 Marines—one 16,000-ton carrier (partly for A.S.), 2 cruisers, 35 escorts, 6 submarines, 68 minesweepers, 7 amphibious craft. The Naval Air Arm includes one squadron of Sea Hawks and five antisubmarine and reconnaissance squadrons.

Air Force: Total strength: 20,000—16 squadrons of which 9 are fighter squadrons (Hunters and F–86K's), 6 are fighter-bomber squadrons (F–84F's) and 1 is a reconnaissance squadron (RF84F). In the beginning of 1963 F–104G's will come into service; 1 Nike-Ajax battalion in service and a second being formed; 3 Hawk units will be formed in the near future.

Norway

General: Population: 3,600,000. Length of military service: 16–18 months. Total armed forces: 34,000. Defense budget: $191,000,000.

Army: Total strength: 18,000—2 brigades of which 1 (with an Honest John battery with conventional warheads) is in Arctic Norway. Mobilization could produce 9 reserve regiments, containing 75,000 men and local defense and home guard forces of 100,000 strong.

Navy: Total strength: 5,500—5 escorts, 7 submarines, 18 minesweepers, 6 other ships.

Air force: Total strength: 10,000—140 F–86F's and K's in 8 tactical squadrons and 45 other aircraft, 4 squadrons will start re-equipping with F–104's in early 1963. Some AA battalions, including one with Nike-Ajax.

Portugal

General: Population: 9,150,000. Length of military service: 18–24 months for the army, 36 for the air force, 48 for the navy. Total armed forces: 80,000. Defense budget; $158,000,000.

Army: Total strength: 58,000 including 14,000 colonial troops. About 25,000 white troops remain in Angola (including 1 of the 2 divisions earmarked for NATO) and 10,000 in Mozambique.

Navy: Total strength: 9,300 plus 500 commandos—31 escorts, 3 submarines, 18 minesweepers.

Air force: Total strength: 12,500 including parachute battalions. 350 aircraft including 2 F–86F squadrons and a Neptune squadron.

Turkey

General: Population: 29,500,000. Length of military service: 2 years for the army and air force, 3 years for the navy. Total armed forces: 455,000. Defense budget: $287 million (1961).

Army: Total strength: 400,000. Mainly conscripts, but all the NCO's are regulars; 16 divisions, mostly with 3 brigades each, and some independent brigades. (Altogether there are six armored brigades, all with M–47 tanks.) All the divisions are NATO assigned. Honest John and Nike-Ajax rockets are in service. Plans exist to call up about 2,500,000 reservists if necessary, but they would chiefly serve in rear areas.

Navy: Total strength: 35,000—19 escorts, 10 submarines, 29 minesweepers, 5 other ships.

Air force: Total strength: 20,000—375 planes, 3 F–100 squadrons, 3 F–86 squadrons, 9 F–84F and G squadrons, 1 15-missile Jupiter squadron, 1 C–47 transport wing, 50–100 F–104G's will be procured between 1962 and 1965: 25 G–91's have been ordered.

United Kingdom

General: Population: 52,500,000. Voluntary military service. Total armed forces: 415,000 British and 30,000 Gurkha and colonial troops; 200,000 mobilizable reservists. Defense budget: $4,180 million.

Army: Total strength: 170,000 British troops.

(a) Europe: 51,000 in 7 brigades in Germany (to be expanded to 55,000) and 80,000 in United Kingdom including a strategic reserve of 3 brigades (2 earmarked for NATO). Three thousand men are stationed in Berlin. All but two of the tank regiments are in Europe. The chief battle tank is the Centurion (76-, 83-, or 105-millimeter gun), but there are also Conquerors with 120-millimeter guns. In 1963 Chieftains with 120-millimeter guns will enter service. A complete armored brigade includes 3 armored regiments and 1 infantry battalion and has 120 tanks; an infantry brigade includes 3 infantry battalions and 1 armored regiment and has 40 tanks; 3 artillery regiments have Honest John and 8-inch howitzers and 2 have Corporal.

(b) Overseas: Near East Command (Cyprus) includes 7 British infantry battalions; Middle East Command (Aden) includes 5 British infantry or airborne battalions and 5 local battalions (3,000–4,000 men); Far East Command (Singapore) includes 4 British infantry battalions and 7 Gurkha battalions. N.B. 2 battalions in the strategic reserve and one in Bahrein make up the parachute brigade.

Navy: Total strength, 100,000.

(a) 2 44,000-ton carriers, 1 30,000-ton carrier, 2 23,000-ton carriers (all partly A.S.), 2 commando carriers, 5 cruisers, 108 escorts, 49 submarines (1 nuclear powered), 45 minesweepers. There is an amphibious warfare squadron based on Aden which could provide one to three battalions.

(b) The Fleet air arm has 13 strike and/or interceptor squadrons equipped with Buccaneers, Sea Venoms, Sea Vixens, and 70 Scimitars. Wessex and Whirlwind antisubmarine helicopters are in service.

(c) The Royal Marines maintain five commandos (i.e., battalions). Two are based in the United Kingdom, two in Singapore, and one in Aden. One commando is in each commando ship.

Air Force: Total strength, 145,000.

(a) Bomber command.

(b) Fighter command has Lightning and Javelin interceptors and Bloodhound AA missiles. Can reinforce oversea commands.

(c) Oversea command: The RAF component in 2 ARAF is to reconnaissance Valiant bombers. RAF commands based on Cyprus, Aden, and Singapore corresponding to Army structure have Shackleton maritime reconnaissance squadrons, Canberras, Javelins, and (except in the Far East) Hunters.

(d) Transport command: This is used for routine logistic support and to provide a military airlift. The 4-engine transport fleet includes 23 Britannias, 10 Comets, 20 Argosies, 48 Hastings, and 32 Beverleys. It could lift 1,600 tons for 1,500 miles or 425 tons for 4,000 miles. Five more Comets have been delivered and 36 more Argosies are on order.

United States

General: Population: 181 million. Length of military service: Selective service for 2 years, but over 90 percent of men serving are volunteers. Total Armed Forces: 2,815,000, becoming 2,680,000 by June, 1963. At present 440,000 are serving in the European theater and 280,000 in the Pacific. Defense budget: $52 billion.

Army: Total strength: 1,080,000, becoming 950,000 by June 1963. The Army today contains 16 combat-ready divisions (including 2 airborne and 2 armored.) A pentomic infantry division contains 13,700 men and its core is 5 infantry battle-groups each 1,450 strong. An armored division totals 14,600

and includes 4 tank battalions and 4 armored infantry battalions. Though pentomic divisions still predominate, conversion to a ROAD is proceeding rapidly; each ROAD division contains between 5 and 15 fighting battalions (armored, armored infantry, infantry, and airborne being the types available). They are usually grouped into 3 brigades.

The U.S. 7th Army of 5 divisions and 3 armored cavalry regiments is stationed in Germany. Five thousand men are stationed in Berlin. Three divisions are stationed in the Far East.

The surface-to-surface nuclear weapons inventory is composed of Davy Crockett mortars, 8-inch howitzers and Little John and Honest John missiles within divisions, Lacrosse, Corporal and Sergeant missiles at corps level and Pershing and Redstone at field army level. Other equipment includes 1,000 plus light aircraft and about 2,500 battle tanks. The units in Europe will have been largely reequipped with the 50-ton M–60 tank (carrying a 105 mm. gun) by the end of 1963. Other troops will still predominantly use 44-ton M–48's with 90 mm. guns. In 1961 the Strategic Reserve Air Corps based in the continental United States was combined with Tactical Air Command to form the new Strike Command. Strac now comprises two airborne, two armored and four infantry divisions, of which one armored and one infantry are National Guard divisions.

The National Guard and Army Reserve is 700,000 strong. It is to be reorganized so as to be able to provide two combat-ready divisions within 5 weeks and an extra six divisions and nine independent brigades 3 weeks later. These formations will come from a priority reserve of 465,000.

Navy: Total strength: 660,000 (650,000 in June 1963)—850 operational ships (385 warships, 235 combatants, and 230 auxiliaries) of which just under half are with the 1st and 7th Fleets. The 7th Fleet operates between 160° east and the middle of the Indian Ocean and normally has 125 ships, including 3 attack carriers, on station. The 1st Fleet operates in the eastern Pacific. The remaining ships of the USN, except for the ballistic submarines, are with the 2d Fleet in the Atlantic and the 6th Fleet in the Mediterranean. The 6th Fleet is comprised of 50 ships including 3 attack carriers. Of the total number of ships, 57 percent were completed before 1947.

The aircraft inventory, including Marine Corps planes, is 7,400 of which 60 percent are combat machines. They include well over 1,000 A–4D Skyhawks, 700-plus F–8U Crusaders, 400 F–4D Skyrays, and about 150 A–3D Skywarriors. The 500 F–3H Demons produced are being replaced by the F–4H Phantom 2's of which about 200 have so far been produced. The A–3J Vigilante is also now joining the fleet. The 1,000 plus antisubmarine aircraft being employed include the land-based P–2V–7 Neptune and P–3V–1 Orion and the carrier-based S–2F Tracker and HSS–1 and HSS–2 helicopters.

The active fleet includes 1 75,000-ton nuclear-powered attack carrier, 6 60,000-ton attack carriers, 3 51,000-ton attack carriers, 7 33,000-ton attack carriers, 9 30,000-ton antisubmarine carriers, 15 cruisers, 225 escorts, 9 ballistic submarines, 105 general purpose submarines (of which 16 are nuclear-powered).

There are 110,000 reservists available to commission some of the 750 inactive naval vessels still preserved in the mothball fleet and/or to bring other ships to wartime manning levels.

Marine Corps: The 190,000 Marines provide 3 divisions with organic air wings of 300–400 planes apiece. One division-wing is based in North Carolina, one in California, and the third in Okinawa. The 50,000 Marine reservists could fill out a fourth division, at present kept in embryonic form. U.S. Navy amphibious shipping is permanently allotted to the Marine Corps and distributed among the division-wings on a proportionate basis. It can provide a two-division simultaneous lift. The 6th and 7th Fleets each have one reinforced battalion of 2,000 men permanently embarked.

Air Force: Total strength: 885,000, becoming 860,000 by July 1963. There are 90 wings; a bomber wing generally contains 45 aircraft and a fighter wing 75.

Strategic Air Command and NORAD.

General-purpose forces: The combat elements consist of B–57 and B–66 bomber squadrons and of 16 tactical wings, flying F–84F's, F–100's, F–104's, and F–105's. The first F–110's (USAF version of the F–4H) are becoming operational; by July 1963, 300 are to have been produced.

The greater part of these general purpose forces has been assigned to Tactical Air Command which has 16 wings and 50,000 men; 6 of the wings are tactical fighters and 2 of them are normally on rotational duty in Europe. Other wings include 220 transport and aerial tankers which, aided by the SAC in-flight refuelling tanker force, can enable composite Air Strike Forces of up to 300 warplanes to deploy halfway across the world in 48 hours. Five new TAC wings are being created.

The Military Air Transportation Service: This provides logistic support and a military airlift. Its fleet of 4-engined transports suitable for airlift purposes consists of 112 C–118's, 62 C–121's, 329 C–124's, 25 C–130E's, 46 C–133's, and 44 C–135's. By March 1963 there will be 50 C–130E's.

The Air Force Ready Reserve and Air National Guard numbers 140,000, of whom half are attached to TAC. However, they have recently surrendered 300 F–84F's and F–104's to the regular forces. There are a further 400,000 men in the Air Force Reserve available for callup.

Mr. MORSE. The document containing the pages which I have had printed in the RECORD is published in London by the Institute for Strategic Studies, and is available from the Library of Congress. It is a most helpful guide to the relative military effort of NATO members.

It has commonly been said that U.S. military aid to NATO partners is over the hump and is being terminated. Yet it is astonishing how long it is taking actually to terminate it. I well recall how the Senator from Idaho [Mr. CHURCH] tried in 1961 to amend the foreign aid bill to end military aid to NATO. How the cry went up that such a move at the time of the Berlin crisis would be interpreted by our allies as a sign of faintheartedness by the United States.

So we stepped up U.S. forces in Berlin; we appropriated about $3.5 billion to make clear our intentions, and we continued our military aid, only to find that our partners declined to match our efforts.

For fiscal year 1962, we programed $400,900,000 to these allies. These preliminary figures for 1962 show:

Belgium and Luxembourg	$17,900,000
Denmark	20,300,000
France (largely credit)	50,800,000
West Germany	1,200,000
Italy	98,400,000
The Netherlands	18,600,000
Norway	38,900,000
Portugal	6,500,000
Spain	32,100,000
United Kingdom	25,500,000
Greece	60,400,000
Turkey	162,200,000
For regional aid	90,700,000

For fiscal year 1963, the total was $314,500,000 with the country figures unavailable for publication.

I am satisfied in my own mind that there is no longer any justification for this amount of military aid. There are those who will say that we must provide military aid to Greece and Turkey, but the level of aid to Greece in 1962 was above that of 1961, 1952, and 1950. Similarly, military aid programed for Turkey in fiscal 1962 was exceeded only in fiscal years 1954, 1955, 1956, 1958, and 1959. It was higher than for the previous 2 years. These sums for Greece and Turkey show little sign of tapering off.

In the case of Turkey in particular, a high level of military forces necessitates a high level of economic aid to sustain a military economy, and unlike other NATO countries, Turkey continues to receive very large amounts of economic aid from us. The manpower furnished to NATO by these countries takes on the character of a price paid by Greece and Turkey for continuing large sums of economic aid. Since the United States must also finance these military forces to a large extent, we are actually paying around $464 million a year in combined military and economic aid for the some 24 divisions the two countries have assigned to NATO's southern Europe and Mediterranean commands.

It would seem that of NATO members the poorest and least able to provide for their own defense are putting large chunks of manpower into NATO, while the wealthy members are more interested in going their own way. Undoubtedly, Greece and Turkey have little choice in the matter, but it is a great weakness of the Organization that with the exception of Germany and the United States, the greatest source of NATO manpower is its two poorest members.

I hope that the Senate will soon have presented to it a foreign aid budget that will drastically reduce if not eliminate military aid to NATO countries, other than Greece and Turkey.

In his state of the Union speech, President Kennedy made what I consider to be an unanswerable argument for tax reduction and tax reform, even though such a tax program will increase the national deficit for some time.

Corollary to such a tax program goes the obligation on the part of the Congress and the White House to economize on the national budget without destroying greater values than the value of economy itself. I respectfully submit that great economy in foreign aid spending and military spending at home can and should be made without in any way weakening the security of the United States or of the free world. In fact, these savings would strengthen the greatest defense weapon the Nation possesses—its own economy.

Without a sound, expanding national economy, the economic fabric of our defense system is bound to be weakened. Our military expenditures abroad in NATO countries that are now financially

able to make larger payments for their share of NATO constitutes a major part of our balance-of-payments deficiency.

The American taxpayers have contributed generously to the economic rehabilitation of Europe. By and large, Western European countries are stronger today than they were before World War II. They should now be called upon to pay their full share of the cost of the alliance.

Likewise, the time has come for these other free nations to start carrying heavier burdens of economic support for the defense of freedom in the underdeveloped continents of the world.

I ask unanimous consent to have printed at this point, a table entitled "Manpower, Demography, and Money" from the publication "The Communist Bloc and the Western Alliances."

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

TABLE I.—*Manpower, demography, and money*

Country	Total armed forces (regular)	As percentage of male labor force	Population density per square kilometer	Number of cities of over 200,000 inhabitants	Defense budget as percentage of national income [1]
Belgium	110,000	4.33	301.3	4	3.76
Canada	124,000	2.58	1.80	9	5.61
Denmark	46,500	3.18	106.88	1	3.23
France	705,000	5.33	83.39	8	7.20
Germany	353,000	2.20	215.36	26	5.91
Greece	160,000	6.24	64.16	2	5.77
Italy	470,000	2.84	169.31	14	4.43
Luxembourg	5,500	4.95	135.14	----------	1.71
Netherlands	141,000	4.23	345.13	4	5.00
Norway	34,000	2.92	11.11	1	5.00
Portugal	80,000	2.89	99.49	2	6.93
Turkey	455,000	5.14	38.46	4	4.34
United Kingdom	415,000	2.47	215.0	21	6.67
United States	2,815,000	5.68	19.69	61	11.25
Total, NATO	5,914,000	4.22	21.8	157	----------
Australia	48,500	1.45	1.36	6	3.22
Iran	208,000	3.29	12.8	5	----------
New Zealand	12,200	1.77	8.93	3	2.40
Pakistan	253,000	.87	101.62	6	4.09
Philippines	32,000	.49	83.42	2	3.03
Thailand	135,000	1.99	50.58	1	2.56
Total, Western alliances	6,603,000	3.43	19.8	180	----------
Japan	235,000	.89	255.1	37	1.41
South Korea	602,000	12.82	230.85	4	8.20
Taiwan	570,000	23.34	279.32	4	9.00
Total, U.S. treaty powers	8,010,000	3.54	23.27	225	----------
Albania	29,500	5.14	59.15	----------	----------
Bulgaria	120,000	4.81	71.22	1	[2] 4.5
Czechoslovakia	185,000	5.04	115.36	4	----------
East Germany	85,000	1.79	158.4	5	[2] 2.5
Hungary	80,500	2.66	108.53	1	[2] 1.8
Poland	257,000	3.1	96.47	9	[2] 3.7
Rumania	222,000	3.68	77.71	1	----------
U.S.S.R.	3,600,000	5.5	9.74	76	[3] 8.09
Total, Warsaw Pact	4,579,000	4.86	13.55	97	----------
China	2,400,000	1.12	73.44	[4] 50	[2] 4.4
North Korea	338,000	13.74	175.18	1	----------
North Vietnam	260,000	6.6	90.72	2	----------
Cuba	93,000	4.5	59.39	2	----------
Total, Communist bloc	7,670,000	2.42	31.76	152	----------

[1] Based on an estimated figure of national income for 1962.
[2] These are 1959 figures submitted to the recent U.N. committee on the economic consequences of disarmament.
[3] Based on defense budget of 14,740,000,000 U.S. dollars. On the more realistic figure of 33,000,000,000 U.S. dollars, the percentage is 18.66.
[4] Estimated.

Mr. MORSE. Mr. President, in sum, I believe the good faith of the United States in meeting our NATO commitments and aiding our European partners in meeting theirs has more than been met. It is time now for Europe to start meeting its NATO commitments, and I think a first step in that direction is a drastic reduction of U.S. military aid.

But the economic revival of Europe to a stage of unparalleled prosperity is only one of the many changes that have occurred since 1949, when the NATO treaty was ratified by the Senate.

OTHER OBJECTIVES OF TREATY

Two other objectives of the NATO treaty have been achieved. One is the integration of West Germany into the economy of Western Europe. To quote again from the report:

> All signatory states are determined that Germany shall never again be permitted to threaten them. On the other hand, it is entirely possible that the German people may turn to the Soviet Union unless adequate and sincere efforts are made to provide them with a decent and hopeful future as an integral part of free Europe. Our European partners might be reluctant to accept Germany if it were not for the additional unit the pact offers.

How well I remember the consultations and conferences we had with the incomparable Arthur Vandenberg as we planned our strategy or received his instructions covering our strategy for the handling of the NATO treaty through the Senate. At that time, as some of the older Members of this body may recall, there was some question as to whether the treaty would be ratified or whether it would be ratified with a majority vote essential for a demonstration to our allies in Europe that with the cessation of World War II we had no intention of walking out on both our moral and our military-economic obligations to Europe as an ally with the European countries in that war.

This point about which I have just read from the report of the Foreign Relations Committee in 1949 was one of the points that Arthur Vandenberg particularly emphasized, as he pleaded not only for a ratification of the treaty but for an overwhelming ratification of the treaty as the message the United States should send to Europe that we stood with them in the war and we intended to stand with them in the struggle ahead for the preservation of freedom in Europe.

I can recall, as though it were yesterday, the plea he made that we follow a course of action toward West Germany which would give the German people adequate justification for turning their eyes to the West and not to the East. Still in 1949, Mr. President, and with understandable justification, we all entertained feelings of deep resentment, for we had all been greatly shocked by the brutality and by the atrocities of Nazi Germany.

There were still a great many persons who had grave doubts as to whether or not the German people as a people had in fact changed their mental attitudes toward the West.

In due course of time, long after our generation, historians will write their accountings of the world situation of 1949 and the years just before and just after. I have not any doubt that one of the glorious chapters they will write will be the great record the American people made in rising and keeping faith with our idealism, putting into practice teachings of the great Americans who had gone before, of malice toward none but charity for all. We opened our arms to the German people and we invited them into the society of freedom. We demonstrated in a material way, and in a spiritual way, that we were ready to keep faith with the American system of free government.

The treaty was ratified by an overwhelming majority in this body, and those historians, when they give their accountings, will also have at least a footnote, if not a chapter, calling attention to the great psychological effect in West Germany of the approval of that treaty by the Senate of the United States by such an overwhelming vote. As Vandenberg predicted, it gave them a confidence and a faith in our desire to welcome them into the fraternity of freemen.

And so, in the committee report, the committee noted that Germany was not then a signatory but "it may make possible a solution of the German problem and a constructive integration of Germany into Western Europe."

If the committee was referring to the division of Germany, we have not made any progress on that, but West Germany is now closely integrated into Western Europe, and is perhaps the most prosperous of the entire area. It is also now a full partner of the pact.

The third objective of NATO which has largely been accomplished is the

related one of European economic integration.

I quote from the committee report again:

> The committee believes that the North Atlantic Pact, by providing means for cooperation in matters of common security and national defense, creates a favorable climate for further steps toward progressively closer European integration. Moreover, cooperation for common security gives added momentum to the movement toward unification.

Whether Britain enters the European Economic Community or not, that organization is a going concern and one that promises to bring higher levels of prosperity to its members.

TREATY CALLS FOR REVIEW

It is true that the committee report declared it to be "the primary objective of the treaty to contribute to the maintenance of peace by making clear the determination of the parties collectively to resist armed attack upon any of them."

But this was to be the means to the ends. It was to permit the economic recovery of Europe, to promote European economic integration, and to bring Germany back into the fabric of the West that the mutual defense concept was employed.

The question I am asking today is whether that is still a useful concept to the United States and to Europe. If so, then it must be a means to new and different ends, ends which have not at all been explored or explained to date.

The text of the treaty itself took account of the likelihood of changed conditions. Its article 12 states:

> After the treaty has been in force for 10 years, or at any time thereafter, the parties shall, if any of them so requests, consult together for the purpose of reviewing the treaty, having regard for the factors then affecting peace and security in the North Atlantic area, including the development of universal as well as regional arrangements under the Charter of the United Nations for the maintenance of international peace and security.

There is no reason whatever to assume that a necessity of 1949 is either a necessity or a practicality in 1963. Times, attitudes, confidences, economies, the weapons of war—all these change too fast to permit us the luxury of sliding along with fixed assumptions, no matter how comfortable they may be. The treaty wisely took account of that fact in article 12. We in the United States must take account of it, too, just as it is being taken account of in France and elsewhere on the Continent among the member nations.

POLITICAL CHANGES HAVE FOLLOWED ECONOMIC CHANGES IN EUROPE

Along with economic revival and integration has come a revival of national interests and regional interests.

One of these significant changes since 1949 is the determination of Great Britain and France to develop nuclear deterrents independent of NATO. Under General de Gaulle, France is looking within Europe for her own future and away from the concept of the North Atlantic community.

General de Gaulle, at least, looks eastward and not westward in considering France's role in the future. The issue for the United States is how seriously to take this attitude. If it is held by De Gaulle, and not by France itself, then we would do well not to change our policy until time has shown us where France intends to go after General de Gaulle passes from the scene.

But we know from his speech of January 14 that General de Gaulle is not interested in the kind of arrangement for Polaris that we made with Britain. I frankly welcome that decision, because I am fearful that the tendency would grow for the United States to "sweeten the pot" for France as an inducement to accept our offer, and that our military aid expenses, which are already too high, would vastly increase. Personally, I do not favor even selling the missiles, much less making them available at less than cost, nor do I favor any changes in the Atomic Energy Act of 1946 that would add to independent nuclear forces.

Although I have not seen more than press reports of that speech, I note that he is quoted as saying:

> Of course, this does not exclude the combined action of our force with an analogous allied force of the same kind, but for us integration is unthinkable in this case.

I do not know for certain that this means France also rejects participation in a multilateral nuclear force in NATO, but it sounds that way to me.

I say most respectfully that it is the clear duty of the administrators of our foreign policy, in due course of time, but within a reasonable time, to find out exactly what De Gaulle did mean by that statement.

AGGRAVATION OF BALANCE-OF-PAYMENTS PROBLEM BY COMMON MARKET

One of the most serious developments for us that has emerged out of the new economic prosperity of Europe has been the indications that the Common Market will raise barriers against U.S. products, especially farm products. If this development continues, then our balance-of-payments problems which are already bad in Europe will become much worse. Of the $3.5 billion of U.S. exports to Common Market countries in fiscal 1961, $1.1 billion were farm products.

Already, import levies on some of our major commodities have been drastically increased. The duty on poultry going into West Germany, for example, has been increased from less than 5 cents a pound to more than 12 cents. Other U.S. commodities expected to run into trouble from the Common Market protectionism for agriculture are wheat, feed grains, rice, tobacco, animal products, fats and oils, and certain fruits. In the case of fruits and vegetables, quotas are the major barrier used, despite the fact that the importing countries have no balance-of-payments problem at all.

I have had considerable experience of my own with the protectionism of West Germany and France with respect to American fruit products. As these countries raise their barriers, it takes such severe action as the threat to invoke GATT provisions barring quantitative restrictions except in cases of balance-of-payment difficulties to induce France and West Germany to give reasonable treatment to our pears and apples. This last fall, both countries acted only after it was too late for our exporters to participate in the Christmas market for these fruits. These barriers being raised by France and Germany are new ones. I may say, parenthetically, that if we do not get our fruits to Europe in time for the Christmas market, we might as well, by and large, not send them at all. The buying habits of the people in Europe are about the same and as interesting as they are in the United States. The large purchase of fruit is before Christmas, not after.

It is perfectly clear that West Germany and France, but France in particular, found it impossible to enter into satisfactory negotiations for the lowering of barriers on fruits until they well knew it was too late for the Christmas market. I have urged the State Department to take about the only recourse left to us, and that is the retaliatory withdrawal of tariff concessions.

I say most respectfully, it being a people's foreign policy in our country, the American people are entitled to a full and fair consideration of that policy, and the State Department has an obligation to find out what the position of the American people would undoubtedly be once they have the facts that the State Department and the senior Senator from Oregon and some 20 other Senators know to be the facts in regard to the measures which have been taken by our European NATO partners in respect to American agricultural products.

The most I have been able to elicit from the State Department is that the United States would be fully within its rights under the General Agreement on Tariffs and Trade to impose these retaliatory measures against France, but we do not plan to exercise that right until what they call a reasonable time has elapsed, during which the French might reconsider.

I now ask unanimous consent to have printed at this point a report from the Department of State dated January 15, 1963, entitled "Recent Trade Developments in the EEC and GATT."

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

RECENT TRADE DEVELOPMENTS IN THE EEC AND GATT

Two issues are now in the forefront of the European Economic Community (Common Market) affairs: Negotiations for United Kingdom entry into the EEC, and development and implementation of the common agricultural policy. While this paper will, for the most part, discuss the trade problems between the United States and the EEC, we wish to note and welcome the amazing success of the EEC in its 5 years of existence. Our support for the integration of Europe has, if anything, strengthened over time.

UNITED KINGDOM NEGOTIATIONS

The most recent reaffirmation of support for United Kingdom accession to the EEC was contained in the Nassau communique of December 21, 1962, in which the President expressed the interest of the United States in an early and successful outcome of the negotiations. These negotiations are exceedingly complicated but their successful conclusion has important implications for

the structure of Europe and the free world. The negotiations now appear to be reaching a decisive phase and their outcome is likely to be known during the early part of this year.

COMMON AGRICULTURAL POLICY

The United States recognizes that the EEC must integrate its agricultural sector if it is truly to be an economic community, but has objected, at times strenuously, to various protective and trade-restrictive features of the EEC's common agricultural policy as it is developing.

During the 5 months since the common agricultural policy went into effect for certain commodities, we have been able to observe the effect on certain U.S. exports. Our poultry and wheat flour exports have been adversely affected. The development of the common agricultural policy will have an important impact on our wheat and feed grain exports. Rice exports may be affected when the rice regulation is put into effect. The separate national systems affecting fruit imports have not as yet been materially altered by the EEC fruit regulation.

POULTRY

The poultry regulation has been of most immediate concern because of the restrictive effect it has had on U.S. exports. We have also viewed the poultry case as the bellwether which may symbolize other actions by the EEC in the agricultural field.

The EEC poultry import fee contains four separate elements: (1) a factor to equalize the cost of feed grains used in poultry production inside and outside the Community; (2) a tariff equal to the level of EEC duties for trade among member states, which will decline to zero as internal EEC duties disappear; (3) a tariff, applicable only to imports from nonmembers of the Community, now relatively low (2 percent) which will increase (to 7 percent) as the internal duties disappear; (4) a gate price, in reality a minimum price, below which imports may not enter without paying an additional fee to make up any difference between the invoice and the gate price.

In Germany, our major poultry market, this new array of import charges, even omitting any charge between the invoice and gate price which might be levied, amounts to more than 30 percent ad valorem, as compared with a previous duty of 15.9 percent. We made a series of representations to the Commission of the EEC, and particularly in Germany, asking that the impact of the levy in Germany be reduced, at least until more definitive arrangements for poultry could be negotiated between the United States and the EEC. The President wrote a letter to Chancellor Adenauer to this end. In response to the President's letter, Germany did in fact seek authority from the EEC Commission to impose a lower levy until the end of 1962, which in part was granted by the Commission, but which never went into effect because of failure to obtain the necessary enabling legislation from the German Bundestag.

The gate or minimum price has been equally onerous. It has been set for frozen broilers at 33.31 cents a pound. U.S. exporters apparently can profitably land frozen broilers c.i.f. Hamburg at less than this price. Under the regulation, a differential charge would then be required. What seemed to be taking place, however, was purchase by German importers in the United States at going U.S. wholesale prices, shipment by the Germans themselves to Germany at or above the gate price—that is, by invoicing it to themselves at this higher price—thereby avoiding any differential fee. To overcome this, the EEC Commission imposed a supplemental fee of 2.84 cents a pound to replace the gate price differential. Poultry from Denmark was excluded from this supplemental fee since the Government of Denmark guaranteed no exports to the Community would take place below the gate price. The United States has a free market in poultry; in addition, our Constitution prohibits export taxes. Consequently there is no way we could give the same guarantee, even if we wished to do so.

We have vigorously protested this combination of actions. Secretary of Agriculture Freeman, subsequently supported by Under Secretary of State Ball at the ministerial meeting of the Organization for Economic Cooperation and Development, and our diplomatic missions in the EEC member nation capitals and to the EEC Commission in Brussels, forcefully have set forth our position. We have made known our distaste for a minimum price technique, particularly when that price is set higher than commercial considerations would warrant. We have protested the imposition of the supplemental fee, and its discrimination in favor of Denmark. We look forward to a meeting of the EEC Council later this month when this subject will be considered.

The precise trade impact has been hard to measure, but it clearly has been unfavorable to us. For the 3 months August through October 1962, the first 3 months in which the new system was in effect, German statistics show poultry imports from the United States of about 7 million metric tons as compared with more than 20 million metric tons over the comparable 3 months of 1961. The figures may not be fully comparable in that our poultry exports to Germany were higher than normal in the months preceding August 1962 in anticipation of the new common policy. However, there is no evidence that our exports are again increasing now that the earlier stocks have been dissipated. The uncertainty on the part of the trade over the new regulations and their arbitrariness undoubtedly has adversely affected our poultry exports.

Our trade in poultry parts—backs and necks—has virtually ceased because the levy was first set at 125 percent of the cost of whole birds, later reduced to 75 percent, whereas the commercial relationship had in fact been closer to 33 percent.

GRAINS

The impact of the new system on our wheat and feed grain exports has not thus far been measurable, but the implications are perhaps more profound for the United States because the trade value involved is far greater. In 1961, our poultry and egg exports to the six countries of the EEC were $48 million, while our wheat, wheat flour, and feed grain exports were $367 million.

The EEC grain regulation involves a system of variable import levies designed to equalize the price of grain in the EEC and on world markets, and further, to give a certain preference to EEC producers. This limits the ability of foreign suppliers to enter into price competition with EEC producers in EEC markets, since any lower price offered by an exporter would result in a higher EEC variable import levy. In effect, this would seem to mean that foreign suppliers will be permitted to supply whatever is not produced by domestic farmers in the EEC. This, in turn, means that the future level of our grain exports to the EEC under this system will depend largely on the level of EEC production.

We anticipate that EEC production of soft wheat will rise. However, the higher the EEC producer price, the greater the rise that is likely to result. The EEC has not yet reached a decision on the eventual level of its common grain prices, but this decision is scheduled to be made by April 1, 1963. It is a critical decision for external grain suppliers, both as an indication of their future market expectations in the EEC, and as a measure of the outward-looking nature of the Community. We are making our views known forcefully that we view the April 1 decision as one of the highest importance, and that we would regret the establishment of a high-priced, inefficient grain structure in the EEC which could only adversely affect all non-EEC grain exporters.

We have held a series of consultations with Canada, Australia, and Argentina, who, together with the United States, are the world's principal grain exporters, to examine whether the exporters believe a basis exist for a new world commodity agreement to regulate the trade in grains. The EEC has indicated its advocacy of a commodity agreement in this field. Pending further consultations with the exporters, the EEC, and other importers, we are giving serious and active consideration to holding multilateral discussions in the GATT forum to examine the framework for a possible world grains agreement.

In the case of wheat flour, for which we long have had a modest but steady market in the Netherlands, the new levy system makes the cost of imported flour so high as to threaten the continuation of these sales. For the period August through October 1962, the 3 months immediately following the institution of the new system, our flour exports to the Netherlands were about 18 million pounds. For the same 3 months of 1961, they were double, about 36 million pounds. We have protested, and shall continue to protest this sudden and unwarranted elimination of trade, and we have made it clear that we seek some amelioration of this situation.

RICE

We are concerned that the rice regulation may also involve variable levies and perhaps a price structure so high as to harm American and other rice exporters to the Community. We have made this concern known to the Community and to the member states.

FRUIT

The EEC fruit regulation does not involve variable levies. Fruit import policy still remains the prerogative of the member states, not the Community as a whole. Most of the member states restrict imports of U.S. fresh fruit, and we have made a series of representations to remove these restrictions.

GATT EXAMINATION, COMMON AGRICULTURAL POLICY

The GATT proved to be a useful forum in which to examine the common agricultural policy of the EEC. The United States participated actively in the comprehensive examination of the common agricultural policy on five groups of products conducted in GATT's committee II from October 8 to November 8, 1962, immediately preceding the 20th session of the contracting parties. The review covered cereals; pig meat, eggs and poultry; fruit and vegetables; wine. A full report of the examination was made public and received wide publicity. The report reveals the concern of exporting nations over the common agricultural policy; contains the assurances of the EEC that its intent is not to be trade restrictive; and summarizes the technical discussions of each group of commodities.

EEC AGREEMENT WITH ASSOCIATED OVERSEA COUNTRIES

The EEC recently concluded difficult negotiations with its associated oversea countries. This association is to continue for an additional 5 years and will involve substantial EEC financial and economic assistance to the associated countries. It will continue, generally at somewhat lower tariff levels, the trade preferences for associated countries for various products. Our ultimate objective continues to be the reverse; namely, nondiscriminatory trade among free world countries. However, we believe it to be helpful in moving toward the liberalization of world trade that the new association agreement will involve 40 percent reductions in the

common external tariff of the EEC for such key tropical products, among others, as coffee and cocoa, as well as result in the gradual elimination of the isolated, high-priced French market and the movement of French prices to the world level for such items as peanuts and coffee.

