New Jersey: College of St. Elizabeth; Douglass University; Drew University; Fairleigh-Dickinson College; Jersey City Junior College; Jersey City State College; Monmouth College; Rutgers University; Rutgers Graduate Council; Rutgers South Jersey; Montclair State College; Trenton State College; Seton Hall University; St. Peter's College; Newark State College; Upsala College; Newark College of Engineering.

New York State: Alfred Agricultural & Techncal Institute (of State University); Alfred University; Bard College; Canisius College; Clarkson Institute; College of St. Rose; Cornell University; D'Youville College; Erie County Technical Institute; Harpur College; Hartwick College; LeMoyne College; Niagara University; Oneonta State Teachers College; Orange County Community College; Rochester Institute of Technology; Rosary Hill College; State Teachers College, Buffalo; State Teachers College, Cortland; State Teachers College, Fredonia; State Teachers College, New Paltz; State Teachers College, Plattsburgh; State Teachers College, Potsdam; Union College; University of Buffalo; University of Rochester; University of Rochester, School of Nursing; Vassar College; Ithaca College.

Ohio-Indiana: Antioch College; Ashland College; College of Wooster; Defiance College; Denison University; DePauw University; Fenn College; Fenn College, evening session; Indiana University; John Carrol University; Muskinggum College; Oberlin College; Ohio State University; Otterbein College; St. Mary's College; Taylor University; University of Notre Dame; Ursuline College; Western College for Women; Wilberforce University; Wilmington College; Youngstown University.

Pennsylvania-West Virginia: Alderson-Broaddus College; Allegheny College; Alliance College; Beaver College; Bethany College; Bryn Mawr College; Cedar Crest College; Chatham College; Chestnut Hill College; Dickinson College; Drexel Institute of Technology; Gannon College; Grove City College; Hershey Junior College; Immaculata College; Juniata College; Lincoln University; Lycoming College; Mercyhurst Colledge; Mount Mercy College; Philadelphia Textile Institute; Rosemont College; St. Francis College; Seton Hill College; Sheppard College; Swarthmore College; Temple University; University of Pennsylvania, Woman's Student Government; West Virginia University; West Virginia Wesleyan College; Villa Maria College; Harcum Junior College; Waynesburg College; St. Joseph's College; Moravian College; Muhlenberg College.

Rocky Mountain: Colorado State College (of Education); Colorado Women's College; Loretto Heights College; Regis College; University of Colorado; University of New Mexico.

Utah: Brigham Young University; College of Southern Utah (of Utah State University); University of Utah; Utah State University; Weber College.

SENATE

MONDAY, AUGUST 24, 1959

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

God of the Ages, whose help we seek for today's duties, it undergirds us with confidence to know that through every scene life brings, Thou seekest us with patient, haunting pursuit.

When in some great hour of fulfillment of heart's desire we have been moved to kneel and pray and offer thanks, or when some fond hope has lain buried and then from the dust an unseen hand has set us upon our feet again, we have found, O Thou God of our salvation, that Thou hast been closer than breathing and that Thy spirit with ours can meet.

At the beginning of another week confront us with the solemn reality that in the last resort everything depends on the faith that our own life with all its difficulties and problems and hard self-denials has a place in the final mosaic of Thy great plan and that even in the experiences that hurt most Love Almighty is in control and there is a hand that guides.

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

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Friday, August 21, 1959, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Ratchford, one of his secretaries, and he announced that on August 21, 1959, the President had approved and signed the following acts:

S. 746. An act to amend the act entitled "An act to regulate the placing of children in family homes, and for other purposes," approved April 22, 1944, as amended, and for other purposes;

S. 1371. An act to repeal the act approved March 3, 1897, and to amend the act approved December 20, 1944, relating to fees for transcripts of certain records in the District of Columbia;

S. 1407. An act for the relief of Mrs. John M. Cica;

S. 1442. An act for the relief of Kim Fukata and her minor child, Michael (Chaney);

S. 1500. An act for the relief of Yee You Gee;

S. 1533. An act for the relief of Ho Rim Yoon Holsman;

S. 1558. An act for the relief of Theopi Englezos;

S. 1601. An act for the relief of Mrs. Erika Elfriede Ida Ward;

S. 1611. An act for the relief of Adeodato Francesco Piazza Nicolai;

S. 1669. An act for the relief of Evagelia Elliopulos;

S. 1705. An act for the relief of Ivan (John) Persic;

S. 1719. An act for the relief of Lushmon S. Grewal, Jeat S. Grewal, Gurmale S. Grewal, and Tahil S. Grewal;

S. 1773. An act for the relief of Alan Alfred Coleman; and

S. 1829. An act for the relief of Herman Luchner.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

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

MESSAGE FROM THE HOUSE—ENROLLED BILLS AND JOINT RESOLUTION SIGNED

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

S. 900. An act to amend section 204(b) of the Federal Property and Administrative Services Act of 1949 to extend the authority of the Administrator of General Services to pay direct expenses in connection with the utilization of excess real property and related personalty, and for other purposes;

H.R. 271. An act to amend title 38 of the United States Code to provide a further period for presuming service connection in the case of veterans suffering from Hansen's disease (leprosy);

H.R. 4329. An act to provide for the conveyance to any public or private organization of the State of Virginia of certain dwellings acquired in connection with the Chantilly Airport site, Virginia, and for other purposes;

H.R. 6288. An act to establish a National Medal of Science to provide recognition for individuals who make outstanding contributions in the physical, biological, mathematical, and engineering sciences;

H.R. 7106. An act to amend title 38, United States Code, with respect to forfeiture of benefits under laws administered by the Veterans' Administration;

H.R. 7978. An act making supplemental appropriations for the fiscal year ending June 30, 1960, and for other purposes; and

H.J. Res. 115. Joint resolution to reserve a site in the District of Columbia for the erection of a memorial to Franklin Delano Roosevelt, to provide for a competition for the design of such memorial, and to provide additional funds for holding the competition.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule, there will be the usual morning hour, for the introduction of bills and the transaction of other routine business; and I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

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

TRANSACTION OF CONGRESSIONAL BUSINESS AND THE CONGRESSIONAL ADJOURNMENT

Mr. JOHNSON of Texas. Mr. President, I am not overly concerned about the question when the Congress is going to adjourn, although that seems to occupy the attention of so many commentators. The Members of Congress will go home, I think, when they have completed the work which has to be done.

Congress does not assemble in Washington just to make plans for going home. We assemble to transact the pub-

lic business; and there is no reason for us to go home until we have finished our job.

I think there has been much too much speculation about the factors that are supposed to send us home. I do not believe that the mere fact that the President of the United States has invited a guest to visit him is any reason for Members of Congress to pack their bags and leave the Capital.

Yesterday I saw a Gallup poll which demonstrated that the country has a deep and abiding confidence in the ability and the good will of the majority party in the Congress. According to the poll figures, the Democratic Congress enjoys the confidence of the country.

The Democratic Congress enjoys the confidence of the country because we have applied ourselves to the tasks before us, and I believe we shall continue to do so.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the Gallup poll, as published in the New York Herald Tribune of August 23.

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

DEMOCRATS STILL LEADING IN BASIC PARTY STRENGTH

(By George Gallup, director, American Institute of Public Opinion)

PRINCETON, N.J., August 22.—Largely because of an argument that they first drove home to voters more than 20 years ago, the Democrats today continue to run well ahead of the Republicans in terms of basic party strength.

The latest reading on the Gallup poll's regular congressional barometer shows the Democrats with the following lead:

Congressional barometer, August 1959

	Percent
Democrats	59
Republicans	41

It is one of the ironies of modern politics that, with personal incomes at a record high, and the forthcoming Khrushchev visit generally viewed as easing cold war tension, the Republicans find themselves in about as weak a position with the Nation's voters as they have ever been.

VOTE OF 1936 RECALLED

Even in 1936, when President Roosevelt swept to a landslide victory, the Republican share of the congressional vote was no lower than it is today.

The present confidence in the Democrats stems from a belief, heard time and time again by Gallup poll reporters working on this assignment, which goes back to those early New Deal days:

"The Democrats are more for the common people."

If today's political situation is unprecedented, it should be remembered that it occurs in virtually unprecedented times.

Since he first took office in 1953, President Eisenhower has enjoyed a high degree of personal popularity with voters. On the average, his standing with the electorate has been considerably above the average recorded by the Gallup poll for his predecessor, President Truman.

ONE VICTORY IN 30 YEARS

Yet since 1954 the Republicans have failed to win control of Congress—not even in 1956 when Eisenhower scored a major personal triumph.

In point of fact, the Republican Party has scored only one convincing party victory in the last 30 years. That was in 1946, when Republican congressional candidates won 54.3 percent of the vote and controlled the House of Representatives by a 58-seat margin.

(In 1952, Republicans won a slim eight-seat margin in the House while polling less than a majority of the popular vote. In 1942, they polled a majority of the popular vote, but failed to gain control of Congress.)

NOT MANY CONVERTS

The reasons for the current situation are twofold.

1. On the one hand, the Republican Party has failed to make many new converts to Republicanism over the last three decades. Their current showing in the solidly Democratic South, for example, is about what it was in 1930 and 1932.

And, as indicated in Gallup poll surveys, they trail the Democrats on a self-interest barometer among such groups as manual workers, Negroes, and Catholics—all groups which voted heavily Democratic for Congress in the early 1930's and were still doing so in last fall's election.

2. Accompanying this lack of conversion to Republicanism have been sharp inroads by the Democrats in areas and groups which have been traditionally Republican and thus key to Republican victories in the past.

In the Midwest, for example, the Republican Party's current strength is at an all-time low point. A heavy Republican majority in this 12-State area has traditionally offset the Democrats' Southern advantage.

ALLEGIANCES LOST

In addition, studies of voter confidence show that the Republicans are losing the allegiance of such historically Republican groups as the business and professional people and white-collar workers.

A third factor is also at work today—one dealing more specifically with the political situation over the last few years.

With a President of one party and Congress controlled by another since 1954, the voters have, in a sense, deprived themselves of the inalienable political right to throw the rascals out.

This type of sentiment was clearly at work, surveys show, in the Republicans' 1946 congressional election—with the voters wanting the Democratic rascals out of office.

In sum, it is important to remember that the one convincing Republican victory in the past three decades came primarily because of a negative voter reaction to the "ins," and not because of voters being sold on basic Republican philosophies.

THE 50TH STATE—WELCOME TO THE SENATORS FROM HAWAII

Mr. JOHNSON of Texas. Mr. President, it is a deep pleasure to welcome two new Senators to the U.S. Senate. It is an occasion of great historic significance. Today, we are doing more than merely adding a new star to the flag and a new State to the Union. We are reaching out to build a bridge of friendship spanning the Pacific. The people of Hawaii have more than demonstrated their right to assume their new responsibilities. They have served America in war and in peace. They have contributed both to our defense and to our prosperity. I know that when we shall have completed a quorum call this morning, all my colleagues in the Senate will join me in extending a warm greeting to the two gentlemen whom the people of Hawaii have sent here to represent them in the U.S. Senate, and, through them, to the people who have placed the 50th star in our flag.

Mr. DIRKSEN. Mr. President, I join the majority leader in extending the hand of welcome to our distinguished new colleagues who are about to take the oath. I am glad they will grace this body, representing a State not contiguous to the mainland, but far distant.

I suppose in earlier days, and perhaps in the days of the Founding Fathers, they never thought particularly of a State that was not contiguous to the mainland, to the continental area of this country. We live in a new age. Time moves swiftly. There are new problems, new challenges, in the world. And so we extend our domain, and are delighted, then, that a new State is born, and that the 50th star has been added to the flag.

I shall be proud to present our distinguished Republican Senator-elect from Hawaii as soon as we are ready for the swearing-in ceremony.

Mr. KEATING. Mr. President, it is a great pleasure for me to join in welcoming our two new colleagues from Hawaii.

During the Easter recess this year, it was my honor to make a series of addresses in our newest State, then in its last days as a Territory. From Kaui to the Big Island, on Oahu and on Maui, I found a population tremendously alive to the new responsibilities which come with statehood, tremendously interested in public affairs, and joyous in its new status as a full-fledged partner in American democracy.

Hawaii, as we all know, is a beautiful and exotic place, and I would certainly urge my colleagues, most earnestly, to include it in their vacation plans whenever they are able to do so.

Even more important, however, is Hawaii's role as the American bridge to the Far East, and as an example—for each one of us to ponder well—of harmonious life together on the part of peoples with an almost infinite variety of backgrounds.

So if a malihini may use that Hawaiian word which means so much, and so many things, may I in the sense of welcome say "aloha" to Senators LONG and FONG, and extend to them the warmest greetings of the State of New York.

Mr. President, I ask unanimous consent that these remarks may be printed in the RECORD at the conclusion of the remarks of the distinguished minority leader [Mr. DIRKSEN].

The VICE PRESIDENT. Is there objection to the request of the Senator from New York? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, I join the distinguished majority leader and the distinguished minority leader in welcoming our two new Senators, Senator FONG and Senator LONG. I think this is a historic occasion, because we will have in the Senate for the first time an American of Chinese ancestry; we will have in the House an American of Japanese ancestry; we have in the islands themselves a Lieutenant Governor of Hawaiian ancestry.

I am sure that every Member of this body is delighted that the long overdue admission of Hawaii is finally to be culminated in the swearing in today of the

two Senators from that beautiful new State.

I believe that the Union has now been rounded. I think no better place could have been selected for this unique and historic event than the islands which comprise the State of Hawaii.

We are delighted and proud to have these new Members, and we look forward to working with both of them closely in the years ahead.

Mr. KUCHEL. Mr. President, at long last beautiful, romantic Hawaii joins the American Union, and commitments honorably made over the years by both national political parties now have been happily fulfilled. But that, after all, is the way of progress. Lasting progress is always slow but always sure.

Like you, Mr. President, I call California my home.

More than a century ago California found herself faced and plagued with almost precisely the same arguments in opposition to her request for admission to the Union that the people of the Territory of Hawaii have seen over the years lodged against them. Noncontiguity, quite a mouthful of a word, was registered in the 1840's against our State, as subsequently it was to be argued against the admission of Hawaii. California, it was loudly asseverated, had too few people, too little wealth, too many gamblers, and wild Indians.

All those arguments were overcome, and now I am glad that they have been overcome also in the case of Hawaii and that every other Member of the Senate may now welcome OREN LONG and HIRAM FONG as our colleagues and brethren in this great free parliamentary institution, the Senate of the United States.

The strength of America, her people and her Government, springs in great part on the heterogeneous character of Americans. From almost every nation and race all around the globe have come immigrants to America to seek the freedom our Constitution guarantees.

It is in the interest of the strength of the U.S. Senate that we now welcome a new Senator on the minority side of the aisle who is concrete proof that the heterogeneous Republic of ours practices what its Constitution preaches and that our sisterhood of 50 States is living proof of the dynamics of America.

I speak today as the ranking Republican Member of the Senate Territorial Subcommittee which in this Congress, and in the last Congress, fashioned the legislation by which Hawaii was brought into the Union of States. But I speak also as an American, grateful for all that American citizenship means to my family and to me, and perfectly convinced that Hawaii's statehood, like that of Alaska earlier this year, gives infinite assurance that our country will ever remain strong and free.

The name Hiram Fong is an honorable name, Mr. President. In Biblical times, King Solomon sought out Hiram of Tyre for the assistance of a worthy master craftsman to build his temple. It was another Hiram, Hiram Abif, sent there by King Hiram to use his unique and singular talents to build that magnificent temple of antiquity. Here, indeed, was an early Hiram, fashioning an edifice of unbelievable beauty, a builder in the days thousands of years ago. He helped to set the standard for later Hirams to follow. My late, great predecessor, Hiram W. Johnson, was a great American statesman during most of his lifetime.

My grandfather came to the United States, Mr. President, in the 1830's, to seek his freedom, and to live out his life in the new golden California. My late, beloved father was born in San Francisco over a century ago. As I say, Fong is an honorable name, and I think I can say that if one peruses the pages of the telephone directory in the city of San Francisco, he will find listed far more Americans named Fong than Americans named Kuchel.

So, Mr. President, I am delighted, as each of my colleagues is delighted, not only to welcome Mr. LONG from the far side of the aisle, but to welcome on this side of the aisle Mr. FONG each of whom I know will help demonstrate that the self-government we preach we also practice, that the two-party system will continue in America to be vigorous and strong, and that all of us on both sides of the aisle and in both parties are grateful for free government in the United States, as we see it practiced in these ceremonies today, and that we, all of us, rededicate ourselves to the cause of free America in a world of peace, of honor, and of justice. Welcome, my colleagues.

Mr. HOLLAND. Mr. President, I believe this is one of the most historic incidents that has occurred in the Senate of the United States in this century. I doubt if any of us here on the floor or any of those in the gallery will live to see two Senators take their seats in this body as the representatives of a new 51st State.

Aside from that fact, Mr. President, it seems to me that this Congress should have a peculiar pride, in a bipartisan way, in having done in the field of civil rights, which is mentioned so frequently and with so many differing connotations, something that is greater and finer and more lasting than that which has been done by Congress at any earlier time in this century.

Mr. President, the bringing in of the States of Alaska and Hawaii in this year as a result of action during the last 2 years by the Congress of the United States and the Executive is something of which every person who has had a part in bringing about this wonderful moment has just cause to be proud. In a completely bipartisan way Congress, controlled by one party, has cooperated—both Houses and both sides of the aisle in each House—working together with an Executive of the other party, to admit these two new States to statehood. There is no step in the field of civil rights quite so meaningful as that of admitting to statehood great groups of new Americans, new in the sense that for the first time they can now exercise the full duties and responsibilities and privileges of citizenship in the United States of America.

Mr. President, different Senators, different people, have different understandings of what we mean by civil rights, but in my humble judgment there is nothing that we could do or could have done which compares in dignity and in lasting effect in the profound field of civil rights than the granting of statehood to these two new States whom we welcome.

Mr. President, although I have not known Senator FONG I welcome him joyously. We have all known Senator LONG, who has visited us as the Governor of Hawaii, and later as one of the chief citizens of the then Territory, in the effort to bring about statehood year after year, and we all respect and love him. We warmly welcome both the new Senators.

Mr. President, may I say as to the new State of Alaska, now our largest, replacing even the imperial State of Texas which had always been the largest theretofore, no one was warmer in welcoming Alaska to statehood than the majority leader, the senior Senator from Texas, and the junior Senator from Texas. In passing upon the statehood claims of that new and great State we were passing upon a State which confronts the Soviet Union, only a few miles—3, I believe—separating the nearest bodies of land, one a small island belonging to the State of Alaska, the other an island that forms a part of the Soviet Union.

Under no other conditions could we make a more impressive showing, Mr. President, of our deep conviction and belief in liberty and freedom, just as under no other conditions could we make a stronger showing that we practice what we preach, and that we show to our potential enemy and our greatest rival the fact that we hesitate not at all to grant fullest statehood to Alaska, notwithstanding its closeness to the Union of Soviet Republics.

In admitting Hawaii we have created a show window, where all the Orient, with its teeming millions, can see, and will see, that we practice there our belief in liberty, freedom, and democracy and in the dignity of the individual, which is so fundamental to our whole American system.

This is a joyous day for me. It is a joyous day for our Florida people. Even though we have been replaced as the southernmost State of the United States by the admission of Hawaii, it is a happy day for us, and we welcome this newest sister State.

While I speak for both Senators from Florida in welcoming Hawaii to the family of States, I have the honor to present again to the Senate of the United States our illustrious Governor, recently chairman of the national Governors' conference, and recently chairman of the southern Governors' conference, as a friend of statehood of both Alaska and Hawaii. He shares with the Senator from Florida the view that our convictions as to freedom and liberty of the individual, the greatest value we have in this Nation, should have long ago resulted in the extension of statehood to those two former Territories. Our Governor is here to take a bow for our State in welcoming the State which has just replaced us as the southernmost State

in the Union. I am proud to present Governor Collins, of Florida. [Applause.]

Mr. GRUENING. Mr. President, I heartily applaud and share the eloquently expressed views on this occasion of the senior Senator from California [Mr. KUCHEL] and the senior Senator from Florida [Mr. HOLLAND], both of whom were such stanch and effective advocates of our statehood causes and I rise with a deep sense that we are participating in a great historic event in saluting our two colleagues from Hawaii who have just been sworn in, raising to a round and conclusive 100 the number of Senators.

I welcome my old friend, OREN LONG, whom I have known for many years—first as superintendent of public instruction of the Territory of Hawaii, then as secretary of Hawaii, and then as Governor—as well as our new colleague on the other side of the aisle, HIRAM FONG, whose reputation of having achieved an Horatio Alger type of success has preceded him. He likewise is a fellow alumnus of a distinguished university which has other graduates in this body. As one who supported the cause of Hawaiian statehood ever since my entry into the Federal service 25 years ago, when I became the first Director of the Division of Territories and Island Possessions of the Department of the Interior, I feel that this is a day of great fulfillment, not merely for the intensely patriotic Americans of Hawaii, but for our entire Nation. Hawaii has much, much to give our Nation, and through our Nation to the world.

Over 60 years ago, Hawaii came under the American flag, with every hope and desire that its Territorial status would not last long. While it has been longer than many of us hoped, all is well that ends well.

The admission of Hawaii to statehood means a great deal to the United States. It demonstrates that the United States is still young, still progressing, still dynamic, still growing both materially and spiritually, and still as deeply steeped as ever in the principles of the Founding Fathers.

As the junior Senator from Alaska—until today our youngest State—it gives me great satisfaction to relinquish my "juniority"—if I may coin this word—and to welcome warmly the two Senators from the 50th State. I wish our two colleagues every success in their new responsibilities.

Mr. MORSE. Mr. President, the past hour has been a dramatic and historic one in the life of this great Republic. I thought the senior Senator from Florida [Mr. HOLLAND] expressed so eloquently my own views, as I wish I were able to express them, that I shall be content to associate myself with the remarks he made with regard to the admission of Alaska and Hawaii.

The admission of these two States and the seating of the two Senators from each State constitute freedom's answer to Russian propaganda. I believe that the seating of these four Senators and their counterparts in the House of Representatives will have a great effect on American relations all over Asia, as well as in other parts of the world. By our action today, and through the action we took earlier with respect to Alaska, we have demonstrated convincingly that our people have put America's ideals of freedom into practice. As the Senator from Florida said so eloquently, I believe that by these proceedings we have given unanswerable proof that we put into practice our ideals of nondiscrimination in the administration of our free Government.

I think it is a thrilling thing that the opportunity has been ours today to participate in these ceremonies because, as the Senator from Florida pointed out in conversation with me, we probably shall never again in our lifetime see such an event. Possibly no like event will occur again in the history of the Nation itself. It has been our privilege to participate in a great symbolic occasion.

Mr. BIBLE. Mr. President, this is indeed an occasion of vast historical importance for our Nation.

I am privileged to add my words of welcome to our new colleagues from the 50th State. I was a strong advocate of Hawaiian statehood and followed the course set by an illustrious predecessor, the late Senator Francis G. Newlands, of Nevada, who in 1898 introduced a resolution which provided for the annexation to the United States of the Hawaiian Islands.

As I said on the floor at the time Hawaii's case for statehood was being debated, I say again today: Here we have a dramatic demonstration of true and undiluted democracy.

Mr. YARBOROUGH. Mr. President, as was so ably said by the distinguished Senator from Florida [Mr. HOLLAND], the admission of Hawaii as a State is the fulfillment of a historic agreement. More than 100 years ago some American statesmen negotiated with the Kingdom of Hawaii, seeking to admit it as a State in the American Union. After a delay of some 40 years, the Kingdom of Hawaii had become the Republic of Hawaii. Then it took voluntary action to join the Union as a Territory, with special Territorial status.

Now, a little more than 60 years later, Hawaii has come into the Union as a full-fledged member of this sisterhood of States.

We in Texas have a peculiar feeling for Hawaii, because Texas and Hawaii are the only two States to have maintained a separate, independent existence as nations, showing that they had the power, the ability, and the know-how to maintain their independencies.

Each nation had its separate monetary system, postal system, and diplomatic corps scattered throughout the world. These two nations, by their separate existence as nations, understood their obligations as States when they entered the Union.

I think the Senator from Florida has eloquently stated the values of admitting Hawaii to statehood. But I think there are other values. Many people today say that the greatest unexplored territory lies not out among the stars, but may lie in that part of the earth which is covered by water. The science of oceanography is one of the fastest growing sciences. The mild climate of Hawaii makes it a peculiarly attractive place for study in this field. Scientists believe that in about a hundred years much of the food for man will come from the water. It is believed that it will be possible to plant crops in shallow water and harvest them as crops are harvested on the land, and that the currents and the storms will not be as severe on the crops grown in water as they are on the food grown on land.

So Hawaii is in a position to lead in the progress of the studies which are being made now in this great work. I believe Hawaii will make useful and peculiar contributions to the materials necessary for civilization because of her scientific knowledge. I am happy to be one of the representatives of her sister States to welcome Hawaii as a State in the Union.

Mr. BARTLETT. Mr. President, I wish all Americans everywhere could have heard the very eloquent remarks of the distinguished senior Senator from Florida [Mr. HOLLAND] with respect to the admission of Hawaii and Alaska as States of the Union. I wish, too, that they could have heard what the distinguished senior Senator from California [Mr. KUCHEL] had to say about this. No person, either in or out of Congress, ever strived harder to bring statehood to those Territories of the West than the Senator from California or the Senator from Florida.

I observe in the Chamber now the distinguished ranking minority member of the House Committee on Interior and Insular Affairs, Hon. JOHN P. SAYLOR, of Pennsylvania. Mr. SAYLOR likewise is among those to be counted as a stanch supporter, advocate, and worker for statehood for both Alaska and Hawaii. Other Members of the House who come to mind as having provided great assistance are the chairman of the Committee on Interior and Insular Affairs, Hon. WAYNE N. ASPINALL, and Representative LEO W. O'BRIEN, chairman of the Subcommittee on Territories of the House Committee on Interior and Insular Affairs, who did so much over the years to further this great cause.

The number of supporters has been legion. Obviously, Mr. President, that is the case, or else statehood would not now be the legal status of either Alaska or Hawaii. As the Senator from Florida has stated, this movement was carried through on a bipartisan basis.

Mr. President, I wish that the late Joe Farrington, who for so many years was the able Delegate from Hawaii, could be here to witness this great day; and I wish that the Delegate who was in the Congress at the time when statehood for Hawaii was achieved, John Burns, were now to play a more immediate active role in the government life of that island community. He did very much, indeed, to bring statehood to Hawaii; and I know that he will return to the field of government, to make the great contribution of which he is capable.

Mr. President, from the standpoint of my seniority in this great body, I would raise my voice to add to the statements already made by the other Senators who

have spoken in welcome to Mr. FONG and Mr. LONG. It is true that my seniority has been very recently attained—as a matter of fact, within the hour; but my colleague, ERNEST GRUENING, and I, gladly move aside to make room for the baby Senators.

Mr. President, speaking for myself, for many, many years, I have believed that Hawaii would be a State. I came to that belief because of testimony presented before the House Interior and Insular Affairs Committee when I was a member of that committee; and that belief was only strengthened when I visited the island Territory in 1954.

In Alaska and in Hawaii there is demonstrable evidence that democracy works, and works supremely well, among people of diverse racial origins.

The people of Hawaii have ever so much to give to this Union of States; and I know that their contributions will be great and magnificent. They are sterling Americans, these residents of the paradise islands of the Pacific.

Mr. President, I heard with particular interest the statement, made earlier in the day by the junior Senator from Montana [Mr. MANSFIELD], that the Union is now rounded out with 50 States. My personal opinion is that that is a literal fact, and that the Union will remain at 50 States, and that the last two organized Territories have been admitted to the Union as full and equal States.

Over the years, when the struggle for statehood for the two equal Territories went on, it often was said that their admission to the Union as States would result in breaking down the barrier, and in making it possible to admit to the Union all the islands of the seas, or even countries in Europe, as States of our Union. I never took any stock in that fear, Mr. President. But, in any case, the Congress of the United States will be the judge; and no State will be admitted to the Union unless the Congress approves, and the Congress will never approve unless the Nation so demands.

Mr. President, I am indeed happy that so shortly after the Alaska Senators had the honor and the privilege of taking their oaths in this great Chamber, Mr. FONG and Mr. LONG have become the newest Members of the U.S. Senate. This is a historic day.

Mr. HENNINGS. Mr. President, I would not undertake to embellish or enlarge upon the most meaningful, sincere, and eloquent expressions by the Senator from Florida, the Senator from Texas, the Senator from Oregon, and the Senators from Alaska—both Senator GRUENING and Senator BARTLETT. Of course the statements made by the two Senators from Alaska were among the best and the most impressive. They spoke with great feeling, because they know what a struggle it was for Alaska to be admitted to the Union.

I am very happy to say that, during my service in the Senate I have always supported legislation to grant statehood to Hawaii and Alaska.

So I express my own personal satisfaction, and I extend to Hawaii's representatives in the Senate and to the Hawaii Member of the House of Representatives warmest congratulations and expressions of good will and cordial hospitality.

Mr. KEFAUVER. Mr. President, I wish to join my colleagues who have expressed pleasure over the admission of the 50th State and the swearing in of the Senators from Hawaii today. I have known of Senator FONG and of his remarkable career for a long time, but I had not known him personally. I have known Senator LONG, of Hawaii, for a long time, and it is a special privilege and pleasure to welcome him as a Senator from Hawaii. Senator LONG, of Hawaii, was superintendent of schools at Knoxville, Tenn., for many, many years, and he was highly regarded by all the citizens of that State who had the privilege of working with him. We are very proud of the fact that he has now become a Senator from Hawaii. I know that he will bring to this body much valuable experience in the administration of education and school problems, which experience he has had both in Tennessee and in Hawaii.

Mr. President, this has been a great year for the people of Alaska and Hawaii. This is not only a great day for the people of the beautiful islands of Hawaii, who had sought statehood for so long, but I think it gives all our American people a new interest. It gives us new ideas and new opportunity for growth and expansion. It is a demonstration that our democracy can grow and can enlarge its opportunities by the admission of new States.

During the more than 20 years that I have been a Member of Congress, first in the House of Representatives and then in the Senate, I have always fought for and joined in sponsoring bills for the admission of both Alaska and Hawaii as States. On one occasion I had the privilege of being chief sponsor here in the U.S. Senate of a bill for statehood for Alaska and Hawaii. Back in those days there was a substantial amount of opposition to statehood for Alaska and Hawaii both in the Congress and among our people, but now former critics of statehood fortunately have joined in extending a welcome to the people of those new States, and they have obtained an appreciation of the value that is to come to our Nation and to the world by their admission.

Mr. JAVITS. Mr. President, I join all my colleagues in paying tribute, in regard to the swearing in of the two Senators from Hawaii today, to them personally, for the historic role which they are fulfilling, and to the great action of the U.S. Congress, of the President, and of all who have worked so hard for Hawaiian statehood over the years.

Mr. President, this is a great victory in the foreign policy of the United States, and should be recorded as such. It represents the entry of the United States in an authoritative way into the Pacific, taking unto itself of its own and making it a part of the family. It represents also acknowledgment by us that there is complete equality among us in terms of statehood; as desired by those of us, like the Senator from Missouri [Mr. HENNINGS], and other Senators, who fight for equality in terms of citizenship without regard for race, creed or color.

So we honor this equality in our States, and wish to honor it among our citizens.

Mr. President, while we speak of this historic occasion I have the honor to bring to the attention of the Senate the role played by former Senator Guy Cordon, of Oregon, the chairman of the Senate Committee on Interior and Insular Affairs in the 83d Congress, which committee reported the bill and led the floor fight for Hawaiian statehood. The Senate passed the bill, but no action was taken in the House of Representatives.

It was former Senator Cordon who led the fight which resulted in the very first passage of a Hawaiian statehood bill by the Senate.

Mr. President, this is the kind of day we wish to honor men such as former Senator Cordon, who is no longer with us.

Mr. CHURCH. Mr. President, I should like to join with my colleagues on both sides of the aisle in extending a cordial welcome to the newly elected Senators from our 50th State of Hawaii.

In our time, Mr. President, we have witnessed the dissolution of the great empires which dominated the affairs of men in the 19th century. These empires have broken up in our time, like large icebergs in a thaw. Out of the wreckage, Mr. President, has emerged the United States of America, at the summit of its power and its glory, the strongest of the free nations of the world.

What accounts for this astonishing American success story, Mr. President? I think, more than any other fact, it is due to the unique contribution which we have made to the science of government, in not attempting the building of an empire, but rather the building of one nation. Statehood has been the mortar of its construction.

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

Mr. CHURCH. I will be happy to yield to the Senator from Montana.

Mr. MANSFIELD. The Senator mentioned the mortar used in the construction of statehood for Hawaii. I want to say for the record that no man in this body has worked harder or with greater enthusiasm for statehood for Hawaii than the distinguished Senator from Idaho [Mr. CHURCH].

I would, of course, have to include in that category such men as our distinguished minority whip, the Senator from California [Mr. KUCHEL], the chairman of the subcommittee in the Interior and Insular Affairs Committee, who reported the bill for statehood originally, Senator JACKSON, of Washington; also the chairman of the full committee, my distinguished senior colleague, Senator JAMES E. MURRAY. But I would say that all the individuals in this Chamber who have worked long and hard for statehood for Hawaii, no one is entitled to greater consideration for the unflagging interest he has consistently shown than our distinguished junior colleague from the State of Idaho, Senator CHURCH, who is now addressing this body.