ACTION IN GATT ON TRADE RESTRICTIONS

We pressed the matter of fruit and other restrictions imposed by France against our products during the 20th session of the General Agreement on Tariffs and Trade held during October and November 1962, and received a ruling from the contracting parties that the French restrictions were in violation of France's obligations, and that the United States was entitled to make equivalent withdrawals of trade benefits granted to France if the situation is not corrected. The contracting parties advised the United States not to make any compensatory withdrawals for a "reasonable period" in the hope that bilaterial consultations between the United States and France would lead to a satisfactory conclusion. These bilateral discussions are expected to begin this month.

At the 20th session of the GATT, Italy announced an import liberalization which effectively removed almost all the discrimination which previously existed against U.S. products.

Germany and Belgium both maintain various import restrictions against certain U.S. products. These restrictions were sanctioned by waivers obtained in the GATT. These waivers have expired, and we have informed both of these countries that we expect the import restrictions to be eliminated.

TARIFF NEGOTIATIONS

We are, of course, looking forward to conducting major trade negotiations with the EEC and other countries pursuant to the Trade Expansion Act. A GATT working party on procedures for tariff reduction met in December and will meet further in the coming months to formulate plans and procedures for the forthcoming tariff negotiations. A ministerial meeting of the GATT will be held in the early part of 1963. We anticipate that it will decide, among other matters, on the convening of a tariff conference in 1964. Mr. Herter, will, of course, guide the U.S. operations with respect to these trade negotiations.

Mr. MORSE. Mr. President, this French protectionist policy for agriculture—and it is unfortunately characteristic of much of the Common Market policy—is going to make even more expensive American participation in European defense. It is another evidence that President de Gaulle is anxious to make American participation as uncomfortable as he can for us, with a view to forcing us out. He made it quite clear this week that he does not intend to let Britain into the Common Market until she has severed her individual ties with the United States.

As I have said, there is some possibility that De Gaulle is speaking largely for himself and will not be able to establish a policy for France that will outlast him.

INDEPENDENT DETERRENTS IN EUROPE

But we do know that France seems determined to become an independent nuclear power with or without De Gaulle. Speaking purely from the financial angle, I do not think it amiss to remind both Britain and France that any nation that feels it cannot afford to be a military power in conventional weapons cannot possibly afford to be a military power in nuclear weapons. All the "poor-mouthing" from European defense ministers that the are too poor to meet their commitments to NATO comes in especially bad taste from those ministers who also want their nations to be nuclear powers. They only convince me that one or the other of their contentions is completely fallacious.

After all the publicity given to getting a "bigger bang for a buck" here in the United States, we learned that it is a false and misleading slogan. To have only the nuclear capacity and not the conventional capacity means that a nation can fight nothing but a nuclear war. Having spent billions to develop not only nuclear warheads, but then the missiles to deliver them, and then the nuclear submarines to keep the missile mobile, we still found we had to increase our conventional forces as well.

And nuclear weapons alone are infinitely expensive. This is especially true if the means of delivery is to include missiles and nuclear submarines. To have a capacity tied to manned bombers for delivery means that that nation's deterrent can be effective only against nations within bombing range.

Suppose that the next decade sees the continuation of the split between Russia and Red China and also brings the achievement of a nuclear capacity to Red China, as it very well may. The French Mirage and British Vulcan bombers are going to be left high and dry as a means of delivering nuclear warheads on China. What deterrent are these countries going to have if China—and one is tempted to say when China—becomes the primary threat to world peace?

If the driving force behind these independent deterrents is to achieve some worldwide deterrent, then they have no choice but to produce the means of delivering them anywhere in the world. If the theory behind them is limited to delivery within bombing range, then their concept of deterrence has not gone beyond the North Atlantic Community, after all.

Here is one Senator who takes the position that any Western European country which plans to become an independent nuclear power is hereby invited to go it alone in its endeavor. I do not favor any American assistance to any nation in the development and production of nuclear weapons or delivery systems for use outside the NATO command and outside of any U.S. control or voice in such use.

This is especially true when so many member nations have failed to meet their regular commitments to NATO. I can think of nothing that would serve U.S. interests less than for us to help a nation that has reneged on NATO to develop a nuclear capacity outside NATO. If that is to be our policy, then NATO has little useful existence for us. If Western Europe itself hankers only for nuclear capacity and shuns conventional forces, then the United States cannot possibly defend Europe with conventional forces of our own.

It is said that large conventional armies are unpopular in Europe; that Europeans feel we are seeking to use them as "cannon fodder" and will withhold our nuclear missiles as long as possible to spare American cities. My answer is that large conventional armies are unpopular in this country, too. Yet we are maintaining five divisions in the Central Europe Command of NATO, far more than either France or Britain. If there is no need for the European partners to meet their commitments of conventional manpower, then there is far less reason for the U.S. to meet its commitments.

THE SKYBOLT CONTROVERSY

Within this same context, I think Great Britain has expected a great deal in expecting the United States to make good an open-ended and unlimited expenditure so that Britain can feel she is independently a nuclear power. The notion reported to us so often from Britain that the United States has somehow failed an ally by failing to perfect the Skybolt missile is a sad and unfortunate one that I cannot believe represents the real interest and concern of Great Britain.

I think too much of our British friends and allies to believe they really want us to spend billions—and we do not know how many billions—on a weapon that seems to have more prestige value for Britain than military value for either of our countries. I have always cherished the notion of my own that the British have more sense than that.

The Department of Defense advises me that our commitment to Britain on the Skybolt was that it would be offered for sale to Britain for use with Vulcan bombers, provided the missile were successfully developed. This offer was made at the March 1960, meeting of President Eisenhower and Prime Minister Macmillan. It was at this meeting, too, that U.S. Polaris forces were given berthing rights in Scotland, though the Department states that there was no quid pro quo between the Skybolt and Polaris programs.

Later, in September of 1960, it was further agreed that the United Kingdom would pay the costs directly relating to adapting the missile to the Vulcan and to flight-testing it.

All told, the United States has spent $330.1 million for research and development of the missile and $23 million on its production, for a total of $353.1 million. Britain is believed to have spent about $25 million for costs of testing it with the Vulcan.

None of the American expenditure has been a part of our military aid to Britain, but has been in addition to it.

However, the Defense Department advises me further that our work on Skybolt has been almost exclusively directed at a U.S. application, even while specifications were designed to insure its compatibility with the British Vulcan Mark II bomber. The Department has now concluded that it would not be desirable to continue its development for our own use. Despite that, President Kennedy offered at Nassau to continue the Skybolt development on a 50–50 basis with Britain, an offer which the Prime Minister declined.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a letter I have received from John Rubel, Assistant Secretary of Defense, about the Skybolt matter.

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

ASSISTANT SECRETARY OF DEFENSE,
Washington, D.C., January 3, 1963.

Hon. WAYNE MORSE,
U.S. Senate.

DEAR SENATOR MORSE: Your letter of December 13 to Gen. Robert J. Wood, in which you ask additional information on the Skybolt program, has been referred to me for reply.

You asked about the exact commitment to Great Britain on development of Skybolt. Agreements between the United Kingdom and the United States which have a bearing on the Skybolt development are those concluded in March 1960 after the Prime Minister Macmillan-President Eisenhower talks at Camp David; the more detailed agreement in June 1960 between Minister of Defense Watkinson, United Kingdom, and Secretary Gates, then U.S. Secretary of Defense; and the technical and financial agreements in September 1960 between the United Kingdom Minister of Defense and U.S. Secretary of Defense, and between the Royal Air Force and the U.S. Air Force.

As a part of the March agreement, which covered other subjects as well, the United States offered to sell Skybolt for application to the United Kingdom Vulcan force, provided the missile were successfully developed. These missiles would be provided by direct sales, and not through military defense assistance. The March agreement also provided that U.S. Polaris forces would be permitted Scottish bases berthing rights, and was done in the same spirit of cooperation. There was no quid pro quo between the Skybolt and Polaris programs.

The September 1960 agreements were more detailed, and provided that the United Kingdom would participate in the Skybolt development program and pay those costs directly relating to adapting the missile to the Vulcan, and to flight testing it. In the event the development program were successful, the United Kingdom would be authorized to procure Skybolt missiles for their operational forces. Again, this agreement made no mention of quid pro quo as regards Skybolt and Polaris basing.

You asked how much the United States and United Kingdom have spent on Skybolt. As of December 31, 1962, the United States had expended $330.1 million for R.D.T. & E. and $23.1 million for production.

Total funding by the United Kingdom is not available for those portions undertaken in the United Kingdom. It is estimated that a total of approximately $25 million has been spent by the United Kingdom in the United States to cover costs of testing Skybolt with Vulcan. The United Kingdom has also undertaken a warhead development, and again these figures are not available.

General Wood has replied to your inquiry on Skybolt expenditures and military assistance programs. No military assistance funds have been allocated to this program.

In response to your last question, the Defense Department has decided not to produce Skybolt for U.S. use and does not consider it desirable to continue its development. The work that has been done on Skybolt has been almost exclusively directed at a U.S. application but the original specifications for the missile were designed to insure its compatibility with the British Vulcan Mark II bomber. As you know, the President offered to share with the United Kingdom on an equal basis the additional costs of completing development of Skybolt after which the United Kingdom could have placed production orders for their own use but this offer was declined by the Prime Minister.

I trust that this information adequately answers your questions.

Sincerely,

JOHN H. RUBEL.

Mr. MORSE. Mr. President, this record satisfies me that the complaints heard in Britain about alleged American bad faith on Skybolt are emotional but not logical. Britain could have had Skybolt if she were willing to pay half its cost. She cannot expect the United States to invest alone in so expensive a weapon merely for British prestige value, and I do not really think Britain wants that, either, after reflection.

MULTILATERAL FORCE MOST DESIRABLE COURSE

But these events convince me that we must explore the possibilities of a multilateral nuclear force under NATO command.

The same reasons that mitigated in favor of the European Economic Community also mitigate in favor of a multilateral, nuclear-missile system within NATO. Surely the nations that have reached new economic heights by eliminating wasteful allocation of their resources must realize that a return to independent nationalist industrial, scientific, and military forces of the kind required for a nuclear capacity is an infinitely greater waste.

Neither do I think there is much doubt of where such fragmentation of nuclear force will end. Britain already has much of the capacity; France is working on one; and although West Germany presumably renounced nuclear intentions when it became a NATO partner, it is very hard for me to imagine a strong and productive Germany failing to keep pace with Britain and France in this area of military power.

ALTERNATIVES DEMAND ATTENTION

We are often saying these days that it is well for one great power to know how another great power will react to certain actions and policies. If that is true as between the United States and the Soviet Union, it is also true of the members of NATO itself.

Having expressed some thoughts about what I think the future of NATO must be if it is to have a future, let me point out some alternatives to NATO.

Perhaps it is time we surveyed the objectives of NATO not with the view of where it should go from here, but with a view to whether it has not already served its purpose.

I have already alluded to some of the complaints and contentions lodged against the United States by Britain and France. These complaints, together with the national aspirations of both countries to be free of dependence upon the United States for a nuclear deterrence, suggest to me that a more logical and advantageous course for all of us than a reluctant Atlantic alliance might be a truly independent Western Europe.

Obviously, Britain and France are dissatisfied with closer NATO ties. Yet anything less than closer NATO ties is disadvantageous, and costly, to the United States.

The alternative of a strong, unified Europe, free and clear of anything but historic and cultural ties with the United States, suggests itself to me as preferable for all our countries to a half-hearted, fragmented, and divided NATO toward which the United States is a disproportionate contributor in money, manpower, and military reliance.

"THIRD FORCE" SUBSTITUTE FOR NATO

How much has been said, written, and prophesied of the new Europe. The third force of Western Europe, as distinct from both the Soviet Union and the United States, is becoming an economic reality through the European Economic Community, whether Britain joins it or not. In production, wealth, and manpower, Western Europe is roughly the equal of the Warsaw Pact. This was a basic objective of the Marshall plan and the NATO treaty, an objective in which the United States has invested $41.5 billion since World War II.

If France and Britain prefer to join in a European community exclusive of the United States for military as well as economic reasons, then the United States would find it infinitely easier to meet its worldwide commitments outside Europe.

This may be true even if these nations pursue independent military defenses. If France, Britain, and probably Germany eventually all have their own nuclear forces to use in their own defense, is there any reason why the United States should continue seeking to protect them with conventional forces and with still another nuclear force?

It must be assumed that France is going ahead with its nuclear force with a view to assuring its own military security. Why, then, must Americans feel we must go on protecting France?

France has been the recipient of more foreign aid from the United States than any other nation in the world—$9.4 billion. Today she is devoting more of her financial resources to defense than any NATO partner except the United States, and more of her manpower to defense than any NATO member except Greece and the United States.

But these French defenses are not within NATO. They are outside it. In fact, a comparison of NATO ground force goals for 1964 and the plans of members for meeting those goals indicates that France does not plan to meet her NATO obligations. By the end of 1963, she does not plan to have supplied more than half of her assigned ground forces.

Instead, France obviously wants to go it alone in national defense. While her "mirage" bombers sound suspiciously like an airborne maginot line, the United States cannot compel France to take advantage of her lessons of World War II. Our problem is to find defensive arrangements that will not depend upon France's participation and will not require us to finance independent military forces in Western Europe.

Mr. President, this is a delicate problem, but it is a basic one which the American taxpayers have a right to have their Government solve in the immediate future, for the taxpayers of the United

States—who, after all, own U.S. foreign policy, and we in the Government are but its trustees—have a right to have their Government work out with France an accommodation whereby the paradox I have just now outlined will disappear. The U.S. taxpayers have a right to have it made crystal clear to France that we do not intend to support with our money and our blood two defenses for France. Therefore, as a member of the Senate Foreign Relations Committee, I respectfully serve notice today, that I intend to examine with the greatest of critical scrutiny any financial relationships with France that are proposed in any military or economic foreign aid bill in the pending session of Congress.

My saying that, Mr. President, does not deservedly subject me to the charge that I am not appreciative of the glorious history of France. However, every generation of every nation has an obligation to keep faith with its history. There is incontrovertible evidence that we are at the crossroads in regard to the entire matter of United States-French relationships with respect to the paradoxical problem I raised a moment ago, for if France wishes to go it alone in the field of national defense, then the U.S. taxpayers should be quickly relieved from any further subsidization of French defenses.

And by the time there are in Europe two or three independent nuclear military systems, the deterrence against Russian attack may well be just as effective in protecting Europe as a unified deterrent. If France, in particular, did not believe this, she would not be spending as much as she is to achieve that very objective.

What I am suggesting is simply that we consider taking France and Britain at their word; that we free them from dependence on America, both financially and militarily; that we consider the recovery of Europe to be achieved; and that we leave to Europeans the decision as to whether they want to establish a strictly European defense system or want to defend themselves individually.

Certain exhibits bring out these changed conditions and the new European objectives, and I ask that they be printed at this point in the RECORD. They are an article entitled "Europe, De Gaulle, and the Deterrent," from the December 1962 issue of Commentary; a column, by Walter Lippmann, entitled "Crisis and This Election"; and a column by Constantine Brown, entitled "U.S. Link with European Allies."

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

[From Commentary, December 1962]

EUROPE, DE GAULLE AND THE DETERRENT

(By Ronald Steel)

The marriage of convenience that is the Atlantic alliance has been subject to much of the strain and discord common to unions where romance takes a back seat to logic. But after 13½ years, the novelty has begun to wear off, revealing bare spots in the structure, and a growing tendency to disagree over fundamentals. These strains have become most obvious in the current relations between France and America, where President Kennedy's vision of Atlantic interdependence has run head on against De Gaulle's dream of a new Europe of nations united under French leadership. The impact of these two plans has placed the whole foundation of the Atlantic alliance in question. Not since NATO was created in 1949 has there been such an open disagreement on its purpose and its structure. The problem is not, as an administration spokesman implied, a temporary aberration arising from illusions of grandeur on the part of the French President. Quite the contrary: De Gaulle's ambitions are a challenge to the American dominance of the alliance and represent a widespread discontent among our European allies over the present structure of Western defense. The debate over France's nuclear weapons program has tended to obscure rather than clarify this challenge. The real question is not whether France shall have nuclear weapons—she will obtain them by her own efforts despite any American discouragement—but rather how her possession of such weapons will affect the political balance of forces within the Atlantic alliance.

The dispute between Washington and Paris over nuclear policy during the past few months has been argued too simply in military terms. The administration, with hurt pride and a touch of moral outrage, has lectured the French on the dangers of owning nuclear weapons, as though this would impel them to scuttle a project they have been working on for nearly a decade. The dialog between the two capitals has taken on all the quality of a family squabble—complete with polemics, recriminations, and charges of disloyalty. High administration officials have described De Gaulle's nuclear ambitions as foolish, or diabolical—or both. The Secretary of Defense, having unwrapped a new version of the old counterforce theory for winning nuclear wars, has told the French that there must be centralized control of atomic weapons—a doctrine which they rightly interpret as insuring an American monopoly of the West's nuclear defense.

The arguments from Washington, repeated with awesome regularity, have been grounded in the administration's military strategy. Unfortunately, the logic of this strategy, however compelling it may seem in the Pentagon, is largely irrelevant to the deeper political dilemma which has brought on the nuclear dispute. Yet it is the political problem, with the implied challenge it holds to American leadership, which has been scrupulously avoided. Instead, the administration has concentrated on the military equation, and has presented at least four arguments against a French nuclear deterrent. First, it is said, such a force is unnecessary, since the American nuclear umbrella covers all the European allies. Second, it is dangerous, since it could lead to a proliferation of nuclear powers—that is, to demands by other allies, especially Germany, for nuclear status. Third, it is wasteful, since under Pentagon strategy the Europeans, and especially the French with their huge army now largely returned from Algeria, should be increasing their conventional contributions to NATO rather than spending money for nuclear weapons. And finally, under Secretary McNamara's new strategy for conducting rather than simply deterring nuclear warfare, a French force is destabilizing since it would establish a separate center of nuclear power within the alliance. The American position, whatever formulas may be devised to make it palatable, is that the United States must have absolute control over Western nuclear strategy.

These military arguments, within their limits, are quite persuasive, and have been accepted by not only a good many American strategists, but by a number of Europeans as well. The French, however, have some very compelling responses to them. In the first place, they question whether American nuclear protection really does continue to cover Europe. As President de Gaulle has often pointed out, the achievement of nuclear parity between the United States and the Soviet Union has greatly modified the conditions of the American nuclear guarantee. When NATO was formed the Americans had a virtual monopoly of atomic weapons, capable of responding to any Soviet incursion into Western Europe by an overwhelming nuclear attack on Russia itself from American bases in Europe and North Africa. The Russians, however, could not imperil the continental United States, and thus the American guarantee to Europe was both militarily and phychologically convincing. But today these conditions no longer exist. The missile age now allows America and Russia to obliterate one another within a matter of hours—without relying on foreign bases. For Europe this means that a completely new element—the vulnerability of the United States—has become the crucial factor of the American guarantee.

As De Gaulle observed in his May 1962 press conference, since the creation of NATO "new elements of an extraordinary dimension have emerged. * * * Soviet Russia now, too, has an enormous nuclear arsenal which is increasing every day, just as that of the United States is doing. * * * No one today can know when, nor how, nor why one or the other of these great atomic powers may employ its nuclear arsenal." Would an American President respond to a Russian probe into Western Europe with the full force of atomic weapons—knowing that this would involve the destruction of the United States itself? And even if he would today, would he in 5, or 10, or 15 years when the world political situation might be very different? Detroit for Oslo, Los Angeles for Stuttgart? Maybe, but who can be sure? What nation can be expected to engage in nuclear war in the defense of another?

Believing that nuclear parity has made the American guarantee no longer convincing, De Gaulle is determined to create a finite nuclear force capable of deterring an attack upon France. Within the next few years, as technical developments impel America to withdraw its bomber and missile forces from Europe in favor of an American-based defense, the nuclear guarantee to Europe will seem even less credible. Missile technology, by making the United States no longer dependent on European bases, can only undermine the theory of the nuclear umbrella.

The second American argument, that a French nuclear capacity will lead to a proliferation of nuclear forces, is one which France's nuclear allies are in an uncomfortable position to apply against her. The dangers of nuclear possession have not prevented the United States from acquiring and expanding a nuclear arsenal, and the perils of proliferation did not deter the British from building a nuclear force which they are determined to maintain even at considerable economic sacrifice. This despite the fact that the British force, as Secretary McNamara conceded to the delight of the Macmillan government's Labor critics, is scarcely even independent, since it is largely integrated into the American strategic command. Why, then, did the British develop an atomic arsenal in the first place, why did they later go on to build thermonuclear weapons, and why do they insist on maintaining a nationally controlled nuclear force? One would search in vain for a compelling military argument. The reason is almost entirely political (which makes it no less important) and was summed up by Prime Minister Macmillan when he de-

fended the British decision to build the H-bomb before Commons in 1958: "The independent contribution gives us a better position in the world, it gives us a better position with respect to the United States. It puts us where we ought to be, in the position of a great power. The fact that we have it makes the United States pay a greater regard to our point of view, and that is of great importance." The British Government, for very obvious reasons, has had the good grace not to chastise the French for following the same road they themselves long ago embarked upon.

The French, for their part, fail to appreciate American criticism of their nuclear efforts, especially in view of consistent American atomic assistance to Britain. As Foreign Minister Couve de Murville observed in an American television interview last spring: "I have never heard anyone say that Great Britain's possession of nuclear weapons constituted a danger for the United States. Why should it in the case of another ally such as ourselves?" While it may be argued that the British are more willing than the French to accept American direction of their nuclear forces, this is not the kind of argument which cements alliances. Our refusal to aid the French, now that they have already achieved an atomic capacity by their own efforts, has only led them to doubt our motives and our loyalties. When De Gaulle's nuclear policy was debated in the National Assembly during the summer, the Government was the target of considerable criticism (much of it based on domestic grievances), but opponents were unable to give any convincing retort to Premier Pompidou's reply to the charge that a French nuclear force might be dangerous. "In what way," he asked, "would the danger be greater if France had its own nuclear arms than if it had nuclear arms of an allied power on its national soil? Are they aiming to bring us to a sort of neutralization of Europe which would leave our continent disarmed and at the mercy of attacks of one side or dependent on the good will of the other?" It was not only the Government's supporters who wondered whether America's much advertised fears of a proliferation of nuclear forces might be largely motivated by a desire to retain its own atomic dominance. The recall of General Norstad from NATO has only reinforced De Gaulle's conviction that the Americans are opposed to any nuclear deterrent force in European hands, and that only a European atomic force under French leadership can assure the defense of Europe.

The third American contention, that the Europeans should be beefing up their conventional forces instead of trying to build small nuclear arsenals, is basically irrelevant. In the first place, it suggests that Europeans are to be relegated to the role of cannon fodder in the event that hostilities actually break out. A division of forces within an alliance which prescribes that Europe should furnish the troops and America the atomic bombs is not a balance which strongly recommends itself to Europeans. Not only does it demand enormous personal sacrifices which no European government desiring to remain in office dares call upon its people to make, but it gives Europeans the feeling that they are little more than an instrument of American strategy. This is a sacrifice which poor and military-dominated nations such as Turkey and Pakistan may be willing to accept in return for American aid, but it is not one which the prosperous nations of western Europe can be expected to support. To be sure, it is in the interest of European states to prevent the outbreak of nuclear war on their territory and to restrict any potential conflict to conventional weapons. But this rests on the assumption that the Russian would choose to launch a conventional rather than a nuclear attack. And the foundation behind this is that there must be a convincing nuclear force which would deter the Russians from using their nuclear weapons—if, indeed, that is their intention. Since De Gaulle believes that the Americans can no longer provide such deterrence, Europe's primary military need must logically be a convincing nuclear force rather than larger land armies. The new American doctrine of a conventional pause before nuclear weapons are called into use thus comes several years too late. It could only be a compelling reason for Europe to rely on the American deterrent while American nuclear superiority was unchallenged. And that situation no longer exists.

The Germans, in their geographically exposed position, are especially reluctant to accept the conventional pause theory. For them it seems to offer only the likelihood of their being occupied by Soviet troops and then devastated by American nuclear weapons. They insist, with good reason, that the West's nuclear strength be used to deter any attack—conventional or nuclear—in Europe, not to fight it once it has occurred. While the Kennedy administration may think of the defense of the West as indivisible, any German Government must first think of Germany—and a war fought on German soil is contrary to any conception of German interests, however integral a part it may be of the wider global strategies evolved in Washington. The Federal Republic may be willing to sacrifice the Eastern zone to its alliance with NATO, but it will never accept a defense theory which implies the possibility of its occupation. By thinking so globally that it fails to recognize that American interests (which are usually defined in Washington as NATO or even Western interests) are not always identical with those of our allies, the administration may end up by forcing the Germans into nuclear reliance upon France as the only way of gaining a defense they believe vital to their own interests.

The administration's final argument against a French nuclear force centers on the revival by the Secretary of Defense of the counterforce strategy for conducting nuclear warfare. This strategy, which seeks to combine deterrence and defense, holds that centralized control (that is, centralized in American hands) is essential if counterforce—Pentagon jargon for the destruction of an opponent's military forces, by first strike if necessary—is to work. Counterforce, Mr. McNamara explained at Ann Arbor last June, could "preserve the fabric of our societies" by laying down Queensberry rules under which the United States and Russia would agree to spare one another's cities in case of nuclear war and concentrate on military targets. This assumes, of course, that nobody loses his head, that military and civilian targets can be separated, and that American and Russian strategists show a solicitous regard for one another's welfare in time of war that they were unable to evidence before hostilities. The drawbacks of counterforce, like the theory itself, have been often elaborated. Not only does it involve the intensification of the arms race as both sides jockey for the nuclear superiority which would make the implied first strike credible, but it actually increases the dangers of nuclear war by making them concentrate on fighting rather than deterring it. Seemingly given a quiet burial only a year ago by the administration, counterforce, by the most remarkable of coincidences, was revived this past spring at the Athens NATO meeting as an argument against an independent European nuclear deterrent.

From a European point of view, the position as elaborated by Secretary McNamara is not very compelling. "If what the United States is promising in her new strategy," Hedley Bull has observed, "is that an attack on Soviet nuclear forces will actually eliminate them, and so render Europe secure, then she is promising what cannot be done." And if counterforce cannot guarantee this, then the problem of European defense remains unchanged. The Europeans are being asked, in the name of a defense theory of dubious logic, to forgo any attempts to create an independent nuclear status. And yet it is the creation of this status which offers them the only psychologically convincing instrument of their own defense. To argue, as Walter Lippmann has done, that the United States will not accept the enormous burden of collective security if it loses the initiative in the Atlantic alliance and the responsibility of making the final decision between war and peace, is simply to reinforce the gravest European fears. The decision between war and peace, after all, affects Europe as well as it does America, for it involves the very survival of human societies. The Europeans will relinquish the power of this decision to the Americans only if they are convinced that it is the most responsive instrument of their needs and the most effective guarantee of their defense. A policy which denies them nuclear equality will hardly convince them of this, and will only add to the belief that they have become an instrument of American strategy.

The American monopoly might appear more natural if the Western nuclear force were jointly directed; that is, if the Europeans were able to share control of the American nuclear deterrent. But, understandably enough, Congress would never permit this since there is no political community to which both America and Europe belong. NATO, whatever loyalties it may have engendered, is not such a community. It is a fact of the nuclear age that alliances have simply ceased to be convincing as instruments of nuclear deterrence since they lack psychological credibility. Only a federation of nations can give the assurance that an attack upon one is an attack upon all. The Atlantic community, however laudable or noble a goal, is still little more than rhetoric, and NATO appears increasingly unlikely to ever lead to federation between America and Europe. All the declarations of interdependence are not going to breathe life into the alliance, so long as the United States continues to insist on a nuclear monopoly. And the refusal to share control of the American nuclear deterrent, coupled with the attacks upon the creation of a European nuclear force, are nothing more than a call for the continuation of American control. Small wonder that many European nations, as Hanson Baldwin has commented, feel the United States wants to have its cake and eat it too—to control, without any European veto, its own nuclear delivery capability everywhere in the world, but to retain a veto power over any European capacity.

What European critics want is not to replace the American alliance, but to transform it into a partnership of equals, each playing a complementary but relatively independent role. Their goal is to make Europe a great political power in its own right, and they believe that it can only be done if Europe is able to provide at least the minimal needs of its own defense. Under the McNamara thesis this is ipso facto impossible, and if Europeans accept it they can only resign themselves to the position of permanent inferiority in the Atlantic alliance. But is counterforce really the only reasonable theory of Western defense? It was, after all, virtually scrapped by the administration which has now revived it, and it has always been questioned by strategists outside the Air Force. The alternative to counterforce is a strategy based on finite deterrence, one which posits that a nuclear power can be dissuaded from attack if it knows that it will suffer retaliation against

its own territory. This strategy requires only a relatively small number of nuclear weapons, so long as they are protected from a premeditated first strike. So long as manned bombers were the only means of delivering nuclear bombs, such protection was not really feasible since airfields could theoretically be wiped out in a first strike. But the advent of missiles, which can be concealed underground or underwater, has made it possible to protect the deterrent, and thereby assure retaliation. Thus a relatively small but protected missile force can deter a virtually unlimited force; while a Russian attack may obliterate France, French missiles will still be able to destroy Russia's half-dozen largest cities. Surely this knowledge would be the major factor in any conceivable Russian action against France. To be sure, there is no guarantee that this strategy can forever prevent war. Logic breaks down, accidents occur, leaders are seized by madness, and nations find themselves impelled into actions even against their will. But it has two compelling virtues; it is psychologically convincing—considerably more so than an American pledge to commit suicide on behalf of its allies—and it is within the means of Europe. Solid-fuel missiles, having made the United States vulnerable to Soviet nuclear power, have also provided the Europeans with the means of mounting their own nuclear deterrent. And this deterrent will reflect European interests by being responsive to European direction.

At the present time the character of the European deterrent is very much in flux. The European integrationists, who have forged the Common Market as the first step toward a politically federated Europe, envisage a European defense force jointly controlled by all the member states of the new Europe. For them a European defense, like a European diplomacy, must logically follow from the economic union which has been created. The French interpretation, as expressed by De Gaulle, is different more in emphasis than in theory. The general envisages a federated rather than a united Europe, in which France would play a leading role based, to a considerable degree, on her possession of a nuclear deterrent which would be exercised in the name of the European community. These two views are not as contradictory as they may seem. The question of European diplomacy will ultimately be decided by compromise—just as the political-economic decisions of the Common Market have been evolved. The essential point is that this will be decided by Europeans acting in a European context. For both De Gaulle and the European integrationists the Europeans must now move on to forge a great united power which will be independent of the United States. This, however, unpalatable it may be in Washington, is the political goal of which the French nuclear force is only an instrument.

The problem of Europe's political future is the central point of De Gaulle's diplomacy. He seeks an independent Europe not only as a balance to the United States within the Atlantic alliance, but as the means by which all of Europe, East and West, may yet be united. It is his belief that one day the internal evolution of the Soviet system, as well as the inevitable conflict of wills between Russia and China, will end the menace which has made necessary the European alliance with America. At that point a diplomatically and militarily independent Western Europe will be able to negotiate directly with the Russians for the return of the satellites to the wider European community. Then Europe, stretching, as De Gaulle has said, "from the Atlantic to the Urals," will become a powerful third force in the world, pursuing the historic destiny that was tragically interrupted by the civil wars of the 20th century. It is an imposing vision, but not one wholly without credibility. Russia is, in a very real sense, a European civilization, and her disputes with China are making her increasingly aware of it. Alliances change, today's opponent usually becomes tomorrow's ally, and as De Gaulle has said, looking back on the long sweep of European history: "No quarrel between peoples is permanent."

Ultimately Europe, if it is to have any meaning, must be restored to unity. It cannot forever remain split in half, each part under the influence of conflicting nuclear giants. But how shall this unity be achieved? It has long been obvious that such unity can never be brought into being by a policy of force—periodic lipservice to liberation notwithstanding—and the Russians know very well from the case of Hungary that the West will not risk nuclear war for the Soviet satellites. If force, which is simply another word for nuclear conflict, is to be ruled out, is there any other hope for restoring the satellites to independence? Perhaps it could be done through direct American-Soviet negotiation, but that would involve the creation of a neutral zone in central Europe and the nuclear disarmament of Germany—a policy as antipathetic to the Kennedy administration as to its predecessors. Not only would it mean the recognition of the present borders in Europe, thereby shattering the West German myth that the Eastern Zone shall be miraculously restored to it without the slightest concession on its part, but also a readjustment of Germany's role within NATO. Such a policy of disengagement appears to be anathema in Washington, confirming the rueful comment made several years ago by George Kennan, that the object of our policy seems less to get Soviet troops out of Eastern Europe than to create a German Army for the purpose of confronting them while they are there.

American policy, then, by seeking to link Western Europe to the United States in an ambitious but still undefined Atlantic Union has for all practical purposes taken the division of Europe for granted. But for De Gaulle, and those Europeans who agree with him that Europe must have an identity of its own that is not submerged by the alliance with a powerful America, this is a betrayal of all that the European ideal stands for. His ambition is to use the new economic, political, and eventual military independence of Western Europe to achieve what an American-based diplomacy has never been able to do: the restoration of the satellites. European solidarity, he explained in May, "can create in Western Europe a construction, an organization that will be so firm, so prosperous, and so magnetic that it will open up the possibilities of a European equilibrium with the states of the East and reopen the perspective of a uniquely European cooperation." In other words, the West Europeans are expected to use their coming maneuverability to negotiate with the Russians over the future of the Europe to which they both belong. Why should the Russians be more willing to negotiate with the French or a West European team than they have with the Americans? In the first place, we cannot be sure that they are adverse to negotiations with us since they have never been seriously attempted on a basis of mutual concessions. But beyond that, the Europeans can offer the Russians something that no American Government is able to do: the assurance that the satellites would never be drawn into an American-dominated, anti-Soviet alliance—into NATO, in short. To do this, of course, the Europeans would have to be masters of both their defense and their diplomacy; and this is exactly the object of De Gaulle's nuclear ambitions.

The achievement of De Gaulle's policies, therefore, depends largely upon his ability to forge a powerful military force. Defense is the fulcrum on which an independent diplomacy must rest, and it is this independence, not the satisfaction of French grandeur, which lies at the base of De Gaullist ambitions. In the early stages, the French nuclear force must remain a national one, if for no other reason than that France is the only continental nation which is willing to build it, and to defy the Kennedy administration by doing so. But ultimately, as Premier Pompidou hinted in July before the National Assembly, the French force will become part of a larger European deterrent. Both the enormous cost of a nuclear delivery system and the indivisibility of European defense make this essential. The foundation for such a force already exists in the separate French and British nuclear weapons systems. Logically, they should be brought together, for the existence of two national nuclear forces within Europe is hardly reasonable. The objections to this, which come, curiously enough, more from the British Labor Party than from the Government, are that Britain must never give up her special relationship with the United States by pooling her atomic weapons with France, that Britain would be unable to follow an independent foreign policy, and that this would be the final act of her submergence into Catholic Europe. These arguments, however, hold little water. Whatever special relationship Britain has had with the United States has rested largely on her ability to speak for Europe. This she has virtually ceased to do, and the gap between Britain and Europe is growing wider the longer she delays entering the Common Market. To argue that Britain can follow an independent foreign policy is to ignore the lessons of history since the end of the Second World War. Suez and Cuba reveal how independent British foreign policy can be in an age of superpowers. And, finally, if Britain is really worried that the Common Market is being dominated by Christian democracy, then the only logical reaction is to join it and redress the balance.

Nations do not always do what their best interests impel them to, but assuming that Britain finally recognizes she is a part of Europe and enters the Common Market, it must follow that she joins Europe not only economically, but militarily as well. While there is no question of Britain's buying her way into Europe with a nuclear dowry, it would be completely inimical to the political conception on which the Common Market is based for her to try to retain a purely national defense force.[1] More than Commonwealth sentimentality is going to have to be given up when Britain finally takes the plunge. But the British really have little choice, for unless they enter the Common Market and join in the creation of a European diplomacy, they must watch their value to the United States decline as Europe constitutes itself without her. Nor can they have it both ways, for De Gaulle will never allow Britain to put an economic toe into Europe and retain a nuclear defense integrated with America. The Kennedy administration's prodding of British entry into the Common Market seems to be based on the belief that Britain's presence in Europe can protect America's interests. While this may be true, it is also suspected, as Raymond

[1] The New York Times London correspondent reported in November that the Macmillan government now favors the creation of an independent European nuclear deterrent in cooperation with France. It is perhaps more than coincidence that this announcement followed in the wake of the unilateral American action in the Cuban crisis.

Aron has observed, as an attempt to prevent the emergence of an independent Europe foreign policy. The decision is not an easy one, but sooner or later the British will have to realize that their real choice is not between Europe and the Commonwealth, but between Europe and America. And as the Manchester Guardian, a longtime foe of the British atomic weapons program, commented: "European public opinion will never accept that the nuclear defense of the West be left exclusively in American hands under the exclusive control of the President of the United States."

Assuming that Britain ultimately does enter Europe, the way will be paved for De Gaulle's grand design for the reunification of the Continent. For only a militarily strong and diplomatically united Europe will have the bargaining power to obtain the release of the satellites from the Soviet Union. Of course De Gaulle realizes that the Russians are not going to cooperate out of affection for a European mystique. But he believes that as they are faced with increasing challenges from China, as well as the continuation of the atomic rivalry with America, they will find it to their interests to reach a general European settlement. While this may seem like waiting for shrimps to whistle, De Gaulle actually has a trump card up his sleeve—one which holds the key to his puzzling intransigence over the Berlin negotiations. He knows that the Russians are truly frightened lest the West Germans should acquire atomic weapons. For them this evokes a nightmare of the Germans engaging the United States in a war with the Soviet Union for the Eastern Zone and even for the lost territories in Poland and Russia itself. Khrushchev cannot prevent the atomic armament of Germany if her allies are determined to permit it—but he can attempt to gain official recognition of the territorial changes that resulted from the Second World War before the Germans obtain nuclear arms. The vulnerability of Berlin is his only means of pressuring the West to stabilize East Europe's frontiers in a peace treaty before it is too late.

De Gaulle, it should be emphasized, is no more eager than Khrushchev to see the West Germans sitting on an atomic arsenal—homages to Adenauer notwithstanding. Like the Chancellor himself, he fears that German democracy is still too fragile to be thrown into the international power arena on its own resources. But he also believes that the Russian fear of German nuclear armament may be turned to the West's advantage by using it as a bargaining point. In return for recognition of the present frontiers and a pledge against German atomic armament, the Russians might find it to their advantage to release their iron control on the satellites and permit their restoration to Europe. But—and this is the essential point which separates Gaullist from American policy—they will only negotiate with a truly independent Western Europe, since they could never permit the satellites to be swept into an American-dominated NATO. Despite his antipathy toward communism De Gaulle has kept the door open to possible future negotiations with Moscow by acknowledging Russian security interests in Eastern Europe. And only he among the Western leaders has publicly recognized the Oder-Neisse line as Germany's permanent eastern frontier.

The achievement of De Gaulle's diplomacy depends on cementing the ties of the Franco-German alliance. Germany must be so tightly drawn into the West European community that she will interpret European interests as being virtually identical with German interests. Only then will she be able to make the sacrifice upon which European unity and the freedom of the satellites depends—the renunciation of nuclear weapons. This is why De Gaulle has refused to participate in the Berlin talks—believing that they may imperil Western rights without gaining Russian concessions for a meaningful European settlement. Instead, he has preferred to ignore these discussions and thereby strengthen his ties with Adenauer.

The Chancellor's royal tour of France in July and De Gaulle's reciprocal visit to Germany in September were merely the more dramatic displays of their consistent efforts to bury past enmity and build a solid alliance between the two nations. The so-called Paris-Bonn axis, which some critics assume to be the prelude to a Franco-German nuclear force, is really the foundation for Germany's abandonment of nuclear ambitions. Only if the Germans come to recognize that their future lies in Europe, De Gaulle believes, will they be able to resist atomic armament by the Americans—which would dash all hopes for bringing down the Iron Curtain and compromise the peace of Europe. When asked at his press conference about plans to give atomic weapons to the Bundeswehr, De Gaulle replied that since France had none to give, that question could perhaps be better asked of the White House. Possibly he had in mind large-scale German purchases in America of vehicles for the delivery of nuclear warheads—purchases which President Kennedy has praised as helping to balance off the cost of stationing American troops in Germany.

The disagreements in the Atlantic alliance run very deep and to speak of a nuclear debate is to magnify the possibility of choice, for in truth there is no debate. The French are determined to achieve nuclear status—indeed, De Gaulle's entire diplomatic policy in Europe depends upon it—and there is nothing the administration can do to prevent it, short of admitting the French to a Western nuclear tridirectorate. Within a few years the French force will be capable of providing a finite nuclear deterrent upon which an independent European foreign policy hinges. Such a policy may parallel American interests or it may not: the answer depends on how we are able to adapt our diplomacy to the recognition of European equality, as well as how we deal with the changing nature of the Soviet society and the shifting balance of forces within the unstable Communist orbit.

What we cannot do, and what we should not seek to do, is to prevent our European allies from achieving the self-respect and the independence upon which any enduring alliance must ultimately rest. Charles de Gaulle is not alone in seeking a restored Europe, capable of defending its interests as Europeans themselves interpret them. He is probably mistaken in believing that France can forge a European diplomacy by virtue of its atomic force, for a united Europe will increasingly evolve a diplomacy that resists national leadership and parochial interests. But he is altogether right in believing that European independence is inconceivable without a European military force capable of providing the minimum needs of its own defense. And it is his leadership which has impelled the Europeans to face the hard questions raised by the impact of defense upon diplomacy. The new European prosperity, which we have so applauded, now has its corollary in the demand for a Europe that will be an equal of the United States. Nothing less will satisfy the Europeans, and nothing less is tenable if the Atlantic alliance is to endure. Speaking for a good many Europeans, André Fontaine wrote in Le Monde: "It is inconceivable, unless we are resigned to an interminable cold war, that Europe forever relies on America for its security and for the orientation of its diplomacy."

The new European diplomacy emerging may serve as a stimulus to an American political leadership which has tended to take too many of the stale arguments of the cold war for granted. And no matter how sure it may be of the wisdom of its diplomacy, the administration surely need not be reminded that partners make more lasting allies than do clients. If the interdependence between Europe and America which President Kennedy has so warmly espoused is to mean anything, it can only be based on the independence that is the precondition for any community of allies.

CRISIS AND THIS ELECTION

(By Walter Lippmann)

This article is written before any official statement about the latest developments in Cuba. But it is written in the knowledge that the situation has very suddenly become acute and critical. Whatever the President decides to do, it is unfortunate that it has to be done at the height of an election campaign, and particularly of this one. For this campaign has been singularly sterile as a preparation of the American electorate to understand the grave problems in which they are profoundly involved. That ought not to be the case. We ought to be an educated and informed democracy.

The voters are being talked to by the President and the ex-President, by the two leaders who for the 10 years since the Korean war have had the highest responsibility and who have had access to the most intimate knowledge of the facts. Yet neither of them, I submit, has ever tried to explain to the people the dimensions of the Cuban problem and of the Berlin problem.

The education of the people, which must be the foundation of policy, has been left to politicians outside the administration and to editors, reporters, and commentators, all of us unauthorized and only partially and intermittently informed. The two national leaders have refrained from candid and free exposition of the issues and they have, in fact, talked down to the voters as if truth were too strong a meat for Americans to digest.

Neither General Eisenhower nor President Kennedy has come near dealing with the central reality which has dominated their two administrations. This reality is the decisive change in the military and financial position of the United States since the middle of the 1950's.

It was under President Eisenhower—through no fault of his own—that the U.S. nuclear monopoly came to an end. This development is reshaping the whole complex of power politics throughout the world. It was under President Eisenhower—again through no fault of his own—that the United States ceased to be an inexhaustible creditor country and became increasingly unable, therefore, to call the tune and pay the piper.

Moreover, it was under General Eisenhower—in the main because of his personal convictions about economic theory—that the American economy was throttled down to a rate of expansion which is just about the lowest in the capitalist world.

These three developments are having enormous consequences. But General Eisenhower does not mention them in his speeches, and he talks as if nothing that we need be concerned about had happened while he was in the White House.

Except for veiled phrases to informed insiders, President Kennedy—presumably in order to avoid a debate with General Eisenhower—barely mentions, and never dwells upon, the realities of the changed world which he came upon in 1961. Mr. Kennedy has talked a little about economic growth. He has been much preoccupied with the position of the dollar. He has rightly and effectively built up our military power.

But he has never fully explained to the people how the loss of our nuclear monopoly, even though we are still much the strong military power, is affecting the worldwide commitments which were proclaimed by President Truman and formalized by Secretary Dulles.

For example, when we still possessed a nuclear monopoly, we were an irresistible power in the sense that we could destroy without being hurt. Then it was possible to encircle the Soviet Union with military bases usable for offensive action. But when the nuclear monopoly came to an end, then the encircling nations like Turkey, and then Paris and London and Bonn, and finally the United States itself, became vulnerable. Then the advance bases began to become liabilities.

Thus Turkey is a great liability in our relations with Cuba. For if we use force to invade or blockade Cuba, we must be prepared for something similar around or in Turkey or some such place on the frontiers of the Soviet Union. These advance bases of ours, which are nearly obsolescent with the big bombers and the missiles, are more hostage than ally. If Mr. Khrushchev wants to defend Castro, he does not have to do it in Cuba where the Soviet Union is a negligible military power. He can do it in Turkey or Iran or elsewhere on the perimeter.

These things need to be understood by our people as we find ourselves in a military crisis over Cuba. Until our people do understand them, they will be thinking and feeling and voting in a world that no longer exists. In the world that now exists the United States is not omnipotent. It cannot, therefore, enforce the Monroe Doctrine in the Western Hemisphere and the Truman Doctrine in the Eastern Hemisphere.

[From the Evening Star, Jan. 3, 1963]

U.S. LINK WITH EUROPEAN ALLIES—LONDON, PARIS, AND BONN SEEN CONCERNED AT A POSSIBLE "NUCLEAR SUZERAINTY"

(By Constantine Brown)

ROME.—Is it the aim of the present virile American administration to impose a new kind of suzerainty—of the nuclear type—over its Western European allies? This question is being asked with genuine concern in London, Paris, and Bonn after the so-called surrender of Prime Minister Macmillan at Nassau. For it is in this light that the agreement between President Kennedy and the British leader is regarded on this side of the Atlantic.

One of the most respected and astute observers in British journalism, Peregrine Worsthorne of the conservative, pro-American Telegraph, voiced this concern in a dispatch from Washington after talking to a number of White House advisers.

Mr. Worsthorne wrote: "What is perhaps not sufficiently realized in Britain is that the thermonuclear age is bringing about a change in the relations between the U.S. Government and the American people as it is between Washington and its allies. Indeed, it could be very well argued that the way in which President Kennedy keeps crucial decisions affecting national security in the hands of a small nonelected group of advisers, only allowing information to reach most Congressmen or the press after the die is cast—as in the case of Cuba—suggests he is no more prepared to trust the American people in the moments of crisis than the British or the Europeans."

To the Europeans, the matter of the cancellation of the Skybolt is not so important in itself as was the manner by which it was done; it hurt the British pride and caused concern in Paris and Bonn. The same result could have been achieved by direct secret talks between London and Washington in which we could have "strongly suggested" to the British to take the initiative—that they should ask that the Skybolt be canceled since it was too costly and likely to become obsolete before it came of age. Instead, we announced the cancellation to the surprise of the governments of our allies.

True enough, it is the American taxpayer who was putting up the cash. But even in the thermonuclear age certain diplomatic niceties might still be preserved.

Political Editor Worsthorne agreed that our unilateral action in Cuba (when nuclear war might have erupted and affected all Europe), has its merits, especially since it was successful in putting Nikita Khrushchev in a corner. But, he adds, "Perhaps the (Washington) administration * * * cut off alike from national debate and allied consultations, is moving toward a new and terrible megalomania, no less dangerous for being so sophisticatedly cool and high minded. And possibly its fervent conviction that more than one Western thermonuclear power vastly compounds the danger of war is both arrogant and wrong."

These thoughts of the British editorialist prevail even more strongly in the minds of the men in Paris where word of the old song "Les amours sont fragiles, les serments sont faciles" (love is fragile and vows easily made), are being applied to present day diplomacy. The French, like all other Europeans, are somewhat cynical about the value of political vows of love. They know from centuries of experience that enemies of yesterday may become allies of tomorrow. This is best illustrated in the French-German alliances.

The suspicious European mind wonders why the Kennedy administration is so determinedly opposed to Europe having its own modest nuclear deterrent power and why even Britain, which has enjoyed for so many years special relations with us, has now been put in a corner.

These considerations lead to the thinking of whether the time has come when, for our own sake and for the sake of Europe, there should be a friendly separation rather than attempted hegemony.

Another lead editorial in the Daily Telegraph points out that after Cuba, Washington discovered that the cooperation of the allies was in no way essential to the success of the American operations. "The allies," it said, "must consequently expect rather less generous treatment and consideration than they have come to take for granted. Instead of rattling our chains and railing against our dependence, should we not make ourselves truly independent? Should we not now go ahead in cooperation with those in Europe whose interests are more precisely coincident with ours?"

In other words, the editorial suggests that Great Britain pay the price asked by the French—a political price—to join the economic and political community of Europe.

ADVANTAGE TO UNITED STATES IN MEETING WORLDWIDE COMMITMENTS

Mr. MORSE. Mr. President, if Europe is really ready to assume in full its own defense, the United States should recognize and should take full advantage of the fact. We should give some thought of our own to the possibility of the "friendly separation" described by Mr. Brown as being under consideration in Europe.

Clearly, it is still we, not Europe, who have worldwide commitments. Even a unified Europe would not have responsibilities in Latin America, Asia, or even Africa comparable to our own. The withdrawal of Western Europe from Asia and from the Middle East, in particular, has left the United States with the remnants of colonial policies which we have neither pursued in full nor altered in full. We still do not really know what to do about Laos and Vietnam, two legacies we inherited from the French withdrawal from Asia. At the moment, both countries are costing us millions of dollars; yet our policy seems to be merely to continue the status quo. South Korea is almost entirely our responsibility; and I strongly suspect that if India is to receive the kind of military help she feels she needs, by far the bulk of it, too, will have to come from the United States.

In fact, Mr. President, I recall that the other evening there appeared in the Washington Star an article in which David Lawrence raised some questions about U.S. foreign policy in South Vietnam. The tone of the article was a critical one to the effect that the time has come for a full report by our Government to the American people as to what really are our objectives in South Vietnam. He commented upon the last fatalities in connection with our military operations in South Vietnam. My recollection is that he cited the figure 54, and made the journalistic request that the American people be informed as to our objectives in South Vietnam. Mr. President, I betray no confidence when I say that in the Senate Foreign Relations Committee there has been considerable discussion—ever since the beginning of our operations in South Vietnam—as to where our intervention there might lead us. But we as a committee have taken the position—and have taken it unanimously, so far as I know—that we cannot justify walking out on freedom in southeast Asia. Some of us—and I, I suppose, more than any other member of the committee, although I have had wonderful support from some of my colleagues, but they will have to speak for themselves—have been critical of the failure of our nations who also happen to belong to NATO to come to our support in supporting freedom in southeast Asia.

In committee and on the floor of the Senate I have raised the question, Where are Australia and New Zealand? What about Canada, Britain, France, West Germany, Italy, and all of our other allies? Hopefully I have thought we were united in a great historic struggle to preserve freedom in our time, for the danger of its loss in our time is great.

I would have our NATO allies take heed that the question is not being raised in the United States by me alone. That question and corollary questions of the same tenor are being raised by increasing thousands of Americans. I need not tell Senators that time is required for public opinion to crystallize. But once public opinion crystallizes in support of a cause that it believes is right, free governments had better give heed to that public opinion.

I happen to believe that there has been too much of a go-it-alone policy on the part of the United States and southeast Asia. I think many Americans share

that point of view and are beginning to call out for answers to some policy questions. One of those questions deals with the subject matter that I am emphasizing at this point in my speech. What, if anything, do the NATO countries propose to do to give support to the defense of freedom in southeast Asia, Africa, and Latin America?

If they propose to do nothing, then is it not time for us to reexamine areas where our other responsibilities can be reduced, and where else in the free world than Western Europe are there nations better able to finance their own defense?

Mr. President, we cannot segmentize the foreign policy obligations of free nations. We cannot departmentalize them. Neither can we draw on a map of the world lines when it might be said that France and Britain would be of no assistance to freedom on the far side of the line except under pact entered into by free nations. I know of no pact that relieves members of NATO from the same obligation which we recognize as an obligation of the United States—to come to the defense of freedom where an attempt is sought to extinguish it under suffocating blankets of communism.

So, Mr. President, as I bespeak the careful examination of our foreign policy in respect to NATO, I would have our NATO Allies keep in mind that it is largely the United States that is carrying the burden of protecting freedom in southeast Asia, Latin America, and Africa.

In Latin America, we have problems that seem to be building rather than receding; and in Africa, we find ourselves constantly pressured by NATO countries trying to use the NATO partnership as a bargaining point on our African policy.

Right now, Portugal—a NATO partner supposedly—is trying to line up U.S. support for her shameful African colonialism as a price for base rights in the Azores. If NATO means only that to Portugal, then we are wasting our time asking for any base rights in the Azores, and we might better break off any further discussion over their use.

Very much the same pressure is being applied by Britain and France over the Congo. How often one hears it argued that we should not offend or anger our European allies by supporting the United Nations in the Congo? Judged by the relative effort that goes into NATO, the argument logically should be that Britain and France should not offend the United States by opposing the U.N. action in the Congo.

Here again, this kind of pressure only hampers us in our worldwide relations and obligations—obligations which the European countries have been shedding ever since World War II.

We have long known that the former colonial powers of Western Europe scorn the United Nations, considering it so dominated by the Afro-Asia bloc as to rule out the ascendancy in world affairs to which these nations were long accustomed. They prefer the old bilateral relations among nations which permit balance-of-power politics and concentration upon a few countries or areas as spheres of influence.

The United States, on the other hand, is far more deeply committed to the operation of the U.N. and to multilateral cooperation. In my opinion, we are still not going far enough in that direction. One reason we are not is the fear of alienating allies. Some of these allies are announcing to the world their criticisms of American leadership and their obvious intention to free themselves from it as soon as possible.

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

Mr. MORSE. I announced at the beginning I would not yield until I had finished. I shall be glad to do so then.

RELIEF FROM NECESSITY TO DEFEND EUROPE WITH NUCLEAR POWER

A second advantage to the United States from a "friendly separation" involves the question of whether this country would—and should—use its nuclear weapons in defense of Western Europe and thereby invite a retaliatory attack on U.S. cities. General de Gaulle in particular has made a point of casting doubt upon our intentions in this respect.

As I have already noted, it is apparent that the assumption of a permanent U.S. presence in Europe has become a modern dogma of our postwar military and diplomatic thinking. One reason for this is undoubtedly the extensive role Europe has come to play in our own military plans. Judging from the pained outcries that go up from the Pentagon whenever our political differences with Europe seem to threaten U.S. military bases there, one cannot help but feel that to many military planners, Western Europe is merely the biggest of all our oversea bases. For them, no price is too high to pay for the privilege of staying there, whether we get any help from our allies or not.

But Europeans are quite right in wondering whether we would invite a nuclear attack upon ourselves by shooting our nuclear missiles in defense not of our own territory, but in defense of Europe.

There is no doubt here in the United States right now that we would. Nor will there be any doubt in the future, if our relationship with Europe is an intertwining of our defenses, along the lines put forward by Under Secretary of State Ball at all the recent NATO meetings.

But the more we find ourselves paying for the privilege of remaining in Europe, the more we find ourselves alone among the major powers in meeting the assigned manpower obligations of NATO, the more independent military establishments that rise up in Western Europe, then the more inclination there will be to make a realistic, ad hoc judgment as to whether what has become to us a mere U.S. military foothold in Europe is worth jeopardizing American cities and American lives.

The growth of these independent, nuclear-armed military forces in France, Britain, and eventually in Germany, could serve to relieve the United States of responsibility for Europe to the point where we no longer would have to face such a decision. If France and Europe in general are anxious to be free from what they feel is an unreliable nuclear defense in the hands of the United States, they have the alternative of helping us create a bilateral nuclear force, the use of which will be decided by all member nations.

But if they do not choose to do that, and prefer instead to create nuclear forces without the United States, then I think it will be our turn to be very wary of an alliance which forces upon us the use of nuclear weapons on behalf of other nuclear powers, with its clear threat of retaliation upon American cities and the American population.

We would find it immensely useful to be relieved of our present obligation to use these weapons in the defense of Europe. The policy which General de Gaulle is advocating for France could lead in that direction. Instead of rejecting his program out of hand, I would like to see real consideration given to these advantages it would give to the United States to have a real third force in Europe to confront the Soviet Union while we concentrate on our own defense and our other international commitments in other parts of the world. Major among them would be the knowledge that we would no longer be obliged to invite a nuclear attack on the American people in defense of Europe.

Instead of making a doormat of ourselves in an effort to get Europe to let us protect her, let us at least consider taking Europe at her word. I am flatly and strongly opposed to any bargaining with Europe that would require U.S. aid in building independent nuclear forces or delivery systems. This includes Britain, although I know that she has a preferred status on nuclear aid by virtue of the American law. I only regret that the statute on nuclear weapons does not include missiles.

If these countries want independent deterrents, then they must expect to finance them as well as control them.

Secretary McNamara has done a fine job of outlining the reasons why the United States cannot and should not continue bearing so much of the burden for NATO, and why a NATO nuclear deterrent is greatly to be preferred to a variety of nationalistic ones.

But there is more advantage to us in accepting European objections than in paying for nuclear weapons systems to be used entirely in the national interest of other countries as a price of keeping NATO going. Before we do that, we should dwell on the advantages that would come to us from being relieved of our heavy obligations to NATO.

DEFENSE OF BERLIN

Finally, I should add that I am not unaware of Berlin.

It will be recalled that in the closing week of the last session of Congress, the Javits-Morse resolution on Berlin was unanimously passed by this body. In essence, the Senator from New York and

the senior Senator from Oregon sought only, through that resolution, to make clear to the Communist segment of the world that we intended to support freedom in Berlin, exactly as we intended to support freedom in Cuba, as manifested by the adoption of the Cuban resolution, and that we intended to support freedom anywhere in the world where it was subject to Communist aggression.

(At this point Mr. STENNIS assumed the chair as Presiding Officer.)

Mr. MORSE. Mr. President, our European allies in NATO must recognize the validity of these questions I have raised this afternoon about their attitude toward NATO and their policies, seemingly announced, to rid themselves of any reliance upon the United States in regard to the defense of Europe so far as their individual countries are concerned. Such attitudes are bound to raise for examination also the entire Berlin question. Therefore, I should be derelict in my trusteeship in making this speech this afternoon if in closing I did not refer to Berlin and the relationship of Berlin, as I see it, to this whole warp and woof of the fabric of American foreign policy viz-a-viz Europe.

So I say, I am not unaware of Berlin.

The main reason for our present interest in NATO is our interest in Berlin and in protecting it from communism. But we know that in general, other NATO members are not so concerned about Berlin as to match our own effort.

All I need to point out is that the figures I have already put into the RECORD in my speech this afternoon show how far short they have fallen in matching the effort of the United States.

As Germany and the United States are providing about three-fourths of the manpower to defend Berlin, it is not inconceivable that our protection of Berlin can be worked out with West Germany, pending a final settlement of the problem if one ever proves possible.

In these remarks I have alluded to the balance-of-payments problem we face, and its aggravation by what is apparently going to be an increased barrier against American farm products on the part of the European Common Market.

That is another part of the decision Europe must make. Above all, I am vigorously opposed to the continued financial drain on the United States due to European desires to be free of American influence and control but not of American money. Whether Europe chooses a closer and more economical tie with us through NATO, or a European alliance that excludes the United States, or a return to individual nationalism, American subsidization must stop.

In conclusion, let me add that I have been motivated in making this major speech on foreign policy because I take with solemn sincerity my dedicated obligation to serve as one of the trustees of American foreign policy under the advice and consent clause of the Constitution of the United States.

In respect to the issue that I have raised this afternoon in this address I feel that American foreign policy is at the crossroads, and I am satisfied, as I have gone about the country speaking on foreign policy very intensively in recent months, that the questions I have raised this afternoon are being raised by thousands and thousands of our fellow citizens. I have sought most respectfully to bring the attention of my Government—on both sides of the aisle here in the Senate and at the White House, the State Department, and the Pentagon Building—to these questions, because I am satisfied that in the months ahead the American people are going to call their trustees to an accounting of their stewardship in carrying out the American people's foreign policy.

I yield the floor.

Mr. CLARK. Mr. President, before the Senator yields the floor, will he yield to me in order that I may ask him certain questions?

Mr. MORSE. First, Mr. President, I ask unanimous consent to have printed at this point the remaining sections of the publication by the Institute for Strategic Studies.

They are: "Part I. The Communist Powers," the sections of Part II which deal with U.S. alliances other than NATO, namely, the Central Treaty Organization, the South-East Asia Treaty Organization, and U.S. Mutual Defense Treaties; and the remaining tables II and III, which are headed "Some Comparative Estimates of Strategic Strength" and "Major Nuclear Delivery Systems, A and B."

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

PART I. THE COMMUNIST POWERS

THE SOVIET UNION (POPULATION 218 MILLION)

General

Throughout 1962 Soviet defense policy has pursued a course not dissimilar, with one major exception, to that of the United States. The emphasis on strategic nuclear weapons as the primary means of insuring national security has been officially maintained, but increased emphasis has been placed on the modernization of the conventional land, sea (particularly submarine) and air forces, both tactical and interceptor air defense. Defense expenditure has been slightly increased; the projected reduction in Soviet military manpower has been further postponed; close attention has been given to the quality and training of the fighting forces; research and development on new aircraft, missiles and conventional weapons appears to have been accelerated; the nuclear submarine program is beginning to gather momentum; the active defenses of the Soviet Union have been strengthened, and it has even been asserted that the problem of finding a defense against the missile has been mastered by the Soviet Union.

The essential difference between the Soviet and the American policies concerns strategic weapons. The development of a large number of different strategic weapons systems on the part of the United States, coupled with a doctrine of controlled counterforce strike as the first response in the event of general war, does not find a parallel in Soviet policy. It appears that the Soviet leaders have decided to concentrate on increasing the destructive power of their strategic striking force, as well as somewhat augmenting the number of units of delivery, by improving the ratio of weight to yield in the warheads of strategic missiles, and by emphasizing, in their policy statements, the havoc that would be wrought on western cities in a strategic exchange.

As Mr. Khrushchev put it at the Moscow Peace Congress in July 1962—"In order to insure its security the Soviet Union has been forced in the last few years to create nuclear weapons of 50, 100, and more megatons, intercontinental rockets, a global rocket which practically eludes the defenses, and an anti-missile rocket * * *." The main task of the armed forces, as described by the Defense Minister, Marshal Malinovsky, is "to study and work out methods of combat operations in conditions of nuclear-missile warfare, methods of repelling an aggressor's sudden nuclear attack, and of frustrating his aggressive intentions by means of the timely infliction of a crushing blow on him."

The Soviet Union thus appears committed to a policy of minimum or countercity deterrence in relation to the United States though the large medium range missile force it has now developed and deployed against targets in Europe and Japan may serve as both a countercity and a counterforce threat. The Soviet leaders have denied that they are undertaking a large scale civil defense shelter program; in January 1962 Marshal Malinovsky described bomb shelters as "nothing but a coffin": however, civil defense training continues.

In January 1960 it was announced that Soviet forces were to be reduced from 3,623,000 men to 2,423,000 men by the end of 1961, but this reduction was suspended in July 1961 after about 600,000 men had been demobilized, principally in the ground forces. Then it was announced in August 1961 that the demobilization of certain categories of other ranks, whose period of military service was completed, had been suspended until the signature of a German peace treaty. Thus, at the end of 1961, the size of the Soviet forces stood at about 3,800,000 men. But, in fact, this deferred class began to be released gradually in the spring of 1962, and in September 1962 it was announced that all would be released and the next age group (those born in 1943) would be called up. The total size of the Soviet forces therefore stood at about 3,600,000 in the autumn of 1962. The age for compulsory registration has now been lowered from 18 to 17, partly because the Soviet Union is feeling the effects of the low birth rate of the war years.

The Soviet military budget for 1962 (calendar year) was set at 13,400 million rubles ($14,740 million). This represents a rise of 44 percent on the original figure for 1961 (9,255 million rubles), but this was augmented by one-third in July 1961 to 12,400 million, so that the 1962 figure is only 8 percent higher than the final figure of the previous year. In real terms, the total size of the present Soviet budget is estimated to be as much as $33,000 million. This increase indicates an acceleration of research and development into, and production of, advanced weapons systems.

Air and missile power

Soviet policy statements continue to place marked emphasis on the development of long- and medium-range missiles as a deterrent to aggression and a support to diplomacy. The Soviet Union could, if the program had rated a high enough priority, have by now built up a force of several hundred ICBMs, the original three-stage liquid-fuel missile which has been under development since the mid-fifties. The reasons why they have not created an operational force of this size appear to be:

(a) The fact that in the period 1958-60 Mr. Khrushchev thought that he could insure the security of the U.S.S.R. economically through the provision of relatively small

forces of intercontinental bombers, ICBM's and missile-firing submarines, enabling him to devote more resources to nonmilitary programs.

(b) The difficulties of building multiple bases for so large a missile.

(c) The fact that they have had a smaller second generation ICBM under active development for 2 years which is likely to be easier to conceal.

(d) The admitted demands of the Soviet space and other programs upon technical resources.

Consequently the present figure of operational ICBM's is in the neighborhood of 75. However, these ICBM's have very powerful boosters and can carry larger warheads than their American equivalents such as Titan. In theory, at least, they have the lift to boost the 50-megaton warheads which have been tested, and perhaps even larger ones, into a ballistic trajectory, though short of intercontinental range.

Soviet policy places considerable emphasis on concealment of missile bases as a form of protection. But, now, probably as the result of improved Western detection methods, some ICBM sites are being hardened, and increasing attention is being paid to the development of invulnerable submarine-launched missiles. However, the fact that some missiles are grouped in clusters on one site suggests that Soviet policy places greater confidence in active defense against American missiles, in just the same way that active defense against the manned bomber fighters and ground-to-air missiles has priority over passive measures. If so, this would give point to the Soviet concentration, evidenced in the speeches of Mr. Khrushchev and Marshal Malinovsky during the past year, on antimissile defense systems. Mr. Khrushchev laid great stress during 1962 on the Soviet development of a global rocket, that is, one that could be launched on a trajectory to circumvent Western warning and other active defense systems.

By contrast with the small number of ICBM's, the number of MRBM's has been augmenting steadily and has now reached a figure of about 700. These are deployed in sufficient numbers to deal with strategic and semitactical targets—such as fighter airfields—in Western Europe, including Britain, and in the Far East. It is likely that this buildup is continuing. It is clear that Soviet policy is to site them near the western, southern, and eastern borders of the Soviet Union, on the Pacific coast and in Siberia. The strategic missile forces are organized as an autonomous arm of the service, which is now believed to be under the command of Marshal Biryuzov.

In spite of their concentration on rockets and ballistic missiles, the Russians have not neglected their air force, which comprises some 15,000 operational aircraft, organized into 5 major components, namely: (1) The long-range strategic bomber force; (2) the tactical, or frontline, force which includes fighters and tactical bombers; (3) the fighter interceptor force of the air defense command; (4) the land-based fleet air arm; (5) the air transport force.

The heavy bomber force has been kept at a considerably lower strength than that of the U.S. Strategic Air Command, though the general lines of development, including stand-off bombs and missiles, are similar. On the other hand, the Soviet Union has built up a very strong force of medium bombers suitable for use all over the Eurasian theater and its coasts, and an efficient light bomber force. The following gives some indication of Soviet strength in this field.

(i) Strategic Striking Power

Missiles

(a) The principal operational ICBM is propelled by a three-stage liquid fuel engine and has an operational range of over 8,000 miles.

A second generation ICBM has been developed with a warhead of between 1 and 5 megatons. It is propelled by a storable liquid fuel and is smaller and probably more accurate than its predecessor. It may be expected to be deployed during 1963.

(b) In November 1961 the 1st Deputy C-in-C Rocket Forces, General Tolubko, spoke of the range of strategic rockets as being over 620 miles. Soviet MRBM's are believed to include vehicles with ranges from 700 to 1,100 miles, based on Soviet territory. But there is a larger MRBM with a two-stage liquid fuel engine which has a range of 2,100 statute miles.

Long-range and medium bombers

The strategic bomber force consists mainly of the following aircraft:

(a) Seventy turboprop Bears[1] (TU 20); now able to carry 2 short-range air-to-ground missiles or 1 large winged missile; 120 4 jet Bisons; now able to carry a winged missile; (b) 1,000 twin-jet medium bomber Badgers (TU 16). The air force version has a single air-to-ground missile like the U.S. Hound Dog.

The naval air force, a part of which is attached to each of the four Soviet fleets, consists of about 750 aircraft, including a strike force of Badgers with winged missiles for ship attack.

(c) Delta-wing 4-jet Bounder. This could be a replacement for Bison, if the Soviet Union decided that there was a requirement for a supersonic strategic bomber.

There is a twin-engined supersonic medium bomber Blinder, somewhat similar to the U.S. B–58, coming into service with a long range air-to-ground missile and probably capable of air refueling. This is probably a replacement for Badger.

LRAF is grouped in three areas: western Russia, the central Ukraine and in the Far East, although it is likely that airfields in the Arctic are maintained for training and staging purposes.

(ii) Tactical Air Power

The tactical bomber forces are emerging from a period of transition with older aircraft such as the turbojet Beagle being replaced. The earlier estimate of 4,000 operational aircraft is therefore now too high. Priority now seems to be concentrated on a new twin-jet ground attack aircraft with transonic capabilities and a range of 2,000 miles which seems to be an improved version of Flashlight and known as Flashlight B. In general, intensive development work is going or in the field of supersonic high- and low-level attack bombers.

(iii) Air Defense

The number of ground-to-air guided missiles and high-performance fighters for air defense has been steadily increased and an extensive early warning system is in operation. The following are details of air defense equipment.

Ground-to-Air Guided Missiles

A radar-directed rocket, which is already in service and is considered to be highly effective. It is propelled by one main and one auxiliary solid-fuel engine. Its slant range is 20 miles, and it rises to a height of at least 12 miles (60,000 feet).

There may also be a high-altitude guided missile, and there is an antiaircraft missile which has a range of 18 miles.

A great deal of effort has been expended in the past year on the strengthening of antiaircraft defenses. In February 1962 Marshal Malinovsky said, "The country's antiaircraft defense troops have at their disposal weapons capable of destroying the aviation and outer space means of attack of the enemy at enormous distances and altitudes."

Fighters

It is estimated that there are about 10,000 fighter aircraft of all kinds, and that intensive research and development to produce types with higher ceilings and improved air-to-air weapons has a high priority. Five types of air-to-air missiles have been displayed.

(a) The standard all-weather interceptor of recent years, the subsonic Yak 25 Flashlight, is now obsolescent, although two improved versions, one of them redesigned as a light bomber, are still in service. However, a new all-weather delta-winged interceptor, provisionally called Flashlight C, was displayed in July 1961. Fiddler is an all-weather long-range interceptor.