Mr. CHURCH. I appreciate very much the generous remarks of our as-

sistant majority leader. May I say of him that he was always a determined leader in the fight to win statehood both for Alaska and for Hawaii, and a strong ally to all of us who were interested in both causes.

Mr. President, this morning as we witnessed the swearing in ceremonies of the two Senators from Hawaii, I think all of us were impressed with the solemn significance of the occasion. It may well be that with the admission of Hawaii, the last great State has been added to this Republic and its edifice may now be completed. History alone will tell.

In any case, Mr. President, this is a joyous day in the years of our Republic, a day that should live long in the hearts of all who love their country.

Mr. NEUBERGER. Mr. President, I desire to join very briefly in welcoming our distinguished and historic new colleagues from the great new 50th State of Hawaii.

However, I should like to add one word of caution with respect to some of the prophecies I have heard voiced on the floor of the Senate today. If one will read the history of the United States he will discover that prophecies are often dangerous. When Meriwether Lewis and William Clark first set out for the West, it was said by foes of President Jefferson that they would never return. After they had returned, it was claimed that the $2,500 that was spent on their expedition was a waste, because no one would ever live in the area which they had explored, between St. Louis and the mouth of the Columbia River.

When it was first proposed that the Army Engineers make surveys of the passes through the Rocky Mountains, it was contended that it was the wildest folly ever to think of building a railroad across the Continental Divide.

I have heard a number of prophecies today to the effect that the Union has been rounded out by a 50th State, and that no one need ever think of another State being added.

Perhaps such prophecy is perilous. In my opinion no one can tell what the future may hold. As countries like the Soviet Union and Red China emerge from peasantry and medievalism into the industrial age, who can know what pressures may be on the entire Continent of North America, perhaps, to become one country? No one can foresee what dire events may take place when China, with a quarter of the world's population, begins to make use of modern technology and industrial techniques. So the time may come, even within the lifetime of some Members of this body, when areas such as British Columbia or Manitoba may become States of the Union. It may be that men as young as the distinguished junior Senator from Idaho [Mr. CHURCH] who is only 34 years old, may live to sit in this Chamber and rise in applause to welcome the first Senator who takes his oath from British Columbia or from New Brunswick.

So while I, myself, am voicing no prophecies, I caution against the statement that, with 50 States, the Union is rounded out forever. Forever is a long time. It is said that Dr. Albert Einstein told his biographers that the universe would last 3 billion years.

I trust the United States of America will last an equally long time. Anyone who claims that he can see into the future for 3 billion years is claiming, for himself, powers which I would hesitate to arrogate unto myself.

CALL OF THE ROLL

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken
Allott
Anderson
Bartlett
Beall
Bennett
Bible
Bush
Butler
Byrd, Va.
Byrd, W. Va.
Cannon
Capehart
Carroll
Case, N.J.
Case, S. Dak.
Chavez
Church
Clark
Cooper
Cotton
Dirksen
Douglas
Dworshak
Eastland
Ellender
Engle
Ervin
Frear
Fulbright
Goldwater
Gore
Green
Gruening
Hart
Hartke
Hayden
Hennings
Hickenlooper
Hill
Holland
Hruska
Humphrey
Jackson
Javits
Johnson, Tex.
Johnston, S.C.
Jordan
Keating
Kefauver
Kennedy
Kerr
Kuchel
Langer
Lausche
Long, La.
McCarthy
McClellan
McGee
McNamara
Magnuson
Mansfield
Monroney
Morse
Morton
Moss
Mundt
Murray
Muskie
Neuberger
Pastore
Prouty
Proxmire
Randolph
Robertson
Russell
Schoeppel
Scott
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Wiley
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. MANSFIELD. I announce that the Senator from Wyoming [Mr. O'MAHONEY] and the Senator from Connecticut [Mr. DODD] are absent because of illness.

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from Kensas [Mr. CARLSON], the Senator from Nebraska [Mr. CURTIS], and the Senator from Massachusetts [Mr. SALTONSTALL] are necessarily absent.

The Senator from Iowa [Mr. MARTIN] is absent on official business.

The VICE PRESIDENT. A quorum is present.

Mr. JOHNSON of Texas. Mr. President, may we have order in the Chamber?

The VICE PRESIDENT. The Senate will be in order.

SENATORS FROM HAWAII

Mr. JOHNSON of Texas. Mr. President, I send to the desk the certificate of the election of the Honorable OREN E. LONG.

The VICE PRESIDENT. The credentials of the Senator-elect from the State of Hawaii will be read and placed on file.

The legislative clerk read the credentials of OREN E. LONG, elected Senator from the State of Hawaii, which were ordered to be placed on file, as follows:

STATE OF HAWAII,
EXECUTIVE CHAMBERS,
Honolulu, Hawaii.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 28th day of July 1959, OREN E. LONG was duly chosen by the qualified electors of the proposed State of Hawaii a Senator from said State to represent said State in the Senate of the United States for a term to be determined by the Senate, beginning on the 21st day of August 1959.

Witness: His Excellency our Governor, William F. Quinn, and our seal hereto affixed at Iolani Palace, Honolulu, Hawaii, this 21st day of August, in the year of our Lord 1959.

[SEAL] WILLIAM F. QUINN,
Governor of Hawaii.

By the Governor:

JAMES KEALOHA,
Lieutenant Governor of Hawaii.

Mr. DIRKSEN. Mr. President, I send to the desk a message over the signature of the Honorable William F. Quinn, Governor of Hawaii, and ask that it be read.

The VICE PRESIDENT. The credentials of the Senator-elect from the State of Hawaii will be read and placed on file.

The legislative clerk read the credentials of HIRAM L. FONG, elected Senator from the State of Hawaii, which were ordered to be placed on file, as follows:

STATE OF HAWAII,
EXECUTIVE CHAMBERS,
Honolulu, Hawaii.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 28th day of July 1959, HIRAM L. FONG was duly chosen by the qualified electors of the proposed State of Hawaii a Senator from said State to represent said State in the Senate of the United States for a term to be determined by the Senate, beginning on the 21st day of August 1959.

Witness: His Excellency our Governor, William F. Quinn, and our seal hereto affixed at Iolani Palace, Honolulu, Hawaii, this 21st day of August, in the year of our Lord 1959.

[SEAL] WILLIAM F. QUINN,
Governor of Hawaii.

By the Governor:

JAMES KEALOHA,
Lieutenant Governor of Hawaii.

The VICE PRESIDENT. The Senators-elect will present themselves at the desk to take the constitutional oath of office.

Mr. LONG of Hawaii, accompanied by Mr. JOHNSON of Texas, and Mr. FONG, accompanied by Mr. DIRKSEN, advanced to the Vice President's desk; the oath prescribed by law was administered to them by the Vice President, and they each subscribed to the oath in the official oath book and took their seats in the Senate.

[Applause on the floor and in the galleries.]

TERMS OF NEW SENATORS

Mr. JOHNSON of Texas. Mr. President, I send to the desk a resolution for the classification of the two Senators from Hawaii, and I ask for its immediate consideration.

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

The legislative clerk read the resolution (S. Res. 172) as follows:

Resolved, That the Senate proceed to ascertain the classes to which the Senators from the State of Hawaii shall be assigned, in conformity with the resolution of the 14th of May 1789, and as the Constitution requires.

Resolved, That the Secretary put into a ballot box two papers of equal size, one of which shall be numbered 1 and the other shall be a blank. Each of the Senators from the State of Hawaii shall draw out one paper, and the Senator who shall draw the paper numbered 1 shall be assigned to the class of Senators whose terms of service will expire the 2d day of January 1965. That the Secretary then put into a second ballot box two papers of equal size, one of which shall be numbered 2 and the other shall be numbered 3. The other Senator shall draw out one paper. If the paper drawn be numbered 2, the Senator shall be assigned to the class of Senators whose terms of service will expire the 2d day of January 1961; and if the paper drawn be numbered 3, the Senator shall be assigned to the class of Senators whose terms of service will expire the 2d day of January 1963.

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

There being no objection, the resolution was considered and agreed to.

The VICE PRESIDENT. Pursuant to the resolution, the Secretary will place in the ballot box two papers, one numbered 1 and the other a blank.

The Secretary placed the papers in the ballot box.

The VICE PRESIDENT. The two Senators from Hawaii will now present themselves at the desk.

Mr. LONG of Hawaii and Mr. FONG presented themselves at the desk.

The VICE PRESIDENT. The Senator from Hawaii [Mr. LONG] will draw the first paper.

[Mr. LONG of Hawaii drew a paper from the box.]

The VICE PRESIDENT. The Senator from Hawaii [Mr. LONG] has drawn the paper which is blank.

[Mr. FONG drew a paper from the box.]

The VICE PRESIDENT. The Senator from Hawaii [Mr. FONG], having drawn the paper numbered 1, his term of service will expire on January 2, 1965.

[Applause, Senators rising.]

The VICE PRESIDENT. Pursuant to the resolution, the Secretary will place in the ballot box two papers numbered, respectively, 2 and 3.

The Secretary placed the papers in the ballot box.

The VICE PRESIDENT. The Senator from Hawaii [Mr. LONG] will draw a paper from the ballot box.

[Mr. LONG of Hawaii drew a paper from the box.]

The VICE PRESIDENT. The Senator from Hawaii [Mr. LONG] having drawn the paper numbered 3, his term of service will expire on January 2, 1963.

[Applause, Senators rising.]

TRIBUTE TO SENATOR O'MAHONEY

Mr. GRUENING. Mr. President, while we are paying tribute to our new colleagues from Hawaii there is one of us who is not present, but were he present he would be heard—and heard unforgettably. His great service in behalf of statehood for Hawaii and Alaska should be recognized by us here and now as history will recognize it. He is JOSEPH C. O'MAHONEY, the senior Senator from Wyoming. He started the ball rolling both for Alaska and Hawaii statehood early in this decade. He held the first Senate hearings on the statehood bill. He reported the first statehood bills to the Senate for those former Territories. He led the fight for their admission. It is a cause of great regret to us all that Senator O'MAHONEY's illness has kept him from the Senate.

I desire to pay this deserved tribute to him, as the man who carried on this fight in its early and more difficult stages, whose sincerity and eloquence lifted their cause to great heights and laid the foundation upon which others have built until statehood for Alaska and Hawaii was achieved. We all hope that the beloved senior Senator from Wyoming, more than a national figure, will be back with us soon and that his clear and forthright expressions in behalf of the public interest may again be heard in this Chamber.

EXECUTIVE COMMUNICATIONS, ETC.

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

PROPOSED SUPPLEMENTAL APPROPRIATIONS, FISCAL YEAR 1960 (S. DOC. NO. 47)

A communication from the President of the United States, transmitting proposed supplemental appropriations for the fiscal year 1960 in the amount of $19,349,000 for various agencies of the executive branch (with accompanying papers); to the Committee on Appropriations, and ordered to be printed.

PLANS FOR WORKS OF IMPROVEMENT IN CERTAIN STATES

A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting, pursuant to law, plans for works of improvement on Blackberry River, and North Branch Park River, Conn., Taylor Creek, Fla., Potato Creek, Ga., Crab Orchard Creek, Ky., East Fork of Clarks River, Ky. and Tenn., SuAsCo, Mass., Bowman-Spring Branch, Nebr., Santa Cruz River, N. Mex., Willakenzie area, Oregon, Green-Dreher, Pa., and Caney Creek, Tex. (with accompanying papers); to the Committee on Agriculture and Forestry.

REPORT ON COMMODITY CREDIT CORPORATION SALES POLICIES, ACTIVITIES, AND DISPOSITIONS

A letter from the Assistant Secretary of Agriculture, transmitting, pursuant to law, a report of the General Sales Manager on Commodity Credit Corporation sales policies, activities, and dispositions, for the month of June 1959 (with an accompanying report); to the Committee on Agriculture and Forestry.

REPORT ON OVEROBLIGATION OF AN APPROPRIATION

A letter from the Assistant Secretary of Agriculture, reporting, pursuant to law, on the overobligation of an appropriation "1292539 (33) school lunch program, Agricultural Marketing Service (transfer to Commodity Stabilization Service), 1959"; to the Committee on Appropriations.

REPORT ON EXPORT CONTROL

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report on export control, for the second quarter of 1959 (with an accompanying report); to the Committee on Banking and Currency.

REPORT ON EXAMINATION OF CONTRACT WITH CONVAIR, SAN DIEGO, CALIF.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the examination of the pricing of Department of the Air Force contract AF 33(600)-31174 with Convair, a division of General Dynamics Corp., San Diego, Calif., dated August 1959 (with an accompanying report); to the Committee on Government Operations.

REPORT ON PROVISION OF AVIATION WAR-RISK INSURANCE

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report on the provision of aviation war-risk insurance, as of June 30, 1959 (with an accompanying report); to the Committee on Interstate and Foreign Commerce.

REPORT ON TORT CLAIMS PAID BY DEPARTMENT OF COMMERCE

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report on tort claims paid by that Department during fiscal year 1959 (with an accompanying report); to the Committee on the Judiciary.

ADMISSION INTO THE UNITED STATES OF CERTAIN DEFECTOR ALIENS

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

SUSPENSION OF DEPORTATION OF ALIENS—WITHDRAWAL OF NAME

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, withdrawing the name of Tom Do Shing from a report relating to aliens whose deportation has been suspended, transmitted to the Senate on June 16, 1958; to the Committee on the Judiciary.

PLAN FOR WORKS OF IMPROVEMENT IN OKLAHOMA

A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting, pursuant to law, a plan for works of improvement on Caney-Coon Creek, Okla. (with accompanying papers); to the Committee on Public Works.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Acting Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a report of the Archivist of the United States on a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. JOHNSTON of South Carolina and Mr. CARLSON members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

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

By the VICE PRESIDENT:

A resolution adopted by the National Association of Attorneys General, at New Orleans, La., relating to Federal tort claims coverage for members of the National Guard; to the Committee on the Judiciary.

A resolution adopted by the Common Council of the City of Detroit, Mich., favoring the enactment of Senate bill 1046, to increase the minimum wage, and so forth; to the Committee on Labor and Public Welfare.

A resolution adopted by the Council of the City of Ashtabula, Ohio, favoring the enactment of the bill (H.R. 7634) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes; to the Committee on Public Works.

The petition of Walter R. Horn, of Joplin, Mo., favoring the enactment of the so-called Landrum-Griffin labor-management relations bill; ordered to lie on the table.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROBERTSON, from the Committee on Banking and Currency, without amendment:

S. 2431. A bill to provide for the striking of medals in commemoration of the 100th anniversary of statehood of the State of Kansas (Rept. No. 801); and

S. 2517. A bill to amend section 7 of the Federal Home Loan Bank Act, as amended (Rept. No. 804).

By Mr. BENNETT, from the Committee on Banking and Currency, without amendment:

S. 2454. A bill to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the pony express (Rept. No. 800).

By Mr. JOHNSTON of South Carolina, from the Committee on the Judiciary, without amendment:

H.R. 2725. An act to amend chapter 3 of title 18, United States Code, so as to prohibit the use of aircraft or motor vehicles to hunt certain wild horses or burros on land belonging to the United States, and for other purposes (Rept. No. 802).

PROGRAM OF ASSISTANCE TO CORRECT INEQUITIES IN CONSTRUCTION OF FISHING VESSELS—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS

Mr. ENGLE. Mr. President, from the Committee on Interstate and Foreign Commerce, I report favorably, without amendment, the bill (S. 2578) to provide a program of assistance to correct inequities in the construction of fishing vessels and to enable the fishing industry of the United States to regain a favorable economic status, and for other purposes, and I submit a report (No. 803) thereon. I ask unanimous consent that the report may be printed, with individual views of the Senator from South Carolina [Mr. THURMOND] and the Senator from Ohio [Mr. LAUSCHE].

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

BILLS INTRODUCED

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

By Mr. CHURCH (for himself and Mr. NEUBERGER):

S. 2586. A bill to provide for the conservation of anadromous fish spawning areas in the Salmon River, Idaho; to the Committee on Interstate and Foreign Commerce.

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

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

S. 2587. A bill to require an act of Congress for public land withdrawals in excess of 5,000 acres in the aggregate for any project or facility of any department or agency of the Government; to the Committee on Interior and Insular Affairs.

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

By Mr. GORE:

S. 2588. A bill to amend the Highway Revenue Act of 1956 so as to transfer to the highway trust fund a portion of the receipts from the excise tax on passenger automobiles collected during the 1960 fiscal year; to rescind 1 percent of certain appropriations made for the 1960 fiscal year; and for other purposes; to the Committee on Finance.

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

By Mr. LAUSCHE:

S. 2589. A bill for the relief of Agatha Eccleston; to the Committee on the Judiciary.

By Mr. JOHNSON of Texas:

S. 2590. A bill to authorize the Starr-Camargo Bridge Co. to construct, maintain, and operate a toll bridge across the Rio Grande, at or near Rio Grande City, Tex.; to the Committee on Foreign Relations.

CONCURRENT RESOLUTION

PLAN TO HOLD INTERNATIONAL CONFERENCES TO STRENGTHEN RULE OF LAW AMONG NATIONS

Mr. JAVITS (for himself and 36 other Senators, submitted a concurrent resolution (S. Con. Res. 74) favoring a plan to hold international conferences in order to strengthen the rule of law among nations, which was referred to the Committee on Foreign Relations.

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

RESOLUTIONS

PRINTING AS A SENATE DOCUMENT A LETTER TO THE PRESIDENT FROM THE PRESIDENT'S COMMITTEE TO STUDY THE MILITARY ASSISTANCE PROGRAM AND COMMITTEE'S FINAL REPORT

Mr. DIRKSEN submitted the following resolution (S. Res. 171); which was referred to the Committee on Rules and Administration:

Resolved, That a "letter to the President of the United States from the President's Committee To Study the United States Military Assistance Program and the Committee's Final Report," and the President's letter of transmittal of that report, dated August 20, 1959, be printed with illustrations as a Senate document.

TERMS OF SENATORS FROM HAWAII

Mr. JOHNSON of Texas submitted a resolution (S. Res. 172), relating to the terms of the Senators from Hawaii, which was considered and agreed to.

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

COMMENDATION OF NATIONAL JAYCEE COMMUNITY DEVELOPMENT PROGRAM

Mr. HARTKE submitted a resolution (S. Res. 173) commending the National Jaycee Community Development Program, which was referred to the Committee on Labor and Public Welfare.

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

CONSERVATION OF ANADROMOUS FISH SPAWNING AREAS IN SALMON RIVER, IDAHO

Mr. CHURCH. Mr. President, I introduce, for appropriate reference, a bill which would provide for the conservation of anadromous fish spawning areas in the Salmon River of Idaho.

Mr. President, the Salmon River begins and ends in Idaho; it contributes 8,100,000 acre-feet of the average annual runoff of the Columbia Basin; it is the main spawning stream—besides the Columbia itself above the Snake River—for anadromous fish, accounting for approximately 30 percent of the total which passes McNary Dam, and more than half of the total of spring and summer Chinook.

Migrating salmon must pass, both upstream and downstream, existing dam structures at Bonneville, the Dalles, McNary, and Ice Harbor—under construction—en route to the confluence of the Snake and the Salmon. None of these have provisions for downstream passage of fingerlings. Methods for passing adult fish upstream over dams up to 100 feet have been operated for many years, and solutions are being sought to passage over higher structures. Solutions for the problem of passing the young downstream migrants over high dams are not as advanced. Losses from passage through turbines of the lower structures have been about 11 percent, but the pressures preclude this for the higher structures.

Evidence indicates that projected development of the Upper Columbia will reduce the spawning there as the reservoir areas and slack water encroach upon spawning grounds. The Salmon River's importance as the principal spawning stream will proportionately increase.

Mr. President, I am introducing this bill in the last days of this session for a special reason. Although I have talked this matter over with a number of people in my State and have received assurances from many of them that this is a sound approach, I recognize that an attempt to inhibit an agency like the Federal Power Commission from licensing structures on any navigable

stream is a serious and restrictive step, and one which should be taken only if there is strong evidence that such step is in the public interest and in accordance with sound public policy.

Therefore, Mr. President, it is my hope that the committee to which this bill is referred, will utilize the recess period to give the bill careful study. Perhaps it will be decided that public hearings in the area would be desirable. In such case I would hope to be able to sit with the committee and to listen to the points of view expressed by those people in the Northwest who have a lifelong and vital interest in the Columbia River and the Salmon River, one of its principal tributaries.

I call particular attention, Mr. President, to the fact that this bill is limited by a provision which recognizes that there already are dams below the mouth of the Salmon River which the salmon must overcome, and therefore it does not prohibit the licensing of new dams on the Salmon River itself which are no more restrictive to the passage of fish to their spawning grounds than similar structures downstream.

I call further attention, Mr. President, to the fact that the bill as I have drafted it, will require the Secretary of the Interior to report to the Congress any developments in fish conservation or in the construction of dams or reservoirs that in his opinion would justify the removal of the restrictions which this bill contains.

In summary, Mr. President, let me make these three points concerning the bill which I am introducing:

First. It is a "study" bill—intended to call for a review of the important problem of maintaining the Salmon River as a spawning area for anadromous fish;

Second. It is a limited bill—it does not foreclose all developments on the Salmon River, but only those which would block salmon runs;

Third. It calls for affirmative action on the part of the Secretary of the Interior to keep the Congress informed as to the continuing need for this kind of restriction, so that the law may be modified or repealed, when new methods for successful fish passage are devised and proven.

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

The bill (S. 2586) to provide for the conservation of anadromous fish spawning areas in the Salmon River, Idaho, introduced by Mr. CHURCH, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

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

Mr. CHURCH. I yield to the Senator from Washington.

Mr. MAGNUSON. I have not studied the Senator's bill, but I presume it will be referred to the Senate Committee on Interstate and Foreign Commerce.

We have several bills in the committee now, and I think this is a good time to say something about this for the RECORD.

We have four or five bills. One of the bills would include a comprehensive study, and that was introduced by the distinguished Senator from Oregon, and there is another bill introduced by myself which calls for a sort of look-see or a moratorium in the middle Snake until the Army Engineers can make their report.

All these bills have been the subject of a great deal of interest in the committee, but because of their comprehensive nature such as this bill, which is very important, the committee has informally decided that they would hold some hearings out in the field this fall, and I have prevailed upon the very distinguished Senator from Alaska [Mr. BARTLETT], to come into the area sometime in the fall.

I hope that this bill will be included in the field hearings along with the other bills.

Mr. NEUBERGER. I would like to express my gratitude to the Senator.

Mr. MAGNUSON. It will be the intention, of course, of the committee to invite the Senator from Idaho and the Senator from Oregon and those of us in the Pacific Northwest who are so deeply interested in these various matters.

Mr. BARTLETT. Will the Senator yield?

Mr. MAGNUSON. I yield to the Senator from Alaska.

Mr. BARTLETT. I merely want to say this is, as the chairman of the committee noted, a very important bill, upon which hearings ought to be held as promptly as possible and to which full consideration should be given.

Mr. MAGNUSON. I want to say, too, there are a lot of problems. We have this so-called upstream-downstream benefit bill, and all of these bills sort of overlap the whole problem, and I am very hopeful and I am very appreciative to the Senator from Alaska, who can look at it more objectively than some of us who are right in the middle of it all the time, and he has agreed to do that.

Mr. BARTLETT. I want right now to extend a very cordial invitation to my friend from Idaho [Mr. CHURCH] to be at the hearings.

Mr. CHURCH. I thank both the Senator from Washington and the Senator from Alaska for their interest. I am happy to know that hearings are to be held. I am hopeful a hearing will be held in Idaho. Certainly I will attend the hearing and participate in it.

I think the bill I have introduced this morning ought to be considered in conjunction with the resolution that was introduced by the senior Senator from Washington, and with other related bills, so that we can find a just and equitable solution.

Mr. MAGNUSON. I suggested to the Senator from Alaska that we could start at Lewiston, which is sort of the hub of of these problems.

Mr. NEUBERGER. If this hearing is to be held in the State of Oregon, it should take place at Astoria. Astoria at the mouth of the Columbia River is the leading salmon canning community in the entire Pacific Northwest.

Mr. MAGNUSON. Astoria or some place like that, a site right in the area.

Mr. CHURCH. Lewiston certainly would be an appropriate city. I appreciate the cooperation of the Senator from Washington and the Senator from Alaska, who will conduct the hearings.

Mr. CHURCH subsequently said: Mr. President, earlier today, I introduced Senate bill 2586. I ask unanimous consent that the text of the bill be printed in the RECORD at the conclusion of my introductory statement, and following the colloquy which followed that statement.

Let me also say that I have been advised that the junior Senator from Oregan [Mr. NEUBERGER] would like to be listed as one of the cosponsors of the bill. I ask unanimous consent that that be done.

The VICE PRESIDENT. Without objection, that will be done; and, without objection, the bill will be printed at this point in the RECORD.

The bill (S. 2586) to provide for the conservation of anadromous fish spawning areas in the Salmon River, Idaho, introduced by Mr. CHURCH (for himself and Mr. NEUBERGER), is as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in recognition of the fact that the Salmon River and its tributaries constitute one of the principal spawning areas of anadromous fish from the Pacific Ocean, and since the size and structure of the flood control and power dams and reservoirs, and other structures used in connection therewith, now in existence on the Columbia and Snake Rivers between the Salmon River and the Pacific Ocean presently allow the passage of such fish to their spawning areas, it is the purpose of this Act to prohibit, unless or until future developments justify a change in this policy, the authorization of any such dams and reservoirs or structures on the Salmon River that would be any more restrictive on the passage of such fish than similar structures which such fish must now pass to reach the spawning areas or which would flood established spawning grounds.

SEC. 2. The Federal Power Commission shall not issue any permit, license, lease, or other authorization under the provisions of the Federal Power Act for any dam, reservoir, conduit, powerhouse, or other works for the storage or collection of water on the development of power on the Salmon River in Idaho in any case in which any such proposed works would have a more restrictive effect on the passage of anadromous fish than any similar works already in existence on such river or on the Columbia or Snake River between the Salmon River and the Pacific Ocean, or which would flood established spawning grounds.

SEC. 3. The Secretary of the Interior shall report to the Congress any developments in fish conservation or in the construction of dams and reservoirs that in his opinion justify amending the provisions of this Act.

BILL TO AMEND PUBLIC LAW 85-337—WITHDRAWALS OR RESERVATIONS FROM PUBLIC LANDS

Mr. BARTLETT. Mr. President, on behalf of my colleague, the junior Senator from Alaska [Mr. GRUENING] and myself, I introduce for appropriate reference, a bill to amend the act of February 28, 1958, Public Law 85-337.

The Senate will recall that Public Law 85-337 was enacted after extended hearings and prolonged consideration. It provided that all withdrawals or reser-

vations from the public lands of the United States by the Department of Defense would require congressional approval when such withdrawals or reservations, in the aggregate, included an area in excess of 5,000 acres devoted to a single defense use or facility. The distinguished junior Senator from California [Mr. ENGLE]—then a Member of the House of Representatives, where I was privileged to serve with him as the Delegate from Alaska—played a principal role as chairman of the Interior and Insular Affairs Committee, in the enactment of Public Law 85-337. Largely through his efforts, Congress restored to itself a constitutional function in a field of growing concern to an increasingly crowded America.

The bill which I introduce today would extend the principles of Public Law 85-337 to withdrawals or reservations by any executive department or independent agency. In the light of our experience under Public Law 85-33, it is apparent that that law works no hardship on the Department of Defense and provides closer scrutiny by the people's representatives of proposed withdrawals and reservations. It is my view, therefore, that the Department of Defense should not be singled out for unique treatment in the matter of withdrawals and reservations, and that passage of this bill would provide a desirable uniformity and congressional supervision over withdrawals and reservations proposed by any branch of the executive department.

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

The bill (S. 2587) to require an act of Congress for public land withdrawal in excess of 5,000 acres in the aggregate for any project or facility of any department or agency of the Government, introduced by Mr. BARTLETT (for himself and Mr. GRUENING), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

Mr. GRUENING subsequently said: Mr. President, I am in hearty accord with the purposes of the amendment of Public Law 85-337 which my colleague the senior Senator from Alaska [Mr. BARTLETT] has introduced in behalf of both of us, to apply the provision which provides that withdrawals of more than 5,000 acres from the public domain for military purposes shall have the prior consent of Congress to all forms of reservations and withdrawls.

The withdrawal of an area larger than 5,000 acres may be of such momentous consequence, that it seems advisable to have the legislative branch participate in the decision, and not have it merely made by action of one of the executive departments.

In Alaska, we already have a total of 14,744,676 acres withdrawn as national parks and wildlife ranges or refuges. This is a tremendous area, larger than the combined areas of several of our smaller States. It is an area almost the size of the State of West Virginia. It is more than four times the land area of the State of Connecticut, and nearly three times that of Massachusetts.

I ask unanimous consent to insert in the RECORD at this point, a list of the national parks and monuments, moose ranges, wildlife refuges, and other withdrawals and reservations in Alaska, which make up this formidable total.

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

WILDLIFE PRESERVATION AND RELATED AREAS UNDER FEDERAL JURISDICTION IN ALASKA

	Acres
National parks and monuments:	
Mt. McKinley National Park	1,939,334
Glacier Bay National Monument	2,274,595
Katmai National Monument	2,697,590
Subtotal	6,911,519
Kenai National Moose Range	2,057,197
Kodiak National Wildlife Refuge	1,815,000
Nunivak National Wildlife Refuge	1,109,000
Aleutian National Wildlife Refuge	2,720,235
Bering Sea National Wildlife Refuge	41,113
Bogoslof National Wildlife Refuge	390
Chammisso National Wildlife Refuge	641
Hazy Island National Wildlife Refuge	42
Forrester Island Bird Refuge	2,832
Pribilof Islands Reservations in Tongass National Forest	50,163
Simeonof National Wildlife Refuge	10,442
St. Lazaria National Wildlife Refuge	65
Semidi National Wildlife Refuge	8,422
Tuxedni National Wildlife Refuge	6,439
Hazen Bay National Wildlife Refuge	6,800
Reindeer Experiment Station	1,520
4 Fishery research stations	2,565
22 administrative sites	289
Subtotal	7,833,155
Total national parks and wildlife preservation areas	14,744,674

Mr. GRUENING. Mr. President, many of these were made in an earlier period, when Alaska was a virtually uninhabited wilderness. Most of these are excellent in purpose and desirable. They render a valuable service for recreation and conservation. As a conservationist, I am glad that they are there. Some may be too large. But before any more withdrawals of this magnitude are made, and it should be noted that of these, 4 exceed 2 million acres, and 3 exceed 1 million—both my colleague and I feel that the legislative branch of the Government should be taken into consultation. By this legislation it is sought henceforth to make such mammoth withdrawals a joint arrangement between the executive and legislative branches. I think this would be in the interest of good government, and desirable in its restoration of some of the legislative authority which has been forfeited through custom in recent years.

On behalf of my colleague, Senator BARTLETT, and myself, I request that this bill be allowed to lie on the table for 1 week, until the end of business on August 31, so that other Members who may desire to do so may cosponsor this proposed legislation.

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

PLAN TO HOLD INTERNATIONAL CONFERENCES TO STRENGTHEN RULE OF LAW AMONG NATIONS

Mr. JAVITS. Mr. President, on behalf of myself, and 36 other Senators, I submit, for appropriate reference, a concurrent resolution as a first step toward bringing about the rule of law among nations through the greater use of the International Court of Justice, through the establishment of regional courts to deal with international legal disputes and through other means; it embodies the proposal for regional and world legal conferences for the purpose of promoting world law which is now being developed by the American Bar Association.

The resolution declares that it is the sense of the Congress that the proposal to hold privately sponsored international conferences of lawyers from many countries in order to strengthen the rule of law among nations, as advocated by the American Bar Association, can make a substantial contribution to international peace and security and merits the full support of the U.S. Government and the American public.

Those Senators who have joined in cosponsorship of the resolution include: GORDON ALLOTT, Republican, of Colorado; J. GLENN BEALL, Republican, of Maryland; ALAN BIBLE, Democrat, of Nevada; PRESCOTT BUSH, Republican, of Connecticut; ROBERT C. BYRD, Democrat, of West Virginia; HOWARD CANNON, Democrat, of Nevada; JOHN A. CARROLL, Democrat, of Colorado; CLIFFORD P. CASE, Republican, of New Jersey; Dennis CHAVEZ, Democrat, of New Mexico; FRANK CHURCH, Democrat, of Idaho; JOSEPH S. CLARK, Democrat, of Pennsylvania; JOHN SHERMAN COOPER, Republican, of Kentucky, THOMAS J. DODD, Democrat, of Connecticut; PAUL H. DOUGLAS, Democrat, of Illinois; CLAIR ENGLE, Democrat, of California; PHILIP A. HART, Democrat, of Michigan; THOMAS C. HENNINGS, Jr., Democrat, of Missouri; HUBERT H. HUMPHREY, Democrat, of Minnesota; KENNETH B. KEATING, Republican, of New York; ESTES KEFAUVER, Democrat, of Tennessee; THOMAS H. KUCHEL, Republican, of California; FRANK J. LAUSCHE, Democrat, of Ohio; WARREN G. MAGNUSON, Democrat, of Washington; WAYNE MORSE, Democrat, of Oregon; FRANK E. MOSS, Democrat, of Utah; JAMES E. MURRAY, Democrat, of Montana; RICHARD L. NEUBERGER, Democrat, of Oregon; WILLIAM PROXMIRE, Democrat, of Wisconsin; LEVERETT SALTONSTALL, Republican, of Massachusetts; HUGH SCOTT, Republican, of Pennsylvania; GEORGE A. SMATHERS, Democrat, of Florida; STUART SYMINGTON, Democrat, of Missouri; ALEXANDER WILEY, Republican, of Wisconsin; HARRISON A. WILLIAMS, Jr., Democrat, of New Jersey; STEPHEN M. YOUNG, Democrat, of Ohio; and E. L. BARTLETT, Democrat, of Alaska.

The submission of this resolution coincides with the official presentation to

the American Bar Association's annual meeting today on Monday, August 24, in Miami, Fla., of a report and recommendations on the desirability of holding conferences of lawyers with the objective of furthering world peace through more extensive reliance on the rule of law in international disputes. The report was prepared by the ABA Special Committee on World Peace Through Law and advance copies were recently sent to every Member of the Congress. The concurrent resolution I am submitting today was prepared in cooperation with Charles S. Rhyne, chairman of that special committee and a past president of the American Bar Association.

As we have learned once again with the stalemate of the Geneva talks among the Big Four Foreign Ministers, there is no single, smoothly paved road down which we can travel to arrive at a secure world peace. Instead, we must search out and pioneer new approaches.

I think we should all acknowledge our indebtedness to the chairman of the special subcommittee and past president of the American Bar Association for leading the way in this whole field.

In this regard, I know of no proposal which is potentially more challenging nor more promising than the one put forward by the special committee of the American Bar Association that jurists, practicing lawyers, and teachers of the law from all over the world—including those from behind the Iron Curtain—meet together in a series of legal summit conferences with the objective of replacing the rule of force with the rule of law.

Of special significance today in the struggle to achieve the peaceful settlement of legal disputes between nations in international courts of law is the fresh vitality and leadership being supplied by the American Bar Association, which represents more than 90,000 lawyers in the United States. A concurrent resolution passed by the Congress praising its efforts and simultaneously rallying the vibrant support of the general public for such international legal conferences lends great prestige to the cause of world law and to our deep-rooted determination as a nation and a people to advance the cause of world peace.

Finally, there is an additional reason for congressional recognition of this outstanding report prepared by the ABA special committee. The study which produced it was undertaken with the assistance of a planning grant from the International Cooperation Administration whose primary interest was in the development of legal institutions and standards facilitating the expansion of international investment and trade.

I ask unanimous consent that the text of the ABA special committee report, and of the concurrent resolution I am submitting be printed in the RECORD at this point and that the concurrent resolution may lie on the table until Friday for additional cosponsors.

Mr. President, I am very proud to number 36 other Senators already among the sponsors of this concurrent resolution.

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

The concurrent resolution (S. Con. Res. 74) favoring a plan to hold international conferences in order to strengthen the rule of law among nations, submitted by Mr. JAVITS (for himself and other Senators), was received, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

Whereas the American Bar Association, after a detailed study by its Special Committee on World Peace Through Law made at the request of the International Cooperation Administration, has submitted to the said Administration a comprehensive plan for a series of conferences of lawyers from many nations to consider and recommend action on matters within the special competence of the legal profession with a view to the strengthening of the rule of law among nations; and

Whereas according to the said plan, the agenda of the proposed conferences might include the means of increasing use of the International Court of Justice, the establishment of regional courts of international law outside the judicial system of the United Nations, the extension of the jurisdiction of international courts to disputes between governments and individuals and between private parties, the extension and improvement of institutions and procedures for arbitration of disputes between governments and of disputes growing out of concession contracts and international business transactions between governments and individuals and between private parties, the removal of the legal uncertainties and fears which now block the economic advancement of nations, and the establishment or improvement of agencies and procedures for adaptation of existing rules of international law to changing conditions, with a view to furthering the growth of a body of international law acceptable to all nations by drawing upon all legal systems of the world; and

Whereas the report submitted with the said plan provides a substantial basis for the hope that members of the legal profession throughout the world meeting in conferences for the purpose stated in the said plan might be able to break through the barriers of mutual distrust that have prevented agreement among governments on topics such as those hereinbefore mentioned, to achieve mutual understanding of their diverse systems of law, and to agree upon recommendations of concrete steps looking toward the establishment of the rule of law among nations; and

Whereas the report submitted with the said plan emphasizes the fact that it would be most advantageous to the success of the proposed conferences that they be held under private sponsorship and that all political issues be avoided, but it is nevertheless clear that the governments of all countries should welcome and encourage the search by members of the legal profession throughout the world for means of stimulating and coordinating their efforts to strengthen the rule of law among nations: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the plan submitted by the American Bar Association for a series of conferences of lawyers from many nations with a view to the strengthening of the rule of law among nations offers possibilities of a substantial contribution to international peace and security and should be encouraged by the Government and people of the United States in every appropriate way.

The report presented by Mr. JAVITS is as follows:

REPORT OF THE SPECIAL COMMITTEE ON WORLD PEACE THROUGH LAW TO THE HOUSE OF DELEGATES OF THE AMERICAN BAR ASSOCIATION—RECOMMENDATION: THAT THE SPECIAL COMMITTEE ON WORLD PEACE THROUGH LAW BE CONTINUED

THE COMMITTEE'S ASSIGNMENT

This committee was created to explore and report upon what lawyers can do of a practical, concrete character to advance the rule of law among nations. Its assignment also includes activities for the increase of interest among lawyers and laymen in the advancement of the world peace through extension and expansion of the rule of law.

THE ICA CONTRACT

On November 7, 1958, the American Bar Association accepted a planning grant from the International Cooperation Administration for study of the feasibility of a conference of lawyers from many nations "to consider and recommend means of developing and strengthening, within and among nations, legal concepts, standards, and institutions which will contribute, through facilitating the expansion of the flow of international investment and trade and otherwise, to the economic growth of such nations and which will facilitate peaceful settlement of disputes within and among nations".

Under the terms of the grant the American Bar Association was to report to ICA on or before June 6, 1959, whether such a conference is feasible. If the conference was found to be feasible, the association was to include in its report "a statement of specific objectives of the conference, an agenda of matters to be considered by the conference, a working procedure for preparations for and conduct of the conference, proposals as to the participants in the conference or the basis and procedure for selection of participants, and a budget setting forth estimated costs of the conference".

The committee on world peace through law was designated to make the necessary studies for the association under the ICA contract.

ORGANIZATION OF WORK UNDER THE CONTRACT

The committee decided to seek the cooperation of lawyers, professors of international law, and associations of lawyers in this country and abroad and the cooperation of legal organizations each as the International Bar Association, the Inter-American Bar Association, and the International Law Association; to study the efforts of the United Nations and other official agencies in the field of world law; to arrange a number of regional conferences of leading lawyers of the United States for discussion of tentative ideas, suggestions, plans and proposals; and to employ a staff to assist the committee in its work. It decided to give special attention to the compilation and analysis of ideas and information as to how a conference of lawyers from the United States and other nations might advance the use of the rule of law in world affairs, promote the use of the judicial concept in the settlement of disputes between nations, extend international judicial institutions to disputes of individuals growing out of international transactions and increase the sense of responsibility and the influence of members of the legal profession in the field of international relations.

Presidents of 1,400 State and local bar associations in the United States and 182 professors of international law were requested to send the committee comments, suggestions, and ideas as to what a world conference on the rule of law should do and can do.

Similar letters, accompanied by a partial list of topics which had been suggested for discussion at a world conference of lawyers, were sent to 1,300 members of the section of international and comparative law, 2,400 members of the American Society of International Law, and the presidents of 74 bar associations in foreign countries.

The responses to the above-mentioned letters were almost uniformly favorable to the idea of the proposed conference. Many of them contained extremely helpful suggestions as to the questions to be discussed and as to the practical arrangements required for successful conduct of such a conference. These communications provided substantial evidence that lawyers assembled from many nations may be able to achieve concrete advancement of carefully stated programs looking toward the establishment of international relations on the basis of respect for law and the observance of its orderly procedures. Many ideas were stated as to how the rule of law could be strengthened in the world community and a wealth of material in support of these ideas was submitted.

Equally encouraging indications were received from specially qualified persons whose views were sought in private conversations and at conventions and conferences of lawyers in the United States and abroad. Interest in the rule of law as an instrument to achieve and maintain order internationally is at an alltime high among lawyers and laymen.

REGIONAL CONFERENCES IN THE UNITED STATES

On March 28 and 29, 1959, the first of five regional conferences in the United States was held at Boston, Mass., for the purpose of consultation on what lawyers assembled from many nations could do toward the achievement and maintenance of world peace. Similar conferences were held at Charlotte, N.C., on April 10 and 11; Chicago, Ill., on April 17 and 18; San Francisco, Calif., on April 24 and 25; and Dallas, Tex., on April 28 and 29. The participants in each of these conferences included the presidents of state bar associations in the several regions (comprising from 7 to 11 States) and four or more leading lawyers of each State invited by these presidents or by the committee. The participants in each of the conferences were provided, in advance of the conference, with extensive working papers, prepared by the committee's staff with the assistance of experts in the fields of international law, which contained the background information required for intelligent discussion of the important questions raised in the conferences.

CONSENSUS OF THE PARTICIPANTS

The consensus of the participants in the five regional conferences, with specific reference to the feasibility of conferences of lawyers on a continental or global scale, may be fairly summarized as follows:

1. A world conference of lawyers should be held. To make it a true world conference, lawyers from behind the Iron Curtain should be invited.

2. The groundwork for the world conference should be laid by international regional conferences in Latin America, Asia, Africa, and Europe.

3. The conferences will serve a very useful purpose even though Iron Curtain lawyers and their governments may not yet be willing or able to seek to extend the rule of law. It is important meanwhile, for the other countries of the world to create a constructive program whereby they may gain more experience in the settlement of international disputes among themselves by judicial means.

4. The world conference and the international regional conferences which precede it should concentrate chiefly on the improvement and increased use of existing international institutions and the creation of the new international institutions and conventions that will be required if the rule of law is to be utilized more and more in the future to achieve internationally the degree of order and stability which it has achieved within nations.

5. As a first step in this direction, the conferences should consider means of encouraging the submission of more international disputes to the existing International Court of Justice and the creation of new circuit or regional courts of international law. They might appropriately urge the International Court of Justice to exercise the authority which it now has to sit outside The Hague and to establish in advance chambers of three or more members of the Court for hearing and decision of particular cases or classes of cases as well as to improve the cumbersome procedures now followed by the Court. Sitting in New York at the headquarters of the United Nations and elsewhere throughout the world, the Court would be more accessible to the parties, and proceedings would be much less expensive. Regional courts of international law could be established by agreements without amendment of the Charter of the United Nations or the Statute of the International Court of Justice. Regional courts would be especially useful in overcoming suspicion and distrust of foreign court proceedings.

6. The world conference and the international regional conferences should give special consideration to ways and means of extending the jurisdiction of international courts to disputes between governments and individuals growing out of international business transactions. Study should be given to the creation of special courts where consideration of limited commercial litigation growing out of international business transactions might take place. Governments might more readily agree to the creation of such courts as significant questions involving their sovereignty would not be likely to arise.

7. The world conference and the international regional conferences should also consider the means of expanding and improving procedures for arbitration of disputes growing out of international business transactions and means of encouraging greater use of legal rules in international commercial arbitration. An increase in agreement upon legal principles is seemingly a prerequisite to such an expansion in use of arbitration under the rule of law.

8. The conferences now contemplated should not attempt agreement on substantive rules of international law. Restatements of present rules and drafts of new rules of international law should be left to existing official and unofficial groups of experts where they are giving adequate attention to particular subjects or fields of law. If further world legal conferences are recommended, committees may be created to review progress in various fields of substantive law and make recommendations to further that progress or to initiate new work on old or new problems. It is recognized that many existing official and unofficial groups of experts do not have the resources or the sustained interest required to draft the many new legal rules required to fill the pressing needs of the ever-growing field of international transactions and relations. Codifications or agreements in specific areas of private international law are badly needed, including such areas as conflicts of law, admiralty and international commercial transactions of all types. Such codifications or agreements would increase the acceptance and certainty of international transactions and relations by increasing resort to law instead of to action by sovereign right.

9. The mere fact of holding international regional conferences and eventually a world conference of lawyers on the rule of law among nations would have tremendous import. Lawyers have never before worked together on this subject on a multinational or global scale. The prospect of worthwhile accomplishments has already stirred and inspired prospective participants in such conferences on a worldwide basis.

10. Participants in the proposed conferences would be jurists, practicing lawyers, and teachers of law.

11. The conferences should consider establishment of permanent clearinghouses of ideas, programs, and experience pertinent to the extension of world peace through the rule of law. There are great gaps in the reference works and legal materials available now even at the institutions which have exerted the greatest effort to collect such materials. The establishment of such centers in various regions around the world could be of great assistance in bringing legal concepts and rules of law into more general worldwide use. In this connection they should consider the possibility of proclamations of a World Law Day and a World Law Year to stimulate and coordinate the efforts of lawyers.

12. One of the U.S. reservations, which presently limit our acceptance of the jurisdiction of the International Court of Justice, was discussed extensively. The consensus was that the unilateral determination clause of this reservation should be eliminated. Under this clause the United States and other nations having similar clauses can determine in each case filed against them whether the World Court has jurisdiction. As one of the greatest users of the rule of law nationally, the United States must prove that we trust the rule of law internationally. Such leadership on our part is essential.

13. A tremendous grassroots educational program is essential in the United States as well as in other countries. This program should spotlight the fact that, for survival, it is essential to develop reasonable restraints upon absolute sovereignty which will allow the building of a system of law into the legal vacuum which now exists internationally. This educational program is especially appropriate for lawyer leadership. As lawyers explain the potential use of law in the world community, the idea should attract strong and widespread support among laymen.

14. World government is impractical and impossible in today's world. The program herein urged is directed toward increasing the use of the rule of law in courts and creating new legal rules which the world community requires to govern the ever-increasing contacts which rapid communications and transportation bring about.

15. This effort to create a lawful world should emphasize its private sponsorship and participation. Governments should not play noticeable roles in this program so as to eliminate political issues and fears of lawyers of other countries. It should be a lawyer-to-lawyer to people-to-people program.

16. We should do all we can to strengthen the United Nations by urging increased application of, and adherence to, the rule of law in the deliberations and actions of all of its organs and agencies, as well as by urging amendments to the Charter to further the ideal of world peace through law.

17. The objectives of this program cannot be accomplished within a short time. A long-range continuous effort must be planned for by the legal profession of the nations of the world.

REPORT TO ICA

Upon consideration of the views summarized above, and of pertinent data obtained from other sources, including books, articles,

correspondence, and memorandums of conversations with specially qualified persons, the committee reached the conclusion that it is feasible to conduct a series of conferences, culminating in a world conference of lawyers from the United States and other nations, to consider and recommend specific measures for the advancement of world peace through law. A report embodying this conclusion and a proposed plan for conferences of lawyers of many nations was approved by the board of governors of the association on May 18, 1959, and presented to the International Cooperation Administration on May 19, 1959.

According to the plan embodied in the report, lawyers from the Americas, Asia, Africa, and Europe would meet first in international regional conferences at cities to be decided upon, possibly Rio de Janeiro, New Delhi, Accra, and Vienna, and eventually in a world conference at a city to be selected after considering the views of participants in the regional conferences.

Each of the international regional conferences would run for 5 days, and the world conference for 3 weeks.

The general objectives of each of the conferences would be to further the basic goal of furthering world peace through a more extensive use of the rule of law and to make international law and international courts a more powerful force in international relations, thereby reducing international tensions. The program to advance these objectives would be formulated with full realization that international relations cannot always be conducted under the rule of law as distinguished from policy and that some international disputes are not amenable to judicial decision. Political questions involving sovereignty must be more clearly distinguished from the nonpolitical questions which are suitable for submission to international courts.

AGENDA FOR THE PROPOSED CONFERENCES

The agenda for the conferences would be determined by committees provided for in the plan, upon consideration of topics which would include:

1. Means of increasing use of the International Court of Justice, including:

(a) Exercise of the Court's existing authority to sit outside The Hague and to form chambers of three or more judges for hearing and final decision of particular cases or classes of cases;

(b) Achievement of acceptance of the compulsory jurisdiction of the Court by all nations without crippling reservations;

(c) Inclusion in future international agreements of a provision that disputes over their interpretation will be subject to the compulsory jurisdiction of the Court;

(d) Review of existing treaties and agreements and insertion of a provision that future disputes over their interpretation will be subject to the compulsory jurisdiction of the Court;

(e) Improvement in the practice, procedure and administration of the Court.

2. Establishment of regional courts of international law, outside the judicial system of the United Nations, by bilateral and multilateral treaties.

3. Extension of the jurisdiction of international courts, by amendment of the Statute of the International Court of Justice and by bilateral and multilateral treaties, to disputes between governments and individuals and between private parties, either generally or with specific reference to disputes growing out of contracts between governments and individuals or out of international business transactions.

4. Extension and improvement of institutions and procedures for arbitration of disputes between governments and of disputes growing out of concession contracts and international business transactions between governments and individuals and between private parties.

5. Extension and improvement of institutions and procedures for the improvement of the legal framework for the economic advancement of all nations and the removal of the legal uncertainties and fears which now block such advancement.

6. Consideration of means to strengthen the United Nations both by Charter changes and by increased use of existing United Nations machinery for peaceful settlement of disputes under the rule of law.

7. Establishment or improvement of agencies and procedures for clarification of uncertainties of existing international law and for adaptation of existing rules of international law to changing conditions with a view to furthering the growth of a body of international law acceptable to all nations by drawing upon all legal systems of the world.

8. Consideration of methods for compilation, reporting and analysis of legal decisions and other developments in the international field.

STATUS OF THE REPORT TO ICA

It is the belief of the committee that a series of conferences prepared for and conducted in the manner suggested in detail in the plan would result in the marshaling of the resources of the legal profession of all the participating nations for work towards world peace through law and for the education of world opinion which is essential to that end. The world conference, if it is held, would be expected to make appropriate arrangements for continuing pursuit of these objectives.

At the moment of the preparation of this report the committee has not been informed of any action by the International Cooperation Administration upon the report submitted to that agency on May 19, 1959.

OTHER ACTIVITIES OF THE COMMITTEE

The regional conferences held under the auspices of the committee, the letters addressed by the committee to lawyers throughout the United States before and after those conferences, the coverage of those conferences by press, radio, and television, and the statements by President Eisenhower, Vice President Nixon, Attorney General Rogers, the late Secretary of State Dulles, and other eminent public figures regarding the imperative necessity for the advancement of the rule of law among nations have resulted in the receipt by the committee of a vast amount of correspondence from lawyers and laymen asking what contributions they can make to furthering the objective of world peace through law. Many editorials in newspapers and magazines have hailed work on world peace through law as a great public service by the organized bar and have urged increased efforts by lawyers and laymen to achieve increased progress on this program.

At the suggestion of the committee, numerous State and local bar associations have established special committees on world peace through law for the purposes of studying relevant questions of international and constitutional law, cooperating with civic organizations in the arrangement of public meetings on Law Day—U.S.A. and other occasions; increasing personal contacts with lawyers in other countries; collecting law books to be sent to foreign libraries, law schools and law centers; and carrying out other plans and programs related to reliance upon the rule of law in world affairs. Also at the suggestion of the committee, the International Bar Association and the Inter-American Bar Association have created committees on world peace through law. Your committee expects to work closely with those committees. Some foreign bar associations have created similar committees. The interest and efforts of lawyers is thus gradually being organized and coordinated throughout the world.

It has become increasingly evident that laymen as well as lawyers are eager for current information on all subjects pertinent to the rule of law among nations and particularly on the action that may be taken, with some prospect of success, to facilitate the settlement of international disputes by this peaceful means. The committee has done its best to supply such information as requested. It believes that arrangements should be made for the compilation and regular distribution of information on ideas and developments in this field to those who are specially interested.

CONCLUSION

While the exploratory program this committee has conducted reveals tremendous worldwide interest in law as a replacement for weapons in international decision-making, it is clear that much work is still to be done toward making lawyers and laymen more fully aware of what they can do to advance the gradually evolving program of world peace through law herein outlined. International law as compared to national law is still in its infancy. The search for ways and means to expand the rule of law in the world community requires vision and extensive effort. Quick progress cannot be expected. But already encouraging developments can be noted, especially the many recent statements by leaders of our Nation and leaders of others nations urging increased use of and reliance upon the rule of law in international relations. The spotlight of world public opinion is focusing more and more upon the possibilities and potentialities in this field.

Our task in the months and years ahead must be to encourage increased cooperation among the lawyers of all nations in research, education, exchanges of information and experience, and, above all, leadership in directing the ever-rising tide of interest in the rule of law internationally toward proper and meaningful goals. Years and decades of hard work will be required to achieve tangible progress in this complicated area of expanded international use of the rule of law. But with the knowledge that increased use of the rule of law internationally can only lead toward a peaceful world, no effort should be spared to further interest in, and work upon, every possible subject, procedure or avenue encompassed in this program. No effort by our association can be more meaningful or more important to mankind. We should concentrate all the manpower and resources we can marshal toward the achievement of concrete results from this program.

To act for the association in connection with the arrangement and conduct of the proposed continental and world conferences and to aid in providing leadership in advancing world peace through the rule of law it is recommended that this committee be continued.

Respectfully submitted.

Charles S. Rhyne, Chairman; Homer G. Angelo; Arthur H. Dean, Erwin N. Griswold; Arthur Larson; Philip H. Lewis; Howard C. Petersen; Herman Phleger; Robert H. Reno; Robert G. Storey, Sr.; Lyman M. Tondel, Jr.; Loyd Wright.

AUGUST 24, 1959.

COMMENDATION OF NATIONAL JAYCEE COMMUNITY DEVELOPMENT PROGRAM

Mr. HARTKE. Mr. President I submit for appropriate reference a resolution recognizing as a fitting and patriotic endeavor the "build to beat communism"

campaign of community development sponsored by the National Junior Chamber of Commerce.

The Jaycee community development program is designed to provide leadership training through community improvement. This means that members of these local organizations will adequately inform themselves concerning the problems existing within their community and then to take appropriate action toward solving one or more of these problems.

This program will benefit our communities. It is typical of the fine work which the Junior Chamber of Commerce is doing. This program will I am sure induce other organizations and individuals to join with Jaycees in their efforts to "build to beat communism through community development."

Mr. President I ask unanimous consent that the resolution may lie on the table until the close of business Friday, August 28, 1959, to give other interested Senators the opportunity of becoming cosponsors.

The VICE PRESIDENT. The resolution will be received and appropriately referred; and, without objection, the resolution will lie on the desk, as requested by the Senator from Indiana.

The resolution (S. Res. 173), was referred to the Committee on Labor and Public Welfare, as follows:

Resolved, That the Senate hereby recognizes as a fitting and patriotic endeavor the National Jaycee community development program, a program established for the purpose of providing leadership training through community improvement; and the Senate hereby commends and encourages the efforts of those joining in the undertaking of such program.

INCORPORATION OF NATIONAL DISTRICT ATTORNEYS' ASSOCIATION—ADDITIONAL COSPONSORS OF BILL

Under authority of the orders of the Senate of August 11, 1959, and August 21, 1959, the names of Mr. Moss, Mr. CHURCH, Mr. DWORSHAK, Mr. YARBOROUGH, and Mr. CLARK were added as additional cosponsors of the bill (S. 2518) to incorporate the National District Attorneys' Association, introduced by Mr. LONG of Louisiana (for himself and Mr. ELLENDER) on August 11, 1959.

FEDERAL ANNUITANTS HEALTH BENEFITS ACT OF 1959—ADDITIONAL COSPONSOR OF BILL

Under authority of the order of the Senate of August 21, 1959, the names of Senators HUMPHREY, BEALL, CAPEHART, and BUTLER were added as additional cosponsors of the bill (S. 2575) to provide a health benefits program for certain retired employees of the Government, introduced by Mr. NEUBERGER (for himself and other Senators) on August 21, 1959.

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

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

By Mr. WILEY:

Text of a broadcast made by him over Wisconsin radio stations relating to the record of the 1st session of the 86th Congress.

NOTICE OF HEARING ON ANTI-POLL-TAX AMENDMENT TO CONSTITUTION

Mr. KEFAUVER. Mr. President, I wish to announce that the Subcommittee on Constitutional Amendments will hold a hearing on Senate Joint Resolution 126—the anti-poll-tax amendment—on Thursday, August 27. The hearing will be in room 457 of the Old Senate Office Building at 10:30 a.m. Any persons wishing to testify or file statements for the record should contact the subcommittee's counsel, Mr. Bernard Fensterwald, Jr.—room 252, Old Senate Office Building, telephone Capitol 4-3121, extension 5581.

Hearings were begun on August 17 on this resolution to prohibit poll taxes in Federal elections. A hearing scheduled for August 20 was canceled for lack of witnesses.

CIVIL RIGHTS LEGISLATION

Mr. DIRKSEN. Mr. President, I was intrigued, rather than disconcerted, by an article which appeared in the Sunday edition of the New York Times. The caption of the article is "GOP for Delay on Civil Rights."

The headline is followed by some rather well-worn phrases, such as "administration aides now prefer to have no civil rights bill reach the floor of either the House or the Senate this session."

So, Mr. President, with that quotation from that anonymous, supposedly authoritative source tucked away in the nose cone of the article, it then zooms off into the space of speculation. According to the article, the administration is supposed to think it can get a stronger civil rights measure next year. We are supposed to fear a filibuster. We are supposed to have a "deal" on, in the House, with a wing of the Democratic Party, to sacrifice civil rights on the altar of labor reform. We are supposed to be content to let the whole matter go over until next January.

But standing in the path of a Machiavellian GOP, the articles sees, and refers to, my very distinguished compatriot, the majority leader, as one who insists on civil rights legislation now, as distinguished from the alleged delaying tactics of the Republican Party.

Mr. President, before this journalistic missile goes into orbit, I should put a little message into the nose cone, just in case anyone finds it 5,000 miles away.

I think my colleagues will credit me with being fairly close to the administration. I do go to the White House every week. And, as minority leader, I do have some suggestions about the legislative program.

Furthermore, Mr. President, as a member of the Senate Judiciary Committee, where I have attended with reasonable regularity, I am pretty close to the civil rights problem which has been before that committee for a long time.

I know of no administration aides who prefer to have no civil rights bill reach the floor of Congress at this session; and I challenge the New York Times journalist to name them. I know of no administration aides who want to postpone a civil rights bill until next January, so that we can play politics with it.

The Republican Party does not play politics with civil rights. We already have one of the finest records of advancing the cause of civil rights, from the very beginning of our party with Abraham Lincoln. I may say I had a good deal to do with writing the civil rights plank in San Francisco in 1956. I introduced five of the administration's seven bills; and on a number of occasions I have sat in the Judiciary Committee all day long, in the hope that before this session spins out, we might have an opportunity to vote on a civil rights bill.

In 1957, it was my predecessor, the then minority leader, Senator Knowland, who took a daring step to bypass the Judiciary Committee and bring the bill to the floor of the Senate.

Mr. President, I ask unanimous consent to have the remainder of my statement printed at this point in the RECORD.

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

We already have one of the finest records of advancing the cause of civil rights from the very beginning of our party under Abraham Lincoln.

In 1957, the then minority leader, Senator Knowland, took a daring step to bypass the Senate Judiciary Committee which, under Democratic majority chairmen, has been the graveyard of civil rights measures. By a rare motion, he brought the subject direct from the House passage to the Senate Calendar. As a result, we did pass a civil rights measure—the first in over 80 years. And 1957 was not an election year.

The Republican Party is too serious about civil rights to play politics with it anywhere, anytime. It is the firm tradition of our party to take every opportunity to make progress, great or small, in the field of civil rights. We will do this in or out of election years.

We do not fear a filibuster. We do not make deals to sacrifice civil rights for labor reform—we want both and I submit we shall get both.

We are delighted to see the majority leader on his knightly charger ready to do battle for the rescue of civil rights. Although in yeoman garb as befits minority members, we are ready to march with the majority leader in this great cause.

We beseech him to talk to the majority chairman of the Senate Judiciary Committee to stop blocking our efforts to bring forth a

bill. We urge him to talk to his colleague in command of the House to let the Rules Committee open the gate over there. We want a civil rights bill now—not next January.

It is not the Republican administration which hopes for delay. It is not the Republican minority in the House and Senate which stands in the way.

The roadblock is the Democratic majority which has the votes and the control. I shall be delighted to have the majority leader break a lance with them in the cause of civil rights. He will have the administration and the Republican minority solidly behind him—notwithstanding this journalistic trial missile which painfully struggles to get off the launching pad in the face of obvious defects.

Coming from the New York Times, which makes the truth and responsible journalism an article of its faith, this item in this morning's paper is flagrantly insupportable:

"GOP FOR DELAY ON CIVIL RIGHTS—ADMINISTRATION NOW SHUNS FLOOR ACTION AS JOHNSON PRESSES FOR MEASURE

"WASHINGTON, August 23.—Administration aides now prefer to have no civil rights bill reach the floor of either the House or the Senate this session.

"They think there would be a better chance for a strong civil rights measure next year.

"At this late date in the present session, they feel, pressure for adjournment would force civil rights backers in the Senate to give up on controversial provisions rather than face extended debate.

"In the House, they point out, the Republican-southern Democratic coalition has just reached a peak of effectiveness in the labor bill fight, and conditions are therefore not good for strong GOP support of a civil rights measure.

"Next year will be a presidential election year, and political pressure for civil rights legislation is expected to be that much greater.

"This theory runs head-on, however, into the hard fact of Senator LYNDON B. JOHNSON's plans. The majority leader has said repeatedly that a civil rights bill will be passed by the Senate before adjournment.

"From Senator JOHNSON's point of view, it is a political must to get the Senate phase of the issue out of the way at this session. He wants at all costs to avoid a party-splitting civil rights battle just before the 1960 elections.

"Thus the strategic picture at present is one of considerable irony. Senator JOHNSON, who has been accused of lukewarm support for civil rights measures, is pushing for early action. Administration spokesmen, who have called for prompt floor action, are now not at all sure they want it.

"End-of-session tactics

"In the end-of-session situation, the southerners in the Senate will be in a position to talk to death any provisions that they find really offensive.

"They will surely not agree to any limitation of debate unless they have assurances from Senator JOHNSON that he has the votes to kill any such proposals.

Senator JOHNSON is therefore in a commanding position to fix the character of any bill passed at this session. He seems likely to seek agreement on these provisions:

"Extension of the Civil Rights Commission, now scheduled to expire next month.

"A requirement for preservation of State voting records and disclosure of them to Justice Department investigators.

"Some provision against bombing of churches and schools.

"Authority to set up Federal schools for children of military personnel when local schools are closed over the racial issue.

"Other provisions requested by the administration include Federal technical aid for school districts agreeing to desegregate, and a law making it a crime to obstruct school integration orders of Federal courts.

"Chances for House passage of any civil rights bill before adjournment now appear nil. A bill is out of the Judiciary Committee, but it will have an extremely difficult time getting the necessary clearance from the Rules Committee.

If the Senate does pass a bill and the House does not, the final decision would be put over until next January. In that event, there is a chance for simple bill extending the life of the Civil Rights Commission to go through this session."

Mr. DIRKSEN. Mr. President, I just wish to be on record, as affirmatively and as emphatically as I know how, as stating that there is not an iota of fact or truth in the New York Times article, I do not care who wrote it; and we will nail down that fact right now.

WHY TAXES ROSE IN NEW YORK STATE

Mr. BUSH. Mr. President, Governor Rockefeller, of New York, delivered an address recently at the annual dinner meeting of the National Association of State Budget Officers, meeting in New York City. He urged the members of this association to project their thinking far enough into the future so that the States would be prepared to meet the responsibilities as well as the opportunities that lie ahead. He said:

I am convinced that our people are ready and willing to assume the responsibilities as well as the privileges of self-government, including the fiscal responsibilities, once the hard facts of the problem are made clear to them.

* * * * *

People recognize that it is cheaper and sounder to pay as we go than to resort to borrowing for current needs at a cost of $1.50 for every dollar borrowed.

A recently published article from the New York Times regarding Governor Rockefeller's address reads in part as follows:

Mr. Rockefeller's advice about meeting fiscal problems head on came at a time when most of the budget directors who heard him were encountering difficulty in getting enough revenue to cover projected spending.

I ask unanimous consent that the news account of Governor Rockefeller's address, to which I have referred, be printed in the RECORD at this point as a part of my remarks.

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

GOVERNOR TELLS WHY TAXES ROSE—STATE FACED FISCAL CRISIS WHEN HE TOOK OFFICE, HE SAYS IN SPEECH HERE

Governor Rockefeller said last night that the State would have plunged over "an economic Niagara Falls" without even a barrel for protection if taxes had not been raised this year.