(b) The most important day fighters are:

	Maximum speed	Ceiling
	Miles per hour	*Feet*
Mig 19 Farmer	900	55,000
Mig 21 Faceplate	1,200	60,000
SU 15 Fishpot	1,300	60,000+
SU 16 Fishbed	1,300	(1)

[1] Rocket boosted.

There are 600,000 men in the Soviet Air Forces.

Land power

No official figures of the Soviet Army are published but its current total size is estimated at up to 2,500,000. It is organized in approximately 160 active line divisions, most of which are below full strength. Of this 160, about 75 divisions are in European Russia and 26 in Eastern Europe. Twenty are armored divisions, 50 are infantry divisions, while the remaining 90 are in process of being converted into motorized divisions.

In East Germany there are 10 tank divisions each with 345 tanks, and 10 motorized divisions, each with 219 tanks. All are operational and comprise a total of over 5,500 tanks. In Hungary there are four divisions and in Poland two divisions. It is estimated that the Soviet Union has a total mobilization potential of 7 million men including all types of reservists.

A motorized division at war strength comprises nearly 14,500 men, a tank division about 11,250; both include supporting artillery and antiaircraft units. There are still some rifle (infantry) divisions in the Soviet Union, but these are gradually being phased out.

The airborne forces of the Soviet Union total approximately 100,000 men formed in 9 divisions. The airborne troops are supported by the transport fleet, which would enable about two divisions to be air-lifted simultaneously.

In recent years, the Soviet Army has undergone a major reorganization to meet conditions of atomic warfare. Many of its units have been completely reequipped twice over the last 10 years and, thanks to the introduction of modern weapons, its fire power has been vastly increased. The large-scale introduction of tactical missiles into the ground forces has increased the importance of the former Artillery Command, which has been renamed the Command of Missile and Artillery Troops, and is under Chief Marshal of Artillery S. S. Varentsov. The main emphasis in training continues to be the movement of tank and missile-artillery formations across radiation-contaminated ground (including water and other natural barriers)

[1] It should be made clear that the menagerie of names for Soviet aircraft is of NATO, not Soviet, origin.

consistent with Soviet doctrine which envisages a major offensive role for the ground forces in the event of nuclear war. Though the Soviet Union has not shown as much interest as the United States in the development of very low yield nuclear weapons for tactical purposes, nuclear warheads are available for many of the missiles mentioned below. The Soviet forces in East Germany have tactical nuclear weapons.

Soviet Army equipment includes:

(i) Tanks

The total strength of the Soviet Army is estimated at 20,000 front-line tanks and 15,000 second-line tanks. The new tanks which have been introduced into the Soviet armored divisions are the T–54 medium tank fitted with a 100 millimeter gun, and the 54-ton heavy tank T–10 which mounts a 122-millimeter gun.

(ii) Artillery

The Soviet Army is very strong in artillery. Conventional weapons known to be deployed in field formations include cannon of up to 152 millimeter caliber and unguided rockets of up to 240 millimeter caliber, both with ranges of up to 13 miles, and short range mortars of up to 160 millimeter caliber. Larger weapons exist which could have a nuclear capability but these are not known to be in field formations.

(iii) Missiles

Tactical missiles for use by the ground forces include those with ranges from 10 to about 300 miles, some of which are carried on modified tank chassis. The smaller missiles are all on amphibious tracked chassis.

Seapower

The Soviet Navy, which is manned by about 500,000 officers and men (including the naval air force), has increased from a total tonnage in 1940 of 600,000 to 1,600,000 tons today, which makes it the most powerful fleet in the world after the United States (4 million tons).

(i) Submarines

The main strength of the Soviet Navy lies in the submarine fleet.

The submarine force comprises 410 units, of which 80 are based in the Baltic, 60 in the Black Sea, 130 in the Arctic, 120 in the Far East.

The number of conventional submarines has been reduced by 50 in the last 3 years. It is expected that, in the near future, 75 percent of the submarine fleet will consist of oceangoing craft.

In October 1962 there were 10 nuclear powered submarines designed for various duties and in various stages of commissioning. The rate of building suggests that there may be between 15 and 20 by the end of 1963.

The following are details of the conventionally powered submarine fleet:

The F class is about 300 feet long, has a displacement of 2,000 tons, and a large radius of action. At least 10 of these are in service.

The G class is 310 feet long and has a submerged displacement of 2,700 tons. It has a very large conning tower for the vertical launching of missiles which are fired when on the surface.

The W class is 245 feet long with a 1,050 tons displacement. It has a speed of 16 knots on the surface and 13 knots submerged, and a radius of action of 10,000 miles. There are about 130 of these in service.

The Z class is 290 feet long with a submerged displacement of 2,600 tons. It is capable of 20 knots on the surface and 13 knots submerged, with a radius in excess of 20,000 miles. There are at least 20 of these in service. A small number have been converted to fire missiles, probably in a manner similar to the G class. They are stationed principally in the Baltic and the Far East.

The K and Q type, which were built between 1945 and 1955, are medium range vessels; their radius of action is about 7,000 miles and their displacement varies from 1,400 to 680 tons.

(ii) Surface Ships

The surface ships of the Soviet Navy consist of: Cruisers, 20; destroyers, 100; guided-missile destroyers, 7; other vessels, 2,500. (There are also a number of disguised trawlers used for radar and reconnaissance purposes. These are distributed more or less equally between the Baltic, Black Sea, northern and Pacific fleets.

The cruisers are of three different types: (a) Fourteen Sverdlov class, launched between 1951 and 1957, displacement 15,500 tons, speed 34 knots, armament twelve 152-millimeter guns and 32 antiaircraft guns; (b) 3 Chapayev class, completed between 1948 and 1951, of 11,500 ton-displacement, with the same speed and armament as the Sverdlov; (c) 3 Kirov class, launched between 1936 and 1945, displacement 8,500 tons, speed 30 knots, armament nine-millimeter guns and 20 antiaircraft guns.

Four or more almost completed Sverdlov cruisers appear to have been scrapped.

The greater part of the destroyers are modern, having been constructed since 1950, and some are fitted with guided missiles. Their displacement varies from 1,000 to 2,700 tons, and their speed from 28 to 38 knots.

(iii) Fleet Air Arm

There are no aircraft carriers in the Soviet Navy, but there is a land-based fleet air arm with 750 aircraft. It consists mainly of: (a) the TU–16 Badger—range of 3,500 miles; (b) the torpedo-carrying IL–28 Beagle, with a range of 1,500–1,800 miles; (c) the older TU–14 Bosun.

A new twin-jet sweptwing flying boat Mallow (Be–8) intended for mine laying, and a naval turbine helicopter with a short-range missile were displayed in 1961.

(iv) Sea-to-Ground Missiles

Since the series of Soviet nuclear tests in the Arctic in July 1962, there is no reason to dispute earlier Soviet claims that a true Polaris-type missile, which can be fired from a submerged submarine, has been successfully developed. Hitherto there have been two types. One has a range of about 100 miles and the other of about 400 miles. The 100-mile range missile is believed to be solid fuel and can be fired either from a surface craft or a surfaced submarine. The 400-mile missile is designed for submarines but can only be fired from the surface.

THE WARSAW PACT NATIONS

It is estimated that the seven smaller members of the Warsaw Pact, whose organizational structure was tightened up during 1962, can muster about 63 regular divisions. These satellite armed forces represent a total of about 980,000 men under arms (a small decrease over 1961). In addition there are about 285,000 men in paramilitary formations (a decrease of over 25 percent compared with recent years).

The table below gives the estimated strength of their armed forces.

The satellite air forces number a total of about 3,000 planes, about 80 percent of which are jet fighters.

The satellite naval forces are of little importance and only of value for local defense.

The Warsaw Pact forces

Country	Army	Navy	Air Force	Tota armed forces	Para-military	Number of divi-sions	De-stroyers	Sub-marines
East Germany	65,000	11,000	9,000	85,000	60,000	6	4	----------
Czechoslovakia	150,000	----------	35,000	185,000	35,000	14	----------	----------
Albania	25,000	3,000	1,500	29,500	10,000	(1)	----------	4
Bulgaria	100,000	5,000	15,000	120,000	40,000	10	3	3
Poland	200,000	12,000	45,000	257,000	45,000	14	3	7
Rumania	200,000	7,000	15,000	222,000	60,000	13	3	2
Hungary	75,000	----------	5,500	80,500	35,000	4	----------	----------

[1] Five brigades.

CHINA

The army

(i) The army consists of well over 2 million men organized in approximately 115 divisions of infantry, 2 or 3 armored divisions, 1 or 2 airborne divisions, supporting troops, and cavalry for desert areas.

There were 125 million men of military age in 1962. About 700,000 are called up each year and serve 3 years in the army.

It is believed that a significant number of the best equipped and trained infantry divisions have been moved in the last year to central and southern China, opposite the Formosa Straits.

(ii) The armed forces are organized by the Ministry of Defense, advised by a National Defense Council whose chairman is the Chairman of the People's Republic; control is exercised through 13 military regions. The land army consists of about 30 to 35 armies. These are of three divisions each, i.e., an army is equivalent to a Western army corps. In peacetime there is no operational headquarters higher than the army; but in wartime armies are grouped in field armies. The strength of an active army could be between 50,000 to 60,000.

(iii) No reliable figures are available for the size of the militia, but the declared intention is to embody every third person in the population. Chinese policy places great emphasis on the militia, Mao's "every man a soldier," but it is static, sketchily armed, and organized as much for forced labor as defense. The public security forces, including the armed police, now consist of about 300,000 men.

The air force

This has a total strength of 90,000 men and 3,000 aircraft, including 500 naval aircraft. China is now building jet fighters and trainers, but the backbone of the force consists of Soviet Mig 15's, 17's, and probably 19's, IL–28 (Beagle) light bombers, and helicopters. Mig 15's and perhaps 17's also are in quantity production in China. Training is inhibited by shortage of aviation spirit. A radar chain has been built along the Pacific coast from Kamchatka south to Hainan.

The navy

China has no operational ships heavier than destroyers, of which there are four. There are 30 submarines (a small increase on 1961), of which half are Soviet W class medium-range craft; frigates; MTB's; gunboats, and patrol craft. The navy is not an offensive force and is ineffective except for inshore defense.

NORTH KOREA

The Soviet Union concluded a mutual defense treaty with North Korea on July 7,

1961. The North Korean forces are estimated at 338,000 men, including an air force of 30,000 men and 500 planes; and an army of 16 divisions.

NORTH VIETNAM

Both the Soviet Union and China assist in the support of a conscript army which is estimated at 260,000 men organized in about 15 divisions. There are also 100,000 men in paramilitary formations.

CUBA

Cuba must, for the time being, be regarded as part of the Communist bloc. In the past 2 years the Cuban army appears to have been expanded from a regular force of about 30,000 to one of 80,000 equipped with recent Soviet weapons, and a militia of 200,000 men and women. There is an air force of about 70 Mig 17's and 19's, with some IL–14 transports: some IL–28 Beagles (subsonic 1,500-mile range, 4,000-pound bomb load) have also been supplied. It is clear that a strong force of surface-to-air missiles has been deployed. The navy consists of 4 old cruisers and up to 20 modern Soviet motor torpedo boats. Many Cuban units now appear to be under Soviet command.

CENTRAL TREATY ORGANIZATION

The members of CENTO are Pakistan, Iran, Turkey and the United Kingdom. The United States is an associate member, but is represented on the coordinating Council of Military Deputies and on the Economic and Countersubversion Committees. CENTO does not have an international command structure nor are forces allocated to it.

National forces

Iran

General: Population, 21 million; length of military service, 2 years; total armed forces, 200,000; defense budget, $125 million; but may be cut heavily.

Army: Total strength, 208,000. Plans to expand to 250,000 in 1962 have been abandoned. The present figure may soon be reduced. Twelve divisional organizations exist. There are M–47, Sherman and T–34 tanks, a paramilitary gendarmerie of 30,000.

Navy: Total strength, 1,000; 2 escorts; 2 minesweepers; 2 other ships.

Air Force: Total strength, 7,500; about 150 planes including 1 tactical wing of 75 F–84G/86s and some F–47D Thunderbolts. This will receive 100 more U.S. aircraft including 60 fighters and some transports.

Pakistan

General: Population: 96 million; voluntary military service; total armed forces: 253,000; defense budget, $210 million; U.S. military aid, $1,100 million from 1954 to 1962.

Army: Total strength: 230,000; 8 divisions organized on a triangular basis and equipped with Patton tanks; 250,000 lightly armed militia and about 30,000 Ayad Kashmir troops.

Navy: Total strength: 7,700; 7 escorts; 6 minesweepers.

Air Force: Total strength: 15,000; 1 squadron of 7 B–57 Canberra bombers; 1 squadron of 12 F–104's.

SOUTHEAST ASIA TREATY ORGANIZATION

The members of SEATO are Australia, France, New Zealand, Pakistan, the Philippines, Thailand, the United Kingdom and the United States. They are committed to build up collective economic and military strength and to consult with a view to joint defensive action in the event of direct or indirect aggression against a member or against the designated states of Laos, Cambodia and South Vietnam. The area is the southwest Pacific theater south of 21 degrees 30 minutes north. There is no central command structure and forces remain under national control. The largest Western base in the west Pacific is that on Okinawa with 42,000 U.S. servicemen. The 28th Commonwealth Brigade plus supporting air units is available in Malaya but the Federal Government has indicated that it would not necessarily accord base facilities for SEATO operations.

The only large-scale fighting going on in the SEATO area at the moment is in South Vietnam where a 200,000-strong government army with 7,000 American advisers is combating the Vietcong guerrillas.

National forces

Australia

General: Population: 10,500,000; voluntary military service; total armed forces, 48,500; defense budget, $472 million.

Army: Total strength, 21,600 (plus 22,500 citizen military forces); 1 infantry battalion with artillery support in Malaya; 1 Centurion tank regiment; 2 battle groups (reinforced infantry battalions); 1 Pacific island regiment battalion; 8 CMF battle groups.

Navy: Total strength: 11,100; 1 16,000-ton carrier (partly A.S.); 1 carrier (fast transport); 13 escorts; 6 minesweepers. About 100 naval aircraft, including Sea Venoms and Gannets.

Air Force: Total strength, 16,000 plus 900 CMF; 3 Canberra squadrons; 4 F–86 squadrons (1 to convert to Mirage III's in 1963); 2 Neptune patrol squadrons; 3 transport squadrons (1 Hercules and 2 Dakota); 450 aircraft altogether; Bloodhound AA missiles.

New Zealand

General: Population, 2,400,000; voluntary military service; total armed forces; 12,200; defense budget: $81 million.

Army: Total strength, 4,900; 1 brigade, including a battalion in Malaya.

Navy: Total strength, 2,900; 1 cruiser; 4 escorts.

Air Force: Total strength, 4,400; 1 bomber squadron with 12 Canberras; 1 maritime reconnaissance squadron; 3 transport squadrons.

Philippine Republic

General: Population, 25 million; voluntary military service; total armed forces, 32,000 plus a paramilitary national police; defense budget: $100 million.

Army: Total strength, 22,000; has M–41 tanks.

Navy: Total strength, 4,000; 14 escorts; 2 minesweepers.

Air Force: Total strength: 6,250; 4 squadrons of F–86's (1 carrying Sidewinders).

Thailand

General: Population, 26 million; length of military service, 2 years; total armed forces, 134,000 plus 30,000 militarized police; defense budget, $70 million; U.S. military aid, $400 million to 1962.

Army: Total strength, 90,000; 3 infantry divisions (nominally with 3 brigades each) and 1 composite division with armor.

Navy: Total strength, 18,000 plus 4,000 marines; 5 escorts; 4 minesweepers; 24 small ships.

Air Force: Total strength, 22,000; about 350 aircraft including about 150 first-line. First-line includes 30 F–84G's and F–86's; more F–86's are being procured.

U.S. MUTUAL DEFENSE TREATIES

Those countries which have mutual defense treaties with the United States are Japan, Formosa, and South Korea.

Their forces are as follows:

National forces

South Korea

General: Population, 23 million; voluntary military service; total armed forces, 602,000; defense budget, $130 million; U.S. military aid, $1,800 million to date.

Army: Total strength, 570,000; 29 divisions; 12,000 Koreans serve in the 2-division American garrison.

Navy: Total strength, 17,000; 18 escorts; 10 minesweepers.

Air Force: Total strength, 15,000. About 300 planes including 2 wings of 150 F–86F fighter-bombers and 2 squadrons of F–86D interceptors.

Taiwan

General: Population, 10,050,000; length of military service, 2 years and reserve liability. Total armed forces, 570,000; defense budget, $230 million; U.S. military aid, $1,800 million, 1952–62.

Army: Total strength, 400,000 including 70,000 on Quemoy and Matsu; 21 infantry divisions; 2 armored divisions; 1 Nike-Hercules battalion.

Navy: Total strength 35,000 plus 27,000 marines; 35 escorts; 12 minesweepers; 2 other ships. Amphibious shipping for one division is available.

Air Force: Total strength. 110,000; 3 interceptor wings of F–86F's (with Sidewinders) and F–104's; 1 F–100 fighter-bomber wing. Each wing has about 75 planes. Total of 500 to 600 planes including 400 firstline.

Japan

General: Population, 94,640,000; voluntary military service; total armed forces, 235,000; defense budget, $569 million; U.S. military aid, about $800 million since 1950.

Army: Total strength, 171,500 (planned expansion to 180,000 with 30,000 reserves by 1967); 13 divisions of 7,000 to 9,000 men each, organized into 4 battle groups; 1 division, based on Hokkaido, is mechanized. The army has 271 light aircraft and helicopters and 900 American-built tanks including M–41's.

Navy: Total strength, 24,500; 44 escorts; 3 submarines; 100 antisubmarine aircraft. The naval air component has about 200 aircraft including helicopters.

Air Force: Total strength, 39,000; 2 tactical wings; 4 fighter-interceptor wings. A total of 1,000 aircraft of which 550 are jets. The first of 180 F–104J's have been accepted; they will partially replace 100 F–86D's and 350 F–86F's in service. The F–104's and 280 of the F–86F's are to have Sidewinders. The first wing of 72 Nike-Ajax missiles and 36 launchers is operational in the Tokyo and Yokohama areas. The second will enter service in 1963 as will some Hawk batteries.

Table II.—Some comparative estimates of strategic strength, early 1963

Category	Western alliances [1]	Communist bloc [1]
ICBM's (over 2,000-mile range)	450-500	75
MRBM's (700- to 2,000-mile range)	250	700
Long-range bombers (over 5,000-mile range)	630	200
Medium-range bombers (over 2,000-mile range, including major carrier-based aircraft)	1,630	1,400
Battleships and carriers	40(36)	
Nuclear submarines [2]	32	12
Conventional submarines	212(48)	445(50)
Cruisers	29(31)	20(10)
Escorts	842(265)	124(365)
Tanks [3]	16,000	38,000
Mobilized manpower (excluding paramilitary forces) (men)	8,000,000	7,700,000

[1] Ships in reserve are shown in parentheses.
[2] Includes both missile and hunter submarines.
[3] Includes many obsolescent types.

TABLE III.—*Major nuclear delivery systems, 1962–63*

(A) AIRCRAFT

Name	Origin	Best range (miles)	Speed [1]		All-up weight (pounds)	Became operational	Typical warload
			Mach No.	Miles per hour			
B–52A–G	United States	10,000	0.88	665	450,000	1955–61	2 Hound Dog ASM's in C and G, others H-bombs.
B–52H	do	12,500	.88	665	488,000	1962	Skybolt.
Bison	U.S.S.R.	6,050	.85	600	400,000	1956	ASM's.[2]
TU–20 Bear	do	7,000	.78	580	320,000	1956 [3]	H-bomb.
Vulcan B–1 and B–2	United Kingdom	3,500	.95	630	200,000	1957	Blue Steel in B–2.
Victor B–1 and B–2	do	3,500	.95	630	200,000	1958	Do.
B–47	United States	3,200	.83	650	200,000	1952	H-bomb.
Valiant	United Kingdom	4,500	.84	567	175,000	1955	45,000 pounds.
TU–16 Badger	U.S.S.R.	3,500	.87	610	170,000	1955 [3]	ASM.[2]
B–58 Hustler	United States	2,000	2.1	1,385	163,000	1960	H-bomb.
Blinder	U.S.S.R.	----------	1.5	1,030	150,000	1962	ASM.[2]
A–3D2 Skywarrior	United States	3,000	.83	610	73,000	1956	12,000 pounds.
Mirage IV	France	2,500	2.3	1,520	66,000	1964	Fission bomb.
Canberra B(L)8	United Kingdom	3,800	.83	580	56,000	1955	15,000 pounds.
Flashlight	U.S.S.R.	2,000	1.05	690	52,000	----------	Fission bomb.
A–3J Vigilante	United States	2,000	1.1	700	60,000	1961	H-bomb (for example).
F–105D Thunderchief	do	2,000	2.15	1,420	48,000	1961	9,700 pounds including H-bombs.
Buccaneer S–1	United Kingdom	3,860	1.05	720	46,000	1962	H-bomb
F–4H Phantom II	United States	2,000	2.6	1,504	45,000	1962	11,000 pounds.
Scimitar	United Kingdom	1,500	.97	710	40,000	1958	4,000 pounds.
F–100D Super Sabre	United States	1,500	1.3	864	35,000	1957	7,500 pounds.
F–104 Starfighter	do	2,200	2.2	1,450	27,000	1958	4,200 pounds.
F–84F Sabre	do	2,500	.9	650	25,000	1954	6,000 pounds.
A–4D2 Skyhawk	do	3,200	.9	685	18,000	1956	5,000 pounds.

[1] The inconsistency between mach numbers and speed in miles per hour is accounted for by difference in operational ceilings.

[2] ASM—Air-to-surface missile.

[3] Earlier marks now obsolete.

(B) MISSILES—GROUND TO GROUND [1]

Name	Propellant [1]	Launching weight (pounds)	Range in (S) miles	Operational	Notes
United States:					
Atlas E	L	260,000	9,000+	1959	3-megaton warhead.
Titan I	L	220,000	9,000+	1961	4-megaton warhead.
Minuteman	S	65,000	6,300	1962	600-kiloton warhead.
Thor	L	110,000	1,725	1958	Obsolescent.
Jupiter	L	110,000	1,725	1959	
Polaris A–1	S	28,000	1,380	1960	600-kiloton warhead.
Matador	S	10,000	500	1955	Obsolescent.
Mace A and B	S	14,000	650	1960	Mace B has range of up to 1,380 miles.
Regulus I	T. & S.	14,500	575	1955	Obsolescent.
Pershing	S	35,000	300+	1962	Fully mobile.
Redstone	L	61,000	200	1956	Obsolescent.
Sergeant	S	10,000	85	1962	20-kiloton warhead.
Corporal	L	12,000	75	1955	Obsolescent.
U.S.S.R.:					
ICBM	L	300,000	8,000+	1955	10-megaton warhead.
ICBM	SL	----------	----------	1963	
MRBM	L	122,000	2,100	1959	
MRBM	L	----------	1,100	1961	
MRBM	----------	----------	700		
SSLM	S	----------	400	1959	
SSLM	S	----------	100	1959	
SRM (Scud)	L	----------	120	1957	Ballistic.
SRM (Shaddock)	T	----------	175–350	1961	Cruise.

[1] Key:
L—Liquid fuel.
S—Solid fuel.
SL—Storable liquid fuel.
T—Turbojet.
SSLM—Submarine surface-launched Missile.
SRM—Short-range missile.

Mr. MORSE. I yield now for a question.

Mr. CLARK. The Senator from Oregon has indeed made a brilliant and provocative major speech on foreign policy, with much of which, but not with all of which, I find myself in accord. I should like to ask the Senator a couple of questions to develop some of the points about which he spoke; but I urge the Senator, as a valuable member of the Foreign Relations Committee, to continue unceasingly to raise these questions before that committee as well as on the floor of the Senate.

The Senator made some reference to the United Nations and the fact that our country—quite wisely, in my opinion—has supported it more strongly than have many of our allies in Western Europe; and he had particular reference to our Congo policy. I wonder if the Senator supports our Congo policy.

Mr. MORSE. Wholeheartedly.

Mr. CLARK. I do, too; and I think that, over the objections of the racists and the plutocratic forces in America which would support any large corporation in its efforts to maintain its own satellite political state, free from democratic control of the major interests in the Congo, our country has not only been entirely right, but it seems today as if that policy is about to succeed.

I wonder if the Senator will agree with me that it is rather unfortunate that more Members of this body and more leaders of public opinion have not come to the defense of our foreign policy; but, on the other hand, commentators, almost without exception, have been carping critics of that policy. I say again, although I do not charge any man with bad motivation—I cannot look inside his mind—that I find it rather difficult not to make the supposition that this opposition is largely racist and largely plutocratic. I wonder if the Senator will agree with me.

Mr. MORSE. I do not know about the motivations of others, but I have regretted the fact that there have not been more leaders in government, in both parties, giving public support to the position the United States has taken on the Congo. However, we have taken a position that is fully our obligation as a member of the United Nations.

The Senator from Pennsylvania knows that I served as a delegate to the United Nations in 1960. I was shocked at the attitude of France, Portugal, the Communist bloc, and some other countries in

refusing to give support to the United Nations programs after they had been agreed upon under the democratic procedures of the United Nations. That is why I welcomed the effort when at that time our delegation pressed for an early submission of a request for an advisory opinion by the World Court on the obligation of countries which, for example, had simply refused to pay their share of the costs of the United Nations operations, such as France and Russia. France had taken the position that she would not support the United Nations and the United Nations decision in the Congo.

I was satisfied that, under international law, there was only one finding the court could reach; namely, that every member of the United Nations is bound to financially support the program of the United Nations which had been implemented under the procedures of that body. As the Senator knows, an advisory opinion was handed down some months ago which expressed the view that such assessments are a financial obligation of the member nations.

I certainly have no evidence which would justify me to say as a lawyer that some of the opposition to United Nations policy in the Congo is racist. But we all make our own interpretations of what seems to be in the background of positions taken by nations, individuals, and organizations. There is no question that there are great forces in the world and in this country which have opposed a United Nations policy in the Congo, and in other parts of Africa, too, may I say—because of their racial attitudes. I think that is shameful. I think it is shocking. If we do not stop creating that type of attitude, which could spread into a racial fire in large parts of the world, it could, of course, threaten the peace of the world.

Mr. CLARK. Mr. President, will the Senator yield further?

Mr. MORSE. I yield.

Mr. CLARK. I agree wholeheartedly with what the Senator has just said. I strongly endorse my country's strong support of the United Nations. But I wonder if the distinguished Senator from Oregon, as a trained lawyer with some experience in international law, would not agree with me that the charter under which the United Nations has operated makes us do everything the hard way. That charter was adopted in 1945 in San Francisco. At that time many sound and proved and tried democratic procedures had to be sacrificed to expediency, in order to persuade Russia to join the United Nations.

I wonder if the Senator will agree with me that in the more than 17 years which have passed since that charter was adopted, it has become apparent that the charter of the United Nations is as defective as were the Articles of Confederation in the period before the Constitutional Convention was summoned, which, in 1789, approved the Constitution of the United States.

Mr. MORSE. I prefer not to answer by making a comparison between the Articles of Confederation and the Charter of the United Nations, but to make my answer in this way: I have said many times, here and elsewhere, that I think the United Nations Charter is in need of major revision. I think its provisions in regard to the Security Council should be revised. I think the veto should be eliminated. I think there needs to be a revision with regard to jurisdiction and procedures to be followed in the General Assembly. I think we need some revisions in the charter with regard to the jurisdiction and authority of some of the agencies of the United Nations. But those revisions, in my judgment, should all be aimed at strengthening the jurisdiction of the United Nations to carry out the objective set forth in the great preamble, for I still think the United Nations stands as possibly man's last hope for preserving peace in the world.

Mr. CLARK. Will the Senator yield further?

Mr. MORSE. I yield.

Mr. CLARK. I agree with everything the Senator has said. I should like him to be a little more specific. If the Senator does not wish to answer the point specifically, I will certainly understand.

I have been trying, ever since I came to the U.S. Senate, to persuade the State Department, first under Republican, and now under Democratic guidance, to take the initiative in seeking a comprehensive revision of the United Nations Charter, which I believe to be essential if it is to become a more effective institution in the interest of world peace.

If I recall correctly, when the President of the United States was a Member of the Senate, he joined me, the senior Senator from Oregon, and 23 other Senators in submitting to the Senate a resolution urging studies at the highest level of revisions in the United Nations Charter, with the thought in mind that when the opportunity for revision came, which, as the Senator knows, comes every 2 years, we would take the lead in that direction.

I have never been able to see a spark of interest shown in the proposal in the State Department. We could not even obtain hearings on that resolution in the Foreign Relations Committee. I hope that this time we may do better.

I suggest to the Senator from Oregon that among the many things that need to be changed in the United Nations Charter, if it is to become a really effective major effort for world peace, particularly if we make some progress in world disarmament, would be the elimination of the veto in the Security Council, the elimination of the rule of one vote for each member country in the General Assembly, and the adoption of some sensible nongerrymander procedures which would give due effect in the General Assembly to population potentials and, quite frankly, to power, because, frankly, this is a practical question.

There must also be a foolproof method of raising revenue. We should not have to go around begging individual countries to make contributions.

Next, the executive part of the United Nations must be strengthened. At the present time it is nothing more than a secretariat. If we were to accomplish that objective, we would have taken a long stride forward.

Mr. MORSE. I could not agree more with the Senator from Pennsylvania. All I can say to him is that if he will resubmit his resolution. I shall be honored to be a cosponsor of it again, and will join in pressing for hearings on the resolution by the Foreign Relations Committee. Of course, I am only one member of the committee and cannot guarantee it, but I believe that if enough of us make perfectly clear to the committee that we believe it is a matter which ought to be the subject of hearings, the probabilities are that we will get them. I cite that among the specifics which the Senator has outlined in his comments.

It is important that we put Russia on the defensive, and that we take the lead and go on the offensive in the matter of the administration of international law, for this is basically a question of strengthening our system of international law.

Senators have heard me say many times that there is a great deal of talk in this country about the substitution of the rule of law for the rule of the jungle. I do not know how anyone could work harder for the submission of international disputes to the rule of law than has the senior Senator from Oregon. As chairman of the Subcommittee on Latin American Affairs, in the very early days of the gathering storm clouds over Cuba and the United States with regard to our relations with Cuba, it was the senior Senator from Oregon who urged that the disputes existing between the United States and Cuba be submitted under the rule of law to an appropriate tribunal set up by the Organization of America States, and to have them tried on their merits.

We had nothing to be afraid of. I doubted very much that Castro would go along. I felt we ought to prove to the world what country it was that was seeking a peaceful solution to the threat to peace in Cuba. If Castro did not want to go along with the OAS, I said, "All right, offer it to the United Nations for solution."

One of the criticisms at the time was:

Well, there are a great many procedures that ought to be modified first.

My answer was:

Let us try a few specific cases, as the best way of proving what procedural reforms need to be adopted both in the OAS and in the United Nations.

Mr. CLARK. Mr. President, will the Senator yield further?

Mr. MORSE. I yield.

Mr. CLARK. The Senator made reference, in his speech, to the very difficult problem of the balance of payments which confronts our country, and the difficulties involved in this problem in attempting to keep pressure going in terms of relative easy money and low interest rates, so that our somewhat

sagging economy could come back and that we could hope to achieve a higher level of the gross national product.

In the past few days, in the Washington Post, there have been published a series of what I consider to be public-interest editorials on the subject of the international balance of payments and, indeed, on the whole question of world banking credit.

My own viewpoint is in accord with that of J. Maynard Keynes, that we would be well advised to take the lead again in establishing a world central bank, with a world currency, which would do for the world what the central banks of most of the other civilized countries do, and which the Federal Reserve System does, if rather haltingly, in our own country. I wonder whether my friend from Oregon would agree with me that this should be a major objective of American foreign policy.

Mr. MORSE. The only honest answer I can give to the Senator from Pennsylvania is that I do not have at the present time the Senator's wealth of information and understanding on the monetary economics of the proposal he has just made to say more than that I certainly believe it is a matter which should be studied by the Foreign Relations Committee. I certainly could not take sides on that issue as of now.

Mr. CLARK. I thank the Senator for his candid answer. As a member of the Banking and Currency Committee, and as chairman of the Subcommittee on International Finance of that committee, I have made some studies of this problem, and have attended meetings of the World Bank in Vienna and elsewhere. I have a strong feeling that we ought to stir up something in the Senate in this regard, because our position is suffering from what I call an economic, if not a political, lag.

Mr. MORSE. I do not flatter the Senator when I say to him that his position in the field of finance is not surpassed in expertness and knowledge by that of any other Senator. The point of view that he would express in any Senate hearings would bear great weight with the senior Senator from Oregon. The Senator from Pennsylvania has very great weight with me on almost any matter on which he speaks.

Mr. CLARK. I am happy to hear the Senator say that in expressing only normal Senatorial courtesy to me. Does not the Senator agree with me that it might be wise if the Senate had a rule of germaneness, so that neither he nor I could engage in a colloquy of the kind which we have undertaken, important though it may be?

Mr. MORSE. Certainly; I have advocated many changes in the rules before the Senator from Pennsylvania came to the Senate.

Mr. CLARK. I thank my friend.

Mr. MORSE. My proposal has always been that a rule of germaneness shall apply up to 5 p.m. each day, at which time Senators will have an opportunity to do the other things that they must do, and attend to their obligations. We could make such nongermane speeches as needed to be made, after 5 o'clock. The Senator from Oregon often speaks at 5 o'clock, and as a result he has been sometimes referred to in some quarters as "The 5 o'clock Shadow." Today is an exception because I wanted to make this speech early, in view of the fact that in my opinion, at least, it was of major importance so far as my record is concerned.

However, I will support a rule of germaneness at any time, just as I will support, as the Senator knows, what I believe is the best proposal for checking filibusters in the Senate, while at the same time protecting minority rights in the Senate against the shocking abuse of the steamroller, to which he and I were subjected in the recent satellite controversy in the Senate.

Mr. CLARK. I should like to ask one final question, if the Senator will yield.

Mr. MORSE. I yield.

Mr. CLARK. I am happy to have the support of the Senator from Oregon with respect to the rule of germaneness. He has received many just plaudits from his colleagues for being the 5 o'clock Senator. In the early days of my service in the Senate it used to be my pleasure to sit in the Presiding Officer's chair to listen to the Senator. If he could succeed in having his 5 o'clock rule adopted, I, too, would be glad to be present, because I like a late dinner.

Mr. MORSE. It would be better for the Senator's health, too.

I yield the floor.

The PRESIDING OFFICER (Mr. STENNIS in the chair). Members of the staff are entitled to be present in the Chamber so long as they are assisting Senators, but they are supposed to remain quiet. The Chair asks members of the staff to take seats. Those persons who are in the Chamber and who are members of the staff will please take seats. They are asked to remain quiet. The Chair does not think the Senate rules contemplate that staff members should come into the Chamber and engage in conversation, especially conversation which is loud enough to be heard across the Chamber.

The Senator from New York has the floor.

Mr. MORSE. Mr. President, will the Senator from New York yield?

Mr. KEATING. I yield.

Mr. MORSE. Mr. President, I understood there was to be a call for a quorum when I concluded. I had an understanding with the Presiding Officer that I would see to it that there was a call for a quorum. I should have suggested the absence of a quorum. I apologize to the Chair. The next speaker was to have been the Senator from Mississippi.

The PRESIDING OFFICER. An understanding has been reached. I thank the Senator from Oregon.

AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the motion to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

Mr. KEATING. Mr. President, the antifilibuster amendment which I have joined in cosponsoring is designed to permit a constitutional majority of the Members of the Senate to act on the business before the Senate but it does not in any way curtail reasonable debate. In fact, more time is assured for debate under the proposed majority cloture procedure than is provided for in the present rules. The proposed rule would allow a minimum of 15 days of debate before there could even be a vote on limiting debate. Thereafter, if a limitation on debate was adopted, a minimum of 50 hours of time would be permitted to each side on the issue before the Senate. Even more time would be allowed if necessary to permit each Senator to speak for at least 1 hour or if the motion for cloture provided, for more time. The majority cloture amendment would allow a majority of the Members of the Senate ultimately to vote on the merits of any issue—and this is basis for its urgency. But it contains every possible safeguard for the rights of the minority and it is nonsense to suggest that it would unreasonably limit the opportunity of any Member to engage in full debate on any issue before the Senate.

I have joined in the bipartisan effort to curb the filibuster, because of my strong belief that the right of a Senate majority to act after full debate is essential to sound constitutional government. In my judgment, as a political proposition, Republicans can best fulfill their responsibility as a minority party by offering constructive alternatives to administration proposals with which they disagree and having them debated on their merits. The Republican Party will hardly enhance its following among the people by joining anticloture Democrats in a policy of obstruction.

The argument that the filibuster rule preserves our constitutional system from extremist proposals is specious. The most extreme violation of the Constitution which I can imagine is that which takes away from a majority of the elected representatives of the people the right to act in their behalf. The Founding Fathers considered many proposals that would have required more than a majority vote for legislative action. They accepted several of these such as the requirement of a two-thirds vote to ratify a treaty, but in each such instance they expressly provided in the Constitution for more than a majority vote. In every other case, it was left to a majority of the Members of the House and Senate to determine the Nation's policies, and majority rule has been the guiding principle of the Republic throughout our history.

Rule XXII—the filibuster rule— defies the principle of majority rule and thereby undermines one of the basic tenets of our system of Government. Whatever defense of the rule may be made on grounds of expediency, it cannot be harmonized with either the letter or the spirit of our fundamental law. The filibuster does not preserve constitutional principles; it debases them. For myself, this is reason enough for its reform.

It is contended that those of us who have joined in the drive for majority cloture are tampering with a hallowed tradition. I am not one who willingly tramples upon tradition, but the idea

that the filibuster is part of our tradition is a myth. The very first Congress of the United States wrote antifilibuster procedures into its rules in 1789, and if such rules were needed in a Senate consisting of 26 Members, how much more important they are in a Senate consisting of 100 Members. Similar provisions are found in the rules of procedure of most of the legislative assemblies of the States of the Union including many States south of the Mason-Dixon line. The Senate's retention of the filibuster is not in keeping with tradition. It is in defiance of tradition.

Moreover, there is nothing hallowed about the ordeal by words which must be suffered every time the filibusterers decide to put on a demonstration of their vocal abilities. There is nothing sacred about the spectacle of endless journal readings, late night quorum calls, and parliamentary hassling which accompany every filibuster. These tactics are an affront to the Senate's traditions, not examples to be perpetuated.

The notion that the filibuster protects freedom of debate is a delusion. Filibustering has done more to belittle the Senate's standing as the greatest deliberative body in the world than any other single practice. The debate during a filibuster is a sham. There is no attempt to reason and persuade. There is no exchange of views and arguments. The filibuster really is a substitute of stubborn determination for debate. It is employed when the appeal to reason has been abandoned. In its advanced form it is nothing less than a species of legislative blackmail in which the price exacted for allowing the Senate to continue to function is abandonment of the challenged proposal.

The filibuster rule has survived many attempts at reform and may survive this one. Why is a rule which is of such dubious constitutionality, and which operates with such patent unfairness so difficult to alter? The answer is complex and some of its aspects do not make for pleasant discussion, but the facts must be faced.

In the last analysis, the filibuster survives because it offers a convenient excuse for avoiding a showdown on difficult issues. It serves to alibi the failure to deliver on campaign promises to the American people. By surrendering to the filibuster, the party in power can get off the hook without having to alter one word of campaign oratory. Failure or weak compromises are blamed on Senate procedures rather than on a lack of conviction or determination. Bold and sweeping promises can continue to be made without any danger that they will nave to be fulfilled. In short, the filibuster rule is a subtle but effective device for public deception.

The principal victims of this deception are those who had every reason after the 1960 campaign to expect action on urgently needed civil rights legislation. It must be made obvious to everyone that a failure to curb the filibuster will shatter any hopes of enacting meaningful civil rights legislation during this session of Congress.

The fine points of Senate procedure which will be discussed during this debate should not cause us for a moment to lose sight of what is really involved here. At the heart of this controversy is whether a majority of this Senate will ever have an opportunity to vote on the merits of bills to stimulate the progress of school desegregation, to eliminate the Jim Crow features of many Federal grant-in-aid programs, to remove discriminatory restrictions on the right to vote, and to give vitality to the constitutional rights of all Americans. The opponents of these measures have never hesitated in the name of freedom of debate to support motions to table such proposals. They have voiced no complaint against this device for peremptorily cutting off all debate so that an exasperated and frustrated Senate can be recorded against such measures. But if the filibuster rule is continued, we know that these same Members will expend every ounce of their strength to prevent the Senate from ever voting for such measures.

In conclusion, I should like to summarize the arguments in favor of the majority cloture amendment which I have joined in cosponsoring:

First, it fulfills the intent of the Founding Fathers, as reflected in the Constitution, that a majority of the elected representatives of the people exercise responsibility for the legislative decisions of the Nation. A majority may sometimes be wrong, but so may less than a majority, and under the Constitution, unless otherwise specified, it is the majority of the Senate which is given power to enact legislation and determine the rules of its proceedings.

Second, the proposed amendment enlarges the opportunity for constructive debate and assures a minority on any issue a full opportunity to debate the merits of any proposal before the Senate. The motion for majority cloture under the express language of the amendment could not even be voted upon until after 15 days of debate and thereafter each side would be guaranteed a minimum 50 hours each of additional time for debate no matter how small the minority. The amendment will curb filibusters but it will not curb reasonable debate.

Third, the proposed amendment will destroy the veto power which one-third of the Senate now exercises over legislation in the field of civil rights and which could be exercised over any other legislation. No legislation is immune from a threat of a filibuster and history reveals that it has been used both to prevent enactment of essential defense measures and to force enactment of wasteful pork-barrel projects. The filibuster is a potential threat to measures on which the very life of the country may depend. It is a danger to orderly government which should not be allowed to exist.

Fourth, the proposed amendment will help restore the dignity and prestige of the Senate by discouraging dilatory tactics and making it unnecessary for the Senate to operate in a circus atmosphere. In my judgment, it is the most urgent of a number of procedural reforms needed if the Senate is to enjoy its former influence and to play a full role in determining national policies. It should be favored by all those concerned with the declining power of the Senate and the increasing concentration of power in the Chief Executive.

Fifth, the alternative proposal for three-fifths cloture will not satisfy constitutional requirements, will not assure the same opportunities for useful debate, and will have little significance in actual practice. It would be an improvement over the present two-thirds requirement, but the necessity for eventually adopting a majority cloture procedure would persist. A vital principle is at stake here, and no backstage maneuvering or face saving compromises should be accepted. The outcome of the fight now being made will determine whether the pledges of both parties to the American people are to be redeemed and whether their right to be governed by a majority of their representatives is to be vindicated.

Mr. KUCHEL. Mr. President, will the Senator from New York yield?

Mr. KEATING. I yield.

Mr. KUCHEL. First, I should like to say that the able and distinguished Senator from New York speaks on this subject with an imposing background as a lawyer. He has practiced his profession with distinction in New York, the State from which he comes. He sits as a member of the Judiciary Committee of the U.S. Senate—a committee which, in years gone by, has dealt with all facets of this problem. On that score, I wish to congratulate him for the comments he has made today, because, as the able Senator from New York has said, probably this issue will be decided now or it will not be decided during this entire Congress.

Let me ask the Senator from New York a question. Among the points he has made, he has alluded to the fact that, under the present rules, the filibuster has been utilized against all types of proposed legislation. Both he and I will recall that the filibuster was utilized a year ago against a bill to ban the use of literacy tests—a measure recommended by both the Republican Party and the Democratic Party. But the filibuster was also utilized by a group of Senators against proposed legislation, recommended by President Kennedy, to create a corporation to utilize the satellite Telestar for international communications. Therefore, I ask my able friend this question: Is it not true that what he seeks to do, as one of the leaders in this attempt at long last to eliminate the filibuster, is to rid the Senate of an undemocratic device by which a handful of Senators can frustrate and destroy the wishes of the many Members of the Senate in regard to any type of legislative proposal pending before the Senate?

Mr. KEATING. That is true; the list of measures which have been filibustered covers a wide range of subjects. The filibuster could be used tomorrow in connection with an important defense measure, or in connection with a vital appropriation, or the confirmation of the nominations of an important Cabinet member, or in connection with any other subject—running the whole gamut

of our legislative activity. This is a serious threat which confronts the Senate at all times. I am hopeful that the Senate will recognize the danger and that a majority cloture procedure will be voted by this body. The sooner the Senate reforms its rules and gets its house in order, the better.

I am very grateful to the Senator from California for his comments. I can only say that I have been proud to stand shoulder to shoulder with the distinguished minority whip, who is one of the principal proponents, along with the majority whip, of this amendment; and I know of the interest of the Senator from California and of his arduous work in this field.

Mr. KUCHEL. I thank my able friend for his comments. He has supplied effective and courageous leadership in this fight.

With respect to the specific provisions of the proposal the able Senator from New York is sponsoring, along with a number of the rest of us, is it not true that whereas our proposal requires that 16 Senators sign the petition, no 16 Senators would sign such a petition until long days and weeks of debate had been had, so that in the minds of those 16 Senators it would be quite clear that the oratory then occurring in this Chamber was for purposes of delay, rather than for elucidation?

Mr. KEATING. That is true. I also point out that after cloture is voted, there still will be a minimum of 100 hours of debate divided equitably between those who are for and those who are against the matter at issue. Many persons in this country would think 100 hours of debate alone, without the days and days of debate preceding the 100 hours, would exhaust the debate on almost any subject with which the Senate would have to deal.

Mr. KUCHEL. What is the opinion of the Senator from New York as to a reasonable estimate of the number of weeks which would elapse before, under his proposal, a majority of the Senate could dispose of a problem before the Senate?

Mr. KEATING. I think that would depend somewhat on the issue and the circumstances. For example, the debate on a motion to have the Senate proceed with the consideration of a measure reasonably might be closed somewhat earlier than the debate on the merits of the proposal itself.

We are now confronted with debate on a motion to have the Senate take up a resolution. I believe that in a relatively short time all the debate and arguments on a motion to have the Senate take up a measure would be exhausted. The length of time required for the debate on the measure itself would depend somewhat on the subject involved. For example, the Telstar bill was rather complicated; and the debate on that bill might take somewhat longer than would the debate on a very simple piece of proposed legislation.

So the length of time required would depend somewhat on the subject involved. But certainly there would be an opportunity for full discussion before any effort would be made to close the debate on any issue. Our proposal would curb filibusters but it would not curb argument and debate.

Mr. KUCHEL. Under the Senator's proposal, 15 days would be required to run after the cloture petition was filed; and I take it that would mean 3 weeks of debate in the Senate, and that during each day the debate could continue for as long as 10 or 20 hours or more—so that, at the very least, 3 weeks, plus an indefinite number of additional days, plus an additional 100 hours of debate, would be required, under the proposal of the Senator from New York, in which I have joined, before a majority of the Senate could terminate the debate.

Mr. KEATING. That is correct; and I am sure the debate on any measure of interest to the American people could be exhausted within that period of time. Furthermore, if more time was needed it could be provided under the express provisions of our proposal.

Mr. KUCHEL. Mr. President, I wish to say that although some Senators who have had this problem before them during prior sessions of the Senate may be generally acquainted with the background of the problem and the necessity, as we view it, for corrective solution, I do wish highly to commend the distinguished junior Senator from New York [Mr. KEATING], who has spread on the RECORD, for the benefit of all Members of the Senate, both the new ones and the old ones, the irrefutable reasons why what we seek to do here is vital and is in the public interest.

Mr. KEATING. I am very grateful to the Senator from California.

Mr. President, I yield the floor.

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

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. McCLELLAN. Mr. President, I desire to submit a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McCLELLAN. Is Senate Resolution 9 the pending business?

The PRESIDING OFFICER. The motion to take up the resolution is the pending business.

Mr. McCLELLAN. There is a motion to take it up. It is not now before the Senate and has not been laid down.

The PRESIDING OFFICER. The Senator is correct.

Mr. McCLELLAN. The effort is being made to have the resolution laid down without its taking the normal and proper course of being referred to a committee and thus given adequate and the usual committee deliberation and consideration. Am I correct?

Mr. KUCHEL. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. KUCHEL. I merely raise the point of order that my able friend is not asking a proper parliamentary question.

Mr. McCLELLAN. I did.

Mr. KUCHEL. It is not for the Chair to comment on whether or not the procedure attempts to bypass the normal exertions of Senators under the rule, and I suggest that the Senator from Arkansas has not made a proper parliamentary inquiry. If I may do so, with due respect——

Mr. McCLELLAN. Will the Senator advise me? I will be glad to have his counsel.

Mr. KUCHEL. I will advise my able friend.

Mr. McCLELLAN. On the question which I asked he may advise me.

Mr. KUCHEL. Most respectfully I say to my able friend, the Senator from Arkansas, that those of us who are contending for a rules change with respect to the elimination of talkathons——

Mr. McCLELLAN. Of what?

Mr. KUCHEL. Talkathons, I called it.

Mr. McCLELLAN. I misunderstood. Go ahead.

Mr. KUCHEL. Those of us who are contending that a majority of Senators ought to have the right under the rules to terminate debate are using the American Constitution as the basis for our action. We contend that at the beginning of each new Congress the Senate and the House of Representatives each has a right to adopt such rules of procedure as its Members by a majority vote wish. To that extent I most respectfully say to the Senator that I would take the position that what we are attempting to do is entirely in accordance with the provisions of the American Constitution.

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

Mr. McCLELLAN. Mr. President, I believe I have the floor.

Mr. CLARK. Mr. President, will the Senator from Arkansas yield to me, in order that I may address a question to the Senator from California?

Mr. McCLELLAN. I will, after I have concluded with the Senator from California.

I had interrogated the Chair to find out the present status of the legislative situation in the Chamber, and my good friend from California suggested that he could advise me. I still do not know from his remarks what the situation is. He said that I did not ask a question in the nature of a parliamentary inquiry. I would like to do so. I now ask the Chair, as a parliamentary inquiry, if the Chair will answer the question I submitted a while ago. I did not get the answer from my good friend from California.

The PRESIDING OFFICER. The Chair is following the usual procedure in the case of resolutions or bills that have been placed on the calendar.

Mr. McCLELLAN. Am I correct that the proposal before the Senate has not been referred to a committee? I ask that question in the nature of a parliamentary inquiry.

The PRESIDING OFFICER. It has not been referred to a committee.

Mr. McCLELLAN. Mr. President, if I may do so without losing my right to

the floor, I should like to yield to the distinguished Senator from Pennsylvania [Mr. CLARK] so that he may interrogate the able Senator from California [Mr. KUCHEL].

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. CLARK. I should like to interrogate the Senator from California. Is it not the Senator's understanding that the pending business is a motion to take up the resolution of the Senator from New Mexico [Mr. ANDERSON] to establish cloture by three-fifths of the Senators present and voting?

Mr. KUCHEL. The Senator is correct.

Mr. CLARK. Does it not now appear, as a result of colloquies which took place this morning, that in due course—some day next week—a motion will be made to table the pending motion?

Mr. KUCHEL. I fear that that is what will take place next week.

Mr. CLARK. Does not the Senator from California agree with me that there appears to be at least a majority of the Members of the Senate who would support cloture by a three-fifths vote, if not by a majority vote?

Mr. KUCHEL. Yes. In my judgment, if the Senator is asking for my opinion, I think there is a clear majority of the Members of the U.S. Senate who were disenchanted with the rules of the Senate in the last Congress with respect to terminating debate through cloture. In my judgment, there is a clear majority that would approve, as the Senator suggests, the proposal of the distinguished senior Senator from New Mexico, if, indeed, those Senators did not approve what my friend and I and others have jointly sponsored on our own behalf, the proposal for majority cloture after 15 days.

Mr. CLARK. If the Senator is correct—and I think he is—is it not, therefore, most important that every Member of the Senate should appreciate that if the effort to sustain the motion to table the present question is successful, it would cut off once and for all, as a practical matter, in this session of Congress, all hope of changing the present rule XXII?

Mr. KUCHEL. There can be absolutely no question about that, in my judgment, I say to my able friend. I shall do what I can to help Senators, by talking with them. I would very much hope that a motion to table, if made, would be voted down.

Mr. CLARK. I express the public hope on this floor that if such a motion is to be made, which it is well within the rights of any Senator to make, it would not be made by a joint action of the majority and minority leaders, both of whom have publicly expressed their support for three-fifths cloture in the past, and who I believe would vote for three-fifths cloture on the merits today.

I hope they will not put us in the position of repudiating their leadership by presenting a tabling motion on a procedural matter which, if the motion to table should carry, would kill this matter for the current session of Congress.

Mr. KUCHEL. I say to my able friend, in answer to his comment, I do not know what the able majority leader or my own leader, the able minority leader, may or may not do with respect to this problem. It is true that a motion to table is available to any Member of the U.S. Senate.

I had hoped that we might be able to allow Members of the Senate to express themselves by their votes on an appropriate rollcall with respect to the constitutionality of what we contend is our right under the Constitution to pass rules at the beginning of the session. It is also true, under the wording of the rule of the last Senate with respect to the invoking of cloture, that if we are unable to persuade our brothers and sisters of the righteousness and the constitutionality of our cause on this occasion, then we can forget, for 2 more years, any surcease.

Mr. CLARK. I thank the Senator from Arkansas for his courtesy in yielding to me.

Mr. KUCHEL. I also thank the Senator from Arkansas.

Mr. McCLELLAN. Mr. President, I thank both distinguished Senators for their colloquy. I hope it will not be necessary for either of them to repudiate his leader.

I hope also, Mr. President, that there will be no objection on their part, even though we may disagree as to what rules should remain and what rules should not be changed, with respect to the right of a humble Senator to talk to his colleagues, to talk in this Chamber to try to persuade them, for goodness sake, not to do what they say they think they would like to do. As the Senator from California says, if we cannot persuade them, then perhaps there is no hope for this session and we shall have to struggle along and do the best we can.

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

The PRESIDING OFFICER (Mr. KENNEDY in the chair). Does the Senator yield?

Mr. McCLELLAN. Yes, if I do not lose the floor I will yield for a question.

Mr. KUCHEL. I merely wish to say that there is not any more vigorous or able advocate in the U.S. Senate than the Senator from Arkansas. I say that to him most sincerely as one who is most proud to call him and my other colleagues friends.

Mr. McCLELLAN. I thank my distinguished colleague. He is very kind.

Mr. President, if I thought the Senator would continue to talk that way for the next 2 hours I should be glad to yield the floor to him. I could listen to that for a long time.

Mr. President, I shall talk only briefly, if I may, on the question before the Senate concerning taking up Senate Resolution 9. I shall today make only passing reference to it, because I believe that there are other matters which are as important as the issue which would be before the Senate if Senate Resolution 9 were made the pending business. Some of them are more important and certainly more urgent and more pressing, in my judgment.

Later, in due course of time, while the motion is pending or after it has been disposed of, if it should be disposed of affirmatively—that is, if the Senate should consider the resolution—I shall discuss the merits of the issue at some length, because it would merit a thorough discussion. It is something about which I think every Member of this body should speak. I think every Member of the Senate has a responsibility involving something so vital, so far reaching, and with such potential consequences as this, particularly with respect to injury to the integrity of our processes of legislation. I think every Member should discuss it.

I shall speak only briefly this afternoon, and at a proper time hereafter in the course of the debate I shall discuss it at some length. For the present I wish to say that it is a seeming paradox, but it is nevertheless a fact of history, that an absolute majority rule in a legislative body tends always to create a situation, of bossism, a situation which in its very essence is ruled by a very small minority.

Whenever there is a situation of bossism, even if it is out in the country precincts, out in the remotest bailiwick, or if it is in the Congress of the United States—wherever it is—there is, in essence, a rule by the minority. This is especially true in legislative bodies. It is especially true when the caucus system is in use or in vogue. The majority in such instances is usually controlled by the caucus majority.

The caucus majority is controlled by the leaders of that majority, within a majority; and the result may be that 20 percent, or even 10 percent, of the body, and sometimes a mere half dozen members, exercise an almost czarlike power and control.

Mr. President, for a century the Senate of the United States was the last refuge of free debate. Cloture, under any terms, constituted a curtailment of free debate. The more strict the rule of cloture is made, the more we narrow it, down to three-fifths, or 60 percent, or 51 percent, the greater is the infringement on liberty and the more stringently is the right of free debate curtailed.

Many of the Founding Fathers were active in Congress. I know of no record which shows that any of them ever said anything to indicate he even had a belief or gave the slightest indication that he thought debate in the Senate should or would at all be limited in any way or at any time.

From 1789, when our Constitution was adopted, until 1917, the Senate had no cloture rule.

It should be a marvel that our country could grow and become so great through all that period of a century and a quarter of time, or that, without a cloture rule in the Senate, it could have survived; that it could have nurtured freedom; that it could have protected and strengthened the great legislative processes of our democracy and republican form of government.

If this situation is so dangerous and so bad now, if it possesses all of the tragedy, the horrors, the frightfulness that

we hear expressed on the floor of the Senate in 1963, tell me why some of these things did not happen in the first century and a quarter of our existence.

We are doing exceptionally well with the rules that exist now. No harm has come to this country because we have the rules the Senate now has. Cloture can be invoked whenever there is the will and the purpose of a substantial majority of this body to do it. It was done at the last session of Congress. I predict it will be done again from time to time. But I also predict that if cloture can be imposed by majority rule, we shall have created the greatest danger to free debate and to proper and profound deliberation in this, the greatest lawmaking body in the world—dangers and hazards that will wipe away the great safeguards that have brought us, down through the vista of time, to this day and hour when we boast of being the greatest Nation in the world, the greatest from almost every standard of measure that the human mind can imagine.

That is the record. How does anyone know that what is being proposed will result in something better? I believe I would rather stay with that which has been tried and tested and found true and best.

It is a mistake to tie the question of civil rights legislation to the question of curtailing the right of free debate. We hear some persons, we hear some of the proponents of this change, say, "Well, of course, this is not just for civil rights legislation; it is for any legislation." That is true. Then we hear from other proponents, as I heard on the floor yesterday, the statement, "Of course, it is primarily so we can pass civil rights legislation."

I do not care which way it is. It is dangerous either way. Even if the motivating force that prompts the presentation and the advocacy of the proposal is primarily in the hope that it will enable or hasten the enactment of civil rights legislation, even if that is the hope and the purpose, there is no limitation, there are no restrictions, it is not circumscribed. Thus, it will be applicable to any bill, any measure, that might be presented to this body and at any time.

This right, this principle, is among the most important of the foundations of American history. To destroy the right of free debate in order to bring about the passage of certain legislation or legislation of a particular type is to surrender principle to expediency. When that is done once, it will be done again; and after it is done again, it will become a practice; and such a practice will carry with it the destruction of some of the basic liberties we enjoy.

There is an ancient strategy of civil rights groups to raise what they hail as a great moral issue, and then relate it to a particular, desired goal. They campaign on the moral issue, but the real goal is obscured. That strategy is apparent in the Senate today.

I think the real reason why the civil rights issue is being raised here is the basic desire and objective of some persons of imposing a majority rule on the Senate for all legislation for all future time.

I know there are those who say, "I will just support the three-fifths resolution. I am not going to support the resolution calling for a simple majority for cloture." Very well, if the Senate passes the three-fifths resolution, it will not satisfy those who want a majority for cloture. The Senate will still have the issue before it. If we whittle away a little this time, the next time someone will want 55 Members out of 100 Members to be able to invoke cloture. From that the proposal will go down to 51 Members, and from there it might very well go to a majority of those present and voting, and then Senators will be able to say at any time, "We do not want to hear any more on this subject. Let us get on with it. Let us vote. Let us act. Let us pass a law."

We had better think a little before we start off on that course.

It is said that we can always apply the brakes. I do not know about that. It is difficult to apply brakes sometimes once momentum has developed. Sometimes it is possible to apply the brakes, and sometimes the momentum carries with it more force than it is possible to restrain with the power of brakes. The proposal that is now being moved for consideration is, in my opinion, a prelude to a future and possibly an impending attack on the seniority system, to an attack on the Immigration and Naturalization Act, to an attack on the International Security Act, to an attack on the Smith Act, and possibly to attacks on many other statutes and rules of procedure.

I assert that if the civil rights bill which has been proposed in the Senate were to be adopted today, the opponents of free debate and the opponents of the present rule would continue to attack the principle the rule embodies, until they could finally achieve what they ultimately desire; namely, cloture by a majority. They would continue to strive for a stronger and stronger cloture rule until they had achieved their ultimate objective, which is plain majority rule in the Senate.

The civil rights issue, in my judgment, has become and is being used pretty well as a convenient tool by those who seek this long-range objective, which will result in destroying free debate in the Senate.

As I indicated earlier in my remarks, because I believe there are some other matters which are more pressing and more urgently demand the attention in the Senate than the motion now pending, I wish to defer further discussion of the motion for today and proceed to some business that needs attention, a duty which I believe we have failed to meet thus far. In order and in the hope that we might get in position in the Senate and in Congress to meet that responsibility, I wish to introduce some proposed legislation, and then to address my remarks to it.

PROHIBITION OF CERTAIN ACTIVITIES OF LABOR ORGANIZATIONS IN RESTRAINT OF TRADE

Mr. McCLELLAN. Mr. President, I send to the desk for appropriate reference a bill which I ask unanimous consent may lie on the desk for the next 10 days, to give opportunity to those who may desire to do so to cosponsor the proposed legislation. I introduce it now for myself and for the Senator from Virginia [Mr. BYRD], the Senator from Arizona [Mr. GOLDWATER], the Senator from Utah [Mr. BENNETT], the Senator from Mississippi [Mr. EASTLAND], the junior Senator from Virginia [Mr. ROBERTSON], the Senator from South Carolina [Mr. THURMOND], the Senator from Nebraska [Mr. CURTIS], and the Senator from Mississippi [Mr. STENNIS].

Other Senators have indicated to me that they also wish to cosponsor the measure. I would like to give them the opportunity to do so, and I therefore ask unanimous consent that the bill may be received out of order and lie on the desk for 10 days to afford an opportunity for Senators to cosponsor it.

The PRESIDING OFFICER. Is there objection?

Mr. STENNIS. Mr. President, will the Senator yield on that point?

Mr. McCLELLAN. I yield.

Mr. STENNIS. In keeping with the custom, the Senator from Mississippi understands that the unanimous-consent request also carries with it the provision that the bill is introduced without prejudice to the rights of any of those who are proponents or opponents of the pending motion and the pending amendments.

Mr. McCLELLAN. Yes; I will say for the record that I do not wish to prejudice anyone's rights. I would only hope that I might influence their judgment.

The PRESIDING OFFICER. That is the understanding. Is there objection to the request? The Chair hears none, and the bill will be received and appropriately referred; and, without objection, the bill will lie on the desk as requested by the Senator from Arkansas.

The bill (S. 287) to amend the antitrust laws to prohibit certain activities of labor organizations in restraint of trade, and for other purposes, introduced by Mr. McCLELLAN (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. McCLELLAN. Mr. President, I ask unanimous consent that the bill be printed at this point 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 "Antitrust Laws Amendments of 1963".

SHERMAN ACT AMENDMENTS

SEC. 2. (a) Section 1 of 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) is amended by—

(1) inserting, immediately after the section designation "SEC. 1.", the subsection designation "(a)"; and

(2) adding at the end thereof the following new subsection:

"(b)(1) Notwithstanding any other provision of law, it shall be unlawful and contrary to the public policy of the United States for any labor organization in concert with any employer or with any other labor organization (whether or not affiliated with the same national or international labor organization), to call for, conduct, engage or participate in, any strike, action, plan of action, agreement, arrangement, or combination directed against any employer in trade or commerce who is engaged in the transportation of persons or property among the several States or with foreign nations if the effect of such strike, action, plan of action, agreement, arrangement or combination may be to restrain substantially the transportation of persons or property in trade or commerce among the several States, or with foreign nations.

"(2) Notwithstanding any other provision of law, every contract, agreement or understanding, express or implied, between any labor organization and any employer engaged in the transportation of persons or property in trade or commerce among the several States, or with foreign nations, whereby such employer undertakes to cease, or to refrain from, purchasing, using, selling, handling, transporting, or otherwise dealing in any of the products or services of any producer, processor, distributor, supplier, handler, or manufacturer which are distributed in trade or commerce among the several States, or with foreign nations, or to cease doing business with any other person, shall be unlawful.

"(3) Every person who violates, attempts to violate, or combines or conspires with any other person to violate, the provisions of this subsection shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine not exceeding $50,000, or by imprisonment not exceeding one year, or by both said punishments, in the discretion of the court."

(b) Section 3 of such Act (15 U.S.C. 3) is amended by—

(1) inserting, immediately after the section designation "SEC. 3.", the subsection designation "(a)"; and

(2) adding at the end thereof the following new subsection:

"(b)(1) Notwithstanding any other provision of law, it shall be unlawful and contrary to the public policy of the United States for any labor organization in concert with any employer or with any other labor organization (whether or not affiliated with the same national or international labor organization), to call for, conduct, or engage or participate in, any strike, action, plan of action, agreement, arrangement, or combination directed against any employer who is engaged in the transportation of persons or property in trade or commerce in any territory of the United States or the District of Columbia, or between any such territory and another, or between any such territory or territories and any State or States or the District of Columbia or with foreign nations, or between the District of Columbia and any State or States or foreign nations, if the effect of such strike, action, plan of action, agreement, arrangement, or combination may be to restrain substantially the transportation of persons or property in any such trade or commerce.

"(2) Notwithstanding any other provision of law, every contract, agreement, or understanding, express or implied, between any labor organization and any employer engaged in the transportation of persons or property, whereby such employer undertakes to cease, or to refrain from, purchasing, using, selling, handling, transporting, or otherwise dealing in any of the products or services of any producer, processor, distributor, supplier, handler, or manufacturer which are distributed in trade or commerce in any territory of the United States or the District of Columbia, or between any such territory and another, or between any such territory or territories and any State or States or the District of Columbia or with foreign nations, or between the District of Columbia and any State or States or foreign nations, or to cease doing business with any other person shall be unlawful.

"(3) Every person who violates, attempts to violate, or combines or conspires with any other person to violate, the provisions of this subsection shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine not exceeding $50,000, or by imprisonment not exceeding one year, or by both said punishments, in the discretion of the court."

(c) Section 8 of such Act (15 U.S.C. 7) is amended to read as follows:

"SEC. 8. As used in this Act—

"(a) The term 'person', or 'persons', shall be deemed to include corporations and associations existing under or authorized by the laws of either the United States, the laws of any of the territories, the laws of any State, or the laws of any foreign country.

"(b) The term 'labor organization' means any organization of any kind, or any agency or employer representation committee or plan, in which employees participate, and which exists for the purpose in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work, and includes any national or international labor organization or federation thereof, and any conference, general committee, joint or system board, joint council, or parent, regional, State, or local central labor body.

"(c) The term 'employee' shall include any employee and any individual employed by an employer, and shall not be limited to the employees of a particular employer, and shall include any individual whose work has ceased as a consequence of, or in connection with, any current labor dispute.

"(d) The term 'employer' includes any employer, any person acting as an agent of an employer, directly or indirectly, and any person engaged in any trade or industry as a manufacturer, producer, distributor, supplier, carrier, or handler of any article, commodity, or service, and in the case of any corporate employer, includes all subsidiary corporations of the same parent corporation engaged in the manufacture, production, distribution, furnishing, transportation, or handling of articles, commodities, or services of the same kind.

"(e) The term 'strike' means any strike or other concerted stoppage of work by employees (including a stoppage by reason of the expiration of a collective bargaining agreement) and any concerted showdown or other concerted interruption of or interference with operations by employees."

CLAYTON ACT AMENDMENTS

SEC. 3. (a) Section 6 of the Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914 (38 Stat. 731; 15 U.S.C. 17), is amended to read as follows:

"SEC. 6. The labor of a human being is not a commodity or article of commerce. Nothing contained in the antitrust laws shall be construed to forbid the existence and operation of labor, agricultural, or horticultural organizations, instituted for the purposes of mutual help, and not having capital stock or conducted for profit, or to forbid or restrain individual members of such organizations from lawfully carrying out the legitimate objects thereof; nor shall such organizations, or the members thereof, be held or construed to be illegal combinations or conspiracies in restraint of trade under the antitrust laws, except as provided by sections 1(b) and 3(b) of 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, 3, as amended)", and

(b) Section 20 of such Act (29 U.S.C. 52) is amended by—

(1) striking out the word "That" in the first paragraph thereof, and inserting in lieu thereof the words "Except for the purpose of preventing a violation of section 1(b), or 3(b) of 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, 3, as amended)"; and

(2) following the word "And" where it first appears in the second paragraph thereof, insert the words "except for the purpose of preventing a violation of section 1(b) or 3(b) of 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, 3, as amended)"; and

(3) striking out the words "any law of the United States" in the second paragraph thereof, and inserting in lieu thereof the words "any other provision on the antitrust laws of the United States".

JURISDICTION OF COURTS

SEC. 4. The jurisdiction of courts sitting in equity to prevent and restrain violations of sections 1(b) and 3(b) of the Act entitled "An Act to protect trade and commerce against unlawful restraints and monopolies, approved July 2, 1890 (26 Stat. as amended; 15 U.S.C. 1, as amended), as amended", in this Act, shall not be limited by the Act entitled "An Act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity and for other purposes, approved March 23, 1932 (U.S.C., supp. VII, title 29, sec. 101–115)".

SCOPE OF JUDGMENTS

SEC. 5. Whenever a judgment for damages is granted against a labor organization under section 4 of an Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes (38 Stat. 731; 15 U.S.C.A. 15)", collection of such judgment shall be limited to the assets owned or controlled by such labor organization; and such judgment shall not be enforceable against any individual member.

NONEXCLUSIVE REMEDIES

SEC. 6. The provisions of this Act and the remedies provided herein shall not be exclusive, but shall be in addition to any other statutory provisions and legal or statutory remedies provided for protection against the same or similar actions under any law of the United States or of any State.

SEPARABILITY

SEC. 7. If any provision of this Act, or the application of such provision to any person or circumstances, shall be held invalid, the remainder of this Act, or the application of such provision to any person or circumstances other than those as to which its application is held invalid, shall not be affected thereby.

EFFECTIVE DATE

SEC. 8. The amendments made by this Act shall take effect on the first day of the fourth month beginning after the date of enactment of this Act.

PROHIBITION OF STRIKES BY EMPLOYEES IN CERTAIN STRATEGIC DEFENSE FACILITIES

Mr. McCLELLAN. Mr. President, I ask unanimous consent, out of order, to introduce the second bill, on behalf of myself and the Senator from Florida [Mr. HOLLAND], the Senator from North Carolina [Mr. ERVIN], the Senator from South Dakota [Mr. MUNDT], the Senator from Mississippi [Mr. EASTLAND], the Senator from Arizona [Mr. GOLDWATER], the Senator from Virginia [Mr. ROBERTSON], the senior Senator from Mississippi [Mr. STENNIS], and the Senator from Nebraska [Mr. CURTIS].

I ask unanimous consent that, without prejudicing any Senator's rights, the bill be received and remain on the desk for 10 days to give an opportunity to other cosponsors to join if they desire to do so.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the bill will be received and appropriately referred; and, without objection, the bill will be held at the desk as requested by the Senator from Arkansas.

The bill (S. 288) to prohibit strikes by employees employed in certain strategic defense facilities, introduced by Mr. McCLELLAN (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

Mr. McCLELLAN. Mr. President, I wish to address some remarks to these measures. The first one I have introduced is a bill to amend the antitrust laws so as to prohibit certain activities of labor unions of the transportation industry in restraint of trade, and for other purposes.