His defense of his controversial tax increase program was made in a speech at the annual dinner meeting of the National Association of State Budget Officers at the Barbizon Plaza Hotel.

He urged the members to project their thinking far enough into the future so the States would be prepared to meet the responsibilities as well as the opportunities that lay ahead.

"If we are going to have a future worth working for, we must have some idea of its contours and content," he said. "The alternative is government by fits-and-starts, government by improvisation and, in the end, government by crisis."

Recounting his own experience with his first State budget, Mr. Rockefeller continued:

"On assuming office, I found to my dismay how really unprepared the previous administration had been in relation to its fiscal responsibilities.

LIVING BEYOND MEANS

"It had been living way beyond its means and was heading blissfully for an economic Niagara Falls. If we had continued on such a course, we wouldn't even have a barrel to go over the falls in."

But, he said, thanks to courageous action by the legislature, the outlook has changed.

"I am convinced," he went on, "that our people are ready and willing to assume the responsibilities as well as the privileges of self-government, including the fiscal responsibilities, once the hard facts about the problems are made clear to them."

Renewing his support of a pay-as-you-build policy with respect to major construction, Mr. Rockefeller explained:

"People recognize that it is cheaper and sounder to pay as we go than to resort to borrowing for current needs at a cost of $1.50 for every $1 borrowed."

SPENDING RISE FORESEEN

Mr. Rockefeller's advice about meeting fiscal problems headon came at a time when most of the budget directors who heard him were encountering difficulty in getting enough revenue to cover projected spending.

One recent expert study led to a prediction that State and local government spending for the country as a whole would increase by a minimum of 5 percent a year for the next 5 years. This rate, it was said, is likely to be substantially greater than the probable rise in national income.

Between 1946 and 1956 State and local spending rose from $14 billion to $43 billion, or 209 percent. In the same period national income (gross national product) increased only 99 percent.

The difference between the growth rates of State and local spending and national income account for the increases in tax rates and the rise in the number of governmental bond issues during this period. It likewise accounts for the mounting resistance to further tax-rate increases that most of the State budget officials at the meeting are reporting.

ARE THE PEOPLE AHEAD OF THEIR LEADERS?

Mr. BUSH. Mr. President, strangely enough, in yesterday's New York Times magazine section there was published a very brilliant article on a subject closely related to that discussed by Governor Rockefeller in his recent address before the National Association of State Budget Officers. The article is entitled "Are the People Ahead of Their Leaders?" and was written by the distinguished junior Senator from Oregon [Mr. NEUBERGER].

In this article, the Senator from Oregon asserts that in today's world, Americans are ready to face reality and more ready to make sacrifices than many of their representatives believe. I was so impressed with the common sense of this article and with the general philosophy of it, which I think is so important to us here today, that I ask unanimous

consent that the article be printed in the RECORD at this point as a part of my remarks.

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

ARE THE PEOPLE AHEAD OF THEIR LEADERS?

(By Hon. RICHARD L. NEUBERGER, of Oregon)

WASHINGTON.—Many Members of Congress admit candidly to a belief that practical politics requires them to be extremely wary about acquainting their constituents with the stern realities that face the United States in a troubled world.

In the minds of these Senators and Representatives exists a stereotype of the average voter which adds up to a fellow who, given the choice, will invariably follow the path of least resistance. They fear the people are not prepared for further sacrifices in order to advance America's interests and prestige abroad. They are convinced the public is oblivious to the magnitude of the perils in the present world situation, particularly with respect to the industrial and technological emergence of Russia and, to a lesser degree, of Communist China. Nor do they feel that gratitude will accrue to the political leader who endeavors to alert the public to such dangers.

One reason for this rather unflattering concept of the folks back home is the notion, widely held on Capitol Hill, that much of the electorate is more interested in a new hard-surfaced road to the county seat than in what happens to Burma or Iraq. If there is any one maxim which seems to prevail among many Members of our National Legislature, it is that local matters must come first and global problems a poor second—that is, if the Member of Congress is to survive politically. Berlin or Cyprus may be important, but it is at the courthouse and precinct level that votes are won. And I have heard more than one colleague declare that a lot of his constituents would rather have their taxes reduced than land a space rocket on the far side of the moon.

The results of such beliefs may be discerned in many aspects of governmental policy. Despite the fact that even the President's shaky $77 billion budget is not balanced by existing revenues, in neither the Senate nor the House is strong sentiment apparent to increase taxes so that this generation can take care of its own obligations. The fiscal year just ended saw some $13 billion added to the national debt. The interstate highway trust fund is running in the red, but Congress has moved slowly and with great reluctance on the matter, although at last the House Ways and Means Committee has taken partial measures to put the program on a pay-as-you-go basis.

Nor is such political timidity confined to Capitol Hill. Some 34 Governors of the sovereign States want the Federal Government to continue providing 90 percent of the $39.2 billion cost of these interstate roads, but they have petitioned against raising the Federal share of the gasoline tax.

Postal revenues still lag behind expenditures, yet bills to boost postage rates languish in congressional committees. There is much oratory against special privilege in general, but little is done specifically. Tax loopholes are not closed, despite the obvious discrimination and injustice which they typify. And despite all the fanfare about political reform, bills to control or regulate campaign spending still have gotten nowhere on congressional calendars.

The glut of agricultural products continues to mount in warehouses and silos, but the sponsors of the administration's much-heralded program to cut down on wheat price supports did not even seek a Senate rollcall on their own proposal. Key Senators from farm States were reluctant to be forced into taking a stand. The reciprocal-trade structure wobbles when lower bids on electrical equipment from friendly neighboring nations are deliberately set aside by the Government, under heavy political pressure, in favor of paying higher prices to domestic firms.

In the political world there is apprehension over the presidential elections of 1960. An unwillingness exists to offend blocs of votes. This attitude rests mainly on the thesis that the American public is not ready for sacrifice, that the presidential hopeful who dared advocate higher taxes or more expensive postage stamps or an end to discriminatory benefits favoring powerful political groups would be out of the running.

In my opinion, such concepts are wrong. I believe that the national leader who promised the public sacrifice rather than subsidies would soon rally a dedicated and informed following in every State. I think he could speak in terms of increased Federal revenues to defend ourselves and the rest of the free nations, and I feel he could challenge many special interest organizations to relinquish their favored treatment at the expense of the public purse. He would have to be fair, and he would have to voice his advocacies without fear or favor.

Let me make plain what I mean. He could not ask the rural electric farm cooperatives to give up their special 2 percent interest rate on loans from the Treasury, unless he also challenged the private power companies to abandon their accelerated tax writeoffs. But if he did both, I am convinced he would not only get away with it but increase his popularity.

I am aware that my authority for such statements is sharply limited. I am only 1 of 98 Members of the Senate, and I come from a Pacific seaboard State of only 1,800,000 residents. Yet it is not an untypical State, and many national elections have demonstrated that geography rarely influences broad political attitudes in the United States. From the contacts which I have with my constituents—in person and by mail—I think the people are fully prepared for more sacrifices. In fact, it is my view that they are becoming highly suspicious of politicians who imply that the rough trail ahead can be traveled successfully without more sacrifices being undertaken.

A few months ago I decided to put this matter to the test. I introduced four bills to increase Federal revenues by a total of some $3.3 billion. The proposals were (1) a restoration of the excess-profits tax in effect during the Korean war, (2) a reduction in the special depletion allowance for oil companies from 27.5 to 15 percent, (3) permitting the Post Office Department to set its own rates based on sound cost-accounting methods, and (4) increasing the Federal tax on gasoline and other motor fuels from 3 cents to 4½ cents a gallon.

I suppose it may be said that because the first two of these bills would levy only on corporations they involved no political risks. But the proposals to increase postage rates and gas taxes definitely would affect the public, and can be regarded as some measure of whether or not the people are prepared psychologically for additional sacrifices to bear the necessary burdens of government.

During a 10-day trip across the continent to Oregon, I spoke a dozen times before various organizations. The theme of each speech was the same—that if we expected more benefits and a higher level of services from the U.S. Government, then we should be prepared to pay for them in the form of increased taxes.

On no occasion did I encounter a reaction which could be regarded as hostile. Indeed, it seemed to me that exactly the opposite was the case. I remember particularly addressing the annual luncheon of the Western Forest Industries Association. This is an organization of prominent lumbermen, who seek additional funds for the Forest Service in order that larger stands of national forest stumpage may be offered for sale.

In effect, I told these constituents that, while they constantly pressured me to secure more appropriations from the Treasury, I never once had heard from any of them in behalf of augmenting Treasury revenues. Then I offered my belief that this generation should take care of its own needs and obligations, rather than shoving them off onto the Americans of the future, who will have plenty of problems of their own.

I had spoken to the Western Forest Association in the past, but this was the only time I ever received what might be called an ovation. Many members came to the dais and said they were glad to be told the truth rather than being fed "political pap." And my mail still contains letters of approbation from these hardheaded sawmill operators.

This has been the predominant reaction which I have encountered to my tax-increase proposals. For every letter from Oregon criticizing the proposals to boost motor-fuel levies or to authorize higher postage rates, there are at least two letters approving both ideas.

I actually had submitted myself and my political fate to something of this same test last year, when my vote decided the question of higher postage rates on a special five-member Senate subcommittee appointed to consider the issue. The first general rate increase in all categories since 1932 was the result. Political attacks on me in Oregon took place almost immediately. I was accused of putting a tax on the mother writing her GI son in military service, or on the maiden sending a love letter to her boy friend overseas. Among the critics was my senior colleague in the Senate, WAYNE MORSE, one of the most tireless and effective orators in American public life.

My answer was short and direct. I pointed out that the Post Office Department had been operating at a deficit of $700 million, while paying its clerks and letter carriers wages as low as $4,000 a year. Should this deficit be narrowed by the people and businesses who were using the mails or should it be heaped on the entire body of taxpayers, now and in the future? I doubt if a dozen citizens came to me all during the autumn with any criticism of my decisive vote to institute higher postal rates.

This is consistent with our whole national past. The American people have never flinched from burdens and sacrifices, despite the frequent effort of demagogs to discourage them from doing so.

During the terrible ordeal of the Civil War, it became necessary for the Federal Government to enact the first general conscription law Americans ever had experienced. The law declared all able-bodied male citizens between the ages of 20 and 45 eligible for military service in the Union Army. Foes of President Lincoln and his administration spared no effort, fair or foul, to inflame the public against what then seemed an extraordinary demand upon the lives and careers of the Nation's young men. Lincoln even had political antagonists in his own Cabinet who administered the law as oppressively as possible, in order to arouse popular indignation, especially among wives and mothers.

Yet, in spite of these appeals to selfishness and cowardice, the people supported the Union war effort and the President who headed it. The so-called Peace Democrats, who felt the public was unequal to heroic sacrifices, suffered constant repudiation at the polls. President Lincoln won the electoral vote of all except three Union States in 1864.

The lessons of our history point dramatically to a national capacity for sacrifice and

great deeds. Yet neither Congress nor the administration seems disposed to draw on these lessons for guidance in the present crisis of relations between East and West, with the Soviet Union steadily drawing nearer to parity or even supremacy over us in many important realms of technology and production.

The $13 billion added to the national debt in the last fiscal year might have been even greater if some leading Democrats had achieved their wish for across-the-board tax reductions in the spring of 1958.

I would recommend a careful review of an episode which occurred in 1947 when the Republican 80th Congress enacted a generous tax reduction, despite the huge national debt left over from World War II and the drastic inflation already setting in after the abrupt removal of price control. President Truman vetoed the tax-reduction bill and made the veto stick by a narrow margin. "This is the wrong time to provide for tax reduction," he told Congress.

In the elections of 1948 the Republicans seized on this veto as a major issue. Harry Truman not only retained the Presidency, in one of the great political upsets of our era, but the Democrats wrested dominanace in the Senate and House from the Republicans, many of whom had assumed that tax reduction would be an issue of overwhelming popularity with the American public.

A new look at public opinion might well be undertaken by the current 86th Congress. Predicated on my own mail and on personal contacts with the voters. I would unhesitatingly declare that the public prefers additional sacrifices to either an abandonment of our obvious national needs or to a piling up of further financial deficits. I believe the Members of the Senate and the House must be able to separate the clamor of special interests from the legitimate voice of the people.

This sifting is not too difficult. On many issues, the public may be quiescent while a few lobbyists with mimeograph machines and funds for telegrams may seem to take over. Yet this does not mean that the public agrees with the pleadings of the special interests—far from it. And on election day the Jeffersonian axiom of "one man, one vote" generally prevails. Special interests and pressure groups may be able to buy unlimited wires and letterheads, but ballots are not thus readily procured.

Of course, public opinion is never suspended between heaven and earth like Mohammed's coffin. It does not exist in a vacuum. It frequently must be mobilized, cultivated and informed. This is where the executive and the Congress both have an obligation to make every effort to help educate the voters to the realities which confront us all. People rarely can know on their own the specific facts regarding military might of the Soviet Union or the industrial emergence of Red China. These must be disseminated by political leaders who are not afraid to tell their constituents the cold, hard truth, grim and unpleasant though it may be.

This educational process can take many forms—in speeches, direct personal contacts, through the vast torrent of mail which flows out from Capitol Hill and the White House, in press releases and in news letters.

The President possesses the greatest forum in the land, because each word spoken at the White House is magnified countless times. Every Member of Congress also has innumerable avenues to his constituents. Thus, public opinion can be created and led, if those in Government have the courage to keep the sugar-coating off the prescriptions which they prepare for the American electorate. Indeed, this educational process may be one of the most important duties of those who serve in high national offices. Could Jefferson have acquired the West or Lincoln have held together the Union if they had disregarded the formation of public opinion, even with the relatively crude methods for reaching the people which were available in the periods in which they played their epoc roles?

Speaking of a complex and potentially unpopular issue like foreign aid, Senator J. W. FULBRIGHT, of Arkansas, chairman of the Senate Foreign Relations Committee, said that only the President could prepare the whole public to accept such a program as this. I agree substantially with the Fulbright thesis, although I would add the one cautionary note that Congress likewise has a duty to spread vital information in support of essential undertakings which may be politically unpopular or unpalatable. And Senator FULBRIGHT recently told his colleagues that he believes the American people "would prefer to pay more taxes, if necessary, than to default to the Soviet Union."

So I hope our colleagues in both Chambers of Congress will take a fresh look at the willingness of the average American to face up to realities. I doubt if our people want to be told that they can enjoy increased governmental benefits without paying higher taxes. I doubt if they want to be assured that the Soviet Union can be kept from world domination without many of our young men experiencing rigorous service in their country's uniform. I doubt if they want special privilege, whether it goes to labor unions or to big business.

This same challenge goes, too, to the military hero now serving his final term in the White House. In the last analysis, his is the one national voice in the land—the only voice not anchored to the sectional interests of a single State or region. Harry S. Truman, who has a deep reverence for the high office he occupied for 7 years, has written, "It is through the use of these great powers (of the Presidency) that leadership arises, events are molded and administrations take on character."

I think this is sound advice to Dwight D. Eisenhower. If he should seek further sacrifices and national duty of his continent-wide constituency, I have no doubt whatever that the American people will respond with firmness and with courage—as they have to all similar appeals from their leaders since this country was founded under great travail in 1789.

DISASTER AT ROSEBURG, OREG.

Mr. MORSE. Mr. President, on August, 19 I discussed in the Senate a number of the details concerning the disaster which struck Roseburg, Oreg., in the early morning hours of August 7. A tremendous explosion of a dynamite- and ammonium-nitrate-laden truck caused at least 16 deaths, resulted in more than 52 cases of severe injury, and brought about millions of dollars of property damage losses.

The reports I received concerning this terrible emergency left me with lasting and deep impressions of the wonderful and heroic responses of the people of Roseburg and the entire State of Oregon.

Again and again there came to my attention glowing reports of the speed and efficiency with which the Oregon National Guard acted in this instance. Within an almost incredibly short period of time members of the National Guard were on duty in the disaster area protecting lives and property and bringing order to what otherwise might have been chaos.

Today I received a letter from Brig. Gen. Alfred E. Hintz, the adjutant general of the State of Oregon. His report concerning the mobilization of the Oregon National Guard and the work of the National Guardsmen during this emergency so impressed me that I believe it should be brought to the attention of the entire Congress. For that reason, Mr. President, I ask unanimous consent that General Hintz' letter of August 19 be printed at this point in the RECORD.

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

STATE OF OREGON,
MILITARY DEPARTMENT,
Salem, Oreg., August 19, 1959

Hon. WAYNE L. MORSE,
U.S. Senator, Senate Office Building, Washington, D.C.

DEAR SENATOR MORSE: Regarding our recent tragedy in Roseburg, I thought you would be interested to know briefly the role the Oregon National Guard played in assisting the citizens and city of Roseburg.

On Friday morning, August 7, following the early hour explosion at 0115 hours (1:15 a.m.), the first unit of the Oregon National Guard was called out. The unit was Company D, 2d Battle Group, 186th Infantry, stationed in Roseburg. Approximately 50 percent of the unit was mobilized by 0145 hours (1:45 a.m.) which is less than 1 hour after the time of the explosion. This indicates the degree of organization and readiness that exists in our National Guard units without further enlarging upon the matter. The balance of this unit was present by 0600 hours (6 a. m.). The first elements of the unit stationed in Cottage Grove, Company B, 2d Battle Group, 186th Infantry, arrived in Roseburg about 0700 hours (7 a.m.), August 7, with the balance of the unit present by 1200 hours (noon) on August 7. These were the only two units initially called out by the adjutant general's office as directed by the Governor's office. At 1130 (11:30 a.m.) on August 7, additional help was requested by officials in Roseburg. The Grants Pass unit, Company C, 2d Battle Group, 186th Infantry, was then mobilized. This unit was present in Roseburg by 1730 hours (5:30 p.m.). The total strength of these three units which were present in Roseburg was as follows: 20 officers, 1 warrant officer, 191 enlisted men.

The above units constituted the units of the Oregon National Guard that were utilized in the disaster area. The total strength was gradually reduced throughout the period August 7 through August 15 with the last National Guard personnel released from Roseburg at 2000 hours (8 p.m.) August 15. The total cost to the Mililtary Department, State of Oregon, for the entire period was $10,833.53.

The primary duty of these units was to protect life and property in the Roseburg area in the initial days of the disaster until businesses were secured to protect against looting. After this had been accomplished, the National Guardsmen were used to isolate dangerous areas and buildings from all but authorized persons.

These National Guardsmen gave freely and willingly of their time. In many instances, the pay they received from being on military duty was much less than the wages from their civilian jobs. However, this was of no major concern to the men as they knew the people of Roseburg had lost a great deal more. It is a glowing spirit and joint effort by our National Guard units in times of need such as this, that makes us all justly proud of the Oregon National Guard.

The merit and conduct of the National Guardsmen during the Roseburg disaster have been further endorsed by most appreciative and praiseworthy comments from civic and State officials who worked closely

with the stricken city. I feel such words of praise are most deserving.

With best personal regards and I look forward to the pleasure of seeing you again soon.

Sincerely,

ALFRED E. HINTZ,
Brigadier General,
The Adjutant General.

REV. DR. FREDERICK BROWN HARRIS, CHAPLAIN OF THE SENATE

Mr. MORSE. Mr. President, on August 16, 1959, the majority leader, the distinguished Senator from Texas [Mr. JOHNSON], and the Chaplain of the Senate, the Reverend Dr. Frederick Brown Harris, participated in a broadcast into the State of Texas. In the broadcast, the Senator from Texas very beautifully and eloquently expressed his views about the spiritual leadership of the Chaplain of the Senate. I associate myself with the remarks which the Senator from Texas made about the Chaplain, and I ask unanimous consent that the text of the radio broadcast be printed at this point in the RECORD.

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

WASHINGTON RADIO REPORT FROM LYNDON B. JOHNSON, U.S. SENATOR

Senator JOHNSON. Today I have in the Senate radio studio with me, in the Capitol of the United States, one of the best men and one of the wisest men with whom I am associated. He is Dr. Frederick Brown Harris, Chaplain to the U.S. Senate.

Dr. Harris was ordained in 1912. He has served as Chaplain continuously since 1949, when I came to the Senate, and was Chaplain prior to that from 1942 to 1946.

Dr. Harris is the author of five books, as well as a weekly syndicated column "Spires of the Spirit."

Dr. Harris tells me that Benjamin Franklin was the man responsible for bringing the Chaplain into the Continental Congress.

I think, Dr. Harris, my first question will be to ask you to give the people of Texas something of the history of the chaplaincy in the U.S. Senate.

Dr. HARRIS. May I say first to the good people of Texas that I count it a privilege to have a little part in this program with my good friend, Senator LYNDON JOHNSON, whom I very greatly admire. He is, indeed, an able leader.

Now, as the Senator said, the custom of having a Chaplain goes back really to Carpenters Hall in Philadelphia. They had been meeting day after day without any recognition of spiritual verities, when Benjamin Franklin arose one morning and called attention to the fact that they had gone on with all their perplexing problems without any recognition of the Almighty.

He suggested that they call a minister from some distance in for the next day. They did, and continued to do that every day during their discussions following.

That was really the beginning of the chaplaincy. It was not a recognition, of course, of church, but of religion—which is a very different thing.

Senator JOHNSON. Dr. Harris, there's nothing as important to me as your daily prayer or as the variety of prayers that are given in the Senate by visiting ministers that come from time to time. I know it's that important to me and how important it is to other Members of the Senate.

I wonder if you would tell me—if you think it's appropriate—about your daily work and the visits that you have with people from all over the United States as well as with Members of the Senate.

Dr. HARRIS. Well, of course, it's a very great inspiration to meet so many people, constantly, from all parts of the country and, through the Senators, to have the opportunity for contact with them.

As far as the prayer is concerned, it's a deep satisfaction to know that it isn't just a pious gesture.

For instance, as far as the Senators are concerned—if, because of committee meetings or other pressures, they cannot be there at the opening of the Senate, they tell me again and again that the prayer means a great deal in their lives, that they always read it whether they happen to be there when it's offered or not. A number of them have lately said to me that they read it aloud in their families.

Senator JOHNSON. I would remind my listeners that the prayer is reproduced each day on the front page of the CONGRESSIONAL RECORD of the Senate proceedings.

I think that results in considerable mail coming to you, doesn't it, Dr. Harris?

Dr. HARRIS. Yes; that's one of the great compensations of this wonderful relationship to the Senate. Letters come from folks all over the United States saying that they use the prayers in their own devotional life.

Senator JOHNSON. Thank you, Dr. Harris. We have enjoyed having you as our guest today.

Mr. MORSE. Mr. President, I call attention to two matters relative to the Chaplain which I shall raise in due course of time when it is appropriate to raise them in connection with proposed legislation on the floor of the Senate.

First, I think we ought to correct the unfair policy which we are following in respect to the salary of the Chaplain. I think we should end the inequality which exists between his salary and that of the Chaplain of the House. That statement is no reflection on either Chaplain. I simply think the salaries ought to be equalized. I shall initiate at the appropriate time the necessary legislative action which will accomplish that purpose.

Second, in the past I have been the author of resolutions which have provided for the printing of the beautiful and inspiring prayers of the Chaplain. I am advised that the supply of copies of the Chaplain's prayers is almost depleted.

I make great use of these prayers in response to mail which I receive asking for copies of them, as I know other Senators do. I think it is well in America that we disseminate as widely as possible the great spiritual lessons which the Chaplain teaches us morning after morning as he prays over us and asks for divine guidance of our work in the Senate.

I simply serve notice now that at the appropriate time I shall not only sponsor a proposal which will make it possible to replenish the copies of the prayers which have been printed heretofore, but shall also ask authorization that the new supply contain the prayers which have been offered since the last previous printing, and that they be published in individual volumes, because I think in such form they are the most serviceable.

I have heard from many, many ministers throughout the country urging this course of action. I consider it a privilege and an honor to continue my sponsorship of these printings. I feel certain that the Senate will support me in my recommendation.

CIVIL RIGHTS LEGISLATION

Mr. HENNINGS. Mr. President, this is Monday morning, the day the Committee on the Judiciary regularly and habitually meets. I wish to call the attention of the Senate to the fact that late on Friday afternoon, there was delivered to my office a notice that on this day there would be no meeting of the Committee on the Judiciary. No reason was assigned, and I do not wish to ascribe unworthy motives to anyone. I only wish to state facts.

The facts are these, among others: that the pending business before the Judiciary Committee is my amendment in the nature of a substitute for Senate bill 2391, commonly known as the civil rights bill, which was the legislation favorably reported by the Senate Constitutional Rights Subcommittee; it was being considered when the committee last discussed the matter of civil rights.

Earlier this month, I became convinced that a number of members of the Judiciary Committee—I may say no more than 4 or 5, out of the committee of 15—were intransigent in their determination that no civil-rights measure of any kind or character would be reported from the Committee on the Judiciary.

Many of us undertook to obtain from our worthy colleagues expressions on this subject; and I went so far as to ask the question, "Are any of the gentlemen who have been opposing this proposed legislation in toto, willing to accept any part of it?"

I have yet to hear any affirmative answer from any of those gentlemen. I wish to emphasize that it is certainly their right to follow the dictates of their own consciences and their own beliefs.

Accordingly, because of the conviction that no civil-rights measure would be reported from the Judiciary Committee, because the majority of the committee would not be permitted to vote to report to the Senate any civil rights bill—a week ago today I undertook to bring the matter to the floor of the Senate.

I should like to say—without any argument ad personam—that what has happened today simply bears out the fact, which I stated before the Senate a week ago, that I had no hope that any proposed civil rights legislation would be reported from the Judiciary Committee.

Accordingly, we proceeded—and I may say that I did so most reluctantly—to bypass the Judiciary Committee. Today's failure of the committee to hold any meeting whatsoever, with its pending business being the civil rights bill, as reported to the full Judiciary Committee by its Constitutional Rights Subcommittee—together with the substitute I offered—demonstrates that there is no willingness on the part of a minority of the Judiciary Committee to report to the Senate any civil rights measure. In fact, there is a very determined effort by a minority of the Judiciary Committee to

prevent the reporting of any civil rights measure to protect the rights and freedoms of all our people. Therefore I think it must be done by an amendment to a bill already on the calendar or otherwise before the Senate, as I have indicated. That is why, Mr. President, I submitted last Monday my eight-point civil rights package, which is presently an amendment to S. 1617 on the Senate Calendar. I might say that I stand ready to offer that, or some portions of it, either in toto or separately, as an amendment or individual amendments to proposed legislation, as it may in due course seem most expeditious and proper to do so.

PROPOSED FILMING OF "THE UGLY AMERICAN"

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an article entitled "'Ugly American' Embroils Capital," written by E. W. Kenworthy, and published in the New York Times of August 24, 1959. The article deals with the proposed filming of the book "The Ugly American," by Eugene Burdick and William J. Lederer, in the Embassy at Bangkok, Thailand, and the effort to enlist the good offices of the State Department in making the film. The State Department is being urged to facilitate the filming of this book.

I wish only to raise the question as to the wisdom of the Department itself, or the Government, lending its approval and imprimatur to such a film. I assume that in our country of free enterprise we cannot prevent the filming of any kind of book, no matter how scandalous it may be or how misrepresented our Government may be in such a film.

On the other hand, it seems to me unwise to lend the name and support of the Government to the filming of what I consider to be a vastly exaggerated and libelous account of how our Government is conducted.

I do not deny that there is inefficiency in government. There is often good reason for the existence of inefficiency. I believe that our Government ought to do everything it can to improve. However, it might well be a serious mistake to lend our approval to this enterprise, especially by having the film made in the Embassy in Bangkok, and giving the producers the right to say that the book was filmed under such conditions.

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

Mr. FULBRIGHT. I yield.

Mr. JORDAN. In other words, the Senator does not want to publicize our inefficiency any more than necessary?

Mr. FULBRIGHT. The Senator is correct. I feel the same way about some of our domestic affairs, even in the Senate. We can talk about them, but I do not wish to make a film of them. I am always hopeful that we may be able to improve the situation.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arkansas?

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

"UGLY AMERICAN" EMBROILS CAPITAL—STATE DEPARTMENT PRESSED TO BACK FILMING OF BOOK IT DIDN'T LIKE

(By E. W. KENWORTHY)

WASHINGTON, August 23.—For some weeks, a backstage drama has been enacted here involving a script writer, assorted Congressmen and high State Department officials, Marlon Brando, Ambassador Gilbert MacWhite, and a beautiful Eurasian girl, named Ruth Jyoto.

In this cast of characters, it should be noted, Ambassador MacWhite and the beautiful Eurasian girl are strictly figments of the imagination. Even so, they are all too real for the State Department.

In the filming of "The Ugly American," Eugene Burdick and William J. Lederer made Gilbert MacWhite one of the few "good guys" in a parcel of incompetents, mediocrities and political sinecurists, who were making a hash out of the foreign aid program.

The book was published last fall by W. W. Norton & Co., New York.

BRANDO HAS LEAD

In the film of "The Ugly American," which will be made by Universal-International Pictures, Inc., Ambassador MacWhite will be the bachelor-hero who resigns his post when Washington insists on building a big, modern road that the natives do not want and insist they do not need. Marlon Brando will have the part.

Unfortunately for film purposes, Messrs. Burdick and Lederer did not supply any love interest. This deficiency has been remedied by the script writer with the creation of Ruth Jyoto.

State Department officials, who have seen the first script, variously describe scenes between the Ambassador and the Eurasian beauty as "quite amorous" and "plenty hot."

The drama here has centered on whether the State Department should lend its good offices in the making of the film and, if so, how much.

SUPPORT IN CONGRESS

The producers and a number of Senators and Representatives have argued that the State Department should be cooperative. The State Department, whose enthusiasm for "The Ugly American" has been negligible, has had its doubts.

The first act, or, rather, the first round, has ended with Universal the victor.

George Englund, the producer-director, and Stewart Stern, the script writer, will arrive in Bangkok, Thailand, tomorrow to make location surveys and other preparations for shooting the film.

They will have been preceded by a letter from the State Department directing the Embassy to extend them the courtesies and cooperation normally accorded American businessmen.

The story leading to the dispatch of this letter began last March when Messrs. Englund and Stern, accompanied by John Horton, Washington representative for Universal, talked with Edwin M. J. Kretzmann, Deputy Assistant Secretary of State for Public Affairs, and several other officials.

Messrs. Englund and Stern said they did not want to do a film that would harm U.S. interests, that they were eager to dramatize a positive statement about American foreign policy, and that they would appreciate the help of the State Department.

The State Department officials, it is said, made it plain that the Department could not be put in the position of collaborating on the picture or endorsing it or censoring it.

Messrs. Englund and Stern, according to informants here, said that they would not, of course, submit to any censorship, but they would like Department officials to read the first draft of the script when it was ready and express the Department's views.

On this understanding, the Department officials agreed to read the draft.

A FRIEND IN NEED

During this March trip, Messrs. Englund and Stern also "put an anchor to windward" on Capitol Hill. They called on Representative JOHN BRADEMAS, Democrat, of Indiana, a former Rhodes scholar and a friend of Mr. Burdick. Mr. BRADEMAS set up a luncheon with several Senators and Representatives.

About a month ago, four copies of the first draft of the script were delivered at the State Department. According to Mr. Stern, the readers in the Department were not exactly enthusiastic but they were interested.

The view of Department officials, who do not want to be named, was that the script stank.

WRITERS CHIDED

What was particularly objectionable in the Department's view, it was said, was the basing of the plot on the road project.

The script writer, this official said, had no more understanding than Messrs. Burdick and Lederer of the economic and military importance of a road.

Mr. Englund and Mr. Stern became convinced that the Department would pass the word to Thailand that it was not eager to have the picture made.

Mr. Englund got in touch with several Democratic legislators, including Senator HUBERT H. HUMPHREY, of Minnesota.

Senator HUMPHREY wrote to Christian A. Herter, Secretary of State, that he was convinced Mr. Englund and his associates were attempting to do an honest and responsible job of telling what the State Department and the International Cooperation Administration were doing in Southeast Asia.

He said he thought Mr. Englund should receive every courtesy from the Embassy in Bangkok.

State Department officials are eagerly awaiting the second draft. They are also wondering what to say if Mr. Englund asks to shoot some of his scenes in the U.S. Embassy.

ACCOMPLISHMENTS AND OBJECTIVES OF NATO—ADDRESS BY EDWARD J. MEEMAN, EDITOR, MEMPHIS PRESS SCIMITAR

Mr. KEFAUVER. Mr. President, approximately 130 distinguished citizens from the United States attended the Atlantic Congress in London last June. This was a most important Congress, one in which the political and economic ties of the free world nations further were strengthened. Included among our American delegates was Edward J. Meeman, editor of the Memphis Press Scimitar. Mr. Meeman, in an address before the Knoxville Rotary Club on August 4, listed the accomplishments and objectives of NATO in a forthright and constructive manner.

I ask unanimous consent that Mr. Meeman's excellent observations be printed in the RECORD at this point in my remarks.

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

LONDON: THE ANSWER TO GENEVA

(Address of Edward J. Meeman, editor of the Memphis Press-Scimitar to the Knoxville Rotary Club, Hotel Farragut, August 4, 1959)

In the summer of 1955 I attended the first session of the NATO Parliamentary Con-

ference, composed of representative members of the parliaments—in our case Congress is the parliament—of the 15 nations which are members of the North Atlantic Military Alliance, which assembled in the Palais de Chaillot, the NATO headquarters in Paris. I was there to report and comment on its proceedings for the Scripps-Howard newspapers.

The Paris Conference was held in the same week as the first summit conference at which President Eisenhower met the head of the Soviet Union.

I heard a delegate from the Netherlands say: "What we are doing here in Paris is more important than what they are doing at Geneva."

So it has proved. Little or no permanent good came from the summit meeting, but the NATO Parliamentary Conference was successfully organized and has met every year since. Out of its 1957 meeting came the call for an Atlantic Congress, which was to be held in 1959, on the occasion of the 10th anniversary of the North Atlantic Treaty Alliance, to be attended by 650 delegates, one-third members of parliaments, and two-thirds citizens, of the 15 NATO nations. That Congress, held in London June 5 to 10 of this year, I attended as one of the delegates representing the United States. The Congress, like the first Parliamentary Conference happened to be held simultaneously with a meeting at Geneva, this time of foreign ministers of the Western Powers with Khrushchev's Gromyko. So far the Geneva meeting has been fruitless. But our London meeting bore fruit. It was not a large crop, but a good one, and the fruit contains seeds which, if you and I plant and nurture them, hold rich promise of saving our lives and our prosperity.

Why was what happened in Paris in 1955 and what has just happened in London in 1959 more important than what was happening in Geneva at the same time? Because the Russians do not pay much attention to what the nations of the West say to them. But they do sit up and take notice of what the nations of the West say to each other. They pay attention when we talk about getting closer together, and follow up that talk by actually working closer together. In Geneva in 1955 and again in 1959, the West was talking with the Russians, and nothing has come of it. But in Paris in 1955 and in London in 1959, the free nations of the West talked with each other about getting closer together and did move closer together.

The most striking example of how the Russians are impressed not so much by what we say as by what we do was given at the time of the first Berlin blockade in 1949. They were not impressed by our protests at the illegality of what they were doing. But they were impressed when we successfully supplied Berlin by the airlift. They were even more impressed when the nations of Western Europe and North America got together in the North American Treaty Alliance, which we now call NATO for short, and agreed that an attack on one would be considered an attack on all. They gave up the blockade.

So when the parliamentarians and representative citizens of the NATO nations met on the 10th anniversary of NATO with the purpose of achieving greater unity, the Russians were impressed.

Who were the citizens from 15 countries whom the parliamentarians invited to propose, discuss, and vote with them? They were citizens who are in a position, for one reason or other, to reach their fellow citizens with the information about the state of our defenses, military, economic, and ideological, and the ideas developed at the Congress of what can be done about the present crisis. Some of the citizen delegates were political leaders; some publishers, writers and editors; some business leaders; some lawyers, some educational and religious leaders.

From France came such men as Gen. Pierre Billotte, who was Chief of Staff during World War II, and later minister of defense of France, Henri Faure, the statesman, and Andrew Maurois, the famous writer.

From the Netherlands, Lt. Gen. Calmeyer, who will have no knuckling to communism.

From Belgium, Franz van Cauwelaert, vice president of the NATO Parliamentarian's Conference.

From Norway, Finn Moe, chairman of the committee of foreign affairs of the Storting.

From Denmark, Ole Bjorn Kraft, former foreign minister.

From Greece, Panayotis Pipinelis, former foreign minister, now giving his time to Greece's Conservative Party.

From Britain came such leaders as Earl Attlee, the prime minister under whom India found freedom and independence.

The U.S. delegation was headed by Lewis Douglas, former ambassador to Great Britain as honorary chairman, and Eric Johnston, former president of the U.S. Chamber of Commerce, and now head of the Motion Picture Producers of America, as chairman.

Our delegation included such men as:

Gen. David Sarnoff, chairman of Radio Corp. of America.

Gen. James M. Gavin, who resigned from the Armed Forces in order to be free to say what he as a patriot thinks should be done about our national defenses.

Erwin D. Canham, editor of the Christian Science Monitor and president of the U.S. Chamber of Commerce.

Dr. Frank Rose, president of the University of Alabama.

Father Edmund Joyce, executive vice president of Notre Dame University.

Percival F. Brundage, who served President Eisenhower as director of the budget. He says that the U.S. taxpayers could save $10 billion a year thru Atlantic Union, under which defense costs would be shared proportionally by all the 15 nations.

Meyer Kestnbaum, chairman of Hart, Schaffner & Marx, and White House consultant.

Elmo Roper, noted public opinion analyst.

Palmer Hoyt, editor and publisher of the Denver Post.

Philip D. Reed, former chairman of the board of General Electric Co. and president of the International Chamber of Commerce.

Harry Scherman, chairman, Book of the Month Club.

Charles Rhyne, recently president of the American Bar Association, and now head of its Committee on World Peace Through Law.

Our own Mayor Edmond Orgill, of Memphis, did valuable work on the political committee.

Memphis was well represented. Leo Burson, of Memphis, was appointed an alternate delegate, and when a vacancy occurred in the American delegation, he became a full delegate and did valuable work on the Committee on Relations With the Communist Bloc.

The Congress met in the shadow of the Houses of Parliament, that British Parliament that is the mother of all parliaments, parliaments which have brought to men all over the world laws which guarantee the rights of man, laws which say that a policeman may not knock on a man's door in the middle of the night, and take him away without warrant, to be imprisoned or shot without trial, laws which assure that a person may go to school where he pleases and work where he pleases, read what he pleases, say what he pleases, listen to what he pleases, travel where he pleases, and know that the property he accumulates will not be confiscated.

The opening session was held in Westminster Hall, the great assembly room with carved stone walls where much history was made. Here King Charles I was tried and ordered beheaded. Here Warren Hastings was also tried, but saved himself. And that morning of June 1959, as we waited in meditative silence for the opening ceremony we knew that the free world was now on trial. Can free men summon the wisdom and determination to save themselves? We knew that it would be our responsibility in the sessions that would follow to try to do just that.

The solemn yeoman and trumpeters in the brilliant red and gold uniforms of the time of the first Queen Elizabeth, heralded the arrival of the second Queen Elizabeth, who came in with Prince Philip. They were preceded in solemn tread by Premier Macmillan and the officers of the Congress, including our own Senator KEFAUVER. The Queen took her seat on the dais and rose to give us a cordial welcome. She gave us the keynote. She spoke of the Atlantic Community as an existing fact, and all through Congress it was so alluded to. This is of the greatest significance. If the 15 nations on both sides of the North Atlantic are in fact a single Community, with the same history, the same ideals and the same way of life, a community must have unity. The Queen said to us:

"My hope is that when you disperse, the peoples of the Atlantic community will be a step nearer to practical cooperation."

Did the Congress fulfill this hope? Yes. As the result of our deliberations the NATO nations are "a step nearer to practical cooperation." It was only a short step that was taken, but it was a step in the right direction. It was a step that takes us on the road to unity along which we must travel further and faster, if we are indeed to save ourselves.

The Congress went to work. The delegates divided into five committees; on spiritual, moral, and cultural values, on political and governmental organization; on economics, on relations with the rest of the free world, on relations with the Communist bloc.

Each committee met in a different hotel, and was in turn divided into subcommittees. The committee reports were acted on by the whole Congress in plenary session. The plenary sessions were held in a round room in Church House, adjoining Westminister Abbey. In the committees, the delegates from the various nations were all mixed up, but in the plenary sessions the delegates from a particular nation all sat together. The Congress was conducted in English and French. Most of the speeches were in English, but the French, Belgians, and French Canadians spoke in French. Most delegates from the other nations spoke in English, but occasionally one would speak in French.

Every delegate had an earphone, which he could put on at will and hear an instantaneous translation of the speech, if it was in English, into French; and if it was in French, into English. I marvel at the facility of translators who can translate a man's speech as fast as he delivers it, and apparently to the satisfaction of all concerned.

On several nights the delegates had work to do, but on others they were entertained by the hospitable British at brilliant receptions and dinners. There was an unforgettable midnight performance of "My Fair Lady" put on especially for the delegates.

What came out of the conference? What actions were taken?

The Congress adopted this statement of its political committee:

"The pooling of our national resources in the traditional form of international cooperation seems today hopelessly inadequate

and out of date compared with the new danger that is threatening us all in equal measure.

"Of course, one solution would be to bring about some form of political federation of all of our nations. The idea of such a federation at this time should not be ruled out, but we must face up to the possibility that it may be psychologically premature. In any event we must proceed beyond the stage of an alliance. In other words what we must do is to create a genuine community.

"This will not be an easy task. What it requires is an entirely new enterprise for which there is no precedent in history. It is also one which must be built up on empirical lines combining the maximum amount of boldness in design with a sense of realities.

"The traditional concept of the sovereignty of our countries must not be regarded as something unalterable, like Holy Writ. It must also be realized that in our democratic society the rights of the individual, though they remain the general rule of that society, are limited by law in order to preserve the freedom of other individuals, or to insure social progress in accordance with technical progress. Hence, the need for us to accept limitations of the sovereignty of our nations; limitations which are urgently called for by the overriding needs of our defense, our well-being and our unity.

"In practice, this would require the transfer to a common authority of that part of our national authority which we are obviously no longer in a position to insure except in an inefficient and outdated manner. It is clear that we are living in an era when safeguarding of the freedom of man—which is the highest good—will be impossible to insure without far-reaching structural reforms.

"The time has come for this need to be fully understood, for the peril is becoming more serious as well as more general. It is of course a fact that for the last 10 years our immediate security has been insured by the alliance, and we should be duly thankful for this. But is not our future security endangered by the great strides the Communist world has made since 1945, and the deep and ever-spreading roots it is putting down throughout southern Asia, the Middle East, Africa, and now Latin America?

"Is it not endangered also by the methods of economic subversion which the Soviets have perfected but, as yet, made little use of on a large scale?

"We are coming to the decisive moment when the balance of force runs the risk of being upset. NATO must prepare itself to confront simultaneously all these threatening perils.

"But NATO can only do this if it maintains its strategy and military potential in a position to deter aggression directed against any of its members, and if it builds up stronger institutions which will effectively place the whole of its means at the service of a policy of closer union which will lift mankind to the new era made possible by scientific, industrial, political, and moral progress."

The following proposals for strengthening NATO were adopted which the delegates, having returned home, are now seeking to put into effect, through the action of their respective countries:

"NATO nations should have a common military strategy.

"Each nation should fulfill its military obligations so that the European shield is brought up to its minimum strength.

"There should be wider exchange of atomic information.

"Air defense of Europe should be under a single command.

"NATO nations should consult with each other before they adopt any policy that affects other nations and coordinate more fully their policies on all questions of common concern. In other words let's not have another Suez, in which England and France go one way and the United States another.

"Give Secretary General Spaak more authority.

"To improve the settlement of disputes among member nations, study the possible creation of a NATO Court of Justice. This was proposed by Charles Rhyne in behalf of the American Bar Association and warmly supported by Mayor Orgill.

"In order to consider the further development of the alliance our governments be requested to carry out as soon as possible the remainder of the unanimous recommendation of the Third NATO Parliamentarians' Conference (out of which the present Congress arose) by bringing about not later than the spring of 1960 a special conference composed of not more than a hundred leading representative citizens, directed to convene for as long as necessary in order to examine exhaustively, and to recommend as expeditiously as possible, the means by which greater cooperation and unity may best be developed within the Atlantic community.

"Create a studies center for the Atlantic community in which our moral, spiritual, and democratic values and institutions will be studied and appreciated.

"Assistance by the NATO nations in the economic progress of underdeveloped nations through government and private loans and investments."

I have said that the Russians are not impressed by what we say to them. They pay little attention to it. They pay attention to what we say to each other that brings greater unity in the free world, and what we do to bring that unity about. For they know that the more we get together the stronger we will be.

What can you and I do to achieve that unity?

The most important single thing we can do is to get our U.S. Congress to adopt the Atlantic Congress proposal that a conference be brought about of not more than 100 leading representative citizens, directed to convene for as long as necessary to recommend the means by which greater cooperation and unity may best be developed withing the Atlantic community.

This proposal is very similar to that in Senate Concurrent Resolution 17, House Concurrent Resolutions 107 to 108 which was introduced by Senators HUBERT HUMPHREY, of Minnesota; JOHN SHERMAN COOPER, of Kentucky; CLIFFORD CASE, of New Jersey; and ESTES KEFAUVER, of Tennessee. Its chief sponsors in the House are Representatives A. S. J. CARNAHAN, of Missouri, and CLEMENT ZABLOCKI, of Wisconsin.

We can write our Senators and Representatives urging them to support that resolution.

In unity, and only in unity is there strength. We all know the story of the father who demonstrated this to his six sons who were not getting along with each other. He took one stick and quickly broke it in in his two hands. But he put six sticks together and they were as solid and unbreakable as a log. Put the 15 nations solidly together and the Communists can never break them.

We can strengthen the free world by the kind of lives we live. We can watch our daily conduct to see that we are living up to the highest and best that we know.

The outstanding impression I carried away from London was the wealth of intellect and character we have in the free world. We need not avoid closer association with Canada and the nations of Western Europe for fear that those people are not as good as we are, are not as much devoted to democracy and freedom as we are. I do not fear to trust my safety, my property, my freedom to the wisdom and virtue of the man I met in London.

One of the men who impressed me was Panayotis Pipinelis, former Foreign Minister to Greece, who is now working for the Conservative Party in that county. I worked with him on the Free World Committee. I took note of what he said:

"We are to avoid moral isolation in our relations with other peoples and if we are to meet the aspirations of the coming generations, we can do no better than stick to the long-established fundamental values of our morality and civilization: the rule of law; freedom of choice and of thought; the decent comforts of privacy; restraint and justice. I know of no better approach to our problem.

"It is to a certain extent inevitable that, living in a world such as ours where these values are usually taken for granted, the impact they produce on the imagination of other peoples is often underestimated. However, their real pertinence becomes more convincing the moment they are ignored. It is only among peoples who are deprived of any guarantees for the individual, with no freedom of thought, with no privacy in ordinary life, with no possibilities for personal and national expression, that their real importance can be completely understood. That is why, I suggest, the best way of avoiding isolation in our relations with uncommitted nations lies in remaining true to our own ideals and in providing a living example of what life can be in an orderly and civilized society.

"For this, it is not enough merely to pay lipservice to these ideals or to limit our acceptance of them to empty generalities. We have to work out ways and means by which the rules of law and the respect of other peoples' rights can best be safeguarded in international life. The widest possible acceptance of the obligatory jurisdiction of the International Court of Justice should be earnestly pursued. The institution of a separate High Court of Justice for the NATO countries has certainly much to commend it. Other areas of international intercourse must be explored with a view to extending to them the rule of law.

"But it is hardly necessary to point out that legal guarantees in the international field, with their more or less conservative implications, cannot suffice as an inspiration for peoples expecting improvement through change or revolution. We have to integrate into our human relations the dynamic force of justice and accept it as an article of faith and as a constant directive of our behavior."

Then there was Ole Bjorn Kraft, former Foreign Minister of Denmark, one of those sturdy Danes who have dared to join and stick to NATO, despite Soviet threats, though they are right under Soviet guns. He was chairman of the committee on which I served and I got to know him well. I admired his democratic spirit—how he went around the table twice, to make sure that every member of the committee had an opportunity to express his views fully. I admired his opposition to the creation of new international agencies which unnecessarily add to the burden of the taxpayer.

And I learned how he has done his part to make the life of the free world one of decency of behavior, as the Greek statesman said it must be if we are to win. For Ole Bjorn Kraft is one of those who practices the principles of moral rearmament. He has adopted absolute standards for his conduct—absolute honesty, absolute purity, absolute unselfishness, and absolute love. He has a quiet time every morning in which he seeks the guidance of God in all that he thinks and does.

If we men of the free world commit ourselves to such wisdom, goodness, and courage, we can win.

DELAY IN ACTION AS TO FEDERAL JUDGESHIPS

Mr. JAVITS. Mr. President, I should like to say a word about the fact that the Committee on the Judiciary has not brought about the confirmation of the nominations of many nominees to be judges, notwithstanding the overburdened position of our courts. This presses especially hard in the New York jurisdiction.

Notwithstanding everything that I have been able to do and everything that my distinguished colleague [Mr. KEATING] has been able to do, we have made very little progress in bringing about the confirmation of the nominations of admittedly distinguished lawyers, who have been nominated to fill key vacancies on the Federal district and circuit court benches in the New York area.

This is a grave responsibility for the Senate, and a grave disadvantage to the New York jurisdiction, as adjournment day comes closer. So difficult has been my own role in this matter that I have been blamed in one news story for delaying the hearing on the confirmation of the nomination of our nominee for the second circuit court of appeals. This, Mr. President, is simply untrue and is most unfair to me. Nevertheless, with people looking around for explanations to account for what I am the first to say is an unreasonable delay, which has taken place in the case of this particular nominee, Mr. Henry Friendly, of New York, and with regard to other nominees in the New York area, I can hardly blame the newspaper reporter for picking on some conspiratorial reason, rather than on the very evident one that notwithstanding my best efforts—speaking to my colleagues, speaking on the floor of the Senate, speaking in the Republican conferences and every other place I thought appropriate—the Committee on the Judiciary has simply not taken action.

Tomorrow morning a subcommittee of the Committee of the Judiciary, composed of the Senator from Connecticut [Mr. DODD], the Senator from Missouri [Mr. HENNINGS], and the Senator from Illinois [Mr. DIRKSEN], has scheduled hearings on the nomination of Henry J. Friendly to be Federal judge for the second circuit.

That brings up, Mr. President, the question of a "box score." The nomination of Mr. Friendly was made by the President on March 10, 1959; 168 days later, August 25, 1959, the first preliminary step is to be taken by the Judiciary Committee. This delay is genuinely appalling, in view of the fact that the Judicial Conference of the United States reports that as of June 30, 1959, the average number of appeals per judge on the second circuit court bench, to which Mr. Friendly has been nominated, was 85, the highest in the Nation and more than 50 percent higher than the national average of 56.

Mr. President, should the meeting tomorrow be but the prelude to another long delay before action by the full committee and by the Senate, then the 19 million people in the area served by the second circuit—New York, Connecticut, and Vermont—may well feel their judicial needs are being pointedly ignored by the Senate, which is charged with the duty of proceeding on Federal judicial nominations in every section of the country—North as well as South, East as well as West.

In that connection, Mr. President, I ask unanimous consent to have printed in the RECORD a tabulation entitled "Box Score on Judgeships" which relates to how long it is taking to obtain confirmation of the nomination of a man to be a judge, when the man has been nominated—how long it takes to have a hearing and to have action by the full Committee on the Judiciary.

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

Box score on judgeships

DISTRICT JUDGES

No.	Name, State, and date of reference	Office	Subcommittee and date of reference	Committee action	Committee report	Confirmed
1	Henley, J. Smith (Arkansas), Jan. 17.[1]	U.S. district judge for the eastern district of Arkansas.	Public hearing scheduled Aug. 26, 1959.			
2	Robson, Edwin A. (Illinois), Jan. 17, 1959.	U.S. district judge for the northern district of Illinois.	Feb. 21, 1959, Messrs. Eastland, Johnston, and Hruska, Apr. 21, public hearing (recorded).	Apr. 27, approved	Apr. 28 (by Mr. Dirksen).	Apr. 29, 1959.
3	Hart, George L., Jr. (District of Columbia), Jan. 17, 1959.	U.S. district judge for the District of Columbia.	Feb. 18, 1959, Messrs. Eastland, Johnston, and Hruska, June 16, July 1, public hearing (recorded).			
4	Gilmartin, Eugene R. (Rhode Island), Jan. 17, 1959.	U.S. judge for the District Court of Guam.	Feb. 21, 1959, Messrs. Eastland, Johnston, and Hruska, Aug. 19, public hearing.			
5	Gordon, Walter A. (California), Jan. 17, 1959.	Judge of the U.S. District Court for the Virgin Islands.	Feb. 21, 1959, Messrs. O'Mahoney, Hennings, Carroll, Hruska, and Keating, public hearing scheduled Aug. 26.			
6	Tucker, John G. (Texas), Feb. 12, 1959.	U.S. district judge for the eastern district of Texas.	Feb. 21, 1959, Messrs. Eastland, Johnston, and Hruska.			Aug. 3, 1959, nomination withdrawn by the President.
7	Crocker, Myron D. (California), Feb. 16, 1959.	U.S. district judge for the southern district of California.	Feb. 21, 1959, Messrs. Eastland, Johnston, and Hruska, June 18, 1959, public hearing (recorded).			
8	Kunzel, Fred (California), Feb. 16, 1959.	U.S. district judge for the southean district of California	Feb. 21, 1959, Messrs. Eastland, Johnston, and Hruska, June 17, 1959, public hearing (recorded).			
9	Kilkenny, John F. (Oregon), Feb. 19, 1959.	U.S. district judge for the district of Oregon.	Feb. 21, 1959, Messrs. Eastland, Johnston, and Hruska, June 15, 1959, public hearing (recorded).	July 27, 1959, approved.	July 27 (by Mr. Dirksen).	July 28.
10	Julian, Anthony (Massachusetts), Feb. 26, 1959.	U.S. district judge for the district of Massachusetts.	Mar. 2, 1959, Messrs. Eastland, Johnston, and Hruska, May 4, 1959, public hearing (recorded).			
11	Walsh, Leonard P. (District of Columbia), Feb. 26,1959.	U.S. district judge for the District of Columbia.	Mar. 2, 1959, Messrs. Eastland, Johnston, and Hruska, June 17, 1959, public hearing (recorded).			
12	Wood, Harold K. (Pennsylvania), Mar. 2, 1959.	U.S. district judge for the eastern district of Pennsylvania.	Mar. 2, 1959, Messrs. Eastland, Johnston, and Hruska, July 8, 1959, public hearing (recorded).			
13	MacMahon, Lloyd F. (New York), Mar. 10, 1959.	U.S. district judge for the southern district of New York.	Mar. 18, 1959, Messrs. Eastland, Johnston, and Hruska, June 24, 1959, public hearing (recorded).			
14	Metzner, Charles M. (New York), Apr. 15, 1959.	do	May 5, 1959, Messrs. Eastland, Johnston, Hruska, June 16, 1959, public hearing (recorded).			
15	Bartels, John R. (New York), Apr. 20, 1959.	U.S. district judge for the eastern district of New York.	May 5, 1959, Messrs. Eastland, Johnston, Hruska, June 4, 1959, public hearing (recorded).	July 27, 1959, approved.	July 27, 1959 (by Mr. Keating).	July 28, 1959.
16	Sweigert, William T. (California), Apr. 23, 1959.	U.S. district judge for northern district of California.	May 5, 1959, Messrs. Eastland, Johnston, Hruska, public hearing scheduled Aug. 25, 1959.			
17	Field, John A. (West Virginia), May 11, 1959.	U.S. district judge for the southern district of West Virginia.	July 29, 1959, Messrs. Eastland, Johnston, Hruska, Aug. 3, 1959, public hearing (recorded).	Aug. 10, approved	Aug. 11, 1959 (by Mr. Eastland).	Aug. 11, 1959.
18	Powell, Charles L. (Washington), May 26, 1959.	U.S. district judge for eastern district of Washington.	June 3, 1959, Messrs. Eastland, Johnston, Hruska, June 10, 1959, public hearing (recorded).	June 15, 1959, approved.	June 15, 1959 (by Mr. Eastland).	June 16, 1959.

[1] Renominated Aug. 18, for eastern and western districts.

Box score on judgeships—Continued

DISTRICT JUDGES—Continued

No.	Name, State, and date of reference	Office	Subcommittee and date of reference	Committee action	Committee report	Confirmed
19	Dalton, Ted (Virginia), July 21, 1959.	U.S. district judge for western district of Virginia.	July 22, 1959, Messrs. Eastland, Johnston, Hruska, Aug. 3, 1959, public hearing (recorded).	Aug. 10, 1959	Aug. 11, 1959 (by Mr. Eastland).	Aug. 11, 1959.
20	Weinman, Carl A. (Ohio), July 28, 1959.	U.S. district judge for southern district of Ohio.	Aug. 5, 1959, Messrs. Eastland, Johnston, Hruska, public hearing, Aug. 17, 1959.			
21	Butler, Algermon L. (North Carolina), July 28, 1959.	U.S. district judge for eastern district of North Carolina.	Public hearing, Aug. 18, 1959			
22	Paul, Charles F. (West Virginia), Aug. 3, 1959.	U.S. district judge for northern district of West Virginia.	Aug. 5, 1959, Messrs. Eastland, Johnston, Hruska.			
23	Young, Gordon E. (Arkansas), Aug. 18, 1959.	U.S. district judge for eastern district of Arkansas.				
24	Kalbfleish, Gerard E. (Ohio), Aug. 21, 1959.	U.S. district judge for northern district of Ohio.				
25	Henderson, John O. (New York), Aug. 21, 1959.	U.S. district judge for western district of New York.				

CIRCUIT JUDGES

No.	Name, State, and date of reference	Office	Subcommittee and date of reference	Committee action	Committee Report	Confirmed
1	Boremen, Herbert S. (West Virginia), Jan. 20, 1959.	U.S. circuit judge, 4th circuit.	Feb. 21, 1959, Eastland, Johnston, Hruska. June 10, public hearing (recorded).	June 15, 1959, approved.	June 15, 1959 (by Mr. Eastland).	June 16, 1959.
2	Forman, Philip (New Jersey).	U.S. circuit judge for 3d circuit.	Feb. 21, 1959, Eastland, Johnston, Hruska, June 18, 1959, public hearing (recorded).			
3	Cecil, Lester L. (Ohio), Feb. 17, 1959.	U.S. circuit judge for the 6th circuit.	Feb. 21, 1959, Eastland Johnston, Hruska, Apr. 28, 1959, public hearing (recorded).	July 13, 1959, approved.	July 13, 1959 (by Mr. Eastland).	July 15, 1959.
4	Aldrich, Bailey (Massachusetts), Feb. 26, 1959.	U.S. circuit judge for 1st circuit.	Mar. 2, 1959, Eastland, Johnston, Hruska, May 4, 1959, public hearing (recorded).			
5	Castle, Latham (Illinois), Feb. 26, 1959.	U.S. circuit judge for 7th circuit.	Mar. 2, 1959, Eastland, Johnston, Hruska, Apr. 21, 1959, public hearing (recorded).	Apr. 27, 1959, approved.	Apr. 28, 1959 (by Mr. Dirksen).	Apr. 29, 1959.
6	Friendly, Henry J. (New York), Mar. 10, 1959.	U.S. circuit judge for 2d circuit.	Mar. 11, 1959, Dodd, Hennings, Dirksen. Public hearing scheduled Aug. 25.			
7	Weick, Paul C. (Ohio), Aug. 5, 1959.	U.S. circuit judge for 6th circuit.				
8	Black, Harry A. (Minnesota), Aug. 18, 1959.	U.S. circuit judge for 8th circuit.				

Mr. JAVITS. Mr. President, this unofficial "box score on judgeships" which was tabulated by my office, relates to the status of nominees to the Federal district and circuit courts, for nominations made by President Eisenhower since the beginning of the present session of Congress in January. It is of particular interest to New York.

Only one of the four nominations to Federal district judgeships in our area—that of John R. Bartels—has been confirmed by the Senate.

The nomination of Lloyd F. MacMahon, for the southern district of New York, submitted on March 10, 1959, the same day that Mr. Friendly was nominated, still languishes, though there was a hearing for Mr. MacMahon before the subcommittee of the Senate Committee on the Judiciary on June 24, 1959. There was no opposition to the nomination, but no more action has been taken. Hearings were also held on June 16, 1959, on the nomination of Charles M. Metzner, who was nominated to serve in the southern district of New York, the nomination having been made April 15, 1959. Again there was no opposition, but no further action has been taken.

Once more, the statistics furnish powerful testimony as to the need for action. The administrative office of the U.S. courts reports that in recent years southern and eastern district courts in New York have been vying for the unfortunate distinction of having the longest time lag in the entire Nation for disposition of civil cases settled after trial. Right now, the eastern district has the longest average caseload delay in the United States—44.8 months; the southern district has a backlog of nearly 11,000 cases as of June 30 which averaged out to a caseload of 600 civil cases pending per judge.

We need these judges. They are absolutely indispensable. These delays are absolutely shocking.

In reviewing the boxscore I am submitting today, it is apparent that there is no chronological pattern to the progress made so far. Of the eight circuit judges nominations made since last January, the first, the third, and the fifth have been confirmed by the Senate, with no committee action taken on the second, the fourth, the sixth—Mr. Friendly—seventh or eighth. Regarding the 25 nominees to Federal district judgeships, the 19th to be nominated, taking them chronologically as well as, the 18th, 17th, 15th—Mr. Bartels—9th, and 2d have received Senate approval. Committee action has yet to be taken on the other 18, one of whom was recently renominated, the name of another was withdrawn, and the 25th nominee was sent up only last Friday by the President. This last nominee is also of special interest to New Yorkers; he is John O. Henderson, the nominee for the vacancy in New York's western district which brings the list to three nominees to the Federal district bench and one to the Federal circuit bench which are of vital concern to my constitutents.

There perhaps would have been the basis for an explanation of the snail's pace at which the great majority of nominations have been proceeding in the Senate Judiciary Committee if its many hours of deliberation on civil rights legislation had been fruitful.

But that deliberation has not been fruitful. We have had no action on civil rights, and we have had little action regarding judgeships.

Mr. President, I think the conscience of the Senate demands action by the Senate. I express the urgent need for confirming the nominations of men whose nominations have remained on the shelf notwithstanding their distinction as nominees and the urgent need of communities, like my own, for them, as well as the fact that there is no opposition to the nominations.

The committee and the Senate should confirm the nominations promptly.

Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from the New York Times of August 24, 1959, regarding this subject.

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

COMMITTEE ON INACTION

The Senate Judiciary Committee—of which JAMES O. EASTLAND, of Mississippi, is the chairman—deserves a black mark for its inexcusable slow motion. Stalled in Mr. EASTLAND's committee are 10 of President Eisenhower's appointments to important Federal judgeships which have been waiting for its approval for the past 5 months—1 since last January. Nine other judgeship appointments made more recently are also on the committee's docket of inaction.

Delays like this dishonor the distinguished individuals whom the President has honored by appointing them, pile still higher the backlog of unsettled cases in the Federal courts and place an unfair burden of business on the judges now sitting. So serious had the situation become last spring in the eastern district that judges from less burdened courts had to be drafted to help clear the calendar.

Then, too, the delays are professionally embarrassing to the nominees. One of them had to ask the President to withdraw his appointment because of the loss of clients due to his uncertain future.

Among the reasons for the Eastland committee's inaction on the judgeships have been the personal pique of members of the committee over the President's appointments and adverse local political pressures—certainly not in the interests of the public. Then, too, the committee has been so busy in its maneuvers to block consideration of civil-rights legislation that it has had little time for anything else. Such feverish action to bring about inaction has an Alice-in-Wonderland atmosphere about it which would be amusing if it weren't taking place in a world of urgent political realities.

OREGON'S EX-GOV. CHARLES A. SPRAGUE SALUTES VIEWS OF SENATOR JOSEPH S. CLARK OF PENNSYLVANIA ON VETERANS' LEGISLATION

Mr. NEUBERGER. Mr. President, it is always a pleasure to see heralded—especially in an eminent source—the political courage of a colleague.

This occurred in the Oregon Daily Statesman of August 21, 1959, when ex-Gov. Charles A. Sprague, of Oregon, a leading Republican who is also a great editor, wrote an editorial entitled "Other 'Crying Needs'," which cites the forthright independence of our friend, the able senior Senator from Pennsylvania [Mr. CLARK], on the question of veterans' legislation.

I did not vote precisely as did Senator CLARK on the recent veterans' pension bill. I voted for the Kerr amendment equalizing the widows and orphans of World War II and Korea with those of World War I; Senator CLARK did not. I voted against the Morse amendment for a special pension only for veterans of World War I with non-service-connected disabilities, and so did Senator CLARK. I voted for the final version of the veterans' bill; Senator CLARK did not.

But I join one of the country's really distinguished editors, ex-Gov. Charles A. Sprague, in saluting the Senator from Pennsylvania, and I ask unanimous consent that this editorial from the Statesman of Salem, Oreg., be printed in the body of the RECORD.

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

[From the Oregon Daily Statesman, Aug. 21, 1959]

OTHER "CRYING NEEDS"

Those who would be on the receiving end of pensions hope that the bills which have passed House and Senate will be reconciled and that the President will sign the final measure. Some veterans are unhappy because the Morse amendment giving every veteran of World War I a pension failed, as it did by a very wide margin. Others who have concern over the spending of public funds do not like either the House or Senate version of a pension bill. One of the latter is Senator CLARK of Pennsylvania. He's a Democrat, but he took the floor to speak against the amendment offered by Senator KERR, of Oklahoma, to substitute the more generous provisions of the House bill for the reduced schedule recommended by the Senate Finance Committee. In his comments on the subject Senator CLARK presented a viewpoint which deserves more general attention, particularly among veterans.

We quote from Senator CLARK's remarks as follows:

"Mr. President, I regretfully find myself unable to go along with the sponsors of the amendment. Here is an enormous additional burden placed on the backs of the taxpayers of this and succeeding generations in order to increase payments for non-service-connected disabilities of veterans who in many, many cases never were under shellfire or subjected to danger, in the face of a crying need for billions of dollars for education, for housing, water resources development, for highways, for all the American people.