As I introduce this measure and as I shall discuss it, I hope Members of the Senate will bear in mind that its provisions, and what it seeks to do, are badly needed at this hour in the protection of our country, in prohibiting all undue interference with our commerce and transportation in this country, and for the prevention of economic suffering, as well as human suffering, which is flowing from conditions that prevail today, all of which are destined to become more intense and more severe until the devastating strike which is now in progress shall have ended and the transportation system on the docks of the eastern coast shall have returned to normal operations. This is the same bill which I introduced originally on September 19, 1961, during the 1st session of the 87th Congress, and which became, in the previous Congress, S. 2573.

For the information of Senators and other persons who may be interested, I have prepared a concise factual analysis of the bill. I shall read a part of that analysis; I may desire to place the rest of it in the RECORD.

This is a bill to amend the antitrust laws to prohibit certain activities of labor organizations in restraint of trade, and for other purposes.

The bill, to be known as the "Antitrust Laws Amendments of 1963," would amend the antitrust laws—the Sherman and Clayton Acts—to prohibit certain activities by labor unions which may have the effect of restraining trade or commerce in industries engaged in the transportation of persons or property among the several States and territories and with foreign nations.

Let me say at the very outset that this is not a coverall bill. The major provisions of the bill apply strictly to transportation unions when transportation in interstate commerce is involved.

I have introduced the bill, and I am making this explanation of it now, because I do not believe that any leader of any labor union, any group of labor leaders or officers of any union or unions, or any combination thereof, should have the power absolutely to tie up transportation in interstate commerce, and continue to tie it up, irrespective of the inconvenience, hardship, and suffering that such a tieup entails.

I believe there are times and circumstances in these cases when the public interest and the welfare of human beings who are in no way parties to the dispute—who are helpless victims of its consequences—have a higher right and a stronger appeal to the Government to do something about the situation for their protection than do those who impose the hardships, who use their power and force to settle the dispute between themselves, irrespective of who is right or wrong in the dispute, and who let the consequences and effects of the dispute flow to those who are innocent, helpless, and powerless to prevent them.

I do not know that everyone agrees with me; but I believe a government of integrity, a government of civilized people, having the power which it has, power derived from the people themselves, has not only the responsibility but also the duty—and I think it can find a way—to resolve such labor disputes and controversies; a way to adjudicate them and resolve them without resort to the continued force of economic power to bring about a settlement. The Government provides courts and similar tribunals to settle other controversies which arise, even controversies between the Government and its citizens.

Some progress has been made in this area. The Taft-Hartley Act provides for a temporary injunction, in certain cases, for 80 days. It is called a cooling-off period. It is provided in the hope that the parties themselves might use the opportunity to consider the issues calmly, weigh them, resolve them, and settle their own disputes, but not to do so at the expense of the suffering that a work stoppage in the industry would entail.

However, we have found from experience—and we are now having such experience—that such a provision is not always adequate. It is proving to be wholly inadequate right now to protect commerce, industry, the economy, and the welfare of human beings. The 80-day injunction period was employed in the east coast dock strike. It was observed. The injunction was enforced for its 80-day period. A settlement of the strike was not achieved. At the end of 80 days, the strike was resumed. Today, losses are occurring—losses of wages, losses of profits, and losses of commerce. Perishable goods are being destroyed. The costs of commodities are rising. The little family having a little budget today is having to pay a much higher percentage for certain necessities of life by reason of the strike; and today, under existing law as I now speak, the Government is powerless to move.

We need some law. Perhaps this is not the best proposal; but action is needed. Congress has the power to enact such a law. It is the duty of Congress to enact it. If this approach is the wrong one, let us find the right one.

Under existing Federal law, as construed by the courts, labor unions are, for all practical purposes, wholly immune from the prohibitions of the Federal antitrust laws. The sole exception is the rare situation in which a labor union combines or conspires with an employer to engage in conduct which the Sherman Act or the Clayton Act, as construed, now makes unlawful when engaged in by employers.

Mr. President, a moment ago I said the Government is now powerless. If it is not powerless, it should be acting. The fact that it is not acting with authority clearly demonstrates and confirms exactly what I am saying, namely, that the Government is without such power. Congress has not given it such power. Oh, yes; the Government can send representatives of the Labor Department to talk with both parties, to argue with them, to attempt to persuade them, to make suggestions, to submit proposed compromises. The Government can do that, however, without any law. But I am talking about a law which will give the Government some power to step in and to say, "This dispute has reached a stage where the public interest and the welfare of human beings transcend the private, personal interest of either of the parties to it."

The bill amends section 1 of the Sherman Act, to make it unlawful for any labor union as defined in the bill, acting in concert with any employer, as defined in the bill, or with any other labor union, even if it is a sister local of the same national or international union, to call for or to engage or participate in any strike or any other form of conduct such as picketing, blacklisting, boycotting, placing on an unfair list, refusing to patronize, using threats, coercion or violence, if such conduct is directed against any employer, first, who is engaged in the business of transporting persons or property between two or more States or between any State and any foreign nation; and, second, if the effect of such conduct may be to restrain transportation of this type substantially—that is, where it may reduce appreciably the availability of this type of service to the public.

The bill further amends section 1 of the Sherman Act by outlawing every form of hot-cargo agreement between a labor union and an employer engaged in the business of transporting persons or property between States or between any State and any foreign nation.

Violations, attempts to violate, or conspiracies to violate the foregoing provisions would be misdemeanors punishable by a fine not exceeding $50,000, or by imprisonment not exceeding 1 year, or by both.

The bill amends section 3 of the Sherman Act by adding to that section the identical provisions described above with this sole difference—that the employers protected against the prohibited conduct are those engaged in the transportation of persons or property in any territory of the United States or in the District of Columbia, or between any territory, State, foreign nation, or the District of Columbia. This separate treatment for employers operating in the territories or the District of Columbia is identical with the separate treatment given such employers in the existing provisions of the Sherman Act.

The bill amends section 8 of the Sherman Act, which defines the term "person," by adding definitions of the terms "labor organization," "employee," "employer," and "strike."

All of these definitions, except that of the term "strike," are based, with some necessary modifications, on the definitions in the Taft-Hartley and Landrum-Griffin Acts. The term "labor organization" is defined broadly so as to include any organization in which labor unions participate for any purpose which has a concrete bearing on the relations between labor and management in the field of collective bargaining and its necessary accompaniments. Thus, it includes not only unions which directly engage in such bargaining, but also any organization to which labor unions belong, or in which they participate, such as a State federation, a district council, or a central labor body, which plays any role, even if indirect, in collective bargaining or in connection with strikes, boycotts, blacklists, unfair lists, or any other type of union activity designed to make the unions' collective-bargaining activities more effective. The approach involved here is that used in the definition in the Landrum-Griffin Act, but broadened so as to include labor organizations which the Landrum-Griffin Act fails to cover, such as State or local central bodies.

The term "employee" is defined substantially as it is in both the Taft-Hartley and the Landrum-Griffin Acts, to mean any employee of any employer, including employees who are on strike. The definition omits the limitations which are in the Taft-Hartley and Landrum-Griffin Act definitions, and which are appropriate only to those statutes.

The term "employer" includes all employers in the dictionary sense of that term, any agent of an employer, any manufacturer, producer, distributor, supplier, carrier, or handler of any article, commodity, or service, and any subsidiary of a parent corporation performing the foregoing functions. It is broader than the definitions in Taft-Hartley and Landrum-Griffin Acts, because it does not include the exemptions contained in those statutes.

The term "strike" is defined to include any concerted stoppage, slowdown, or interruption of work by employees.

The bill amends section 6 of the Clayton Act, which provides that labor unions shall not be held to be illegal combinations or conspiracies in restraint of trade, by adding language denying this immunity to unions which have violated the new provisions which this bill would add to the Sherman Act, and which have been described above.

It also amends section 20 of the Clayton Act, which, subject to certain qualifications, limits the authority of Federal courts to issue restraining orders and injunctions in labor disputes and against certain conventional types of union activity, by removing such limitations on the judicial power in cases involving violations of the new provisions which this bill would add to the Sherman Act, as described above.

The bill also contains a provision which would remove the restrictions on the jurisdiction of Federal courts under the Norris-La Guardia Act in cases involving labor disputes, where the case brought before a Federal court involves a violation of the new provisions added to the Sherman Act by this bill, and as described above.

The bill specifically provides that the collection of any judgment granted against a labor union under section 4 of the Clayton Act shall be limited to the assets owned or controlled by such union, and that such judgment shall not be enforcible against any individual member of the union.

And, finally, there is in the bill a provision which prevents the Federal Government from preempting this field of law by providing specifically that the bill's provisions and remedies shall not be exclusive, but shall be in addition to any other provisions and remedies in the same area which are available under any other Federal law or under any State law.

Mr. President, I point out that, if enacted, the bill would actually be merely supplemental to existing statutes. The President of the United States would still be free, and the courts would still have the power to impose the injunction provided under the Taft-Hartley law. As in the dock strike, that procedure could be tried for a period of 80 days, to give those involved an opportunity to settle their own affairs, to resolve the issues themselves and between themselves, and thus avoid a work stoppage that would cause hardship to flow throughout a large area of our country and to the citizens thereof.

Mr. President, I do not present the measure merely to get a little legislative exercise. I am presenting it today at a time when a critical situation is moving rapidly toward a national crisis. How long can the strike continue with the Government powerless to act? If I am mistaken about the power of the Government to act, I hope Senators will correct the RECORD for me tomorrow, because I expect to speak most of the afternoon. I should like to have Senators correct the RECORD if I am in error. If the Government has power to act now in the dock strike without new legislation, without further law, I would like to have that fact placed in the RECORD. Then, of course, I would like to see action taken, because I believe it is time for action.

If I am right, and if the Government does not have the power to do anything about the strike, I should like to have those who agree with me that we ought to give the Federal Government some power to do something about the situation join me in sponsoring the proposed legislation, or make suggestions as to a better way to do it. I do not think that we can meet our responsibility and measure up to those standards of statesmanship that the exigencies of the situation demand by doing nothing. Perhaps we can, but I do not think so.

Mr. President, an examination of the foregoing analysis will clearly show that this proposed legislation would apply the antitrust laws in a limited way to certain activities of labor unions in the transportation industry only. It would amend sections 1 and 3 of the Sherman Antitrust Act and would also make appropriate amendments to the Clayton and Norris-La Guardia Acts to restore the authority to the Federal courts to protect the public by restraining violations.

It will be noted, Mr. President, that the effects of this proposed law would be limited strictly to the transportation industry. I have restricted its application and effects to labor organizations in the transportation industry purposely and with the intent to deal with a problem that is immediate, the danger of which is increasing hourly and the dire consequences of which are even now becoming clearly evident and will soon be intolerable.

Every strike in the transportation industry, even the most insignificant one, has some undesirable side effects; every such strike burdens or injures someone who is not a party to the dispute. Of course, the more nearly the effects of a strike—of any strike—can be confined to the participants only, the less harm and injury results to others who are not involved in the labor dispute and the less concern such strike may be of public law.

It would be tragic enough if the harm, injury, inconvenience, and hardships that flow from the strike could be confined to the parties at interest. If they could be confined to that area, surely we would have concern over the situation. We would want to see the strike settled. We would want to see the workers back at work with good wages and good working conditions. But we could more readily take a complacent attitude, so to speak, and say, "Well, let them resolve it."

We cannot do that. Congress and the Government cannot do that, in my judgment—neither wisely nor rightly so—and let the consequences flow to millions who are innocent victims, and who are actually being hurt worse, possibly, than some of those who are engaged in the strike. Those who are engaged in the strike might, by their bargaining arrangements and by possibly obtaining insurance on the part of the management side, have provided themselves with a cushion to tide them over such a situation. But down in the far recesses of the trade area served—and shipping serves to some extent throughout the Nation—there are those today who are suffering economic loss. There are those

who are out of jobs. They cannot help it, or do anything about it. They must look to their Government for some kind of remedy.

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

Mr. McCLELLAN. I am very happy to yield to my distinguished friend from West Virginia if I may do so without losing my right to the floor.

Mr. RANDOLPH. I am grateful for the cooperation of my very diligent colleague in allowing me not to question him on the provisions of the proposed legislation, but to make what I believe to be an appropriate comment in reference to the possible tragic consequences which prolonged strikes oftentimes bring to bear upon those persons who are not parties directly at issue.

In the State of West Virginia we export large quantities of very fine fruits, particularly apples. I am importuned, and understandably so, by the apple growers of our State to urge vigorous strike settlement action because of the failure to move these products in export trade. Their plight is due to the difficulty which now exists as a consequence of the dock strikes along the eastern and the southern sea coasts. Also in connection with the export of bituminous coal we are faced with the stoppage of movement of this vital fuel from West Virginia mines into world markets where shipping is involved in its distribution. Thus, the Senator from West Virginia is cognizant of the impelling reasons why it is necessary for all Senators to give very careful consideration to the problems which are properly brought to our attention during this presentation by the Senator from Arkansas today. I would wish the record to indicate that I have discussed this very imperative problem with the Secretary of Labor, Mr. Wirtz.

It is factual for me to report that, as I counseled with him I was fully cognizant of the fact that he has a very grave sense of responsibility for a needed and anticipated solution fair to both labor and management. There is a clear inference that tragic implications could result not only for the parties directly in conflict but, also, for the general well-being of our citizens and the sustaining of our economic base if the strike continues.

It is conceivable that, within the Committee on Labor and Public Welfare, on which I have a responsibility to serve, this problem can come to that crossroad at which, perhaps, prompt consideration of legislative solution would be necessary. Very possibly Congress would be called on to supply an effective answer which, of course, would merit thorough discussion. This is being done this afternoon from the standpoint of our colleague, the distinguished Senator from Arkansas.

The thoughtful consideration of all Members of this body must be directed toward equitable measures in the areas of both legislative and administrative action.

Mr. McCLELLAN. Mr. President, I thank my distinguished friend for his contribution to this discussion. I think he is experiencing, and possibly more so than some others of us, the petition of his constituents for some relief and some assistance with respect to the economic losses they are sustaining, because they cannot ship their products to market.

We have a similar problem in Arkansas. The Senator mentioned apples and coal. One of the things particularly involved in my State is rice. I note that with respect to a number of products the cost has gone up considerably to the ultimate consumer in various areas because of the shortage of the products. I point out that we are not discussing only the fellow who owns the business and who may be suffering the loss of profits. We are also discussing the housewife, who has a budget responsibility of trying to make the $2 an hour which her husband is receiving at the factory or somewhere else stretch out enough to feed the family and to clothe them. Those people ultimately suffer the most, I think.

As I have tried to say, this is not my problem alone. It is a problem which should command the attention of all of us. Whether what I am suggesting is the right approach or not, there needs to be an approach, and an immediate approach. I do not think we can meet our responsibility by sitting here doing nothing about the problem for a very great length of time.

A shutdown of any major part of transportation, even in one community, can immediately become a public disaster.

The vital importance of our Nation's transportation system can be more readily appreciated when we stop to realize that today our modern industrial society is so complex and its activities so interrelated and interdependent, that our people, in large part, are dependent for the necessities of life upon the continuing operation of our transportation facilities. It is upon the continuous and uninterrupted operation of those various facilities that each metropolitan community must depend for its food and fuel supplies—for the operation of its factories and business establishments—and for the dispensing of essential health and sanitation services.

Also as we reflect concerning the indispensable functions which our transportation systems perform in the day-to-day activities of every metropolitan community, we must not overlook the vital role which our transportation industry occupies in relation to our national defense effort. Our transportation systems provide the crucial link in the vast industrial complex which is engaged in the development, construction, and installation of our entire defense establishment.

Mr. President, the other bill which I introduced a while ago, and which I shall discuss, deals specifically with our defense establishments with respect to work stoppages, and strikes that do injury to our national defense effort.

Thus it can be readily understood that a disruption in the operation of any one of our major forms of transportation can pose a danger and a menace to the health, well-being, and safety of every community and to even the military security of the Nation itself.

It becomes clearly apparent, therefore, that whoever would hold in his hands the power to control or stop the operation of the transportation facilities, or any substantial segment thereof, in a community or in the Nation, would thereby have in his grasp the power to impose economic chaos and untold hardship on the people—yes, and more, the power to bring the Nation to the brink of disaster.

Such power is not possessed by any representative of our Government—it is not granted even to the President—under our Federal Constitution. It is not possessed by any business entity or any representative thereof. Since 1890 our Federal antitrust laws have provided for the imposition of heavy fines and prison sentences upon any representative of business who sought to acquire or to exercise such monopolistic power and control over transportation; and, in addition, any attempt to accomplish such a purpose would immediately subject such business representative to restraint and injunction by our Federal courts.

Such power does exist, however, and it is to be found in only one place. It is now lodged in the hands of the leaders of labor unions in the transportation industry. Yes, they and they alone possess such power—power which no other segment of our society, not even our Government, is possessed of under our Constitution and the laws of the land.

Yes, these union leaders, and they alone, are legally free to possess and to exercise this exorbitant power. They know that so far as existing Federal law is concerned they are—at most—in some circumstances, subject to an 80-day restraining order under the national emergency provisions of the Taft-Hartley Act. They also know that after the termination of that 80-day period they are free to resume their strike or work stoppage.

That is exactly what has occurred in the dock strike, Mr. President.

Yes, insofar as existing Federal law is concerned, there is little to impede their exercise of the overwhelming and frightening power which they possess—power with which even one of their unions acting alone can bring to a halt a vast segment of the Nation's industry.

These union leaders know, too, that there is nothing in existing Federal law which would forbid or prevent the leaders of the various unions, or any segment of them, from merging and combining their respective groups and thereby achieving a concentration of power so vast and exorbitant as to insure the strangulation of all resistance to any of their demands or objectives.

The danger that such mutual pacts or arrangements may be entered into and effected between them, is more than a mere possibility—it is in fact an active and persistent threat which has already been publicly announced. For the past several years, men in control of international unions which dominate several forms of transportation have been planning and striving to achieve a combination, a federation, or an overall

understanding and working arrangement for mutual help, whereby the unions, party to such an alliance, would cooperate, lend mutual assistance and support to each other in labor disputes, and act in concert in applying power pressure to impose their will and to attain their objectives.

Thus, by forcing all forms and systems of transportation, under the heavy hand of a single union czar, or even under the dominant power of just a few men, the public more quickly could be brought to a state of helpless desperation in any situation involving an interest of or controversy with these unions. Confronted with such exorbitant power, the affected employers and the public might well find themselves with no alternative to abject surrender and submission to whatever oppressive demands an arbitrary and dictatorial union leadership might decide to impose.

Early in 1960 an editorial appearing in the Chicago Daily Tribune discussed Mr. James Hoffa's plan to form an alliance of all transportation unions, land, sea, and air, and quoted him as saying:

> You cannot have a one-city strike anymore, or a strike in just one kind of transportation. You have to strike them all.

Mr. President, that has not yet occurred, but do not count it an impossibility, and do not regard it as an improbability, unless there is halted a certain force and influence in this country now conspiring to bring about a consolidation of power which would enable it to do it. That is its ambition. That is its goal. And it has not been stopped yet. It is still on the march.

And Harry Bridges, president of the West Coast International Longshoremen & Warehousemen's Union, was quoted in an interview reported in the Wall Street Journal—August 22, 1957—concerning a proposed alliance that would join Hoffa's Teamsters Union, Bridges' International Longshoremen, and the East Coast International Longshoremen's Association in a triparty alliance, as saying that:

> There's one thing I know, if the Teamsters and the two dock unions got together they'd represent more economic power than the combined AFL–CIO.

That was after the Teamsters had been expelled from the AFL–CIO. And, of course, Bridges' union is not affiliated with it. He is pointing out that, if those unions could get together, they would have more power than the whole combination of unions in the AFL–CIO.

In the same interview Mr. Bridges was quoted as stating, speaking with reference to the labor organizations he referred to:

> They are so concentrated, an economic squeeze and pressure can be exerted that puts any employer in a very tough spot and furthermore puts the U.S. Government on a tough spot.

Why, Mr. President, they do not even have to wait to get the combination of the three of them acting in concert. One of them acting in concert with its locals up and down the Atlantic coast has today paralyzed substantial commerce in that whole area.

Should that right exist? Should that power be possessed? The Government itself does not have that power. The President of the United States has no constitutional power to issue an edict to the transportation facilities and businesses of this country and say, "You shall not transport goods by plane, truck, railroad, or water, for shipment on the east coast." Yet that power today is reposed, for all practical purposes, in the hands substantially of one man, and it is being exercised—a power that transcends the power of the Government itself under existing law.

The Taft-Hartley law has been expended. Its power, its force, its restraining effect, to its limit, has been expended. The Government has the power to use that law. It has used it. It is gone. The Government cannot move further. Congress has not provided it with any further power. I think it is time to do it, and this bill would do it.

The mere attempt on the part of any representatives of business to achieve an analogous monopolistic alliance or merger of their respective organizations would immediately subject them to all the restraints and penalties provided for the violation of our existing antitrust laws that have been enacted for the protection of the public.

Business cannot do it. The Government cannot do it. Who can? A labor leader who has dominance and power over his men to compel compliance with his orders most assuredly can.

But we should not wait to become concerned, until these ambitious labor leaders have achieved cooperative and mutual assistance alliances between their respective organizations. Already these leaders, individually, possess exorbitant power with which any of them can, for any reason which might suit his whim or fancy, bring to a halt vital segments of our transportation industry.

I know about the motion that is pending now. Which is causing the more suffering among our people at this hour, the lack of a cloture rule, to permit a majority to cut off debate, or the lack of adequate laws to deal with a national menace and threat to our security? Which is more important? We may spend several days talking about the motion to take up the resolution, while this power exists and is being exercised to strangle more and more the commerce of our country. The great majority of the population of the United States is affected by the strike. Those who are involved and those who suffer are the humble citizens, who are helpless and powerless, except as they look to us in Congress and to this Government to act.

We are not going to act today or tomorrow on this matter. We should not act hastily, of course. We ought to be deliberate about it and do something about it. I do not say the bill I am introducing is perfect and that it is the only answer. However, I do say that the Senate at this hour could be engaged in something of greater service to the country and its people than debating a resolution to cut off free debate.

I am not talking about imaginary things. I am talking about a reality which exists on the horizon at this moment. It is there for anyone to see; and that it is there no one will deny.

The International Brotherhood of Teamsters, the largest union in the transportation field, is powerful enough by itself to put a stranglehold on our national economy by the calling of a nationwide strike.

I shudder to think what the consequences would be and what suffering would be imposed once that were done. I know it is true that Mr. Hoffa stated in his "Meet the Press" interview on July 9, 1961, that while he could as head of that union call a nationwide strike of the Teamsters, he does not intend to do it—that he would not do it. Is it safe for this country to take his word? It is very nice to have that reassurance; but I would rather have, and I believe the American people would rather have, some law to rely upon for protection, rather than the mere word of the head of the Teamsters Union. If I thought I could rely on his word better than I can on the law of the land, I might not sponsor such legislation as this. Until I believe I can rely on that word more than I can rely on the law of the land, I am going to contend that the law is needed. This statement by Mr. Hoffa is a direct admission by him that the power is present, that it is reposed in him and that he can use it if and when he will. That compelling power—power to compel obedience to his will—should not be entrusted to Mr. Hoffa or permitted to remain in his possession, in the possession of any man, or in the possession of his international union, or any other international union.

Nor is Mr. Hoffa the only union leader who is possessed of such power. All of us, as I have pointed out, are aware of the current strike of the International Longshoremen's Association which has paralyzed all shipping along the east coast of the United States and the Gulf of Mexico.

Oceanborne commerce of the United States from Maine to Texas, serving three-fourths of the population and production of our country is now at a complete standstill.

The strike is having a tremendous impact on the country's economy. So complete is the paralysis of the struck shipping ports, that our railroads have been forced to institute an embargo against all rail shipments to our east and gulf port cities in order to prevent a choking pileup of goods on the railroad sidings and on the waterfront.

I do not wish my words to be the only source of information for those who may read the RECORD. Therefore, I ask unanimous consent to have printed in the RECORD at this point, as a part of my remarks, an article in today's Washington Daily News entitled "Strikes Idle Over 100,000."

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

STRIKES IDLE OVER 100,000

More than 100,000 workers were idled across the land today by transit, waterfront,

newspaper and other strikes affecting millions of persons.

A million Philadelphia commuters had to find other means of transportation. In Kansas City, Mo., 100,000 bus riders faced a possible strike.

Millions still were without a local newspaper to read, in New York, after 40 days, and in Cleveland, after 47 days.

An Administration official hinted at possible White House intervention in the waterfront strike that paralyzed shipping from Maine to Texas.

The 5,600 members of the Transport Workers Union, AFL–CIO, walked out yesterday against the Philadelphia Transportation Co. over management's insistence on eliminating a "no-layoff" clause which permits dismissal only for incompetence.

Leaders of the Transit Workers were to meet today in Kansas City to decide whether to call a strike. Gov. John Dalton seized the company when workers went on strike 14 months ago, but the Missouri Supreme Court freed the firm yesterday.

In New York, Assistant Secretary of Labor James Reynolds told negotiators for the striking International Longshoremen's Association and the New York Shipping Association that he will ask President Kennedy to take action unless there is "substantial progress" in negotiations today.

In New Orleans, the New Orleans Steamship Association filed charges against six ILA locals, accusing them of refusing to bargain in good faith. A local president denied the charge.

FOREBODING

City officials said an extended strike would mean economic disaster.

Eight newspapers have shut down and a ninth has suspended publication in New York City. Bertram A. Powers, head of striking International Typographical Union Local 6, led a demonstration by strikers and sympathizers outside New York Times offices. Printers and publishers hold their first joint session of the week today.

Cleveland Mayor Ralph Locher said significant results came from talks between the Newspaper Guild and publishers of the morning Plain Dealer and the evening Cleveland Press in the strike also involving the Teamsters who struck November 29, 1 day before the Guild.

Members of nine unions made plans to start publishing a newspaper five times weekly starting Monday. The unions estimated a press run of at least 120,000 the first day.

Mr. McCLELLAN. Mr. President, I also ask unanimous consent to have printed in the RECORD as a part of my remarks a very brief article appearing on the front page of the Washington Daily News of yesterday, entitled "Dock Strike Hikes Sugar Price."

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

DOCK STRIKE HIKES SUGAR PRICE

NEW YORK, January 15.—The dock strike has curtailed sugar refinery operations on the Atlantic coast, trade circles said today. East coast refineries depend entirely on imported crude sugar. The strike also has forced the price of refined sugar on the east coast to the highest level since 1923.

Mr. McCLELLAN. Mr. President, I stated a short time ago that because of the rise in the price of commodities, the working people of this country, those who must try to manage a budget to accommodate the needs of their family, are beginning to suffer. I ask unanimous consent to have printed in the RECORD at this point a paragraph from the Washington Evening Star of January 15, 1963, entitled "Where There Is No Toil."

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

WHERE THERE IS NO TOIL

President Kennedy was gracious in his state of the Union message in saying that the Congress and the people have given in good measure the toil and dedication which he asked of the Nation when he took office 2 years ago. It is unfortunate that he did not mention one notable exception of the moment—or, more exactly, of more than 3 weeks past—in the case of the commercial waterfronts from Maine to Texas.

For on those docks there is no toil—except by foreign flag line crews and passengers attempting to make the best of an intolerable situation—while American longshoremen neither work nor really bargain, and American ships stand idle at the piers. The members of the International Longshoremen's Association, estimated at about 60,000, are on strike—although in some ports they have indicated they are not very happy about it. But more tens of thousands of seamen, of truckers serving the ports, and of others affected by a shutdown in shipping also are out of work. Our own goods for export are not being exported, our demands for imports are not being met. To banana growers in South America, to automobile makers in western Europe, and to others abroad, the paralysis of our eastern ports is costing jobs and money—just as it is right here in the United States.

All of the procedures of the Taft-Hartley Act were exhausted before Christmas, and to no avail—as was generally predicted when they were invoked in October. Federal mediators from the Department of Labor and from the Conciliation Service have held fruitless talks with both sides, separately and jointly. ILA President William V. Bradley says "everything is the same," and AFL–CIO President George Meany said after seeing Mr. Kennedy at the White House last week that there is no solution in sight. There have been rumors that the administration would ask for legislation stronger than the Taft-Hartley Act, perhaps the right to enforce compulsory arbitration in disputes of such broad impact. Mr. Kennedy said nothing of this yesterday.

It is getting late on the waterfront, and what happens on the waterfront has a lot to do with the overall economy, our international trade, and the balance of payments. As Mr. Kennedy said, "Nothing our opponents could do to encourage their own ambitions would encourage them half as much as a lagging U.S. economy." The added crippling of our foreign trade and worsening of our balance-of-payments problem must offer further encouragement to our opponents abroad.

Mr. McCLELLAN. Mr. President, I also ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an article entitled "Strikes and the State of the Union," written by David Lawrence and published in the Washington Evening Star of January 15, 1963.

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

STRIKES AND THE STATE OF THE UNION

(By David Lawrence)

President Kennedy's annual message to Congress is inaccurately entitled "The State of the Union." For Mr. Kennedy omitted reference to some of the most important subjects confronting America today, particularly how the national economy shall be saved from disintegration due to the monopoly power being exercised by a bloc of labor unions. Millions of people in two major cities—New York and Cleveland—have had their newspapers suppressed. Financial losses to persons in business and to individuals out of work are heavy and are irreparable.

Nor did the President mention the strike that has tied up shipping for more than 3 weeks now in the ports of the east coast and the Gulf of Mexico. Senator EVERETT DIRKSEN of Illinois, Republican leader, at least introduced a bill the same day to provide for compulsory arbitration of strikes in the maritime industry.

Not a single word appeared in the President's message, moreover, concerning the plight of the rank and file of American workers who are the victims of a lack of intelligent leadership.

The President has failed to come to grips with what has really been ailing America the last decade or more—the power of a single group to force prices upward, and the inability of the country immediately to absorb such price increases.

Basic economic ailments will not be cured by indifference. Mr. Kennedy in his message talked fluently about the economic development of the countries of Europe and of the problems faced by the underdeveloped countries. He spoke in generalities about social-welfare legislation in this country, but didn't make specific recommendations on many of the worthwhile objectives he mentioned.

The President seemed to think that, by giving his support to a project for the reduction of taxes, he would be winning applause in the country. To promise a tax cut and to achieve one are, however, two different things. The voters will get little comfort out of a tax cut if economic uncertainty prevails and if Government spending continues as indicated, with the prospect of a recordbreaking deficit in the U.S. Treasury next year.

Oddly enough, Mr. Kennedy seemed preoccupied with the idea that the Nation at present may not be taking its problems seriously. He said: "In short, both at home and abroad, there may now be a temptation to relax." One wonders whether the country is, after all, really in a relaxed mood and is indifferent to the dangers both at home and abroad.

As for the young people out of work, Mr. Kennedy seems to be despairing of ways to find productive jobs for them. He appears to be reverting to one of the ideas of New Deal days, when the Civilian Conservation Corps was organized to take care of many of the younger persons who were unemployed. The President thinks that the Peace Corps can do something of the same job. He spoke of the million young Americans who are out of school and out of work and suggests that a domestic Peace Corps of some kind would serve "our own community needs: in mental hospitals, on Indian reservations, in centers for the aged or for young delinquents, in schools for the illiterate or the handicapped." He said all this might enable these young men to serve the cause of domestic tranquillity.

The President had a heading on one section of his message which read: "We need to strengthen our Nation by making the best and most economical use of its resources and facilities." But he did not really delve into this highly controversial field beyond stating that new transportation facilities are needed and that the stockpile of goods, including farm products, must be reduced. In that phrase, "most economical use of American

resources and facilities," is rooted the present-day difficulties of the whole economic system.

The President did include in his address one sentence referring with disapproval to the growing pressures by labor leaders for a 35-hour week. But the reason for the omission of any reference to labor-management difficulties throughout the country is not apparent unless it be that the subject is a highly controversial one and could cost the President votes in 1964.

The labor unions themselves are the biggest single organized group of voters in the country today and contributed not only energy but money to help the President win his election in 1960. Mr. Kennedy not long ago attacked businessmen for trying to raise their prices. Yet he has never taken a positive stand with reference to the extreme demands of labor-union leaders evidenced, for instance, in the big strikes in New York City and other parts of the country.

As long as one economic group can control the American system by fixing costs of production, which inevitably affect prices, there will not be a free-market system in the United States, and the law of supply and demand will not operate effectively to bring prosperity. The Government will find itself compelled to intervene as between labor and management if it really wants to stop recessions. But such intervention will compound the evils of the present-day system unless it is impartial, objective and fair as between the rival forces.

Mr. McCLELLAN. Mr. President, I have quite a number of such articles, but I do not wish unduly to encumber the RECORD. I simply wished to have these articles and editorials printed in the RECORD, so that those who read the RECORD will know that what I have been saying is largely a matter of common knowledge throughout the country.

The paralyzing strike which began early in October 1962 was halted temporarily by an 80-day injunction, which was secured pursuant to the national emergency provisions of the Taft-Hartley Act. Upon the termination of the 80-day injunction period, the Longshoremen's Association and its affiliated local unions, after rejecting President Kennedy's plea to remain at work, renewed the strike on December 23. It has been in progress ever since.

The national emergency provisions of the Taft-Hartley Act having been exhausted, as I have pointed out, there is now no further statutory authority available and in existence that can be used to prevent the excesses of union monopoly power that are now being exercised and imposed by this disastrous strike.

Under existing law, the Government of the United States is utterly powerless to protect the public interest and the people from the devastating consequences to which they are now being subjected as a direct result of the stoppage of the flow of essential goods and commodities through all the eastern and gulf coast ports of our country. No agencies of the Government in the executive departments, nor the courts, now have any effective authority under existing law, to deal with this monopolistic union power that has placed a stranglehold upon a major part of our national economy. The public, unprotected by any Federal law, now is dependent solely upon the mercy of the striking union.

This stoppage of trade and commerce affects far more than just the members of the striking unions and the shipping companies. It also vitally affects the public and the consumer as well as all labor and industry throughout the entire Nation.

(At this point Mr. McGOVERN took the chair.)

Mr. McCLELLAN. Mr. President, what are some of the effects which the public has already suffered as a result of this paralyzing strike? I have just placed in the RECORD some newspaper editorials and comments. I mentioned that newspaper reports several days ago quoted responsible officials as estimating losses in wages and revenues in the struck ports as already nearing the one-half billion dollar figure. Based on that, I should say that the losses which have been sustained to date are approaching $1 billion.

At the time that figure was given, it was also pointed out that the longshoremen in the port of New York alone—not the longshoremen in all the ports on the Atlantic coast, but in the port of New York alone—were losing an estimated $600,000 a day in wage and fringe benefits, and that commodity dealers reported millions of bushels of grain and thousands of tons of rice, flour, edible oils, and other commodities backed up at ports for export, with no transportation to accommodate it. Who is losing? The whole Nation is losing.

It is expected that tomorrow or the next day the President will submit his annual budget to Congress. I think it may be said with reasonable certainty that the budget will indicate another deficit for the next fiscal year. Yet when we read about losses as a result of the longshoremen's strike, we know that they affect the revenue of the government, and thus the expected deficit will be further augmented and increased by reason of the inability of our producers to get their products to market, due to a work stoppage which prevents the shipment of their goods.

Bananas are becoming increasingly scarce. They were quoted several days ago at $5.25 a 40-pound box in Chicago wholesale markets, up from $3.75 just 2 weeks ago. Who pays for the difference? It comes out of the family budget.

Wholesalers report that shortages of Louisiana, Texas, and Arkansas rice are also developing in large eastern cities because of a lack of transportation to replace normal coastline water transport.