"I cannot find myself willing to take the position of imposing this heavy additional burden on the taxpayers for what seems to me to be a very low order of priority compared with the needs of all the American people in other fields which I have mentioned, compared with our increasing needs, in my judgment, for national defense, compared with our increasing needs, in my judgment, to assist our allies and to aid the uncommitted areas of the world.

"This is a question of priority, and I regret that I cannot find it in my heart to give a high enough priority to support this amendment, which unquestionably would require additional taxation if we are going to go through with the other programs which in my judgment are so necessary to the health and the well-being of all of the American people over the next generation. I therefore regretfully find myself compelled to support the chairman of the Finance Committee. My regret is not that I am supporting the chairman of the Finance Committee, but that I cannot support my good friends, the Senator from Tennessee and the Senator from Oklahoma."

OREGON NATIONAL GUARD ACCLAIMED FOR READINESS TO MEET EMERGENCIES, SUCH AS AT ROSEBURG, OREG.

Mr. NEUBERGER. Mr. President, concern is sometimes expressed about readiness of our Military Establishment to meet emergency conditions. In the atomic age, speed of action will be of utmost importance. An explosion of calamitous proportions in the middle of the night on August 7 at Roseburg, Oreg., provided a test of readiness to meet emergencies. The Oregon National Guard was called and found ready. Within a half-hour after the blast leveled a large section of Roseburg's business district, units of the Oregon National Guard were mobilized in strength.

The National Guard is the citizens' army, and the speed with which they moved into action to protect life and property at Roseburg is ample evidence that the guard is prepared for emergency action. The Oregon National Guard responded to the call for help at Roseburg in the best tradition of its service.

I have received a report from Brig. Gen. Alfred E. Hintz, adjutant general for the military department of the State of Oregon, describing Oregon National Guard participation in meeting the emergency at Roseburg. He reports that units called to duty were from Companies B, C, and D, 2d Battle Group, 186th Infantry, located at Cottage Grove, Roseburg, and at Grants Pass. They deserve commendation for their quick and effective response to the emergency situation.

I ask consent to include with my remarks, in the body of the RECORD, the informative report from General Hintz, which details the effective manner in which the Oregon National Guard met the disaster at Roseburg.

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

STATE OF OREGON
MILITARY DEPARTMENT,
OFFICE OF THE ADJUTANT GENERAL,
Salem, Oreg., August 19, 1959.

Hon. RICHARD L. NEUBERGER,
U.S. Senator,
Senate Office Building,
Washington, D.C.

DEAR SENATOR NEUBERGER: Regarding our recent tragedy in Roseburg, I thought you would be interested to know briefly the role the Oregon National Guard played in assisting the citizens and city of Roseburg.

On Friday morning, August 7, following the early hour explosion at 0115 hours (1:15 a.m.), the first unit of the Oregon National Guard was called out. The unit was Company D, 2d Battle Group, 186th Infantry, stationed in Roseburg. Approximately 50 percent of the unit was mobilized by 0145 hours (1:45 a.m.) which is less than 1 hour after the time of the explosion. This indicates the degree of organization and readiness that exists in our National Guard units without further enlarging upon the matter. The balance of this unit was present by 0600 hours (6:00 a.m.). The first elements of the unit stationed in Cottage Grove, Company B, 2d Battle Group, 186th Infantry, arrived in Roseburg about 0700 hours (7:00 a.m.), August 7, with the balance of the unit present by 1200 hours (noon) on August 7. These were the only two units initially called out by the Adjutant General's office as directed by the Governor's office. At 1130 hours (11:30 a.m.) on August 7, additional help was requested by officials in Roseburg. The Grants Pass unit, Company C, 2d Battle Group, 186th Infantry, was then mobilized. This unit was present in Roseburg by 1730 hours (5:30 p.m.). The total strength of these three units which were present in Roseburg was as follows: 20 officers, 1 warrant officer, 191 enlisted men.

The above units constituted the units of the Oregon National Guard that were utilized in the disaster area. The total strength was gradually reduced throughout the period August 7 through August 15 with the last National Guard personnel released from Roseburg at 2000 hours (8:00 p.m.) August

15. The total cost to the military department, State of Oregon, for the entire period was $10,833.53.

The primary duty of these units was to protect life and property in the Roseburg area in the initial days of the disaster until businesses were secured to protect against looting. After this had been accomplished, the National Guardsmen were used to isolate dangerous areas and buildings from all but authorized persons.

These National Guardsmen gave freely and willingly of their time. In many instances, the pay they received from being on military duty was much less than the wages from their civilian jobs. However, this was of no major concern to the men as they knew the people of Roseburg had lost a great deal more. It is a glowing spirit and joint effort by our National Guard units in times of need such as this, that makes us all justly proud of the Oregon National Guard.

The merit and conduct of the National Guardsmen during the Roseburg disaster have been further endorsed by most appreciative and praiseworthy comments from civic and State officials who worked closely with the stricken city. I feel such words of praise are most deserving.

With best personal regards and I look forward to the pleasure of seeing you again soon.

Sincerely,

ALFRED E. HEINTZ,
Brigadier General,
The Adjutant General.

BILL ZADICK: FRIEND

Mr. MANSFIELD. Mr. President, last Monday I received a great shock when I learned of the death of a very close friend, adviser, and one of Montana's most accomplished journalists, William Zadick, city editor of the Great Falls Tribune, Great Falls, Mont.

Bill Zadick had been city editor of the Tribune for 15 years during which he contributed greatly toward making this daily newspaper one of the most widely circulated and read in the entire State. Bill's career in the newspaper business paralleled the growth of the city of Great Falls, Montana's largest city. He was a leader in civic activities, in fact his name became a byword to every organization in the city through his longtime interest in civic activities.

Bill came to the newspaper field right out of school and during the years he became an expert in every field of news operation—reporting, photography, editorial writing, printing and general management.

It is indeed sad that a man of such talents should be taken from us at such early age. Bill Zadick was only 46 and no one would have suspected that he would not be actively engaged as city editor for many more years. I want to express Mrs. Mansfield's and my deepest sympathy to his widow, Anna, his mother, Mrs. Nellie Zadick, his sons Bob and Dick, his brothers and sister, Tom, Jim, and Julia, and other members of the family during their hour of bereavement.

May his soul rest in peace.

Mr. President, I ask unanimous consent to have a news story from the August 18 issue of the Great Falls Tribune and an editorial from the same issue written by the publisher of the Great Falls Tribune, Alex Warden, a friend from boyhood, be printed at the conclusion of my remarks in the body of the CONGRESSIONAL RECORD.

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

[From the Great Falls (Mont.) Tribune, Aug. 18, 1959]

WILLIAM ZADICK, 46, CITY EDITOR OF TRIBUNE, DIES

A chapter in the history of the Great Falls Tribune came to a close early Monday morning when William M. (Bill) Zadick, 46, city editor for the past 15 years, died at a local hospital.

Funeral services will be at 10:15 a.m., Wednesday, at Chapel of Chimes Funeral Home. Solemn requiem mass will be celebrated at 10:30 a.m. at Our Lady of Lourdes Church. Rosary will be recited at 8 p.m. today at Chapel of Chimes. Burial will be in Mount Olivet Cemetery.

Zadick's attending physician said death resulted from a massive heart attack. He said Zadick was stricken at his home at 1825 First Avenue S., at 1 a.m. He regained consciousness by the time the doctor arrived, and remained conscious until he died 2 hours later at the hospital.

Zadick was named the Tribune's city editor in January 1944, following the resignation of A. H. Raymond.

He graduated from Great Falls High School in 1931. Before finishing school, he worked part time at the Tribune, and in 1934 became a full-time staff member, serving as a reporter and photographer.

In high school he was athletic manager, and his interest in all sports never waned. Before becoming city editor, Zadick was Tribune sports editor.

He was a familiar figure at sporting events of all kinds in all parts of the State throughout his life, and took particular interest in Tribune picture pages portraying sporting events.

He was born in Great Falls July 14, 1913, the son of Mr. and Mrs. Charles A. Zadick. The elder Zadick was in the drygoods business here.

He married Anna Mae George of Great Falls July 6, 1938, in Choteau. Mrs. Zadick's mother, Mrs. Mae George, died Thursday. Funeral services for her were held here Monday.

Zadick served as a member of the press advisory committee of the Montana division of the American Cancer Society, and the Montana State Press Association made him a member of its committee on handling juvenile delinquency stories in recognition of his news judgment.

To the Tribune, Zadick was more than a city editor. He was reporter, photographer, and editor's adviser, and was familiar with all phases of the paper's operation, including the jobs of the printers, engravers, and pressmen.

During his years as head of the city staff, Zadick became thoroughly familiar with every facet of life in Great Falls, keeping his finger on the pulse of the growing city to a degree no other person could equal.

His name became a byword to every organization in the city through his longtime interest in civic activities.

In addition to his attention to local affairs, Zadick took a strong interest in State matters as divergent as athletics and government.

The highest officials in the State were on a first-name basis with the energetic city editor. Gov. J. Hugo Aronson, Attorney General Forrest Anderson and other top leaders of the State frequently called Zadick for assistance and advice.

Senator MIKE MANSFIELD regarded him as not only a close friend but as a newsman who knew what the people of the State were thinking. When MANSFIELD came to Great Falls, one of his "must" calls was on the Tribune city editor. When the Senator was busy, rushing from one speaking engagement to another, he liked to ask Zadick to take him to the airport so he could consult with him.

Although Zadick was a devout Catholic (he was a member of Our Lady of Lourdes Parish), ministers of every congregation came to know him and rely on his judgment. He was one of the charter members of the Great Falls chapter of the American Newspaper Guild.

Two years ago he was named winner of the Associated Press Managing Editors Association's annual national contest for excellence in news photography. His winning picture, "Cowpoke's Dilemma," showed a rodeo rider tumbling down from a bucking horse at the North Montana State Fair in August 1956, in Great Falls. In addition to winning a cash award his name was engraved on a permanent plaque in the lobby of the executive offices of AP in New York.

Zadick was initiated into Sigma Delta Chi as a professional member of the third annual Dean Stone banquet at Montana State University, Missoula, May 10, 1959.

Survivors, in addition to the widow, are his mother, Mrs. Nellie Zadick; two sons, Robert, a sophomore at Montana State University, and Richard, a sophomore at GFHS; two brothers, Thomas and James, and a sister, Julia, all of Great Falls, and a number of aunts and uncles.

Another brother, Fred L. Zadick, died following an automobile accident in November 1934.

[From the Great Falls (Mont.) Tribune, Aug. 18, 1959]

SILENT TRIBUTE TO ZADICK OBSERVED BY CITY COUNCIL

The Great Falls City Council during its weekly meeting Monday night paid silent tribute to William M. Zadick, Tribune city editor, who died early Monday morning of a sudden massive heart seizure.

Meanwhile, numerous messages of condolence from leading State and National figures, as well as friends from throughout the State, were received.

Preceding the opening of the regular agenda for the council meeting, Mayor William H. Swanberg asked the aldermen to devote a moment of silence to the memory of the community leader.

Swanberg paid tribute to Zadick, saying the city has lost a valuable citizen. "Every member of the city council and administration has lost a very trusted and valuable aid," the mayor said.

He said Zadick had always been very cooperative, investigating both sides of a question before reporting the facts as he saw them. The mayor concluded, "I am sure it is a severe blow to all of us."

Messages received by the family included those from the entire Montana congressional delegation, Senators MIKE MANSFIELD and JAMES E. MURRAY, and Representatives LEROY ANDERSON and LEE METCALF, and members of their respective staffs. They said, "It is with a deep sense of personal grief that we mark the sudden loss of Bill. * * *"

Other messages received included two from officials of the Great Northern Railway in Minneapolis. Charles W. (Dinty) Moore, director of public relations and executive assistant to the president, said, "Montana and the Tribune have lost a top newspaperman and a valued friend." H. J. Surles, who was formerly a GN division superintendent here, said, "Great Falls and Montana have lost a first-class citizen."

[From the Great Falls (Mont.) Tribune, Aug. 18, 1959]

WE'VE LOST A GREAT CITY EDITOR

(By Alexander Warden, publisher)

No member of our Tribune family could leave us with a larger void than Bill Zadick.

Bill started with us answering sports scores inquiries on weekend nights more than a quarter of a century back up the time road.

Most highschoolers on this job just touched base with us for a few weeks. But Bill showed so much aptitude that he went on full time in the fall of 1934 as a starting reporter, then broke in on all beats and desks. When the city editor's spot opened a decade later, there wasn't any other choice.

Bill didn't have any fancy school of journalism degrees, but he didn't need any. He was a newspaperman's newspaperman, than which no greater accolade can be given by the fourth estate. And if any newspaper can be called the image of one man, the Tribune was Bill Zadick. More than the owners was he the continuing key to fulfilling that prime obligation of any newspaper worthy of the name—giving the readers all the news. He was fearless, but scrupulously fair. He was sympathetic where sympathy was deserved, but he was gifted in spotting sham or pretense.

The Montana Press Association recognized his judgment in making him a member of its committee on the troublesome problem of handling delinquency stories. His shot of a catapulted rodeo rider at the State Fair was Associated Press picture of the year, reprinted the world over. Recently he was honored by election as a professional member of Sigma Delta Chi, national journalism fraternity.

If there's a newspaper in Valhalla, it will have a new city editor when Bill gets there.

HEALTH INSURANCE FOR RETIRED FEDERAL CIVIL EMPLOYEES

Mr. GRUENING. Mr. President, last week the able and distinguished junior Senator from Oregon [Mr. NEUBERGER] introduced, on behalf of himself and some 15 other Senators, one of whom I am glad to be, a bill making available health coverage for retired Federal civil employees. This is a companion bill to one introduced by the Senator from Oregon earlier, of which I was also a cosponsor, which was passed by the Senate by a vote of 81 to 4, making these health services available on a voluntary basis to Federal career employees.

It is highly desirable legislation, based on the sound principle of cost sharing, the Federal Government contributing one-half and the beneficiaries one-half, and I was more than happy to see the Senate adopt it by so overwhelming a majority. It was clear, however, that the omission of retired civil service employees remained to be rectified. Under S. 2527, which does so, they are entitled to elect, if they so desire, the same benefits. They have served our Government faithfully for many years, often a full lifetime. In one sense, they need this opportunity even more than those in active service, since the aged beyond retirement are far more apt to require these medical services. Moreover, their retirement annuities are obviously less than the pay of those still in active public service.

I want to commend not only the junior Senator from Oregon [Mr. NEUBERGER], who has always shown a great concern, not merely in the field of health, but for the welfare of our workers generally, both in the Federal Government and outside of it, and also to commend the chairman of the Senate Committee on Post Office and Civil Service, the distinguished senior Senator from South Carolina [Mr. JOHNSTON], who has warmly supported this measure, as well as many other measures helpful to those in the Federal career service.

The proposed legislation would become effective on July 1, 1960, and I am hopeful that both this bill and the one extending the health services to Federal employees in active service will become law before the conclusion of the 86th Congress.

ESKIMO NATIONAL GUARD SCOUTS

Mr. GRUENING. Mr. President, on the very frontline of America's defenses are two units, two battalions, of Eskimo National Guard scouts. They are scattered along the Bering and Arctic seacoasts, and are performing an extremely valuable service in behalf of national defense. I organized these units originally during the early days of World War II and enrolled these stalwart Americans of Eskimo blood in the Alaska Territorial guard. Their service, although entirely new to them, proved so valuable, that I felt it imperative, at the close of hostilities, to continue to make it continuously available to our Nation, and so arranged to have them enrolled in Alaska's National Guard.

An excellent article, headlined "Eskimos Bolster Alaska Defense," with a subhead of "One Thousand and Fifty Resourceful Scouts Patrol Vast Coastline for National Guard," was published in the New York Times yesterday. I ask unanimous consent that the article be printed at the conclusion of my remarks.

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

[From New York Times, Aug. 23, 1959]

ESKIMOS BOLSTER ALASKA DEFENSES—1,050 RESOURCEFUL SCOUTS PATROL VAST COASTLINE FOR NATIONAL GUARD

(By Bill Becker)

NOME, ALASKA, August 15.—Here, where the United States almost touches the Soviet Union, America's first line of defense is the Eskimo scout.

The 1,050 Eskimo scouts along the Obering, Cukchi, and Arctic Seas help to fill the chinks in the vast Alaskan coast defense network. They also form the backbone of Alaska's National Guard.

These easygoing but eager natives are, in the words of one of their officers, full-time soldiers on part-time pay.

Yet Eskimo enthusiasm is so high that the guard has detachments in 57 villages and towns in western and northern Alaska.

The scouts provide an intelligence force that is unusual in the present continental defense system.

In recent years they have spotted Soviet submarines, picked up radioactive debris to substantiate Soviet nuclear blasts in Siberia, and reported planes that missed radar screens.

The Army is now striving to give the Eskimo the military know-how to go with his native shrewdness. About one-third of the scouts have received active duty training at Fort Richardson, Anchorage, or Fort Ord, Calif.

A group of 150 has just been selected for a 6-month program at Fort Ord, starting in November.

"The Eskimos have been so proficient," says Brig. Gen. Thomas Carroll, Alaska Adjutant General, "that the original training program set up for them is no longer advanced enough to present a challenge."

To step up their training, the Army this week gave scouts of the guard's 1st battalion a part in the 9th Infantry maneuvers at Nome. In a reconnaissance test, the Eskimos succeeded in infiltrating Regular Army lines.

Their spirit impressed their new Army adviser, Capt. Lawrence M. Flanagan, of Dayton, Wash. Their adaptability and disregard of personal comfort, he feels, gives them a head start in guerrilla warfare.

With sharper training techniques, the efficiency of the Eskimo battalions will approach Army combat standards. Captain Flanagan, an infantry ranger, says.

Capt. James E. O'Rourke commands the 1st battalion, which has 540 enlisted men and 15 officers.

A TRUSTED SOLDIER

A World War II company commander, Captain O'Rourke, has lived in Alaska since the war and has high regard for the Eskimo as a soldier.

"As soon as they know what you want done, it'll get done," he says. "I'd like to have had men like them in the Regular Army."

The First Scout Battalion with headquarters in Nome, is responsible for guarding 2,400 miles of coast in an area as big as Texas.

It has detachments as far out as Little Diomede Island in the Bering Strait, two and a half miles from Siberia, and St. Lawrence Island, scene of the Gambell beer bust.

The Second Battalion headquartered at Bethel, covers southwestern Alaska with 510 enlisted Eskimo men and 15 officers.

The guard's battle group, containing fewer Eskimos, is based at Anchorage and has about 1,000 men in all.

Eskimo scouts were first trained when the Army established the Territorial home guards shortly after Pearl Harbor.

Several of the original scouts are still active. Enlistment is for 3 years, but many scouts have steadily reenlisted.

They range in age from 18 to 45 years. The smallest detachment numbers 7 men, the largest 80, at the northern outpost of Barrow.

The Scouts are obligated to take forty-eight 2-hour drills a year. They draw anywhere from $3 to $10 per drill, depending on rank. That, for some, is a primary source of income.

Many of the scouts are community leaders. Sgt. Charles Guest of Kasigluk, a guardsman for 6 years, also holds the distinction of being the first Eskimo priest in the Russian Orthodox Catholic Church in Alaska.

The 44-year-old scout-priest serves 16 parishes in southwestern Alaska, using dog team, walrus-skin boat, and bush plane. He gives services in Eskimo, English, or Russian.

What prompted him to become a scout? Father Guest, who has seven children, puts it simply:

"America is my country. I want my children and their children to be raised the American way; to be free to worship as they please, to speak as they please."

A statistical survey probably would show that this is not an inconsiderable factor in Eskimo recruitment. Eskimo families of nine or more children are almost commonplace.

LABOR REFORM LAW ON ITS WAY

Mr. KUCHEL. Mr. President, earlier this year I said that the American people want Congress to eliminate racketeering and corruption in labor, and to eliminate, too, all improper attempts by labor organizations to dominate the economy of our country. After an overlong period of inaction, Congress, finally, is about to approve an effective labor reform statute. I look forward to supporting it.

So far, Senate and House conferees have been able, title by title, to combine the best features of the House-passed Griffin-Landrum bill and the Senate-passed Kennedy-Ervin bill. Now, the people will receive long overdue protection, through Federal law, against corrupt and evil elements in the labor movement. The legislation which shortly we shall approve will not damage honest American labor unions. It will not abuse their constitutional rights of free expression, nor will it interfere with legitimate and reasonable organizing practices.

The new national statute will require complete democracy in labor unions. It will provide for elections to be by secret ballot. It will mandate, under criminal penalties, complete public disclosure of all income and outgo of each labor organization. It will outlaw the vicious so-called sweetheart contracts, heretofore entered into corruptly between some people in management and some in labor, by which the public has suffered, and by which, also, the union members themselves have suffered.

The new labor law will contain a bill of rights for labor union members. I am particularly pleased that the Griffin-Landrum bill adopted substantially the same bill of rights language which earlier this year I successfully authored as an amendment to the Kennedy-Ervin bill. Although the conferees have reduced the criminal penalties which my Senate-approved amendment provided, the penalties for breaching a union member's rights are, nevertheless, forceful. Under this bill of rights title, a union member will be protected, as he should be protected, in his right to participate in all union activities. He will be insulated against discriminatory treatment. His right to be a candidate for union office is preserved. The union member will receive statutory protection for his rights as a member in much the same way that a stockholder in a business corporation is protected by law in his rights as a stockholder.

There remains for the conferees the problem of composing the differences of the two bills, on their amendments to the Taft-Hartley Act, for example, in the fields of regulating peaceful picketing, in closing the loopholes in that law's ban on secondary boycotts and in solving the question of the so-called no man's land. These will be settled by the conferees, or otherwise, along the lines recommended by President Eisenhower which I support. Peaceful picketing, of course, will be preserved but will be more carefully regulated. The Taft-Hartley prohibition against secondary boycott will be amended, as I say, to close its unfortunate and unintended loopholes.

Legislation in the field of peaceful picketing and secondary boycott is extremely difficult to draft with clarity. For example, the Griffin-Landrum bill contains a proviso to exclude, from the secondary boycott provisions, refusals to perform farmed out struck work. The words it uses are different from those used in the Eisenhower proposal. I mention this simply to indicate the urgent need to weigh precisely all the words used in this bill. It would be tragic to pass such a bill in haste to find that it only served to manufacture lawsuits and to open up new loopholes for either labor or management to crawl through.

The no-man's-land problem is most difficult. My frank preference here is to require equal treatment of each labor dispute if it involves interstate commerce under the Constitution. If a dispute is Federal in nature, I believe that Federal rules should govern its adjudication. A labor dispute which by the Constitution is subject to the Taft-Hartley law ought to be settled, as I see it, under the same rules no matter whether its situs is Alaska, California, Mississippi, or Maine. But, I shall abide by what the conferees and the Senate decide on this intricate question. There are, of course, other less publicized, but nevertheless important, problems remaining to be resolved in the two bills. For example, in the building industry, the two bills amend in a different fashion a section of the present Taft-Hartley law dealing with the unique character of employment in the building and construction industry. The late Senator Taft recognized that section as unfair to the building and construction unions and recommended that it be changed. The President has concurred in the need for a change in this section.

The task of writing fair and effective labor reform legislation, difficult at best, has been complicated by the extremes to which some labor leaders and all labor haters have gone. It is the public—the plain people of the Nation—we need to keep constantly in mind. It is their interest which we must protect. In the legislation which I feel confident we are about to approve, we will not reach perfection. Legislation rarely does. But it will represent progress in this important domestic field.

AMENDMENT OF NATIONAL SCIENCE FOUNDATION ACT OF 1950

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (S. 2468) to amend the National Science Foundation Act of 1950, as amended, and for other purposes.

EXTENSION OF MORNING HOUR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the morning hour may be extended.

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

QUESTION OF PERSONAL PRIVILEGE

Mr. CLARK. Mr. President, I rise to a question of personal privilege. Let me say that I do so in the most friendly possible way, with no animus directed toward any other Senator.

Last Friday afternoon, while I was off the floor, and without notice to me, my good friend—and he is my good friend—the senior Senator from Utah [Mr. BENNETT], took the floor to suggest or to imply, if not actually to charge, that I had made or caused to be made, from the CONGRESSIONAL RECORD, deletions of statements which, if they had remained in the RECORD, would have shown that I was in a state of some confusion as to the facts of committee voting during part of the debate on the FNMA resolution on last Friday.

I should like to say unequivocally, for the RECORD, that I did no such thing; I neither made any changes in, nor did I make any deletions from, the RECORD of the debate; nor was anyone either directly or indirectly authorized by me to make such changes.

In justice to my good friend, the Senator from Utah, I must say that when he discovered his mistake, he—gentleman that he is—returned to the floor and apologized. I thank him for his apology, which I accept in the good grace with which I am sure it was tendered.

Unfortunately, sometimes such things get ahead of us; and the wire services and certain newspaper reporters sent out over the air, and newspapers in Pennsylvania picked it up, the statement of the Senator from Utah, which perhaps is best epitomized by a little summary published on Saturday morning in the Washington Post, as follows:

> Heard BENNETT charge CLARK with unauthorized deletions in the CONGRESSIONAL RECORD.

I ask unanimous consent that the summary entitled "In Congress," published on Saturday in the Washington Post, may be printed at this point in the RECORD, in connection with my remarks.

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

IN CONGRESS

TODAY

Senate

Not in session.
No committees scheduled.

House

Not in session.
No committees scheduled.

YESTERDAY

Senate

Met at 10 a.m.
Passed and sent to House $1,428,178,700 military construction appropriations bill.
Passed minor bills.
Heard BENNETT charge CLARK with unauthorized deletions in the CONGRESSIONAL RECORD.

Received Fulbright resolution calling on administration to investigate the possibilities of a World Fair in the United States in 1964.

Received Neuberger bill to provide health insurance for retired Federal workers.

Heard DWORSHAK call for the revaluation of gold.

Heard GOLDWATER describe James Carey's letter as showing the need for a strong labor reform bill.

Heard HUMPHREY complain of invitation to Khrushchev while refusing visa to Danish scientist.

Adjourned at 6:15 p.m.

House

Not in session.

Mr. CLARK. Mr. President, I take the floor now for only three purposes:

First, I wish to correct the RECORD and to express the hope that the newspapers, wire services, and other publications in Pennsylvania will make the proper corrections in that connection.

Second, I wish to state that I believe that fundamentally the Senator from Utah [Mr. BENNETT] was correct, in that deletions should not be made from the CONGRESSIONAL RECORD, other than for the correction of obvious typographical errors and perhaps the correction of some inartistic grammar, which even the best of us sometimes stray into using.

In fact, Mr. President, because of my conviction that the Senator from Utah was correct, I ask unanimous consent to have printed at this point in the RECORD the pages which were deleted without my authority and without my consent.

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

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

Mr. JOHNSON of Texas. I yield.

Mr. CLARK. It happened to be my resolution, so I am thoroughly familiar with it. The actual vote was 12 to 3—12 Democrats for and 3 Republicans against. However, in justice to the Senator from Indiana [Mr. CAPEHART], it must be said that while he voted to report the resolution, he indicated that he might oppose it on the floor. So in reality the vote was 11 to 4.

Mr. MANSFIELD. Twelve Democrats for and three Republicans against?

Mr. CLARK. No.

Mr. MANSFIELD. Where did the 12 Democrats come from?

Mr. CLARK. I am afraid the Senator from Pennsylvania is a little confused. The Senator from Wisconsin [Mr. PROXMIRE] tells me that there were 11 Democrats and 1 Republican.

Mr. BENNETT. Mr. President, there are not 11 Democrats on the committee. [Laughter.]

Mr. MANSFIELD. There must have been three or four Republicans.

Mr. CLARK. I regret my confusion. I have just been told by the clerk of the committee that the vote was nine Democrats for, three Republicans for, and three Republicans against.

Mr. BUSH. Mr. President, there are only five Republicans on the committee. [Laughter.]

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

The PRESIDING OFFICER. Does the Senator from Texas yield time to the Senator from Pennsylvania?

Mr. JOHNSON of Texas. Yes.

I point out that the report itself shows that the Senator from Utah [Mr. BENNETT] and the Senator from Connecticut [Mr. BUSH] filed minority views. The Senator from Indiana [Mr. CAPEHART] filed individual views; and the Senator from New York [Mr. JAVITS] filed individual views.

That is what I have been informed. I thought the Senator from Tennessee said the other day, in discussing this matter on the floor, that the vote was 12 to 3.

Mr. CLARK. That is right. It was.

Mr. JOHNSON of Texas. That is my information. I have never seen the rollcall, but I note from the report that two Senators filed minority views, and two filed individual views.

Mr. CLARK. The Senator from Indiana [Mr. CAPEHART] voted to report the bill, but he indicated that he might oppose it on the floor. I shall be glad to call the roll of the committee.

Mr. JOHNSON of Texas. I shall be glad to have the Senator do so.

Mr. CLARK. I hope Senators who were present will check me.

Those voting in favor were: The Senator from Virginia [Mr. ROBERTSON], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Alabama [Mr. SPARKMAN], the Senator from Delaware [Mr. FREAR], the Senator from Illinois [Mr. DOUGLAS], the Senator from Pennsylvania [Mr. CLARK], the Senator from Wisconsin [Mr. PROXMIRE], the Senator from West Virginia [Mr. BYRD], the Senator from New Jersey [Mr. WILLIAMS], and the Senator from Maine [Mr. MUSKIE]. The Senator from Indiana [Mr. CAPEHART] voted to report the resolution, with the reservation which I have indicated. The Senator from Maryland [Mr. BEALL] and the Senator from New York [Mr. JAVITS] voted to report the resolution, but reserved the right to object on the floor.

Mr. JAVITS. I voted against it. The Senator from Connecticut [Mr. BUSH] voted my proxy.

Mr. CLARK. So, in effect, the vote was 12 to 3.

Mr. CLARK. Finally, Mr. President, I wish to state that I hope we can proceed on a better basis in the future with respect to making changes in the RECORD. We are a public body, and what we say should be accurately reported. We have a right to demand that it be accurately reported. We have no right to have statements which we make, which we may later regret, stricken from the RECORD; nor do I believe I have any right to keep these particular pages out of the RECORD simply because they clearly show that during a brief period—I hope it was only a brief period—of the debate on last Friday, I found myself in some confusion as to some relatively unimportant facts.

I should like to make the point, that when I came to this body, it was my understanding that it was a long-established tradition that no Senator would take the floor to make any attack on the position of another Senator or to make any comment adverse to another Senator without notifying that Senator and giving him an opportunity to be present. I hope we will return to that sound tradition.

In conclusion, let me say to my good friend, the Senator from Utah, that I hold no resentment of any sort. I honor him for his apology; and I make this statement only in order that the RECORD may be clear.

Mr. BENNETT. Mr. President, I appreciate the attitude of the Senator from Pennsylvania.

Before he yields the floor, let me suggest that he has just created a situation which requires a correction of the RECORD; he referred to "the debate of last Friday," whereas it actually occurred last Thursday night. [Laughter.]

Mr. CLARK. I thank my friend for his helpful correction.

Mr. NEUBERGER. Mr. President, will the Senator from Pennsylvania yield to me?

Mr. CLARK. I am happy to yield.

Mr. NEUBERGER. As the Senator from Pennsylvania may know, several days ago I submitted on behalf of myself and the senior Senator from Colorado [Mr. ALLOTT], a resolution to forbid the making of any substantial changes in the RECORD.

Mr. CLARK. Will the Senator from Oregon permit me to join in the sponsorship of that resolution?

Mr. NEUBERGER. We shall be very honored, indeed, to have the Senator from Pennsylvania join us in sponsoring it. Certainly, as Benjamin Franklin has said, experience is the greatest teacher of all.

Mr. BUSH. Mr. President, will the Senator from Pennsylvania yield to me?

Mr. CLARK. I yield to my friend, the Senator from Connecticut.

Mr. BUSH. Mr. President, I have listened intently and with admiration to the remarks made this afternoon by the distinguished Senator from Pennsylvania on the point of personal privilege. I congratulate him on what he has said. I think he has made a very splendid statement.

Mr. CLARK. I thank my friend from Connecticut.

Mr. BENNETT. Mr. President, I should like to add a little postscript in regard to this particular situation: I have looked over the portions of the book entitled "Senate Procedure" which deal with the revision of the remarks made by Senators. At the end of that particular portion, we find the following:

> A Senator in making a revision of his remarks is not supposed to make any substantial changes therein. (He has no rule of the Senate for guidance).

It is that particular part which the proposal of my colleagues would change. But I hope the Senate will seriously consider adopting a procedural rule—and if it is appropriately referred to the Committee on Rules and Administration, I shall be very happy to have that committee give it serious consideration—which will state specifically that no Senator may make any change in the remarks of another Senator.

Nothing of that sort now appears in the rules. It is assumed by the rules and in connection with the book on "Senate Procedure" that all Senators know that. So the rules refer to the privilege a Senator has to revise his own remarks. In fact, I think it should be axiomatic that no Senator should have the right to revise the remarks of another Senator; and I assume that my friend, the Senator from Pennsylvania, will agree that that also is an important consideration.

Mr. CLARK. Mr. President, I thoroughly agree as to that. In fact, I would go further: I do not think any Senator should have the right to revise his own remarks, so as to change in any way the substance of what he said.

Mr. BENNETT. Of course, the rule is that in revising his remarks, a Senator is not supposed to make any substantive change in any way. That provision is already in the rule.

Mr. CLARK. And I believe my friend is of the opinion that I made no such change.

Mr. BENNETT. Yes; my friend, the Senator from Pennsylvania, made no such change.

However, we are confronted with a peculiar situation, in that an employee of the Senate made the change, in the process of which, statements made by certain Senators, including a statement made by the Senator from Pennsylvania, were stricken from the RECORD.

Mr. CLARK. Mr. President, will the Senator from Utah yield further to me?

Mr. BENNETT. I yield.

Mr. CLARK. The Senator from Utah is equally clear, is he not, in understanding that I did not authorize that to be done?

Mr. BENNETT. Yes; I understand that clearly; that is perfectly true.

The rules and the book on Senate procedure deal with the privilege of a Senator to make revisions. I am sure no one ever thought we would reach the point where we would have to be concerned with revisions made by staff members.

In fairness to the staff member who made the revision, I wish to state that he has made a very complete and gentlemanly and, I believe, completely proper statement to the Senator from Utah and to the other Senators involved, I assume, whose remarks were deleted as a result of his eagerness to do what he thought would improve the RECORD or make it better.

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

Mr. BENNETT. I yield.

Mr. CLARK. I wish to confirm what the Senator from Utah has said. I have received a long and apologetic letter from the staff member in question—who, incidentally, is one of the best staff members the committee has; and what the committee would do without him, I do not know—and I am perfectly certain that he would not do such a thing again.

Mr. BENNETT. Indeed, I, too, am certain of that; and I am equally certain that the Senator from Pennsylvania [Mr. CLARK] holds no animus toward that staff member of the Banking and Currency Committee.

MIDDLE EAST REFUGEE CAMPS

Mr. HART. Mr. President, on Friday morning the Detroit News, in an editorial called attention to what, if anything could be so termed, is certainly human misery. In our concern with highway financing, civil rights, the labor reform bill, and other day-to-day pressing problems, too many of us are apt to forget a matter that cries out for solution. As one who for some years has been concerned with the problem, I feel strongly that attention should be directed to the continuing problem of the refugee camps in the Middle East.

I ask unanimous consent that this editorial be printed in the RECORD.

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

ARAB GUILT

As was to be expected, delegates from the nine states of the Arab League, meeting in Beirut, have unanimously rejected Secretary General Hammarskjold's plan for a gradual clearing of the Middle East refugee camps.

Hammarskjold had observed what is clear to the eye of anyone who weighs this problem—that the young generation in the camps is potentially skilled at the building trades and other crafts and that Arab communities are hungry for this kind of help. So, if assistance could be provided for training programs and the young people could be moved out to jobs, the refugee problem would gradually shrink. As things stand, the plight of youth within the camps is more hopeless than all others.

But that compassionate argument fell on deaf ears. The Arab States resumed the theme song now 10 years old—that there can be no solution but the restoration of the refugees to the homes stolen from them by Israel.

Thousands of these people never lived in the land now Israel. Other thousands lived there but owned neither home nor land. Few, if any, were driven out. They fled Israel of their own choice when the Arab armies retreated in 1948. The Arabs who stayed put are still there, running their own villages and working their land. But these facts are incidental to the Arab League case.

But there is in Beirut an exhibit which is pertinent to humanity's case against the Arab League, for neglecting its own people to play politics with human misery. Lebanon, uniquely, is the place where the refugee population is smaller now than in the beginning.

More than 30,000 refugees have been rescued from the camps and integrated. They now lead normal, productive lives. The salvage among Christian Arabs was total; it was the work of other Arabs of their own faith. The contrast between those who have been saved and the million who still cry for help shows where much of the willful guilt lies.

CIVIL RIGHTS

Mr. DOUGLAS. Mr. President, I commend the able senior Senator from Missouri [Mr. HENNINGS] for his statement of last week that he was tired out by the delaying tactics of the dominant groups on the Senate Judiciary Committee in the matter of civil rights, and that at an appropriate time he would move to attach a series of thoroughgoing civil rights amendments to some other bill which may come before this body. The Senator from Missouri [Mr. HENNINGS] and other Senators have been waging a brave struggle inside the committee and deserve the thanks and support of all who believe in greater justice between the races. I shall be glad to serve under their leadership when this measure is brought up on the floor. Since we are obviously not far from adjournment, it is important that action be taken soon. It is also obvious that there is a bipartisan combination operating in the other body to tie up civil rights and to pass an excessively tough labor bill. I hope that no such coalition develops here, and if it does that the liberal forces on both sides of the aisle may be strong enough to win.

We are moving into the most critical phase of this Congress. Let us be alert to our responsibilities and pledges and aware of the forces which are at work.

OBSERVATIONS CONCERNING SECRETARY MITCHELL'S REPORT ON THE STEEL DISPUTE

Mr. DOUGLAS. Mr. President, may I ask if the morning hour is still in operation?

The PRESIDING OFFICER. The Senate is still in the morning hour. The morning hour was extended by unanimous consent.

Mr. DOUGLAS. Mr. President, I ask unanimous consent that I may be permitted to speak for not more than 5 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator is recognized for 5 minutes.

Mr. DOUGLAS. Mr. President, last week Secretary of Labor James P. Mitchell released a report entitled "Background Statistics Bearing on the Steel Dispute." The statistics contained in the report are from Government and industry sources, and seem to be accurate so far as they go.

The report does not contain an analysis and evaluation of these facts, and hence its value as an agent for general understanding is limited. But it does contain certain facts which can lead to sound conclusions about the economic issues involved in the steel dispute.

The subject of inflation has figured prominently in the steel wage negotiations. The steel companies have said, in support of their position for a wage freeze in steel, that an increase in hourly employment costs would be inflationary. The steel union has argued that productivity growth and the profit position of the industry would permit an increase in hourly employment costs without a steel price increase. Secretary Mitchell's report shows a long-range growth in output per manhour in the steel industry of 74 percent from 1940 to the latest 12-month period, and an even higher level in the first half of 1959.

The increase in productivity per manhour during the first half of 1959 has been sharp and decisive. Unfortunately, the direct figures on this point are covered up, whether inadvertently or by design, by lumping them in together with data for the last half of calendar 1958. But when separated, they seem to indicate a further gain of approximately 20 percent. This is truly remarkable and it has not been given the notice it should have received, although the Senator from Tennessee [Mr. KEFAUVER] pointed it out last week.

Equally significant are the facts shown by the report concerning the upward movement of steel prices. In the period from 1951 to the year ending June 30, 1959, the average realized price per ton of steel has risen by $48 from $125 to $173 per ton. In the same period total employment costs per ton of steel for all employees, both wage and salaried, rose by $18. Employment costs for wage employees alone rose by $12 or one-fourth of the rise in the price of steel.

Steel prices in the first half of 1959 were found to be 178 percent above 1940, having risen higher and faster than wholesale prices in general, and much more than retail prices or the prices in steel-consuming industries. As the result of higher steel prices and productivity growth, despite higher hourly employment cost and, presumably, higher material and other costs, the steel industry has improved its profit position. Net profits as a percent of sales have moved up in recent years to almost 8 percent in the first half of 1959 as compared with about 5 percent for the average of all manufacturing industries. Net profits as a percent of stockholders' equity in steel, although on a par with, or slightly below, all manufacturing in the postwar years has moved up to more than 14 percent, as compared with about 11 percent in all manufacturing in the first half of 1959. In this period the average for the 20 largest steel companies was 16.1 percent, as compared with 14.1 percent for the 25 leading industrial firms in the Nation. This record of progress does not appear to substantiate the steel industry's claims of inefficiency and wasteful practices.

It would seem to me that these facts on the growth in steel profits, prices, and productivity—achieved, incidentally, on the basis of an operating rate in the first half of 1959 which was approximately the same as the average operating rate of the industry in the entire postwar period—all have a direct bearing on the question of whether the steel industry can afford an increase in hourly employment costs on the basis of the substantial economic progress it has achieved to date. The facts indicate that there is definitely an area which exists for a settlement of this dispute on a completely noninflationary basis. We cannot ignore the great increase in output during the first half of this year, although the casual reader would miss it from the report itself.

The PRESIDING OFFICER. The time of the Senator from Illinois has expired.

Mr. DOUGLAS. Mr. President, I ask unanimous consent that I may speak for 3 additional minutes.

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

Mr. DOUGLAS. Mr. President, it is not necessary to define precisely this area for settlement. The report notes that so far in 1959 millions of workers in a large variety of industries have received wage and benefit increases. These increases have been granted to workers in industries where the hourly earnings level of workers is above steel as in coal mining and building construction, as well as in those where the earnings level is below steel. The report notes that 96 percent of the workers affected by major wage settlements, excluding construction, in the first half of 1959 received wage increases; that half of the workers received wage increases of 8 cents or more; that many recent settlements have provided for wage rate increases of 3 percent or more; that increases of 4 or 4.5 percent have not been unusual; that 7 out of 10 settlements also liberalized fringe benefits. In addition, there were cost-of-living adjustments. Union scales in building construction were raised by an average of 4 percent—14.3 cents—in the first half of 1959.

In the light of the facts set forth in this report, it is my earnest hope that the leaders of the steel industry will be constrained to reconsider their publicly stated position that steel wages and benefits must remain stationary, and thereby help to make possible a beginning of genuine collective bargaining. This would be the surest method of bringing about a voluntary settlement, freely arrived at by the industry and the union. The facts indicate that it could be settled without an increase in prices.

In the absence of such a collectively bargained settlement in the immediate future, it will become apparent to all that Secretary Mitchell's background statistics cannot serve the purpose of a nonpartisan public factfinding procedure which would, through specific recommendations, provide the basis for a just settlement of the steel dispute as on three others occasions in the postwar period. In company with other Senators, I have for weeks advocated the appointment of just such a board by the President. We have already lost precious time by a failure to act. We should not lose any more.

So far as the future is concerned, it is hoped that the great advance in productivity may lead after a brief time to an actual decrease in prices. For neither labor nor the owners nor management should receive the full gains of increased productivity in this industry. Some of it should be passed on to the users and consumers.

I thank Senators for their patience and kindness.

SITE FOR THE 1964 FAIR

Mr. KEATING. Mr. President, there now are several U.S. cities actively competing for the privilege of being host to the 1964 World's Fair. I have commented on this competition several times, and it is no secret that I vigorously support New York City—the Nation's largest city and the home of the United Nations—as the site for the 1964 fair. This morning, I should like to invite attention to a New York Herald Tribune editorial endorsing the proposed 1964 New York World Fair, and spelling out the reasons why New York City is the logical and best suited location for this event.

Mr. President, I ask unanimous consent that this editorial be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. KEATING. Mr. President, I also want to speak briefly on another aspect of the competition among American cities to be host city to the 1964 World's Fair. Time is getting short. The site for the 1964 fair is to be selected in November of next year. If we cannot agree on an American city, it is more than likely that a foreign city will be chosen. Much needs to be done in the way of planning and preparation once a site is decided upon, in order that it will be able to compete effectively with other cities throughout the world, which are interested in being selected as the host city for this event. It seems to me very important that we get on with the business at hand.

Mr. President, I urge that every effort be made to have Congress agree as soon as possible as to which of our Nation's great cities will be put forward as the American candidate in the competition to be host for the 1964 World's Fair.

In my judgment, Mr. President, we must present a united front in this matter, or else we run the risk of having a city from some other country selected.

EXHIBIT 1

[From the New York Herald Tribune, Aug. 24, 1959]

LET'S HOLD THE FAIR RIGHT HERE

It is perfectly understandable that, the subject of a 1964 World's Fair in the United States having been raised, other cities should want to get into the act. Washington and Los Angeles have already begun trying to take the fair away from New York, and we can expect to hear the cry raised repeatedly that New York has had its turn and should yield to another city.

But to hold the fair anywhere but New York would be an injustice to the 70 million visitors from all parts of the world who are expected to attend. Los Angeles, to be sure, is the capital of movieland, and Washington the seat of government, but New York remains the tourist's mecca—the Nation's largest city and its most cosmopolitan, its cultural and financial heart, the crowded, rushing skyscraper-and-subway city that never sleeps, for generations the gateway to America for immigrant and visitor alike. And as headquarters of the United Nations, New York has become the world capital, the repository of hope for achieving that "Peace Through Understanding" that is the theme of the fair.

THE NEED FOR A UNITED NATIONS POLICE FORCE

Mr. KEATING. Mr. President, one of the most concrete steps which could be taken to promote world peace would be the creation of a United Nations police force. Such an army, drawn largely, if not exclusively, from the world's smaller nations, could serve as a potent moral and political buffer between potential warring countries.

I have long advocated the formation of such a U.N. police force—a view which has been supported very strongly by many newspapers and organizations around the country. Particularly able arguments for such an addition to the U.N. have come from the Rochester Association for the United Nations and the Rochester (N.Y.) Democrat and Chronicle. In a fine editorial recently, this paper pointed out the significant role a U.N. army might play in the present troubles in Latin America. This editorial contains much good food for

thought and I ask unanimous consent that it be printed in the RECORD.

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

CARIBBEAN NEEDS U.N. POLICEMEN

In Santiago, Chile, the Council of the Organization of American States has closed its nervous sessions with a fairly strong resolution setting forth its determination to forestall invasions designed to overthrown constituted governments. It also called for eradication of all forms of dictatorship, despotism, or tyranny."

So the Council has done some high-minded barking.

But can it bite, if the need comes? There's the question.

The jittery situation in the Caribbean, which largely prompted this Council meeting in Santiago, would do credit to Gilbert and Sullivan if it wasn't so deadly. It has the same zany comic opera flavor Gilbert and Sullivan bequeathed to humanity.

For example, Haiti asked the Council to intervene and protect her from rebels which have landed in Haiti from Cuba. The Cuban minister of state acknowledged that the rebels sailed from Cuba, but denounced the Dominican Republic—by clearest implication—as inspiring the rebels and helping them out. Meanwhile the Dominican Republic charged that a Cuban tale of the capture of an arms-laden plane said to have come from the Dominican Republic was one of the greatest swindles ever perpetrated on public opinion. Now just to salt this stew a little, the Castros of Cuba, boss Fidel and brother Raul, called the Council meeting a farce.

The only constructive point this page can make in a nervous mess like this one is the hope—even if a forlorn one—that all the foreign ministers of all the well-meaning Latin American states, and there are many such good men, will now see the need for a United Nations police force, and work toward establishment of such a force.

The power of a police force representing not only one nation but nearly 100 nations is incalculable in preventing aggression. Its moral force alone is a whopper. A temporary U.N. force, armed only with sidearms, has cooled the Arab-Israeli struggle to the point where those embattled nations may even reach a peace agreement someday * * * and the U.N. troops are but a handful, camped on the boundary lines.

Earlier this year, the Rochester Association by the United Nations in a statement pleaded for new action by the U.N. General Assembly toward formation of a permanent police force. The statement emphasized the deterring effect of the simple existence of such a force, and outlined the Arab-Israeli case as an illustration.

We think that nobody in the Caribbean, neither the dictator in the Dominican Republic nor the Peck's Bad Boy in Cuba, would rashly slam up against solid U.N. opposition, the way they make whipping boys of each other and of the United States whenever they please. Someday the U.N. nations may recognize that while the world is growing up politically, it must have a cop on the beat.

EISENHOWER LEADERSHIP REDUCES THREAT OF INFLATION

Mr. KEATING. Mr. President, I desire to bring to the attention of the Senate an excellent editorial on the fight against inflation which was published in the Rochester (N.Y.) Times-Union.

The editors of the Times-Union applaud the President's success in curtailing domestic inflation during the hectic first 6 months of 1959. Not long ago, a good many Members of Congress bemoaned the recession of 1957–58, as heralding the onset of catastrophic and incurable economic downturn. Fortunately, the prophets of doom were wrong. It was instead the prophets of boom who were correct. Prophets of doom and prophets of boom have appeared at every major juncture in the growth of the American economy. Look at our great Nation today. Its growth and vigor bear witness to the fact that the economy of the United States has consistently borne out the prophesies of those who predict economic strength and continued industrial expansion.

Mr. President, the editors of the Times-Union have for many years been dedicated to the fight against inflationary increases in the price level. I am proud of their stand. The Times-Union deserves credit for its consistent support of a national economic policy based upon fiscal soundness and economic good sense.

Mr. President, I ask unanimous consent that the above referred to editorial from the Rochester Times-Union be printed at this point in the RECORD.

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

AS WE SEE IT: IKE'S LEADERSHIP REDUCES THREAT OF INFLATION

The Cabinet Price Stability Committee's second report records a battle won. In June this anti-inflation committee, headed by Vice President NIXON, said the economy was at a critical juncture with evidence pointing to a renewal of the upward price spiral.

TIDE TURNS

Now it says that the battle against inflation is being won and that economic growth is the primary concern of the Cabinet committee.

Inflation was the big battle of the first half of the year and the success is a triumph for President Eisenhower's leadership. What he rallied the people against is best illustrated by the majority report of the congressional Joint Committee on the Economic Report.

The majority of the committee declared that strenuous governmental measures were required to pull the country out of the nearly forgotten 1957–58 recession. It said the Federal Reserve Board should abandon monetary controls it described as restrictive, that it should resume pumping additional money into the economy, and that it was not necessary to balance the budget in the fiscal year 1960.

The report represented the feeling of the Congress majority as it went into session last January. But now, thanks to the President's carrying the fight to the people, sentiment has changed. The economy recovered by its own resilience. Easy money policies were rejected. The budget will balance as closely as it ever does 18 months before the books are closed.

Furthermore, Congress is expected to give the Federal Reserve another tool for price stability by repealing the interest rate ceiling on long-term Federal bonds. It is also moving toward financial responsibility on the road program by increasing the gasoline tax.

The evidence that the fight against inflation is being won is to be found in this changed attitude of Congress over the last 8 months as well as in the statistics that prices have risen only slightly more than one-half of 1 percent in the last year.

So now the emphasis is upon economic growth. In some quarters economic growth is merely a more acceptable name for inflation. You show growth by merely marking up the price tags and debasing the dollar. That is not the understanding of the Cabinet committee.

SOUND GROWTH

The sound view of economic growth is that of the minority of the once inflation-minded congressional joint committee. The minority's views have been sustained by the recovery this year. They were that that economic growth means capital accumulation, and this requires: (1) the incentive to invest, and, (2) real savings to finance investment.

And to get these, the minority said, stabilized prices are a basic requisite, without violent swings in employment.

This is the kind of growth that is made possible by defeating the drive for more inflation.

THE EARTHQUAKE IN MONTANA

Mr. CHURCH. Mr. President, on the subject of the earthquake in Montana, the story of this tragic event is not yet fully written. As is always the case, there is little notice taken of those people, public and private, who must follow along in the mopping-up operation. A great deal remains to be done. A new natural dam is creating a new lake, and the owners of improvements in the area are experiencing great difficulty in salvage work, owing to the destruction of roads. Life and property must be protected. An inventory of the losses, in life and property, must be taken, and the task is a large one.

Montana is fortunate to be represented in Congress, in both Senate and House, by men who not only are responsive to the needs of their State, but have the wisdom and initiative to take the leadership in meeting these needs.

Much of the damage was on public lands, mainly Forest Service lands. The roads damaged were on the forest highway system in some cases. The Corps of Engineers has a responsibility with reference to the newly dammed Madison River. The west Yellowstone entrance to Yellowstone Park is closed, because slides have closed the roads, and repair is a responsibility of the National Park Service. And many other Federal agencies have interlocking and overlapping interests in this matter.

Mr. President, recognizing this, the senior Senator from Montana acted promptly last week to confer with the heads of the various agencies. Working jointly with them and with the Senate and House Interior Committees and the Senate and House Public Works Committees, and with his colleagues, there was arranged an on-the-site inspection over the weekend by these officials, by committee members and staff members.

I am sure that the work of the Montana Senators and Representatives is contributing greatly to the orderly management of the aftermath of this awesome natural disaster.

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

Mr. CHURCH. I yield.

Mr. MANSFIELD. Mr. President, I am delighted that the distinguished Senator from Idaho has seen fit to talk

about the quakes and what is being done to alleviate the situation in southwestern Montana at the present time.

I think a great deal of credit is due to the Montana civil defense unit under Mr. Hugh Potter, to the Montana and Idaho highway patrols, to the Yellowstone Park rangers, and to the Forest Service, which have done so much so quickly to bring about a surcease in this stricken area.

It is my understanding that the intensity of this quake was almost as great as that of the San Francisco earthquake, and had it occurred in a thickly populated area, the amount of damage would have been tremendous.

It is also my further understanding, based on telephone conversations and personal talks with people from Montana, that a mountain has been moved. A mountain that is now known as Earthquake Mountain has formed a natural dam 7 miles below Hebgen Dam. The lake which has been formed by the moving of this mountain is known as "The Lord's Lake," because it was formed through an act of providence.

As the Senator from Idaho knows, a distinguished group of our colleagues, headed by Representative METCALF, of Montana, his colleague, Representative ANDERSON, Senator Moss, and others, visited the earthquake area yesterday and came back this morning to furnish us with a report.

As the Senate knows, before an area may be declared a disaster area it is up to the Governor, as the head of a State, to make the initial request. It is the hope of the Montana delegation that the Governor of Montana will take this initial action so that on that basis Federal assistance may be authorized by the President and rendered to the people living in the area of Yellowstone National Park and the Madison Valley, the two areas most affected by the recent quake.

It is my hope that out of this catastrophe will come something in the way of an alleviation of the difficulties which confront our people, and I want to say that it was very encouraging and heartwarming to observe the combined facilities of the States of Idaho, Wyoming, and Montana working together cooperatively and, when put to the test, working together effectively.

I ask permission, Mr. President, in line with the remarks made by the distinguished Senator from Idaho [Mr. CHURCH], that there may be incorporated in the RECORD at this point a report from the Yellowstone area in the New York Times for Sunday, August 23, as well as another article which appeared in this morning's New York Times.

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

[From the New York Times, Aug. 23, 1959]

REPORT FROM YELLOWSTONE—QUAKE DISASTER CAUSES CHANGES IN NATIONAL PARK'S ROUTINE

(By Jack Goodman)

CANYON VILLAGE, YELLOWSTONE NATIONAL PARK, WYO.—Despite the earthquake and landslide that brought death and devastation to the western doorstep of Yellowstone Park last Monday night, officials here estimated that two-thirds of the vacationists who were occupying the park's inns, lodges, cabins and campsites at the time slept through the quake, unaware of the disaster. The park is vast, covering 3,472 square miles, and many tourists learned of the tragedy only through radio broadcasts and newspaper accounts.

Of the dozen lodges and tourist facilities within the park, only Old Faithful Inn suffered damage Monday night when guests were jolted from bed and doused with water from broken pipes in the elderly structure. Although telephone calls from anxious relatives swamped lines at park communities and ranger stations, few tourists and campers thought the occurrence severe enough to warrant reassuring calls to the folks back home. As a result, many motorists were surprised later to find emergency calls listed for them at park entrance points where bulletin boards have traditionally been a standard form of communication.

Most vacationists within the park when Monday's quake jolted the countryside stayed on, making the usual round of visits to Old Faithful, the Norris Geyser Basin, Fishing Bridge, the Mount Washburn country, West Thumb, and the Grand Canyon of the Yellowstone.

ROADS BLOCKED

The quake caused five rockslide blockades of varying size on highways within the park, all along the passes carved through the Madison plateau by the Firehold and Madison Rivers.

Because of the slides and pavement fissures in the area, Park Service officials decided to close to traffic the western section of the park's scenic loop load. That is the 75-mile stretch of highway from Mammoth Hot Springs in the north near the Montana border, down through Madison Junction to Old Faithful. This part of the loop road, together with U.S. 20-191 which joins the loop to the park's between western entrance at West Yellowstone, will remain closed for the rest of the season.

However, the north entry from Livingston and Gardiner, Mont., via U.S. 89, the northeast or Silver Gate Cooke City entrance on U.S. 12, the busy east entrance from Cody, Wyo., by way of U.S. 14–20, and the increasingly popular south entrance from Grand Teton National Park, Jackson Hole and Salt Lake City were unaffected by Monday's tragedy and were carrying normal traffic.

Tourist facilities used for the past three decades by railroad travelers heading to Yellowstone over the Union Pacific will be out of commission for the remainder of the season, but railroad officials last week substituted an alternate entry route for their tour parties, package trippers, and other sightseers with remarkable speed.

Rail travel to battered West Yellowstone, Mont., was cut when the earthquake undermined a sizable fill 7 miles north of Ashton and moved tracks out of alinement. The railroad's West Yellowstone dining lodge, a favored spot with generations of tourists, was put out of service by cracked chimneys and broken windows, while the depot was damaged when a toppled chimney caved in its ceiling.

As a result, the Yellowstone Special, the Union Pacific coach and pullman train which provides vacationists to the park with east and west bound main line connections at Salt Lake City now is shunted to Victor, Idaho, daily. Yellowstone passengers, along with tourists destined for the Jackson Hole country, then board park buses for the trip across Teton Pass, roll north through Grand Teton National Park, and reach Yellowstone by the south rather than the westerly entrance.

NEW ROUTING

Railroaders, pointing out that train service to Yellowstone was scheduled to end September 3, do not expect that the West Yellowstone facilities can be entirely serviceable by that date. But they reported that passengers last week were viewing the added 80-mile journey to Ashton, Jackson Hole and points north as a sort of side trip. It was planned to continue routing passengers through the Tetons until the season ends.

As regards man-made structures within the park, only the rambling, somewhat doddering Old Faithful Inn suffered noticeable structural damage from Monday's quake. This in the main consisted of fractured water pipes and buckled plaster. Food and souvenirs in shops at the communities of Canyon Village Lake, Old Faithful, Mammoth Springs and Tower Junction were jarred from shelves.

STAFFS BUSY

Late-roaming "savages," the collegians who staff lodges and hotels in Yellowstone, had a busy night of it Monday pouring coffee for guests who were shaken awake. At Old Faithful, where some drenched guests took hasty leave of rooms set awash by broken pipes, teenaged staff members joshed about "more steam and water in the rooms than at the geyser," but there was more discomfort than danger. Officials of the Yellowstone Park Co. closed the inn, but reopened a wing to accommodate some 350 guests on Wednesday.

John Q. Nichols, president of the Yellowstone Park Co., believes that vacationists can be readily accommodated at facilities which can be made available at Canyon Village and Lake. The damaged portion of Old Faithful Inn cannot be made serviceable speedily.

Park rangers and hostelry workers, not to mention scores of observant park vacationists, expressed quiet satisfaction at the way in which Yellowstone staff workers and most of the tourists met the situation. The shock, which rumbled across the Madison Plateau Monday night, while it failed to awaken a majority of visitors, was nonetheless severe. However, aside from the difficulties at Old Faithful Inn and some damage to park headquarters at Mammoth, both new and old structures in the park withstood the earth shocks admirably.

The admitted hazard in the park's elderly wooden hotels has always been fire, but the quake had no such aftermath. Equally important, despite the character of the terrain in an area underlaid with thermal basins, volcanic structures and considerable faulting all camp grounds and cabin areas proved well chosen. All are situated in comparatively flat open areas well away from any cliffs and mountain slopes, a tribute both to the builders of early Yellowstone installations and to National Park Service planners of recent years.

Last Monday's earthshock had hardly passed before park officials began checking its aftereffects upon Yellowstone's thermal features, which include 200 geysers and countless mud volcanoes, hot springs, pools, and terraces. Old Faithful proved to be spouting with accustomed regularity. Its eruption intervals, as usual, varied between 30 and 90 minutes, while averaging 63 minutes.

No damage has been reported by park scientists as regards thermal features, but they were greatly interested that Giant Geyser, an occasional performer for the past dozen years, has been "reactivated," at least temporarily, and is erupting almost continuously in the upper geyser basin.

PARK SERVICE PLANS

National Park Service officials, asserting early last week that the recreation area under their supervision was safe and accessible, announced that, with the cooperation of the Yellowstone Park Co. staffs, accommodations and meals would be offered in the

Canyon Village area of the park until October 1, and in the Old Faithful area until October 31.

Among other Park Service plans for the future were the following:

At Mammoth the store and service station remain open the year around, with cottage, hotel, and coffeeshop service available until September 21. At Old Faithful, cabins will be open until September 30, with cafeteria and campers' cabins operating until October 31. The lake lodge will close September 1 as originally scheduled, and the hotel September 8, with boats available until September 15. Fishing Bridge cabins and cafeteria will remain open until September 15.

Canyon Village Lodge will close October 11; camp cabins at West Thumb will close September 8, and Roosevelt Lodge shuts down August 30. The fishing season will extend until October 15, and camping will be permitted at all park campgrounds until snow closes the roads. This occurs generally between October 15 and November. But late-season vacationists should remember that in this high-altitude region, winter togs and snow chains are an October must.

[From the New York Times, Aug. 24, 1959]

QUAKE IN MONTANA

Geologists know that earthquakes are caused by the breaking, or faulting, of strata of rock under immense pressure from within the earth. But they are not sure what causes the pressure.

In the United States, the center of earthquake activity is along the west coast, from the foothills of the Rockies to the Pacific. One great source is the St. Andreas fault, whose movement caused the great San Francisco earthquake in 1906 and the lesser series of tremors in 1957. Another center of activity lies in the Rockies themselves.

Last Tuesday night at 11:30 p.m., mountain standard time, an earthquake of majestic proportions (7.5 on the Richter logarithmic scale used by seismologists, compared with 8.25 for the 1906 San Francisco quake) shook the Rocky Mountain area where Montana, Wyoming, and Idaho meet at the edge of Yellowstone National Park. It is an area that teems at this season with campers touring the Continental Divide.

Part of an 8,000-foot peak came crashing down into a camping area along Montana State Highway No. 1, which runs along Hebgen Lake. Part of the road disappeared under the waters of the lake. In other places it was blocked by landslides 200 to 300 feet high. Great fissures appeared in the earth. Hebgen Dam was damaged and villages below it were evacuated because of the fear of floods. Forestry rescue workers parachuted into the area and helicopters were used to bring out the injured. Aftertremors hampered the work.

There were nine known dead, but it was feared that many more might be buried under the landslides.

Mr. CHURCH. Mr. President, in connection with the remarks of the distinguished Senator from Montana, I ask unanimous consent to insert in the RECORD copies of telegrams which have been sent to the Honorable Hugo Aronson, Governor of Montana, and to the President of the United States, urging that a disaster area be declared, bearing the signatures of FRANK MOSS, FRANK CHURCH, JOSEPH O'MAHONEY, U.S. Senators; LEE METCALF, GRACIE PFOST, JOHN F. BALDWIN, JR., HAROLD JOHNSON, and THOMAS G. MORRIS, Members of the House of Representatives; and also copy of another telegram bearing the signature of JAMES E. MURRAY, U.S. Senator, relating to the same general subject, addressed to the Governor of Montana, the Honorable Hugo Aronson, at Helena, Mont.

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

GOV. HUGO ARONSON,
Helena, Mont.:

After viewing terrible earthquake disaster in Montana we urge that you as Governor immediately exercise your responsibility to request President Eisenhower to declare the Madison River Valley and western part of Yellowstone Park as a disaster area. This action will put into operation several types of important Federal assistance essential to restoring vital public facilities, assisting people suffering damage to property and assure restoration of essential Federal forest and park roads and facilities. Your civil defense director, Hugh Potter, should know complete procedure to follow. Immediate action appears imperative and delay will only aggravate suffering from this catastrophic earthquake.

FRANK MOSS, FRANK CHURCH, JOSEPH C. O'MAHONEY, U.S. Senators; LEE METCALF, GRACIE PFOST, JOHN F. BALDWIN, JR., HAROLD (BIZ) JOHNSON, THOMAS G. MORRIS, Members of Congress.

THE PRESIDENT,
The White House,
Washington, D.C.
MR. LEO HOEGH,
Director, Federal Civil Defense Administration, Washington, D.C.:

At request of Chairman MURRAY, Senate Interior Committee, we visited earthquake area over weekend and found road and property damage high. Montana's Governor pleaded with us for Federal aid, however he has not yet asked you for disaster area designation. Joined by Montana Senators MURRAY and MANSFIELD we have urged him to seek Presidential declaration of disaster area immediately so that Federal programs for clearing roads and small business aid to restore home and business destruction can get underway. We hope that the Governor makes this request today and that you will give it immediate and favorable consideration.

FRANK MOSS,
FRANK CHURCH,
U.S. Senators.
LEE METCALF,
LEROY ANDERSON,
GRACIE PFOST,
JOHN BALDWIN,
HAROLD JOHNSON,
TOM MORRIS,
Members of Congress.

AUGUST 24, 1959.

Hon. HUGO ARONSON,
Governor, Helena, Mont.:

Congressional group which toured earthquake area at my request has reported findings to me. President has clear cut authority to use available Federal funds for clearing road and small business loans to persons whose property was destroyed or damaged. But you must officially request President to make disaster area designation. I am disappointed that you have not yet acted. Senator MANSFIELD and I join congressional group which made inspection in urging you to request Presidential declaration of disaster area immediately.