United States Steel Corp. says it has 17,000 tons of steel products waiting to be exported at struck port cities and another 12,000 tons marked for export at mills or en route to ports. Who is affected by that? If those products cannot be marketed, the people who work at the mills which produce the steel will be hurt. The company cannot operate; it cannot produce. It cannot manufacture if there is no market for its products. If it cannot get those products to the markets which are in existence, the results are the same.

The Association of American Railroads estimated that some 14,000 railroad cars loaded with cargo for export, and tied up at port cities since the strike began, have cost the railroads more than $3 million in lost revenues. Whatever part of that amount is profit, the Government would have received about half of it in taxes.

The strike is also having a serious impact on the economy of Puerto Rico. The secretary of labor of Puerto Rico was quoted in an article published in the Wall Street Journal on January 3 as stating that 100,000 workers would have to be cut from industry payrolls if the strike were not settled soon. I do not know how many have actually been cut from the payrolls, but obviously the number has been large. Another unidentified government spokesman was quoted as saying that Puerto Rico had food on hand sufficient for only one month and that food rationing appeared to be a certainty if the strike continued.

The responsibility for permitting the continuation of the threat and menace of which I speak is in my judgment, primarily in the Congress of the United States. If we are to be freed of this threat and this menace to our well-being and to our Nation's security, Congress must act.

Congress has not only the authority; it has the constitutional duty to enact such laws as are necessary to protect the public interest and insure the security and well-being of the Nation. This bill, which I have introduced, if it were enacted into law, would make abuses of power by labor unions and their leaders in the transportation industry, such as I have referred to, subject to restraint and to penalty under our Federal antitrust laws. It would restore to the Federal courts the power to enjoin paralyzing strikes which threaten the welfare of the public and the security of the Nation.

Where the well-being and security of this Nation and its people are at stake, can there be any reasonable objection to the enactment of legislation which would merely provide that abuses of power, such as I have described, shall be subject to restraint and penalty when committed by leaders of unions in the transportation industry, to the same extent and to the same laws which prohibit such activities by business organizations and their representatives.

I emphasize that our people, the innocent victims of strikes, can be hurt just as badly, and the Nation's security can be threatened just as seriously, when abuses of power resulting in the disruption of our transportation facilities are committed by the labor unions and labor leaders, as they would be if such abuses were committed by business organizations and their representatives. Our people and the Nation are entitled to protection from those abuses of power regardless of the source from which they come.

It does not matter to the fellow at the end of the line, who is getting the brunt of the boom, whether he has been hurt

by a labor organization or a combination of business interests operating in restraint of trade; the effects are the same.

The vast power which these union leaders possess today, and which enables them to exercise arbitrary dominance over the economic sphere which they control, is the same kind of ruthless power which—before they attained it—"labor itself so long, so bitterly, and so rightly asserted, should belong to no man."

The legislation I propose would help, I believe, to put an end to this unlimited license now enjoyed by these labor leaders to do anything no matter how wrongful—no matter how dangerous to the public interest and safety, and yet remain immune from restraint, prosecution, or liability, under our existing antitrust laws.

We should no longer by neglect or indifference fail to enact legislation to protect our economy, our people, and our country against actions in restraint of trade that do violence to the principles of right and justice, as well as insufferable injury to the public interest.

If our heritage of freedom is to be preserved, if our Nation is to remain secure, if self-government of our people is to prevail, we must be ever vigilant and we must be strong; we must not permit any force or any organization to achieve domination over our economy or control over our free institutions or to set itself above the law.

I propose this legislation to curb the excessive powers now reposed in these unions and their leaders. I propose that we maintain and defend the supremacy of government over the power and authority of any union or any leader thereof—just as we have done in regard to business.

In concluding my remarks on this measure, Mr. President, I wish to say that I make no contention that the bill I have introduced today will in its present form reach and treat every situation which may cause substantial restraints of trade in the transportation field, and which may be of sufficient importance to warrant legislative attention and relief. It is hardly possible for a single statute to be effective against every evasive practice which later may be devised and attempted in order to nullify its purpose and effect.

I expect this measure to meet with stubborn opposition.

I am not unmindful of the political risks one takes when he insists that we should have a rule of law, not a rule of economic force, in the areas involving the national security and welfare. We need a rule of law to diminish the area of labor disputes in our transportation industries and to protect the public.

I know that what I am doing is not popular politically, but I am persuaded that what I seek to do will protect the American people and will make the Government more secure. I call on my colleagues to join me in this effort.

No one wants to do an injustice to organized labor or to the working people of this country. If I thought this bill would have that overall effect, I would not introduce it. On study and careful consideration, it may well be found that changes and revisions are needed in the language it now contains. It may need some modifications. On the other hand, thorough consideration may well indicate that it needs strengthening.

Anyway, this bill marks an important step in applying the principle of the antitrust laws to restrain the use of excessive union power under certain circumstances in an indispensable industry. The amendments I have proposed in this measure at least provide a starting point for study of this grave problem. I hope public hearings on this measure will be held early in this session of Congress, and that all interests will be given an opportunity to be heard. I shall so request. I invite my colleagues who would do so to cosponsor this measure with me and join me in urging its enactment.

Mr. President, in a moment I shall proceed with my discussion of the other bill I am introducing today.

In concluding my remarks on this bill, which would prohibit paralyzing strikes in the transportation systems of our country, I merely wish to observe that I claim no special knowledge, qualifications, or ability to fathom all the intricate ramifications involved in the human relationship between employer and employee in so vast an industry and system of activity as the transportation industry; but, Mr. President, I do say that I believe—and please remember that I have said it, that I do not apologize for saying it, and that I mean it when I say it today and when I shall say it tomorrow—that there is something lacking in the Government, and there is something amiss about those of us who have the responsibility of legislating for the benefit of our people, if we cannot find a better solution of these strikes, which do so much harm to the innocent, to the helpless, and to those who cannot protect themselves.

Something is wrong if we cannot find a better way of resolving such disputes between the contending powers in interest than by the force of economic power pitted against economic power while the rest of the Nation suffers. It is a reflection upon civilized government that we have not already taken action. I do not maintain that the bill is the only answer, but in my judgment, Congress is derelict in its duty so long as it acts with indifference or lack of compelling interest to cause it to get down to the task of doing something about the problem. Perhaps my suggestion is not the only approach. It may not be the best. But it is time for action.

We have three choices. We might support the measure. We might support a measure equally as good or better, or at least something that would be adequate. Or we might do nothing. I believe we should accept one of the first two courses.

Mr. SCOTT. Mr. President, will the Senator yield at that point?

Mr. McCLELLAN. If I may yield for a question, I am happy to yield. I do not wish to lose the floor, and I ask the Chair to protect my rights in that respect.

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

Mr. SCOTT. Is the Senator aware that in the fourth largest city in the country, my city of Philadelphia, there is in progress a transit strike which has paralyzed our normal central transportation facilities?

Mr. McCLELLAN. I am familiar with it to the extent that reference is made to it in an article in today's Washington News. Am I correct?

Mr. SCOTT. The Senator is correct.

Mr. McCLELLAN. I merely glanced at the article in today's issue of the Washington News. I did not read it in full. The article mentioned several areas in which strikes are now in progress. The article states:

> Some 5,600 members of the Transport Workers Union AFL–CIO walked out yesterday against the Philadelphia Transportation Co. over management's insistence on eliminating a no layoff clause which permits dismissal only for incompetence.

Mr. SCOTT. That is the newspaper reference I had in mind.

Mr. McCLELLAN. I do not know any of the details about the strike. The article is the only information I have about it.

Mr. SCOTT. Without being familiar with the Senator's proposal, and without attempting to pass on the merits of the strike, which I have also heard about from long distance, I wish to echo the concluding thought which the Senator has expressed. We in this country, a civilized people, are far behind in our obligations to the public in not having yet discovered a method by which the fair collective bargaining rights of labor and the rights of management can be in some way protected without working such enormous hardship on the public interest. People entirely innocent of the cause and not directly interested in the merits of the dispute one way or the other are prevented from going about their normal way of life and doing business.

The health facilities of the city are impaired, of course. The necessary visits which often result from someone falling ill in the family and all the other problems which arise seem to me to present in total a situation which indicates that we have not used our best intelligence. I wonder if in fact we have used our persuasion and our legislative intelligence when conditions like this can cause so much damage to innocent parties.

So I make no promanagement speech and no prolabor speech. I am merely expressing concern for what happens to the public interest and to plain ordinary people who apparently have no right to be heard. That is my concern. I am doing it because so many people among my constituents have said to me, "I wish we could find someone in the legislatures of this country who have the courage to speak out on behalf of the public interest."

Therefore, I will read with a great deal of interest and study most carefully what the Senator has said. I thank the Senator for yielding.

Mr. McCLELLAN. I thank my distinguished colleague. If my efforts today and the legislation I have introduced will merely arouse the interest of Senators and prompt them with diligence to go about the business of finding a solution to the vexing problem about which I have spoken, I shall feel that my feeble efforts have been greatly rewarded. I think we can find a solution.

Mr. President, I do not care primarily to be the author of a bill on the subject or any other bill. I am willing to be the humblest Member of this body, dedicated to finding an answer to a problem that an intelligent, civilized government should not permit to continue naggingly to exist. I am not making a promanagement or antilabor speech, as my distinguished colleague has stated in his remarks. I hope my remarks have been directed to the public interest. If it is against the public interest to try to prevent that which injures the public interest, then I am against the public interest. On the other hand, if trying to protect the public interest is a service to that interest, I hope today I have tried to serve it.

Mr. STENNIS. Mr. President, will the Senator from Arkansas yield to me for a question on his bill?

Mr. McCLELLAN. Yes, if I may yield for that purpose without losing my right to the floor. I do wish to discuss the other measure I am introducing this afternoon.

Mr. STENNIS. I appreciate the courtesy of the Senator from Arkansas in yielding to me. I shall be brief.

I believe the Senator from Arkansas has made a noteworthy speech and has presented a compelling argument. I do not understand how anyone could listen to his remarks without being convinced as to the major points and the major needs he has so clearly set forth, and without being willing to have the Senate proceed to the consideration of this very grave problem.

I commend the Senator from Arkansas very highly for his efforts—which are characteristic of him—to begin to reach a solution of this problem.

Furthermore, let me say that I know the Senator from Arkansas speaks in the national interest, certainly not as opposed to labor, as such, and certainly not lacking in human compassion.

I believe that this measure relates to a matter of national importance; and I feel that something must be done about it.

Of course, there are no large ports in Mississippi; but the ports which are located in Mississippi have been partially paralyzed by this strike. Only the other day I noticed that within a few days after the strike began, hundreds of thousands of dollars had already been lost, hundreds of people had been thrown out of employment. Items such as cornmeal were piling up in those ports, and had to be put into warehouses, because the articles could not be shipped to places such as Korea and Formosa. It is unthinkable that basic food items of that kind could not be shipped from small ports such as Gulfport or Pascagoula, Miss.

So I am glad to join the Senator from Arkansas in the sponsorship of this bill.

Mr. McCLELLAN. Mr. President, I shall proceed to the second bill which I introduced this afternoon.

This bill would prohibit strikes by employees employed at certain strategic defense facilities including intercontinental ballistic missile bases.

This is the same bill which I introduced in the 1st session of the 87th Congress and which became Senate bill 2631 in that session.

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

There being no objection, the bill (S. 288) 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,

DEFINITIONS

SECTION 1. As used in this Act—

(1) The term "strategic defense facility" means any facility, institution, or establishment engaged in, or a purpose of which is to engage in, the designing, development, production, testing, firing, or launching of munitions, weapons, missiles, space vehicles, or any part, product, or material essential to such designing, development, production, testing, firing, or launching.

(2) The term "strike" means any organized or concerted cessation, interruption, or slowdown of work as a result of a labor dispute or of the expiration or absence of a collective bargaining contract.

(3) The term "labor dispute" means any controversy concerning terms, tenure, or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, regardless of whether the disputants stand in the proximate relation of employer and employee.

PROHIBITION OF STRIKES

SEC. 2. It shall be unlawful for any person employed at a strategic defense facility to engage or participate in a strike, or for any labor organization or other person to coerce, instigate, induce, conspire with, or encourage any person so employed to engage in a strike.

SETTLEMENT OF DISPUTES

SEC. 3. (a) Upon notice to the Secretary of Defense by any party to a labor dispute involving employees employed at a strategic defense facility, alleging that a labor dispute exists and that the parties have been unable to reach a settlement of the dispute by other means available to them, the Secretary, if he has reasonable grounds to believe that such allegations are true, shall appoint an emergency board for the purposes of such dispute.

(b) An emergency board under this section shall consist of one public member appointed by the Secretary of Defense, and one member designated in writing by each of the parties to the dispute. If either party to the dispute shall fail or refuse to designate its member within one week after appointment of the public member, the Secretary shall appoint such member in the same manner as the public member is appointed. Each member of the emergency board named by the parties to the dispute shall be compensated by the party naming him. Any member appointed by the Secretary shall be paid reasonable compensation for his services in an amount to be fixed by the Secretary, and shall be reimbursed for his necessary traveling expenses and expenses actually incurred for subsistence while serving as a member. When a board appointed under this section has been dissolved, its records shall be transferred to the Director of the Federal Mediation and Conciliation Service.

(c) An emergency board shall have power to sit and act at any place within the United States and to conduct such hearings as it may deem necessary or proper to ascertain the facts with respect to the causes and circumstances of the dispute. For the purpose of any hearing or inquiry conducted by any such board, the provisions of sections 9 and 10 (relating to the attendance of witnesses and the production of books, papers, and documents) of the Federal Trade Commission Act of September 16, 1914, as amended (15 U.S.C. 45, 50), are hereby made applicable to the powers and duties of such board.

(d) A separate emergency board shall be appointed for each dispute. No member of an emergency board shall be pecuniarily or otherwise interested in any organization of employees or in any employer involved in the dispute.

(e) An emergency board appointed under this section shall promptly hold hearings at which the parties to the dispute shall have an opportunity to be present, either personally or by counsel, and to present such oral and documentary evidence as the emergency board shall deem relevant to the issue or issues in controversy. The emergency board shall make written findings of fact and, within sixty days following the date of its appointment, shall promulgate an order adjudicating the issue or issues in dispute. For the purpose of such findings and order an emergency board shall consider only, and be bound only, by the evidence submitted on the record.

(f) In any case in which a valid contract is in effect defining the rights, duties, and liabilities of the parties with respect to any matter in dispute, the emergency board shall have power only to determine the proper interpretation and application of the contract provisions which are involved. Where wage rates and other conditions of employment under a proposed new or proposed amended contract are in dispute, the emergency board shall establish rates of pay and conditions of employment which are fair and equitable to the parties. No order of the emergency board relating to wages or rates of pay shall be retroactive to a date before the date of the termination of any contract which may have existed between the parties. An order of an emergency board shall become binding upon and shall control the relationship between the parties for a period of one year except to the extent modified by mutual consent or agreement of the parties.

ENFORCEMENT PROVISIONS

SEC. 4. The district courts of the United States shall have power, upon petition of the Attorney General, to issue injunctions, restraining orders, or other appropriate process, (1) to enjoin violations of section 2, or (2) to compel compliance with the provisions of any order of an emergency board under section 3. In granting such relief, the jurisdiction of the court shall not be limited by the provisions of sections 6 and 20 of the Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914, as amended (15 U.S.C. 17 and 29 U.S.C. 52) or the provisions of the Act entitled "An Act to amend the Judicial Code, to define and limit the jurisdiction of courts

sitting in equity, and for other purposes", approved March 23, 1932 (29 U.S.C. 101–115).

LISTING OF STRATEGIC DEFENSE FACILITIES

SEC. 5. The Secretary of Defense shall prepare and cause to be published in the Federal Register a list, and any necessary revisions thereof, of strategic defense facilities for the purposes of this Act. In any case in which, for security or other reasons, any strategic defense facility is not included on such list, and a labor dispute occurs or threatens to occur at such facility, the Secretary shall notify the parties to such dispute or threatened dispute that such facility is a strategic defense facility for the purposes of this Act.

SAVING PROVISION

SEC. 6. Nothing in this Act shall be construed to require an individual to render labor or service without his consent, nor shall the quitting of his labor by an individual employee be considered for the purposes of this Act to be a strike.

Mr. McCLELLAN. Mr. President, I believe I have already obtained permission to have the bill lie on the desk for 10 days, so that any of my colleagues who so desire may join in cosponsoring it.

If I may digress for a moment, I wish to ascertain from my colleagues—from whoever may be in charge for the leadership on either side—something with respect to the probable hour of adjournment. I may be able to shorten my remarks, or I can continue them. I thought I might insert some information into the RECORD, without taking time to read it, if it is the will of the leadership that as soon as I conclude the Senate will take a recess.

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

Mr. McCLELLAN. I am glad to yield, with the understanding that I shall not lose my right to the floor.

Mr. STENNIS. The Senator from Mississippi does not know of any other Senator who wishes to speak today. The implication would be that when the Senator concludes his remarks the Senate will take a recess.

Mr. SCOTT. Mr. President, if the Senator will yield with the understanding that he will not lose his right to the floor under the usual assurances, the Senator from Pennsylvania is not aware that any Senator on this side of the aisle has made a request for time to speak tonight.

Mr. McCLELLAN. Very well. If I may, I shall take that as a signal, Mr. President, that the coast is clear for me to conclude my remarks and for the Senate to recess. I shall endeavor to make the remarks brief, in deference to the present occupant of the chair and to my colleagues who are now in the Chamber with me, and to those who attend upon the Senate.

Mr. SCOTT. If the Senator will yield further, with the usual assurances of protection of his right to the floor, it is the hope of the Senator from Pennsylvania that the Senator from Arkansas may be able to enjoy an early dinner.

Mr. McCLELLAN. That is very gracious of my colleague. I shall very deliberately make the attempt to place myself in a position to do so.

Mr. President, for the information of my colleagues in the Senate and others who may be interested I have prepared a concise analysis of this bill and ask unanimous consent that such analysis be printed in the RECORD at this point as a part of my remarks.

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

ANALYSIS

The proposed bill is designed to eliminate strikes at certain types of defense facilities of primary importance to the national defense effort and the national security.

I. DEFINITIONS

Section 1 contains the definitions of the three key terms in the bill and these definitions, in effect, mark the scope of the bill's coverage.

Thus the bill applies only to "strikes" and "labor disputes" at "strategic defense facilities" and these three terms are defined as follows:

1. A "strategic defense facility" is any establishment, private, or governmental, one purpose of which is to engage in designing, developing, producing, testing, firing, or launching any weapon, munitions, missiles, or space vehicles or of any part of material essential to such activities.

2. A "strike" is any concerted stoppage, interruption or slow down of work resulting from a labor dispute.

3. A "labor dispute" is any controversy concerning the terms or conditions of employment, or concerning the representation of persons in negotiating or seeking to negotiate such terms or conditions, even if the parties to the dispute do not stand in the relationship of employer and employees. This definition is identical with that in both the Wagner Act and Taft-Hartley Act, and remains unchanged under the Landrum-Griffin Act.

II. PROHIBITION OF STRIKES

Section 2 makes it unlawful for any person employed at a "strategic defense facility" as defined above to engage or participate in a strike, or for any labor union or anyone else to coerce, instigate, induce, conspire with, or encourage any person so employed to engage in a strike.

The prohibition is not limited to work stoppages or slowdowns by "employees" as that term is defined in the Taft-Hartley Act. It applies to the much broader category of "persons" which includes all individuals or groups who are employees in the dictionary sense of the term. Thus, supervisory or confidential employees who are not employees under Taft-Hartley are also covered by the prohibitions of the bill. However, they are covered only if they are employed at a "strategic defense facility" as defined above, and hence persons employed at establishments producing supplies and materials for the armed services that are not munitions, weapons, missiles, space vehicles or any component thereof, are not covered. Examples would be such items of supply as military uniforms, rations, footwear, transport vehicles, etc.

The important aspect of section 2 is that the prohibition against strikes resulting from labor disputes in strategic defense facilities is absolute, alternative procedures for settling the dispute being provided in section 3.

III. SETTLEMENT OF DISPUTES

Section 3(a) provides that if any party to a labor dispute at a strategic defense facility notifies the Secretary of Defense that the parties have been unable to settle a labor dispute by any of the means available to them, the Secretary, if he has reason to believe this to be true, shall appoint an emergency board to settle the dispute.

Section 3(b) provides that such board shall consist of one member appointed by the Secretary and one by each of the parties, and if any party fails to designate a board member, the Secretary shall designate him. Each member shall be paid by those appointing him.

Section 3(c) provides that the board may conduct hearings anywhere in the United States and shall have the same subpena powers as the Federal Trade Commission.

Section 3(d) provides for a separate board for each dispute and permits the selection only of board members who have no pecuniary or other interest in either the employer or union involved in the dispute.

Section 3(e) provides for hearings before the board at which the parties submit their evidence on the issues deemed relevant by the board. The board is required to make written findings of fact, and within 60 days after its appointment, the board must issue an order disposing of the issues in dispute. Such order must be based exclusively on evidence in the record made before the board.

Section 3(f) provides that where a valid contract defining the rights and duties of the parties exists, the board's power is limited solely to deciding the proper interpretation and application of the contract provisions involved. Where wage rates and other conditions of employment under a proposed new or a proposed modified contract are in dispute, the board shall establish rates of pay and conditions of employment which are fair and equitable to the parties, but no board order relating to rates of pay shall be retroactive to a date prior to the termination date of any valid contract between the parties which contains provisions establishing wages or pay rates. Any board order shall bind the parties for 1 year unless modified by mutual consent of the parties.

IV. ENFORCEMENT PROVISIONS

Section 4 empowers the Federal district courts, on petition by the Attorney General, to issue injunctions, restraining orders or other appropriate measures (1) to enjoin strikes in strategic defense facilities declared unlawful by section 2, or (2) to compel compliance with any order of an emergency board issued pursuant to section 3. Such restraining orders, injunctions, and other court measures are not limited by the restrictions imposed on Federal court action by the provisions of the Clayton Act and the Norris-La Guardia Act.

V. LISTING OF STRATEGIC DEFENSE FACILITIES

Section 5 requires the Secretary of Defense to prepare a list of strategic defense facilities to which the provisions of the bill would apply, and to have the list published in the Federal Register, together with any necessary changes therein. If for any reason such as security, it is seemed necessary not to include a strategic defense facility in such a published list, and a labor dispute threatens to occur at such facility, the Secretary shall notify the parties to the dispute that such facility is a strategic defense facility and that the provisions of the bill are applicable.

VI. SAVING PROVISION

Section 6 provides that for the purposes of the bill no individual shall be required to perform work or render services involuntarily, and that no individual quitting of work shall be considered to be a strike.

Mr. McCLELLAN. Mr. President, this measure which would prohibit strikes or other work stoppages at missile sites and other defense facilities, provides for compulsory arbitration to settle such labor disputes. As I have stated heretofore, it is difficult for me to see how

labor or management can raise any serious or valid objections to this measure since, in effect, it would merely require by law that which they claim to have voluntarily agreed to do already. I refer to the no-strike pledge given to the President, in connection with their work in the national defense program.

I feel most strongly, in this period of national peril and at a time when we are engaged in a desperate struggle against totalitarian communism, that this Government should not be required to depend solely upon voluntary cooperation between labor and management to assure the uninterrupted progress of our missile and space programs. Particularly is this true because such assurances of voluntary cooperation have not proven to be wholly reliable.

Mr. President, I am reluctant to declare a policy of support on my part for compulsory arbitration in all manner of labor disputes. I should like to avoid it in almost every circumstance. However, as chairman of the Senate Permanent Subcommittee on Investigations, which made a rather searching inquiry into practices being engaged in at Cape Canaveral, Vandenberg, and other missile sites early in 1961, I came to the conclusion that the public interest and the national security required some action of this kind.

My colleagues may recall that as a result of the inquiry scandalous disclosures were made, which prompted the President of the United States to appoint what he termed a Presidential Missile Sites Labor Commission. Thereafter there was obtained from at least most of the unions whose members were employed at those sites a voluntary no-strike pledge.

The Missile Sites Commission of the President has no power other than to urge, to encourage, to solicit, to plead for and to offer suggestions and recommendations.

As a result of the disclosures that were made by the committee I introduced the bill shortly thereafter. I wish to point out the results that were achieved.

The very striking result at the time the committee began to investigate into that situation was related to the fact that we found that 1 man-day of labor was being lost for every 73 days worked.

Most of the strikes were useless. Some of them were mercenary strikes, simply to put the Government on a spot, and make it impossible for the contractor to reach a deadline, a scheduled time of completion on a job, unless he would hire people to work overtime and in some instances pay for triple time and quadruple time, depending upon the circumstances of work. Work stoppages were deliberately caused to bring about such conditions.

As a result of the disclosures made by the committee and the appointment of the Presidential Commission, as well as the introduction of the proposed legislation in the form of the bill, which I have again introduced today, the work stoppages from the 1st of June 1961 through December 1961 dropped from 1 man-day of labor lost out of every 73 days worked to 1 man-day of labor lost out of every 1,290 days worked, in round numbers.

That was a very satisfactory record. The work of the committee, I think, did considerable good.

But then the trend began to move the other way again last year.

Mr. President, this does not involve solely the missile bases. There have been some harmful strikes in defense plants.

I am stating my view, and I know some others share it—possibly many. It is my position that our Government has a great power to protect itself. It has authority and exercises authority to walk into the homes of other Senators and into my home, to draft my son or the sons of other Senators, and to take them away from their normal lives, from the pursuit of education, from their family associations and ties, from the opportunities for jobs, and put them in training camps, train them as soldiers, and assign them to places to serve their country—to fight and to die, if necessary.

When our Government exercises that power for the protection of all of us, our Government also ought to exercise a power commensurate with that, at least, to protect the soldier who protects and defends us.

Our Government should make certain that the enemy these men face, in this period of world crisis in particular, during which we are in a race with a deadly enemy, is not the better equipped. Our Government should make certain that our soldiers are not handicapped, that their efforts are not impaired, that their fighting potential is not being weakened by reason of the fact that a strike behind the lines may prevent them from getting the equipment and the wherewithal needed to fight and to defend our country, from getting it on time, from getting the best of it, and getting the most of it—weapons which can be developed, which we have developed, or we are developing, which are superior to those of the enemy they may face.

The right to strike behind the serviceman is a right that should be restricted and controlled. That is what I propose to do in this bill. When a strike occurs, when it threatens our national security, when it threatens to endanger the boys we have drafted, or those who have volunteered to serve their country, the bill would simply prevent the manager, the contractor, the owner of a factory, or a labor organization and the men who compose it from taking a course of action which would place in jeopardy the men who are at the front or on the firing line, who have been drafted or who are otherwise ready to serve in that capacity.

We say to them, "You will have to arbitrate the dispute." That is as fair to one as it is to the other. Neither side knows how it will come out in the dispute, but we say to the parties, "You must not stop work; you must arbitrate." If there is some fear that one side will lose in the arbitration, it will be an incentive to have them make a settlement.

That is, in effect, what the bill does. I shall present some further arguments for it, because it is strongly needed in this period of national peril. The President said the other day that, although there have been reverses on the part of the Communists, they are not sufficient to permit us to indulge in complacency and to be content and to feel we have a superiority that will remain adequate to deter a would-be aggressor, without bothering to keep alert, and not only to keep the superiority, if we have it, but to insure that that superiority, and an even augmented superiority, will continue to make certain that we have a deterrent.

Mr. President, I think we have a deterrent. I think Khrushchev knew we had the deterrent, or he would not have withdrawn from Cuba when he was given the ultimatum to do so.

I read a headline in today's press—I did not read the article—which pointed out that Khrushchev made a speech yesterday to the Communist Congress in which he acknowledged the great power of this country and acknowledged that communism could not win in a nuclear war. Mr. President, that is the reason why we have not had one. If they thought they could win, I have no doubt as to what their course of action would be. We must keep the deterrent.

If it is right to take a young man who is physically fit and intelligent away from his family, his loved ones, his pursuit of an education, his right and opportunity to a job, and pay him a small grant to serve his country, it is right for the Government to require that those with whom it contracts to furnish weaponry, facilities, and necessities will not engage in work stoppages that would impede the flow of the needed materials to that soldier. That is the purpose of the bill.

This Government clearly has not only the right but the duty to protect itself by appropriate legislation which would prohibit any delay whatsoever in the defense programs upon which our very existence as a nation depends. It is hardly conceivable that Congress will refuse to enact such legislation.

Although Congress has been regularly appropriating billions upon billions of dollars to insure that our space and missile programs will be carried to completion with all possible speed, we find that those programs have, in many instances, been unnecessarily delayed by wildcat strikes, work stoppages, and deliberate policies of low productivity engaged in by workers on various defense projects.

Mr. President, it is astounding, but it is a fact, that the rate of productivity of workers engaged at missile bases in some instances has reached below 50 percent of normal capacity.

They are deliberate slowdowns, work stoppages, mercenary in their purposes and in their consequences.

From the time the President's Missile Sites Labor Commission was established on May 26, 1961, to the end of 1962, 19,434 man-days of labor have been lost at our missile sites because of strikes—and that was on a no-strike pledge.

I firmly believe that, despite the efforts of the Missile Sites Labor Commission,

this record of man-days lost due to strikes, would have been even more shocking, had there not been always present the imminent possibility of legislation, such as I am here proposing and which I also proposed in the last Congress, being enacted into law. It remains a serious question, however, as to how long the mere pendency of such legislation can be relied upon as a substantial deterrent to strikes which disrupt vital work at our missile sites. Anyway, these 19,434 man-days lost do not tell the whole story.

The jurisdiction of the Missile Sites Labor Commission ends at the missile site.

It does not extend into the defense plants.

This commission has no authority in the many defense plants throughout the country where missiles and other implements of defense are produced. During the calendar year 1962, I am advised, there were seven work stoppages of major import, in what can be termed defense establishments. The total man-days lost at those plants is 673,427.

I need only to enumerate those seven plants, and the man-days lost at each of them due to strikes, to emphasize the disastrous consequences to our national defense effort. Sperry Gyroscope, Long Island, N.Y., man-days lost 55,528; Republic Aviation Co., Long Island, N.Y., man-days lost 474,282; Electric Boat Co., Groton, Conn., man-days lost 76,750; Marshall Space Flight Center and U.S. Army Missile Command Headquarters, man-days lost 6,930; Hercules Powder, Bacckus, Utah, man-days lost 5,175; Aerojet General Corp., Sacramento, Calif., man-days lost 17,762; Lockheed Aircraft Corp., Burbank and Sunnyvale, Calif., man-days lost 37,000.

And some contend that 1962 was an unusually good year relatively speaking. If so, how much more disastrous to our defense program a bad year could be.

Also bear in mind that these were not the only strikes that affected our defense effort, but, for one reason or another, they were the more important of such strikes that occurred in defense establishments.

One of these, the Lockheed dispute, is about to reach the last step beyond which there is no authority under existing law for the Government to take further action. The Lockheed plants are operating now about half way through the 80-day Taft-Hartley injunction period. At the end of that period there will be no authority under existing law by which to insure the continued production of the Polaris missile and our principal antisubmarine aircraft. I submit that this Nation should not permit its safety to be thus jeopardized and possibly its very existence to be thus imperiled.

I have pointed out, in my remarks on the other bill I introduced this afternoon with respect to antitrust legislation, that the present strike in the transportation field, the dock strike, the longshoreman strike on the east coast, has already passed the 80-day period of the Taft-Hartley law remedy, that that provision has been completely exhausted, and that the strike is still in progress.

Will that happen in the Lockheed plant, where we are building one of the most vital weapons for the security of the free world? I do not know whether the workers will resume their strike at the end of the 80-day period. They can do so. If they do, when the 80-day period has expired, I have said on the floor this afternoon that the Government is powerless, the Congress has given the Government no further authority to act. What can we do? Shall we leave it that way? Is that neglect of duty on the part of those who have a responsibility in this situation? What can the answer be?

Mr. President, unless effective legislation is enacted, we will continue to be confronted from time to time with strikes and work stoppages which will gravely impair our defense program and do it irreparable injury, thereby imperiling the very safety of our Nation.

I have heretofore addressed the Senate on the need for legislation to safeguard our defense program from the ever-recurring strikes and work stoppages with which it has been plagued. Similarly, during much of the past 2 years, editorials appearing in some of our leading newspapers have commented on the vital need for legislation to prevent strikes against the national security and against the country itself. I ask unanimous consent that some of those editorials be printed in full in the RECORD, immediately following the conclusion of my remarks.

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

(See exhibit 1.)

Mr. McCLELLAN. Mr. President, certainly the national security should be considered above what are often nothing more than jurisdictional disputes and other petty complaints of union members, many times so petty as to be ludicrous, were it not for the danger they pose to our vital defense and preparedness programs.

The bill which I have introduced, if enacted into law, would apply to both labor and management and would prohibit harmful and disastrous work stoppages in the vital defense facilities of our Nation. It would also provide a tribunal which will afford redress and before whom issues can be heard and resolved by due process of law.

I urge my colleagues to examine this bill carefully. I do not believe I can overemphasize its importance. I submit this measure should be enacted into law early in this session of the Congress.

EXHIBIT 1

[From the Philadelphia Inquirer, Sept. 13, 1961]

MISSILE-BASE STRIKES AGAINST THE NATION

Labor Secretary Goldberg has acted in the interests of national security in urging an immediate end to work stoppages at missile sites under construction in Colorado.

The outrageous delays in building the launching bases for intercontinental ballistic missiles in the Denver area are painfully similar to the long series of strikes that have hindered missile and space projects at Cape Canaveral in Florida.

Three wildcat walkouts in Colorado within the past week are a national disgrace. Union jurisdictional squabbles and quarreling over the use of nonunion labor are understandably important to the persons involved but surely these disputes can be settled by collective bargaining, mediation, or arbitration without interrupting work on urgent defense projects.

With the international horizon growing darker under gathering clouds of crises, with Americans answering the call to military service to strengthen the Nation in an emergency with taxpayers bearing the load of recordbreaking defense budgets, the unmitigated nerve of those Colorado strikers is enough to make one's blood come nearly to a boil.

Is this an emergency or isn't it? Is the danger real or not? Are missiles important to U.S. security or aren't they?

The administration in Washington already has answered these questions in the affirmative. It's time then, for a tough crackdown on irresponsible elements, whether in the ranks of labor or management, whether associated with the Government or private enterprise, who believe they can slow down vital defense projects at will and with impunity.

[From the Nashville Banner, Aug. 17, 1962]

STRIKE-IDLED PLANTS STILL THE SPACE BLOW AT HOME

In the wake of "orbiting duet" claim by the Soviet Union, a handful of electrical workers have thrown up picket lines around facilities at Huntsville and have halted work on 40 projects, most of which are connected with important phases of U.S. space programs.

If there ever has been a gap or lag in U.S. space efforts months ago or at the present, there is ample evidence that work stoppages of one kind or another have been contributing factors.

To say these union workers picked a most inopportune time to engage in a labor dispute must be classed as a gross understatement. They moved at a time when Soviet prestige itself is orbiting. They have idled 1,500 workers on projects at the Marshall Space Flight Center and the Army Ordnance Missile Command.

Only a year ago, Senator JOHN L. MCCLELLAN, chairman of the Senate Permanent Investigations Subcommittee, reported on 5 months of testimony and factfinding relative to work stoppages on missile and space facilities. He said:

"Wildcat strikes, work stoppages, slowdowns, featherbedding and a deliberate policy of low productivity on the part of some unions and workers may well be responsible to a substantial degree for whatever lagging behind exists in our space and missile programs. This concerns every man, woman, and child in the country who loves freedom. If greed, graft and extortions are to dominate our way of life and our economy, especially in a program vital to our survival, it is time for Americans to wake up."

Up to the time of the McClellan report there was plenty of evidence that it was justified. For instance, there had been 330 strikes at test sites and ballistic missile bases, totaling a loss of 163,000 man-days.

It might have been worse if certain contractors had not agreed to such fantastic wage demands as paying ditchdiggers $287 a week, truckdrivers $324 and journeymen electricians as high as $700. Of course, many of the contractors were protected from loss by cost-plus contracts. Thus, the additional expense was borne by the ever-harried taxpayer.

In the spring of 1961, a no-strike pledge was secured. It helped, but it was no screaming success, for from June 1961 to February 1962, more than 10,000 man-days were lost. Then, last month unions representing 150,000 workers set a strike for July 23 which would have brought the entire space and missile program to sudden halt. This was delayed after a joint plea by Labor Secretary Goldberg and President Kennedy. A 60-day waiting period was set which is scheduled to end September 21—which could be a fateful day in the history of our space efforts.

In the meantime, now the electricians have struck in Huntsville and unless it is brought to an immediate end, this might spread across the Nation.

This is further evidence that legislation concerning work stoppages in the field of national defense is sorely needed. Senator McCLELLAN said last August, it was time for Americans to wake up. A year has gone by, but there still is necessity for an awakening.

[From the Denver Post, Sept. 12, 1961]

TITAN STRIKE A NATIONAL DISSERVICE

Wildcat strikers who walked off the job Friday and Monday at two Titan missile base launching sites southeast of Denver did their country a disservice—and were well on the way to giving their unions a black eye.

According to reports, the workers are now back on the job.

But the strike did halt work at one site and slowed it at the other.

For purposes of this editorial we're going to discount one report floating around—that a good many of the 155 men off work Monday simply wanted an excuse to come to Denver to see the American Legion parade.

But the main reason given after the strike started Friday, wasn't much better.

The claim was that six fencebuilders at one of the sites were not being paid minimum scale for their crafts and that they were being denied fringe benefits given other workmen at the six Titan sites.

The public, generally, is aware that there are two sides to a dispute and that workers often have real grievances. But this small incident seems scarcely a valid excuse for shutting down a defense-vital construction project at time of national peril.

It seems especially ridiculous when a Federal committee, set up for just this sort of dispute, already had taken the first step toward making a settlement.

Union officials, themselves, had appealed to the workers not to strike pending arbitration.

The committee is President Kennedy's recently created Missile Sites Labor Commission, set up in the wake of public outcry over labor-management waste and mismanagement at many missile bases during the last 2 years.

The President's Commission is charged with just one duty: arbitrating a fair settlement and returning construction to full speed as quickly as possible.

Because of this, it is difficult to find valid reasons for the construction workers' walkout.

If their desire was to dramatize their cause, they certainly did so—but hardly in a way that will gain them public support or confidence.

The realities of international tension are entirely too grim to permit the luxury of missile site walkouts.

[From the Commercial Appeal, Aug. 18, 1962]

OBSTRUCTION IN CONGRESS

Disregard for a no-strike pledge by the electrical union which has shut down progress on the vital work of the Marshall Space Flight Center in Huntsville, Ala., should prod Congress into outlawing such stoppages.

We received from Senator JOHN L. MCCLELLAN, Democrat, of Arkansas, a comment on this situation some months ago. "Recent developments clearly demonstrate that we cannot rely upon voluntary assurances of labor groups that no work stoppages will occur," Senator MCCLELLAN said. "We simply need to prohibit by law those practices that definitely delay, hinder, or obstruct our missile and space programs, and particularly those that tend to sabotage our defense efforts."

Senator MCCLELLAN has been trying to get such legislation for a long time. The Huntsville strike shows how costly the delay has proved.

Senator JOHN STENNIS, Democrat, of Mississippi, also said recently that "it is time that we examined existing legislation for the purpose of determining whether we have given the Government adequate statutory authority to prevent strikes in areas which are vital to the national security." Senator STENNIS has demanded "bold, positive, and immediate action."

But it has not been forthcoming.

Yesterday Stuart Rothman, General Counsel of the National Labor Relations Board, ordered Federal attorneys to seek a court injunction to halt the electrical union picketing which has kept more than 1,200 other men off the space construction job in Huntsville. It was granted last night. This has been "last resort" action, initiated under heavy pressure from the Federal space agency, NASA.

Theoretically, such a strike should have been prevented by the President's Missile Sites Labor Commission, but its demands have been ignored by the obstructing union.

No doubt remains that Congress must create power which exceeds that of the Presidential Commission. The International Brotherhood of Electrical Workers has made its no-strike pledge at Huntsville a worthless piece of paper.

The Nation's lunar-landing program, a central part of our space race with the Soviet Union, is being jeopardized and delayed. A space official has said the strike could cost American taxpayers as much as a million dollars a day in long-range effects.

The McClellan bill to curb such space and missile work stoppages was introduced in the Senate almost 11 months ago. It is stuck in the Senate Labor Subcommittee. A strong public outcry may be needed to bring it out for Senate action.

Some knuckle rapping is due for Senator PAT MCNAMARA, Democrat, of Michigan, the prolaborite head of the subcommittee, Senator WAYNE MORSE, Democrat, of Oregon, and the other liberal committeemen who have kept this urgent legislation under wraps.

In view of the Huntsville episode they have no excuse for their callous inaction.

[From the Commercial Appeal, Sept. 19, 1962]

THE BASIC ISSUE

American soldiers guard West Berlin. U.S. troops are stationed around the globe. Some of our sons have died to help South Vietnam defend itself against Red guerrillas. Russia threatens to send intercontinental rockets if we dare touch Communist Cuba, 90 miles from our shore.

And how do Americans react?

Some 100,000 workers, demanding more union power, are prepared to close down four of the Nation's prime missile industries this week end unless they win their demand for a union shop.

Furthermore, a Presidential board has recommended that the firms accept the union shop—which means all employees are compelled to join or pay dues to the United Aerospace Workers Union whether they wish to—and President Kennedy has publicly stated: "I would hope the companies would accept it."

Mr. Kennedy's main argument is that there is compulsory unionism in other industries.

In saying the four firms should accede to the union demand, the President added that "if there is a strike, the responsibility would be very clear."

Thus he virtually predicts that should a strike occur, he will not invoke the Taft-Hartley Act, which could stop it.

There is another side which the President ignores. Senator JOHN STENNIS, Democrat, of Mississippi, who is on both the Armed Services and Space Committees, spoke out against this same strike threat when it arose last July. "The basic and fundamental issue," he said then, "is whether any person or any group has the right to go on strike against the Nation's security and against the country itself."

Senator JOHN L. MCCLELLAN, who heads the Government Operations Committee, has been trying for months to obtain legislation which would prohibit such strikes against the Nation's security, but his efforts have been ingloriously bottled up by a union-oriented Senate Labor Subcommittee.

"I can't do this job all by myself," Senator MCCLELLAN has said. "I'm accused of being antilabor anyway. There's nothing I can do unless the administration gets behind it—and they're doing nothing this year."

Doing nothing? Wrong, Senator MCCLELLAN. They're doing all they can to undermine the firms which resist creeping union power over America's missile defense.

What if this causes higher missile costs? The money all comes from the taxpayers. And it sews up more labor votes.

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

Mr. MCCLELLAN. I yield, with the understanding that I do not lose the floor.

Mr. STENNIS. Mr. President, again I commend the Senator for his very forceful presentation with respect to a most distressing situation which exists at our missile and other military industrial plants.

Last year, when the Senator introduced a similar bill, I had some remarks to make on the merits of the bill, and I expect to do so again later in the session.

I certainly stand with him in the hope that progress will be made with respect to this bill. We consider a great many matters in the Armed Services Committee and in the Preparedness Subcommittee in connection with missile sites which are under construction, and the items that go into them, as well as many other major phases of our vast and farflung military programs.

We are living in times when much depends on the effectiveness of our power of retaliation and its operating instantly, and when much reliance is being placed upon missiles and similar weapons. Therefore, there cannot be anything more vital and more essential to our protection and our welfare and our security than the very items about which the Senator has been speaking. It is a fundamental issue. It is not one of choice. It is mandatory. It is the question of whether any group under any circumstances has the power—never the right, but even the power—to tie up our national security and our essential defense.

As the Senator has said, the remedies that we have now are not adequate. Something more must be done. I hope the bill will move along. I commend the Senator very highly.

Mr. McCLELLAN. I thank the Senator very much. I am glad now to yield to the Senator from South Carolina, provided I do not lose my right to the floor.

Mr. THURMOND. Mr. President, I commend the distinguished Senator from Arkansas for introducing the bill, and I wish to join with him as a cosponsor on this vital piece of proposed legislation. It is a most important bill, and I hope the Senate will see fit to pass it without delay.

The interests of the country and the security of the Nation and the welfare and the future of the citizens of this country are at stake in this piece of proposed legislation.

The Senator has delivered a magnificent address this afternoon. I hope every Senator and every citizen of the country will read the address. Again I commend the able Senator from Arkansas upon his able and splendid presentation on this occasion.

Mr. McCLELLAN. I thank the Senator from South Carolina.

If I may do so, I should like to yield to the distinguished Senator from Pennsylvania, with the understanding that I do not lose the floor.

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

EXPENSES OF COMMITTEE ATTENDING FUNERAL OF SENATOR CHAVEZ

During Mr. McCLELLAN's remarks,

Mr. HUMPHREY. Mr. President, will the Senator from Arkansas yield?

Mr. McCLELLAN. Mr. President, I do not wish to yield the floor, but I shall be happy to yield to the Senator from Minnesota—if I may do so without losing the floor—in order that he may ask a question or may request the making of an insertion in the RECORD.

Mr. HUMPHREY. I appreciate that. I have asked the Senator whether he will yield—and he is most considerate to do so—in order to have the Senate take up a resolution which should be acted on today. It was submitted by the Senator from New Mexico [Mr. ANDERSON] and relates to the necessary expenses incurred by the committee appointed to arrange for and attend the funeral of the late Senator Chavez. I wish to offer the resolution without in any way prejudicing the rights of any Senator in connection with the debate relating to the rules. So I wish to request the immediate consideration of the resolution—just as the Senate did some 2 days ago in connection with other measures.

Mr. McCLELLAN. Mr. President, I should think it quite appropriate for me to yield for that purpose; and I am happy to do so, under the conditions stated by the Senator from Minnesota.

Mr. HUMPHREY. I thank the Senator from Arkansas.

Therefore, Mr. President, I offer, and send to the desk, a resolution; and, under the conditions laid down—that is to say, without in any way prejudicing the rights of any Senator, or without in any way affecting the situation in regard to the rules—I submit the resolution on behalf of the Senator from New Mexico [Mr. ANDERSON], and request its immediate consideration.

The PRESIDING OFFICER. The resolution will be read.

The resolution (S. Res. 44), submitted by Mr. HUMPHREY, on behalf of Mr. ANDERSON, was read, as follows:

Resolved, That the Secretary of the Senate is hereby authorized and directed to pay from the contingent fund of the Senate the actual and necessary expenses incurred by the committee appointed to arrange for and attend the funeral of the Honorable Dennis Chavez, late a Senator from the State of New Mexico, on vouchers to be approved by the chairman of the Committee on Rules and Administration.

The PRESIDING OFFICER. The question is on agreeing to the request of the Senator from Minnesota for the immediate consideration of the resolution. Without objection, the resolution is considered and agreed to.

Mr. HUMPHREY. Mr. President, I thank the Senator from Arkansas for his courtesy.

Mr. McCLELLAN. I have been very happy to yield for the submission of the resolution and for the taking of action on it by the Senate.

PROHIBITION OF EXPENDITURE FOR PUBLIC FUNDS FOR CERTAIN MILITARY CONSTRUCTION PROJECTS

During Mr. McCLELLAN's remarks,

Mr. STENNIS. Mr. President, will the Senator from Arkansas yield to me, in order to permit me to introduce a bill, out of order, without commenting on it?

Mr. McCLELLAN. Yes, I am happy to yield for that purpose, if it is understood that I may do so without losing my right to the floor.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. STENNIS. Mr. President, on behalf of myself and my colleague [Mr. EASTLAND], I introduce a bill for which I request appropriate reference.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 293) to prohibit the expenditure of public funds for certain military construction projects not authorized by Congress, introduced by Mr. STENNIS (for himself and Mr. EASTLAND), was received, read twice by its title, and referred to the Committee on Armed Services.

AMENDMENT OF THE SOCIAL SECURITY ACT

Mr. CLARK. Mr. President, on behalf of myself and my colleague from Pennsylvania [Mr. SCOTT], and the Senator from Arizona [Mr. GOLDWATER], the Senator from Iowa [Mr. MILLER], and the Senators from Ohio [Mr. LAUSCHE and Mr. YOUNG], I send to the desk for appropriate reference a bill to exempt from compulsory coverage under the old age and survivors disability insurance programs self-employed individuals who hold certain religious beliefs.

The PRESIDING OFFICER. Without objection, the bill will be received and appropriately referred.

The bill (S. 294) to exempt from compulsory coverage under the old-age, survivors, and disability insurance program self-employed individuals who hold certain religious beliefs, introduced by Mr. CLARK (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Finance.

Mr. CLARK. Mr. President, an identical bill was passed by the Senate last year. When the bill reached the House, the criticism was made that the bill was unconstitutional.

The purpose of the proposed legislation is to exempt from social security taxes members of religious denominations who have a religious objection to insurance, and, therefore, to the payment of social security premiums.

If the bill were enacted into law, these people, the plain people, as they are known in my State, or the Amish, as they are known in many other localities, and who live in various States of the Union, would be relieved from the payment of social security taxes, but they would also be required to forgo any benefits under the social security law.

The purpose of the bill is to right what we consider an injustice in terms of civil liberties to a very small group of people. They reside mostly in Pennsylvania, Ohio, and Iowa.

These plain people have strong religious scruples against receiving any insurance benefits, including social security benefits. In addition, they make generous and conscientious efforts to take care of their own elder citizens who may be disabled.

The U.S. Government should not have to remain in its present unenviable position of having to levy against horses, cattle, and other simple belongings of these honest and upright people in order to exact the dollars due for social security taxes.

Our bill would permit those having firm religious views against insurance to file applications for exemption with the Secretary of Health, Education, and Welfare. If the Secretary found that the applications were filed in good faith, and that the religious group in question made ample provision for its older citizens, he would be authorized to approve the application.

In view of the fact that a constitutional question was raised last year, I ask unanimous consent to have printed at this point in the RECORD a letter addressed to me by Colin F. Stam, well known to Members of the Senate, of the Joint Committee on Internal Revenue Taxation, pointing out that there is no really serious constitutional question involved here; that the proposed legislation is clearly constitutional.

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

CONGRESS OF THE UNITED STATES,
JOINT COMMITTEE ON INTERNAL REVENUE TAXATION,
Washington, November 9, 1962.

Hon. JOSEPH S. CLARK,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CLARK: You asked us at our convenience to give you a memorandum on the constitutionality of an amendment which would exempt from self-employment tax certain individuals whose religious beliefs prevent them from accepting or participating in social security benefits. The amendment relates to the Amish sect who, under their religious teachings, cannot accept the benefits of social security even though they are now required to pay premiums in the form of a tax levied by the United States.

The constitutional question involved is as to whether these people can be excepted from the social security tax, since they have religious scruples against receiving social security benefits. Your amendment would permit those who, because of their religious beliefs, cannot secure social security benefits, to file exemption from the social security tax. The question is whether or not such an exemption would be constitutional. Under your amendment all persons similarly circumstanced are treated alike, and no person would be prevented from paying the self-employment tax if he chose to do so. The amendment appears to apply uniformly throughout the United States and, therefore, does not violate the uniformity clause of the Constitution. Moreover, it does not appear to violate the due process clause of the fifth amendment of the Constitution since individuals similarly circumstanced are treated alike. The Supreme Court has held that the fifth amendment of the Constitution will not apply unless for taxation purposes the classification is so arbitrary and unreasonable as to produce a gross and patent inequality. I do not believe that your amendment could be construed as an unreasonable classification. The amendment would apply the exemption only to those individuals who are forbidden by the teachings of their church from accepting social security benefits, and we know that the tax on self-employment income is levied to provide social security benefits.

Sincerely yours,

COLIN F. STAM,
Chief of Staff.

Mr. CLARK. Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article entitled "The Revolt of the Plain People," written by Clarence W. Hall, and published in the Reader's Digest of November 1962. The article explains in greater detail the sound, equitable position of these plain people.

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

THE REVOLT OF THE PLAIN PEOPLE

(By Clarence W. Hall)

One day this fall, a small group of bearded members of the Amish sect will hitch their horses and buggies to parking meters in Pittsburgh and, clutching their broad black hats against their buttonless jackets, will file solemnly into the U.S. District Court for Western Pennsylvania. The judge's gavel will rap the court to order, a clerk will intone, "Valentine Y. Byler versus the United States of America"—and thus will open one of the oddest trials in the history of U.S. jurisprudence.

To the Amish, the trial will determine one thing only: whether they may legally refuse, on religious grounds, to participate in the social security system. But to the Nation it will present the curious spectacle of a proudly self-reliant segment of Americans having to buck the might of our huge bureaucracy to establish their right not to be taken care of by the Government.

Among the Amish, called the "plain people," taking care of themselves is a deeply held principle. Their way of life is distinguished by devout religious faith, by hard work, thrift, frugality and self-sufficiency; by husking bees, apple-paring parties and barn raisings, and by rejection of such wordly developments as autos, tractors and electricity. That way of life may be regarded as quaint by some Americans. Not quaint, however, is its end product.

Tourists passing through Amish settlements in Pennsylvania, Ohio, and Indiana marvel at the lush fertility of their fields, the fatness of their cattle, the sleekness of their horses, the sparkle of their freshly painted houses and barns. And anyone bothering to check would also find that there is among them no crime rate, no divorce or broken homes, no juvenile delinquency, no unemployment or old-age problems.

No member of their sect, Amishmen take pride in pointing out, has ever appeared on relief rolls, even during the depression. Without the aid of any of the fumbling panaceas Congress has voted for farmers, and without a nickel from the Department of Agriculture's crop payments, Amishmen manage to be among the most prosperous farmers in the Nation. They refuse subsidies, destroy no crops.

Most of all, they cherish their self-sufficiency. If calamity overtakes an Amishman, his neighbors flock in to help him. If his barn burns down or a new addition is needed, all Amish families in the area contribute labor, time, and money to help. "If any provide not for his own," they quote from the Bible, "he hath denied the faith and is worse than an infidel." This, they reason, forbids any taking out of insurance. An Amishman's neighbors, they hold, are his insurance policy.

It was the prohibition against insurance that catapulted the Amish onto the horns of a dilemma when, in 1954, the social security code was amended to include self-supporting farmers. To Government agents trying to induce them to report and pay up, they explained: "We Amish have our own social security; we need no other kind."

Especially obdurate were members of the Old Order Amish, plainest of the "plain people," some 19,000 in number. When Internal Revenue Service agents moved in to levy on their bank accounts, many quietly withdrew their savings. When attempts were made to attach checks due them from cooperatives to whom they sold their milk, co-op officials (many of them Amish) refused to sign the checks. Frustrated, the Internal Revenue Service agents began seizing Amish cows and horses.

Chosen for special attention in western Pennsylvania was Valentine Byler, a tall, quiet Amish farmer whose well-ordered acres lie near New Wilmington. Late in 1959, local IRS agents computed Byler's social security assessments for the 3 previous years, estimated that he owed $214.43. Presented with the bill, Byler explained: "We Amish pay our taxes because the Bible says, 'Render unto Caesar the things that are Caesar's.' But our religion forbids insurance." To arguments that social security is not technically insurance, but a tax, he replied, "Doesn't the title say 'Old Age, Survivors, and Disability Insurance' ?"

They next tried to levy on his bank account; he had none. Served with a summons to appear in court, Byler ignored it. Cited for contempt, he was brought into the U.S. district court in Pittsburgh. The judge took one look at Byler, standing calmly before him, and angrily demanded of the IRS agents, "Don't you have anything better to do than to take a peaceful man off his farm and drag him into court?" He dismissed the case.

Then local IRS agents pulled the coup that brought down public indignation on their heads. Last spring, just at plowing time, three IRS men strode across the Byler fields to where Byler was standing with his team of Belgian mares. They unhitched the team, led the mares to a waiting truck and trundled off down the road toward New Castle.

Two weeks later, the mares were put up at auction; with harness thrown in, they brought $460. After deduction of "expenses" such as auction fees, transportation and boarding of the horses—plus the social security assessment—$37.89 was left. This amount was sent to Byler.

The seizure and auction, publicly held, kicked up a national ruckus. The New York Herald Tribune called the action "welfarism gone mad," demanded to know "what kind of 'welfare' is it that take a farmer's horses away at spring-plowing time in order to dragoon a whole community into a 'benefit' scheme it neither needs nor wants, and which offends its deeply held religious scruples." Letters jammed Byler's mailbox, many with money in them. Angry messages poured into Congress.

This was not the first Congress had heard of the conflict. The Amish had already sought Congress' aid. For, from the time the conflict began, the Amish leaders had felt, deeply and sincerely, that their cherished way of life was threatened. Beyond their conviction that the Government's move violated constitutional guarantees prohibiting the free exercise of their religion, and the fact that they associate public welfare with handouts (a very dirty word in the Amish lexicon), was their knowledge that, as one ancient patriarch of the Old Order told me, "Allowing our members to shift their interdependence on each other to dependence upon any outside source would inevitably lead to the breakup of our order."

Senator HUGH D. SCOTT, Jr., of Pennsylvania, indignantly protested to IRS, saying, "The Amish are among the most respected people of Pennsylvania. Their contribution to American ideals of thrift and self-reliance has written an outstanding chapter in our history."

One of the warmest admirers of the Amish is Harold E. Burns, former publisher of the New Wilmington Globe, with whom I visited among the Amish. Burns is fond of quoting Papa Yoder who, in the Broadway musical "Plain and Fancy," says to a city man: "Look around you, mister! Look in your world, and look here. Poor people you have plenty, and worried people and afraid. Here we are not afraid. We do not have all your books and learning, but we know what is right. We do not destroy; we build only."

When the pressures first began, some Amish, not knowing what else to do, paid the social security tax or simply allowed without protest the levies on their bank accounts. Their resistance stiffened, however, when Amish leaders made it plain that any further compliance would invite the invoking of the order's severest penalty: shunning. Under the shun an Amishman becomes a pariah. He cannot eat, sleep, talk, do business, or go to church with any other Amishman. The shun forbids any form of aid, unless he becomes ill or is in dire need.

At the same time, 66 bishops of the Old Order Amish drew up an appeal to Congress.

It was read into the CONGRESSIONAL RECORD by Representative PAUL B. DAGUE and there it sank without a ripple. As IRS harassments and seizures went on, Amish leaders met again, drew up another statement to accompany a bill introduced by DAGUE. The statement plaintively asked "in what way would it injure the Social Security Act" if the Amish were to be allowed to care for their own, and added, "We do not want to be burdensome, but we do not want to lose our birthright to everlasting glory, therefore we must do all we can to live our faith." When both this statement and DAGUE's bill evoked no action, Amish leaders decided to go to court.

Amish attitude toward going to court has always been dim, influenced by the Biblical injunction, "If any man sue thee and take thy coat, give him also thy cloak." Non-Amish friends labored to make them see that this did not apply to abandoning one's religious principles. Finally they agreed that "it is not shameful to go into a court of law; it is only shameful to go for a shameful purpose."

Thus, after Valentine Byler's horses were seized and sold, the Amish engaged a New York lawyer, Shephard Kole, to represent them. In Washington, Kole and several Amish bishops spent days conferring with top officials of the Internal Revenue Service and the Department of Health, Education, and Welfare. IRS Chief Mortimer Caplin, and his legal staff were sympathetic with the Amish request but baffled at how to meet it within the law. To fears that exempting the Amish would bring an avalanche of demands from other groups, Kole replied, "What other groups? The vast majority of Americans approve social security, want it, are officially committed to participation in it—for example, the Mormons, also resolute in caring for their own, and even Jehovah's Witnesses, who generally oppose Government intrusion in matters of conscience."

One positive result of the Washington visit: Caplin agreed to a moratorium on forcible seizures of Amish property until the Federal courts could decide the issue.

Thus the stage is set for the trial that, to many Americans, will be a melancholy reminder of how far we've drifted from the Founding Fathers' concept of government as something to foster and not squelch those independent virtues that made us what we are.

If the Amish lose in the courts they will have to depend on congressional passage of one of the many bills being held in committee pending enough public demand to bring them out. Most likely to come out, if sufficient pressure builds up, is a bill introduced by Senator JOSEPH F. CLARK, Democrat, of Pennsylvania, and cosponsored by Senators BARRY GOLDWATER, Republican, of Arizona, and FRANK LAUSCHE, Democrat, of Ohio, which would amend the Social Security Act to exempt, upon application certified by responsible authority, "any individual who is a member of any recognized church or religious sect the teachings of which forbid its members from accepting social insurance benefits."

And if the Amish lose in Congress, too? Then, say Amish leaders, they may have to seek some other land where they can live with their consciences. What would such an Amish "move-out" portend? William H. Fitzpatrick, editor of the Ledger-Star of Norfolk-Portsmouth, Va., suggests an answer:

"When the last Amish buggy has disappeared from the dusty byroad—or has been sold like Valentine Byler's plow horses—it will mark more than the passing of a sect of people overwhelmed by time and change. It will mark also the passing of a freedom: the freedom of people to live their lives undisturbed by their government so long as they disturb no others.

"It was a freedom the country once thought important."

Mr. CLARK. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a letter from the Legislative Reference Service of the Library of Congress, addressed to me, under date of September 19, 1962, relative to the constitutionality of the amendment adopted last year to H.R. 10606, exempting these plain people from the Social Security Act to the extent to which I have referred, and holding that the proposed legislation is quite clearly constitutional.

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

THE LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE,
Washington, D.C., September 19, 1962.

To: Hon. JOSEPH CLARK.
From: American Law Division.
Subject: Constitutionality of amendment adopted by Senate to H.R. 10606, exempting members of Amish faith from Social Security Act.

This amendment would exclude from social security coverage, under stated conditions, self-employed persons who are members of a religious faith whose established tenets forbid the acceptance of any insurance benefits.

We believe this amendment is constitutional. Since it establishes the same rule for all persons similarly situated throughout the United States, it meets the requirement of geographical uniformity imposed by article I, section 8, clause 1, of the Constitution.

In view of the fact that social security taxes are applied to the payment of benefits which persons excluded from coverage would not receive, this type of permissive exclusion does not appear to violate the due process clause of the fifth amendment. Unlike the 14th amendment, the 5th has no equal protection clause. However, in upholding the various exclusions in the original social security act, the Supreme Court assumed that discrimination, if gross enough, is equivalent to confiscation and hence involved under the fifth amendment. *Steward Machine Company* v. *Davis,* 301 U.S. 548, 585 (1937).

The purpose of this amendment is a legitimate one—to give fuller meaning to the freedom of religion guaranteed by the first amendment. It would achieve this without increasing the burdens of other persons. Hence it appears to meet the test of reasonableness which is the essence of the due process clause.

MARY LOUISE RAMSEY,
Legislative Attorney.

SEC. —. (a) Subsection (c) of section 211 of the Social Security Act is amended (1) by striking out "or" at the end of paragraph (4), (2) by striking out the period at the end of paragraph (5) and inserting in lieu thereof "; or", and (3) by adding after paragraph (5) the following new paragraph:

"(6) The performance of service by an individual during the period for which an exemption approved under section 1402(b) of the Internal Revenue Code of 1954 is in effect."

(b) Subsection (c) of section 1402 of the Internal Revenue Code of 1954 is amended (1) by striking out "or" at the end of paragraph (5) and inserting in lieu thereof "; or", and (3) by adding after paragraph (5) the following new paragraph:

"(6) the performance of service by an individual during the period for which an exemption approved under section 1402(b) is in effect."

(c) Section 1402 of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new subsection:

"(h) MEMBERS OR ADHERENTS OF CERTAIN RELIGIOUS FAITHS.—

"(1) EXEMPTION.—Any individual who is a member or adherent of a recognized religious faith whose established tenets or teachings are such that he cannot in good conscience without violating his faith accept the benefits of insurance, such as those provided by the insurance system established by title II of the Social Security Act, may so certify in an application filed with the Secretary of Health, Education, and Welfare (in such form and manner as may be prescribed by regulations made under this chapter) requesting exemption from such title II insurance extended to service performed by him in his trade or business. Upon findings by the Secretary that such applications was made in good faith and that the members of such religious faith make adequate provision for elderly members of the faith to prevent them from becoming public wards in their old age, the application shall be approved and the individual exempted from coverage in the old-age and survivors insurance program.

"(2) EFFECTIVE PERIOD OF EXEMPTION.—An exemption pursuant to this subsection shall be effective for the taxable year in which it is approved and all succeeding taxable years, except that no such exemption shall be effective for any taxable year which ends before the date of enactment of this subsection."

Mr. CLARK. Mr. President, I thank the distinguished Senator from Arkansas for his usual courtesy in yielding to me.

Mr. SCOTT. Mr. President, will the Senator from Arkansas yield to me, so that I may comment on the remarks made by my senior colleague, with the usual understanding that the Senator from Arkansas will not lose his right to the floor?

Mr. McCLELLAN. Mr. President, under those conditions, I am indeed happy to yield to the Senator from Pennsylvania.

Mr. SCOTT. Mr. President, the joint resolution introduced by the senior Senator from Pennsylvania and the junior Senator from Pennsylvania continues the activity which took place in the last session. Meetings have been held with the Commissioner of Internal Revenue, and there have been the examinations, which my senior colleague has mentioned, into the constitutionality of the proposal.

It is interesting, however, that the plain people of the Amish and other sects themselves do not ordinarily participate in elections, except occasionally in school board elections. Therefore, I think my senior colleague and I may perhaps be entitled to some recognition for an unusual act, in that we are introducing a measure in justice and fairness to a group of people who, in all probability, will not cast their votes for either one of us at an election in the Commonwealth.

But the conscience of these people is well known; their thriftiness and integrity are respected. They provide for themselves. They are willing to divest themselves of the benefits of the social security system and to provide through their own means the sums necessary for their care in later life, provided they are exempted from the burden of what they regard not as taxes, but as insurance.

They recognize their obligation to pay taxes. They believe one must render unto Caesar that which is Caesar's. They do not believe they should be compelled to participate in an insurance project or system which is not of their making.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a further statement on this subject, and also the remarks I made at the time of the introduction of my bill last year.

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

STATEMENT BY SENATOR SCOTT

In the last session of the Congress, on June 5, 1962, I introduced a bill to exempt from participation in the Federal old-age and survivors insurance program, individuals who are members of the church whose doctrines forbid participation in such programs on grounds of religious belief. A like amendment was offered to the social security bill and adopted by the Senate on July 17, 1962. The conferees decided to exclude these provisions from the bill as it finally passed the Congress.

In hopes that the present Congress will look more favorably upon this worthy piece of legislation, I again introduce my bill, and request that it be referred to the appropriate committee.

STATEMENT BY SENATOR SCOTT ON JUNE 5, 1962

Mr. President, there is no group in America which commands more respect from the citizens of the Commonwealth than the Amish, sometimes called the "plain people." They are frugal farmers who are hard-working and self-reliant. They are most desirable neighbors. We are proud of them and of their neat, well-kept farms.

The Amish in Pennsylvania and in the other States where they have settled are law-abiding. They pay their taxes promptly. But taxes for old age and survivors' insurance, under the Social Security Act, are a different matter. The religion of the Amish does not permit them to participate in an insurance system. No Amishman will accept the benefits of the social security system; and the payment of taxes into the fund is a direct violation of his religion. There is no question that Amish opposition to this tax is a sincere matter of conscience.

Mr. President, the forefathers of the Amish now living in my State accepted an invitation from William Penn to come to this land where they might enjoy freedom of religion. This benefit later was confirmed by the U.S. Constitution and by the various State constitutions.

Freedom of religion has been one of the most precious liberties in this Nation. Our Government has, on a number of occasions, recognized the right of individuals to be exempt from provisions of laws which ran counter to their religious beliefs. I am of the belief that justice demands such an exemption in this instance.

Members of the Senate will recall the most unfortunate experience approximately a year ago of Mr. Valentine Y. Byler, a God-fearing Amish farmer from western Pennsylvania, who had three of his six farm horses seized and sold by the Internal Revenue Service to satisfy his unpaid social security taxes. At the time, I protested vigorously at the injustice done. But the way to see that it does not happen again, is for Congress to provide by law for the exemption from participation in old age insurance of members of a church whose doctrines forbid such a program on grounds of religious belief. This is the purpose of the bill which I am now introducing.

Only by the passage of a bill of this nature can we be certain that some of these good people do not leave this country because of what to them is a serious infringement on their freedom of religion. Such a departure would be a sad commentary on our fundamental liberty.

THE SENATE PRAYER BREAKFAST GROUP

Mr. THURMOND. Mr. President, it gives me great pleasure to announce to the Senate that the Wednesday Morning Senate Prayer Breakfast Group held its first meeting of 1963 today, January 16. About 20 Senators were in attendance, including a number of new Senators. Senator JOHN C. STENNIS was elected chairman of the group to succeed Senator Alexander Wiley, of Wisconsin, who served so capably for a long period of time. Senator STENNIS has acted as the chief executive officer of the group for a number of years, and his influence in this capacity has contributed greatly to the sustained spiritual impact of the prayer group's activity in the past.

Under the already proven leadership of the distinguished Senator from Mississippi, who has been most zealous in promoting the efforts of this prayer group, even greater successes for the purposes of the prayer group are assured for the future.

The prayer group is open to all Senators and Senator STENNIS has issued a special invitation to the new Senators to attend. The Senate prayer group has much to offer to all Senators, and I am sure that all of us rejoice in the prospect of the fine leadership of the Senator from Mississippi and the accomplishments which his leadership portends for this worthy effort.

RECESS

Mr. McCLELLAN. Mr. President, if no other Senator wishes to address the body this afternoon, and if there is no other urgent business to come before the Senate, I move that the Senate stand in recess until noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 55 minutes p.m.) the Senate took a recess until tomorrow, Thursday, January 17, 1963, at 12 o'clock meridian.

SENATE

THURSDAY, JANUARY 17, 1963

(Legislative day of Tuesday, January 15, 1963

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

Rev. Roland J. Brown, assistant pastor, Phillips Memorial Baptist Church, Cranston, R.I., offered the following prayer:

Our God and Father, Thou who dost seek every man with Thy redeeming and healing love, we invoke Thy blessing on this assembly. As responsible leaders of this Nation, these legislators face difficulties which challenge their individual and collective capacities. They view problems at home and abroad with concern and alarm, and realize that within themselves they lack ultimate truth.

Thou hast promised that when Thy people, who are called by Thy name, will humble themselves and pray and seek Thy face and turn from their wicked ways, then wilt Thou hear from heaven and forgive their sin and heal their land.

Our Father, enable each of us here so to submit our lives to Thee and to Thy purposes, that Thy redeeming and healing love will be manifest in our Nation and in the world. We entreat Thee to enfold men everywhere in Thy watchful care. Amen.

THE JOURNAL

On request of Mr. HUMPHREY, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, January 16, 1963, was dispensed with.

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

As in executive session,

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

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

EXECUTIVE COMMUNICATIONS, ETC.

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

REPORT OF RURAL ELECTRIFICATION ADMINISTRATION

A letter from the Secretary of Agriculture, transmitting, pursuant to law, a report of the Rural Electrification Administration, for the fiscal year 1962 (with an accompanying report); to the Committee on Agriculture and Forestry.

AMENDMENT OF CHAPTER 147, TITLE 10, UNITED STATES CODE, TO DISPOSE OF TELEPHONE FACILITIES BY NEGOTIATED SALE

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

REPORT ON FLIGHT PAY, DEPARTMENT OF THE NAVY

A letter from the Under Secretary of the Navy, reporting, pursuant to law, on flight pay in that Department, for the 6-month period ended December 31, 1962; to the Committee on Armed Services.

PROPOSED TRANSFER OF BOAT TO THE YOUNG WOMEN'S CHRISTIAN ASSOCIATION, PHILADELPHIA, PA.

A letter from the Assistant Secretary of the Navy (Installations and Logistics),