JAMES E. MURRAY,
U.S. Senator.

MOTIONS TO RECONSIDER SENATE RESOLUTION 162 AND SENATE RESOLUTION 163, LAID ON THE TABLE

Mr. MANSFIELD. Mr. President, on August 21 the Senate passed Senate Resolution 162 and Senate Resolution 163.

At that time, although I had intended to do so, I failed to move that the votes by which these resolutions were agreed to be reconsidered.

After talking with the minority leader and with the permission of the minority leader, I at this time ask unanimous consent to move that the vote by which Senate Resolution 162 was agreed to be reconsidered.

Mr. AIKEN. I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. I make the same motion as to Senate Resolution 163.

Mr. AIKEN. I move that that motion be laid on the table also.

The motion to lay on the table was agreed to.

COMMENT ON FINAL REPORT OF DRAPER COMMITTEE ON MUTUAL SECURITY PROGRAM

Mr. FULBRIGHT. Mr. President, the four reports of the Draper Committee on the mutual security program constitute another in the series of excellent challenging studies and reports which have been laid on President Eisenhower's desk in recent years. The Draper report is a worthy follower of the Gaither, Rockefeller, and other reports.

This series of reports to the President by able citizens have two things in common. All of them point out to the President the challenge to the United States posed by the threats from the Communist quarter and from the revolutions now in progress in underdeveloped lands. All these reports cry out for Executive leadership, greater effort on the part of the American people, and increased Federal expenditures for urgent needs. The four fields mainly referred to are repeated again in the Draper committee's letter to the President of August 17:

Economic growth, level of scientific technology and education, military preparedness, and national purpose and morale.

The Draper report presents another opportunity to the President to carry out urgent recommendations. I hope that this time the President does not simply pass the report on to the Congress and the public for study. Some of us in Congress are fully discouraged already. We tried to give the President an adequate Development Loan Fund, the Foreign Relations Committee recommending $1 billion a year for 5 years in borrowing authority for that Fund. The Draper Committee agrees with the Foreign Relations Committee's recommendation. The efforts of the Committee on Foreign Relations and the Draper Committee failed because the President, for budgetary reasons alone, did not support an adequate financial structure for the Development Loan Fund. I despair of any further efforts in Congress along these lines without Executive backing. I suspect that the Draper Committee is discouraged, too, because over and over again in the committee's report recurs the phrase, "Proposals will require strong Executive support to become fully effective."

President Eisenhower has two more budgets to submit to the Congress. Only one of these will he have an opportunity to defend and implement. The President has no political gain or loss personally to anticipate since he cannot succeed himself. It is to be hoped that he will do what his advisers on the Draper Committee—and on the other committees whose reports I have referred to—recommend that he do. It is to be hoped that the President will call upon the people of the United States to support him in the programs necessary to stimulate more rapid economic growth in the United States, raise the level of scientific technology and other educational programs generally, provide adequate military preparedness for both big and little conflicts, and revitalize the national purpose and morale. The President should call for additional taxes, if necessary, to meet these needs. I am sure that the country will not fail to respond.

The Draper report shows excellent thought and thorough preparation. I have not had a chance to read the annexes yet, but the list of authors is impressive. Each reader of the Draper report will make his own list of conclusions which seem most significant. My own earmarking of pages is quite lengthy

Time still remains even in this session of the Congress to do something toward the Draper Committee recommendations. I have in mind that an approach can be made toward the Draper Committee recommendation of "lending for economic development should be increased to at least $1 billion per year" by appropriating now the full amount authorized for the Development Loan Fund for the 2 years ahead. I hope that the members of the Appropriations Committee and all other Senators will read the Draper Committee report before action on the fiscal year 1960 mutual security program is completed in Congress.

REA BORROWERS SERVING COMMUNITIES OF OVER 1,500 POPULATION—SUPPLEMENT TO HEARINGS ON AGRICULTURAL APPROPRIATIONS FOR 1960

Mr. HAYDEN. Mr. President, during the hearings on H.R. 7175, the agricultural appropriation bill, 1960, there was a request made for information on the communities having a population in excess of 1,500 directly served by rural electrification electric borrowers. This information was not available in the Rural Electrification Administration.

On March 6 I requested the Secretary of Agriculture to obtain the requested information from the REA electric borrowers and to furnish it to the committee. The information was received subsequent to the hearings and has now been printed as a supplement to the hearings.

A copy of this supplement to the hearings has been mailed to each Member of Congress, to the Governors of each State, to the REA electric cooperatives, and to the available mailing list of private power companies. Additional copies are available for distribution upon request to the Committee on Appropriations.

CALL OF THE CALENDAR

Mr. BARTLETT. Mr. President, is the morning hour business now concluded?

THE PRESIDING OFFICER (Mr. CANNON in the chair). Is there further morning business? If not, morning business is concluded.

Pursuant to the unanimous-consent agreement, the Senate will proceed to the consideration of measures on the calendar to which there is no objection, commencing with Order No. 733.

BILLS PASSED OVER

The bill (H.R. 6904) to establish an Advisory Commission on Intergovernmental Relations was announced as next in order.

Mr. KEATING. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H.R. 6888) to amend section 4132 of the Revised Statutes, section 37 of the Merchant Marine Act, 1920, section 2 of the Shipping Act, 1916, and section 905(c) of the Merchant Marine Act, 1936, as amended was announced as next in order.

Mr. KEATING. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H.R. 8159) to amend the national banking laws to clarify or eliminate ambiguities, to repeal certain laws which have become obsolete, and for other purposes was announced as next in order.

Mr. BARTLETT. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H.R. 8160) to amend the lending and borrowing limitations applicable to national banks, to authorize the appointment of an additional Deputy Comptroller of the Currency, and for other purposes was announced as next in order.

Mr. BARTLETT. Over, as not being proper calendar business.

The PRESIDING OFFICER. The bill will be passed over.

AMENDMENT OF NATIONAL SCIENCE FOUNDATION ACT OF 1950

The bill (S. 2468) to amend the National Science Foundation Act of 1950, as amended, and for other purposes was announced as next in order.

Mr. BARTLETT. Mr. President, there is on the calendar Order No. 739, House bill 8284, a companion bill, for the same purpose. I ask unanimous consent for the present consideration of the House bill.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 8284) to amend the National Science Foundation Act of 1950, as amended, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection Senate bill 2468 will be indefinitely postponed.

EQUITABLE TREATMENT FOR PRODUCERS PARTICIPATING IN THE SOIL BANK PROGRAM

The bill (S. 2457) to provide equitable treatment for producers participating in the soil bank program on the basis of incorrect information furnished by the Government was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Soil Bank Act is amended by adding at the end thereof the following new section:

"SEC. 128. Notwithstanding any other provision of law, the Secretary may, to the extent he deems it desirable in order to provide fair and equitable treatment, pay a produce compensation under the acreage reserve or conservation reserve program which he otherwise would not be entitled to receive because the contract, application therefor, action, or conduct of the producer is—

"(1) not in conformity with the provisions of the program, or

"(2) less favorable to the producer than would have been the case if it had been based on correct information, or

"(3) based on an understanding that payment would be forthcoming in an amount in excess of that permitted by the program

if it is established to the satisfaction of the Secretary that the contract, application, action, or conduct of the producer was the result of relying in good faith on the erroneous approval of such contract, application, action, or conduct by, or on the erroneous advice, determination, or computation of, an authorized representative of the Secretary."

EDUCATIONAL BENEFITS FOR CHILDREN OF SPANISH-AMERICAN WAR VETERANS

The Senate proceeded to consider the bill (H.R. 2773) to amend section 1701 of title 38, United States Code, to provide the same educational benefits for children of Spanish-American War veterans who died of a service-connected disability as are provided for children of veterans of World War I, World War II, and the Korean conflict, which had been reported from the Committee on Labor and Public Welfare, with an amendment on page 1, after line 6, to insert a new section, as follows:

SEC. 2. In the case of any individual who is an eligible person within the meaning of section 1701(a)(1) of title 38, United States Code, solely by virtue of the amendments made by this Act, and who has reached his eighteenth birthday but has not reached his twenty-third birthday on the date of enactment of this Act, the period referred to in section 1712 of title 38, United States Code, shall not end with respect to such individual

until the expiration of the five-year period which begins on the date of enactment of this Act.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

ASSISTANCE IN ACQUIRING SPECIALLY ADAPTED HOUSING TO CERTAIN VETERANS

The Senate proceeded to consider the bill (H.R. 7373) to amend section 801 of title 38, United States Code, to provide assistance in acquiring specially adapted housing to certain veterans seriously disabled during a period of war, which had been reported from the Committee on Labor and Public Welfare with an amendment, on page 1, after line 4, to strike out:

The Administrator is authorized, under such regulations as he may prescribe, to assist any veteran, who is entitled to compensation under chapter 11 of this title, based on service after April 20, 1898, for permanent and total service connected disability due to the loss, or loss of use, of both lower extremities, such as to preclude locomotion without the aid of braces, crutches, canes, or a wheelchair, in acquiring a suitable housing unit with special fixtures or movable facilities made necessary by the nature of the veterans' disability, and necessary land therefor. If a veteran is entitled to compensation under chapter 11 based on service during a period of war (as defined for the purposes of chapter 11) for permanent and total service connected disability, which includes (1) blindness in both eyes, having only light perception, plus (2) loss or loss of use of one lower extremity, and such permanent and total disability is such as to preclude locomotion without the aid of a wheelchair, the Administrator is authorized, under such regulations as he may prescribe, to assist the veteran in acquiring a suitable housing unit with special fixtures or movable facilities made necessary by the nature of the veteran's disability, and necessary land therefor. The regulations of the Administrator shall include, but not be limited to, provisions requiring findings that (1) it is medically feasible for such veteran to reside in the proposed housing unit and in the proposed locality; (2) the proposed housing unit bears a proper relation to the veteran's present and anticipated income and expenses; and (3) the nature and condition of the proposed housing unit are such as to be suitable to the veteran's needs for dwelling purposes.

And, in lieu thereof, to insert:

§ 801. Veterans eligible for assistance

The Administrator is authorized, under such regulations as he may prescribe, to assist any veteran, who is entitled to compensation under chapter 11 of this title, based on service after April 20, 1898, for permanent and total service-connected disability—

(1) due to the loss, or loss of use, of both lower extremities, such as to preclude locomotion without the aid of braces, crutches, canes, or a wheelchair, or

(2) which includes (A) blindness in both eyes, having only light perception, plus (B) loss or loss of use of one lower extremity, and such permanent and total disability is such as to preclude locomotion without the aid of a wheelchair,

in acquiring a suitable housing unit with special fixtures or movable facilities made necessary by the nature of the veteran's disability, and necessary land therefor. The regulations of the Administrator shall include, but not be limited to, provisions requiring findings that (1) it is medically feasible for such veteran to reside in the proposed housing unit and in the proposed locality; (2) the proposed housing unit bears a proper relation to the veteran's present and anticipated income and expenses; and (3) the nature and condition of the proposed housing unit are such as to be suitable to the veteran's needs for dwelling purposes.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "An act to amend section 801 of title 38, United States Code, to provide assistance in acquiring specially adapted housing to an additional group of severely disabled veterans."

ELWOOD R. QUESADA

The Senate proceeded to consider the bill (S. 2500) to authorize the President to reappoint Elwood R. Quesada, formerly lieutenant general, U.S. Air Force, retired, to the grade of major general and to retire him in the grade of lieutenant general, and for other purposes, which had been reported from the Committee on Armed Services, with an amendment, to strike out all after the enacting clause and insert:

That, notwithstanding any other law, the President alone is authorized to appoint Elwood R. Quesada, formerly a retired lieutenant general U.S. Air Force, to the grade of lieutenant general on the retired list of the Regular Air Force, with the pay, allowances, emoluments, perquisites, rights, privileges, and benefits of an officer of his grade and length of service who was on that retired list on May 31, 1958. No pay, allowances, or other benefits shall become due as a result of the enactment of this act for any period before the effective date of his appointment under this act.

SEC. 2. The effective date of the appointment authorized by this act is the day after Elwood R. Quesada ceases to hold office as Administrator of the Federal Aviation Agency, or the day before the death of Elwood R. Quesada, whichever is earlier.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to authorize the appointment of Elwood R. Quesada to the retired list of the Regular Air Force, and for other purposes."

EXTENSION OF APPLICATION OF MOTORBOAT ACT OF 1940

The bill (S. 1712) to extend the application of the Motorboat Act of 1940, to certain possessions of the United States was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (c) of section 6 of the Federal Boating Act of 1958, approved September 2, 1958 (72 Stat. 1754), is amended to read as follows:

"(c) Such Act of April 25, 1940 (46 U.S.C. 526–526t), is further amended by adding at the end thereof the following new section:

"SEC. 22. (a) This Act shall apply to every motorboat or vessel on the navigable waters of the United States, Guam, the Virgin Islands, the Commonwealth of Puerto Rico, and the District of Columbia, and every motorboat or vessel owned in a State and using the high seas.

"(b) As used in this Act—

"The term 'State' means a State of the United States, Guam, the Virgin Islands, the Commonwealth of Puerto Rico, and the District of Columbia."

BILL PASSED OVER

The bill (H.R. 5067) to repeal section 217 of the Merchant Marine Act, 1936, as amended, was announced as next in order.

Mr. KEATING. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

SOUTH FORK OF SOUTH BRANCH OF CHICAGO RIVER

The bill (H.R. 7948) to declare unnavigable a part of the west arm of the South Fork of the South Branch of the Chicago River in the city of Chicago, Ill., was considered, ordered to a third reading, read the third time, and passed.

EXCHANGE OF CERTAIN LANDS IN EVERGLADES CITY, FLA.

The Senate proceeded to consider the bill (S. 2390) to authorize the exchange of certain lands in or in the vicinity of Everglades City, Fla., in furtherance of the administration and use of the Everglades National Park, and to add certain donated lands to such park, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 2, after line 14, to strike out:

SEC. 2. The Secretary of the Interior is authorized to accept for Everglades National Park purposes, title to approximately 1,160 acres of land and submerged land lying within sections 25, 26, and 36 of township 53 south, range 29 east, and section 30, township 53 south, range 30 east, Tallahassee meridian, and being a portion of the land and submerged land donated and conveyed by three Collier deeds in 1951 and 1952 to the trustees of the internal improvement fund of the State of Florida for subsequent inclusion in the Everglades National Park. Such three Collier deeds are dated December 12, 1951, December 26, 1951, and March 21, 1952, and are recorded in deed book 22, page 240, deed book 22, page 244, and deed book 39, page 25, respectively, in Collier County, Fla. The aforesaid land and submerged land shall be subject to the reservations set forth in the aforementioned Collier deeds for public utility easement and rights-of-way of the public with respect to Indian Key Channel, and also to a public right-of-way for the State highway or causeway from Everglades City to Chokoloskee Island.

And, on page 3, at the beginning of line 10, to change the section number from "3" to "2", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to further the administration and use of the Everglades National Park, the Secretary of the Interior is authorized to accept on behalf of the United States title to the following described parcels of land:

Those parts of tracts "R" and "S" which lie west of the right-of-way of State Road Numbered 29, and lots 1 to 9, inclusive, of block 40, in Everglades City, Florida, comprising 18.98, 1.32, and 3.17 acres, respectively, as shown on N.P.S. Map No. EVE-NP-E-1, dated June 23, 1959, of Everglades City, Florida; and not to exceed 15 acres of submerged lands lying adjacent to said tracts "R" and "S", if such additional lands are considered necessary by the Secretary of the Interior to permit full utilization of the lands above described;

and, in exchange for such parcels of land, to convey to the owner or owners thereof all right, title, and interest of the United States in and to the following described parcels of land within the Everglades National Park:

Tract "L" and block 34, comprising 9.09 and 1.65 acres, respectively, lying in or in the vicinity of Everglades City, Florida.

SEC. 2. All lands and submerged lands title to which is accepted by the Secretary of the Interior pursuant to the provisions of this Act shall, upon the acceptance of title thereto, become parts of the Everglades National Park and shall be subject to all laws and regulations applicable thereto.

Mr. HOLLAND. Mr. President, I should like to explain to the Senate that last year when we passed the bill limiting the Everglades National Park, part of it approved a grant by private owners to the Park Service of a site for a western headquarters building in Everglades City. Since that time the Park Service has decided that it prefers another site, also in Everglades City, a small town. The owners of the second tract, who were also the owners of the first tract, are perfectly willing to convey it, provided the first tract is conveyed back.

The new tract is bigger than the old, and the Park Service thinks it would be more convenient for its use. The bill, as amended, provides solely for the exchange of these two tracts.

This morning I noted in the Miami News an article calling attention to the large number of people who are visiting the Everglades National Park. Last year's total attendance was 443,000 and this year it will go over half a million. I ask unanimous consent that the article be printed in the RECORD at this point as a part of my remarks.

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

[From the Miami News, Aug. 20, 1959]

TOURISTS SWAMP EVERGLADES

Attendance at the Everglades National Park may top the half-million mark this year.

More than 350,000 people have visited the famous Florida park so far this year, with July recording the largest increase in attendance yet.

July visitors numbered 34,404—an increase of 3,802 over the previous month, and an increase of 2,162 over July of last year. Last year's total attendance was 443,263.

"It seems to be following a trend," said Clifford Senni, assistant chief ranger. "The attendance increases every year. In 1949 there was only 94,927 visitors."

Senni also noted that the number of campers in the park have increased. "Visitors are pouring in year round now," said Senni, "not just in the winter."

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill to authorize the exchange of certain lands in or in the vicinity of Everglades City, Fla., in furtherance of the administration and use of the Everglades National Park."

BILL PASSED OVER

The bill (H.R. 4576) to suspend for a temporary period the duty on book bindings and covers imported by certain institutions was announced as next in order.

Mr. BARTLETT. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

AMENDMENT OF MINERAL LEASING ACT OF FEBRUARY 25, 1920

The Senate proceeded to consider the bill (S. 2181) to amend the Mineral Leasing Act of February 25, 1920, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 1, after the enacting clause, to strike out:

That this Act may be cited as the "Mineral Leasing Act Amendments of 1959".

SEC. 2. Section 17 of the Act entitled "An Act to promote the mining of coal, phosphate, oil, oil shale, gas and sodium on the public domain", approved February 25, 1920, as amended (30 U.S.C. 226), is amended to read as follows:

"SEC. 17. All lands subject to disposition under this Act which are known or believed to contain oil or gas deposits may be leased by the Secretary of the Interior. When the lands to be leased are within any known geological structure of a producing oil or gas field, they shall be leased to the highest responsible qualified bidder by competitive bidding under general regulations, in units of not exceeding six hundred and forty acres, which shall be as nearly compact in form as possible, upon the payment by the lessee of such bonus as may be accepted by the Secretary and of such royalty as may be fixed in the lease which shall be not less than 12½ per centum in amount or value of the production removed or sold from the lease. When the lands to be leased are not within any known geological structure of a producing oil or gas field, the person first making application for the lease who is qualified to hold a lease under this Act shall be entitled to a lease of such lands without competitive bidding. Such leases shall be conditioned upon the payment by the lessee of a royalty of 12½ per centum in amount or value of the production removed or sold from the lease. Leases issued under this section shall be for a primary term of ten years and shall continue so long thereafter as oil or gas is produced in paying quantities: *Provided,* That a noncompetitive lease issued under this section for land on which drilling operations are being conducted at the end of said primary term of such lease shall be extended for two years and so long thereafter as oil or gas is produced in paying quantities.

"Any lease issued under this Act which is subject to termination by reason of cessation of production shall not terminate if within sixty days after production ceases, reworking or drilling operations are commenced on the land under lease and are thereafter conducted with reasonable diligence during such period of nonproduction. No lease issued under this Act shall expire because operations or production is suspended under any order, or with the consent, of the Secretary of the Interior. No lease issued under this Act covering lands on which there is a well capable of producing oil or gas in paying quantities shall expire because the lessee fails to produce the same, unless the lessee is allowed a reasonable time, but not less than sixty days after notice by registered mail, within which to place such well on a producing status: *Provided,* That after such status is established production shall continue on the leased premises unless and until suspension of production is allowed by the Secretary of the Interior under the provisions of this Act.

"All leases issued under this section shall be conditioned upon the payment by the lessee in advance of a rental of not less than 25 cents per acre per annum. A minimum royalty of $1 per acre in lieu of rental shall be payable at the expiration of each lease year beginning or or after a discovery of oil or gas in paying quantities on the lands leased: *Provided,* That in the case of lands not within any known geological structure of a producing oil or gas field, the rentals for the second and third lease years shall be waived unless a valuable deposit of oil or gas be sooner discovered.

"Whenever it appears to the Secretary of the Interior that lands owned by the United States are being drained of oil or gas by wells drilled on adjacent lands, he is hereby authorized and empowered to negotiate agreements whereby the United States, or the United States and its lessee, shall be compensated for such drainage, such agreements to be made with the consent of the lessees affected thereby, and the primary term including any extensions thereof of any lease for which compensatory royalty is being paid shall be extended for the period during which such compensatory royalty is paid and for a period of one year from discontinuance of such payment and so long thereafter as oil or gas is produced in paying quantities: *Provided,* That the Secretary of the Interior shall report to Congress at the beginning of each regular session, all such agreements entered into during the previous year which involve unleased Government lands."

SEC. 3. Section 17(a) of such Act of February 25, 1920 (30 U.S.C. 226(d)), is amended by striking out "primary term of five years" in the first sentence and inserting in lieu thereof "primary term of ten years".

SEC. 4. Section 27 of such Act of February 25, 1920, as amended (30 U.S.C. 184) is amended to read as follows:

"SEC. 27. No person, association, or corporation, except as herein provided, shall take or hold coal leases or permits during the life of such lease in any one State exceeding an aggregate of ten thousand two hundred and forty acres: *Provided,* That a person, association or corporation may apply for coal leases or permits for acreage in addition to said ten thousand two hundred and forty acres, which application or applications shall be in multiples of forty acres, not exceeding a total of five thousand one hundred twenty additional acres in such State, and shall contain a statement that the granting of a lease for such additional lands is necessary to the person, association, or corporation to carry on business economically and is in the public interest. On the filing of said application, the coal deposits

in such lands covered thereby shall be temporarily set aside and withdrawn from all forms of disposal under this Act. The Secretary of the Interior shall, after posting notice of the pending application in the local land office, conduct public hearings on said application or applications for additional acreage. After such public hearings, to such extent as he finds to be in the public interest and necessary for the applicant in order to carry on business economically, the Secretary of the Interior may, under such regulations as he may prescribe, permit such person, association, or corporation to take or hold coal leases or permits for an additional aggregate acreage of not more than five thousand one hundred and twenty acres in such State. The Secretary may, in his own discretion or whenever sufficient public interest is manifested, re-evaluate the lessee's or permittee's need for all or any part of the additional acreage. The Secretary may cancel the lease or leases and permit or permits covering all or any part of the additional acreage, if he finds that such cancellation is in the public interest or that the coal deposits in the additional acreage are no longer necessary for the lessee or permittee to carry on business economically or if the lessee or permittee has divested himself of all or any part of the original ten thousand two hundred and forty acres or no longer has facilities which in the Secretary's opinion enable him to exploit the deposits under lease or permit. No assignment, transfer, or sale of any part of the additional acreage may be made without the approval of the Secretary. No person, association, or corporation, except as herein provided, shall take or hold sodium leases or permits during the life of such lease in any one State, exceeding in the aggregate acreage five thousand one hundred and twenty acres: *Provided*, That the Secretary of the Interior may, in his discretion where it is necessary in order to secure the economic mining of sodium compounds leasable under this Act, permit a person, association, or corporation to take or hold sodium leases or permits for up to fifteen thousand three hundred and sixty acres in any one State. No person, association, or corporation, except as herein provided, shall take, hold, own, or control at one time, whether acquired directly from the Secretary of the Interior under this Act or otherwise, oil and gas leases (including options for such leases) on land held under the provisions of this Act exceeding in the aggregate two hundred and forty-six thousand and eighty acres in any one State, except the States of Alaska and Hawaii. No person, association, or corporation shall take or hold at one time phosphate leases exceeding in the aggregate ten thousand two hundred and forty acres in the United States. No person, association, or corporation shall take or hold at one time any interest or interests as a member of an association or associations or as a stockholder of a corporation or corporations holding a lease or leases, permit or permits, under the provisions hereof, which, together with the area embraced in any direct holding of a lease or leases, permit or permits, under this Act, or which, together with any other interest or interests as a member of an association or associations or as a stockholder of a corporation or corporations holding a lease or leases, permit or permits, under the provisions hereof for any kind of minerals hereunder, exceeds in the aggregate an amount equivalent to the maximum number of acres of the respective kinds of minerals allowed to any one lessee or permittee under this Act. For the purpose of this Act, no contract for development and operation of any lands leased hereunder, whether or not coupled with an interest in such lease, nor any lease or leases owned in common by two or more persons, shall be deemed to create a separate association under this section between or among such contracting parties, or the persons owning such lease or leases in common, but the proportionate interest of each such person shall be charged against the total acreage permitted to be held by such person under this Act: *Provided*, That the total acreage so held in common by two or more persons shall not exceed, in the aggregate, an amount equivalent to the maximum number of acres of the respective kind of minerals allowed to any one lessee or permittee under this Act. No option for an oil or gas lease on any lands held under the provisions of this Act shall be entered into for a period of more than three years, without the prior approval of the Secretary of the Interior, and no person, association, or corporation shall hold any such options at one time on more than two hundred thousand acres of land in any one State, except Alaska and Hawaii. No such option shall be valid unless notice thereof, including the number of acres under option, the names of all parties thereto and their respective interests, and obligations undertaken thereunder by the optionee, is filed in the land office of the Bureau of Land Management for the area in which the land under option is located and every option shall until exercised be charged to both optioner and optionee. In addition each holder of any such option shall file with the Secretary within ninety days after the 30th day of June and the 31st day of December in each year a statement under oath showing as of said dates (1) name of optionor and serial number of lease or application for lease, (2) date and expiration date of each option, (3) number of acres covered by each option, and (4) aggregate number of options held in each State and total acreage subject to said options in each State. If any interest in any land is owned or controlled, directly or indirectly, by means of stock or otherwise, in violation of any of the provisions of this Act, the interest may be canceled or forfeited, or the person so owning or controlling the interest may be compelled to dispose of the interest, by the Secretary of the Interior in an administrative proceeding, except that any ownership or interest forbidden in this Act which may be acquired by descent, will, judgment, or decree may be held for two years and not longer after its acquisition. In the event that the Secretary has reason to believe that fraud has been committed in the holding of any such interest by any person, he may request the Attorney General to institute appropriate proceedings against such person. Any such proceeding shall be instituted in the United States district court for the district in which the land or some part thereof is located or in which such person may be found, and the court in such proceeding, in addition to any other penalties provided by law, may if fraud is found provide that such person shall be ineligible thereafter, either permanently or for a lesser period, to hold any lease or other interest in land under the provisions of this Act."

And, in lieu thereof, to insert "That section 27 of the Mineral Leasing Act of February 25, 1920 (41 Stat. 437, 448), as amended (30 U.S.C., sec. 184), is further amended by the insertion, immediately after the sixteenth sentence, of the following:"; on page 10, line 17, after the word "adversely", to insert "the title or interest of a bona fide purchaser in"; in line 19, after the word "in", where it appears the second time, to strike out "good faith by any qualified person, association, or corporation in"; in line 21, after the word "person", to insert "association or corporation"; in line 23, after the word "or", to strike out "forfeiture" and insert "forfeited"; on page 11, line 1, after the word "of", to strike out "the Mineral Leasing Act Amendments of 1959 and insert "this Act"; in line 2, after the word "person", to insert "association or corporation"; in line 6, after the word "that", to strike out "he" and insert "the person, association or corporation"; in line 7, after the word "a", to strike out "party in good faith" and insert "bona fide purchaser", and in line 9, after the word "Act", to strike out "If during any such proceedings with respect to a violation of any provisions of this Act, or any proceedings with respect to fraud under such provisions, development rights with respect to the interest involved are suspended pending a decision in such proceedings, any person who in such proceedings is found not in violation of such provisions or not guilty of such fraud, or any person, who acquired any part of such interest involved in good faith without violating any provisions of this Act, shall have the right to have his interest extended for a period of time equal to any period during which development rights were so suspended with respect to such interest. Nothing herein contained shall be construed to limit sections 18, 19, and 22 of this Act or to prevent any number of lessees under this Act from combining their several interests so far as may be necessary for the purposes of constructing and carrying on the business of a refinery, or of establishing and constructing as a common carrier a pipeline or lines of railroads to be operated and used by them jointly in the transportation of oil from their several wells, or from the wells of other lessees under this Act, or the transportation of coal or to increase the acreage which may be acquired or held under section 17 of this Act: *Provided*, That any combination for such purpose or purposes shall be subject to the approval of the Secretary of the Interior on application to him for permission to form the same. Except as in this Act provided, if any of the lands or deposits leased under the provisions of this Act shall be subleased, trusteed, possessed, or controlled by any device permanently, temporarily, directly, indirectly, tacitly, or in any manner whatsoever, so that they form a part of or are in anywise controlled by any combination in the form of an unlawful trust, with the consent of the lessee, or form the subject of any contract or conspiracy in restraint of trade in the mining or selling of coal, phosphate, oil, oil shale, gas, or sodium entered into by the lessee, or any agreement or understanding, written, verbal, or otherwise, to which such lessee shall be a party, of which his or its output is to be or become the subject, to control the price or prices thereof or of any holding of such lands by any individual, partnership, association, corporation, or control in excess of the amounts of lands provided in this Act, the lease thereof shall be forfeited by appropriate court proceedings" and, in lieu thereof, to insert "If during any such proceedings with respect to a violation of any provisions of

this Act, or any proceedings with respect to fraud under such provisions, a party to those proceedings files with the Secretary of the Interior a waiver of his rights under the lease to drill or to assign his interests thereunder or if such rights are suspended by order of the Secretary pending a decision in such proceedings, he shall, if he is found in such proceedings not in violation of such provisions or not guilty of such fraud, have the right to have his interest extended for a period of time equal to the period between the filing of the waiver or the order of suspension by the Secretary and the final decision, without the payment of rental." "; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 27 of the Mineral Leasing Act of February 25, 1920 (41 Stat. 437, 448), as amended (30 U.S.C., sec. 184), is further amended by the insertion, immediately after the sixteenth sentence, of the following: "The right of cancellation or forfeiture for violation of the provisions of this Act shall not apply so as to affect adversely the title or interest of a bona fide purchaser in any lease, option for a lease, or interest in a lease acquired in conformity with the acreage limitations of this Act from any other person, association or corporation whose holdings, or the holdings of a predecessor in title, may have been canceled or forfeited, or may be subject to cancellation or forfeiture for any such violation. Effective on the date of enactment of this Act, any person, association or corporation who is a party to any proceedings with respect to a violation of any provision of this Act, whether initiated prior to such date of enactment or thereafter, shall have the right to be dismissed as such a party upon showing that the person, association or corporation acquired the interest involving him as such a bona fide purchaser without violating any provisions of this Act. If during any such proceedings with respect to a violation of any provisions of this Act, or any proceedings with respect to fraud under such provisions, a party to those proceedings files with the Secretary of the Interior a waiver of his rights under the lease to drill or to assign his interests thereunder or if such rights are suspended by order of the Secretary pending a decision in such proceedings, he shall, if he is found in such proceedings not in violation of such provisions or not guilty of such fraud, have the right to have his interest extended for a period of time equal to the period between the filing of the waiver or the order of suspension by the Secretary and the final decision, without the payment of rental."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BASILE IGNATIOS MAVRIDIS

The bill (H.R. 1579) for the relief of Basile Ignatios Mavridis was considered, ordered to a third reading, read the third time, and passed.

CONTINENTAL HOSIERY MILLS, INC.

The bill (S. 1015) for the relief of Continental Hosiery Mills, Inc., of Henderson, N.C., successor to Continental Hosiery Co., of Henderson, N.C., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $21,670.11 to Continental Hosiery Mills, Incorporated, of Henderson, North Carolina, successor to Continental Hosiery Company, of Henderson, North Carolina, in full settlement of all claims against the United States, representing a refund of income tax erroneously collected from said corporation on April 19, 1947, by the Bureau of Internal Revenue: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this contract shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. KEATING subsequently said: Mr. President, because we have been moving through the calendar pretty fast, I did not register my objection to Calendar No. 768, S. 1015. It was passed due to my inadvertence. I ask unanimous consent that the votes by which the bill was ordered to be engrossed for a third reading and was passed be reconsidered and that the bill be restored to the calendar.

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

WABASH VALLEY COMPACT

The Senate proceeded to consider the bill (S. 1257) granting the consent and approval of Congress to the Wabash Valley Compact, and for related purposes, which had been reported from the Committee on the Judiciary, with amendments, on page 13, after line 10, to insert a new section, as follows:

SEC. 3. Any additional function delegated to or imposed upon the Wabash Valley Interstate Commission pursuant to section E of article VI of the compact shall be one within the general authority granted by the compact and may be utilized only in furtherance of the purposes of the compact.

At the beginning of line 16, to change the section number from "3" to "4"; at the beginning of line 20, to change the section number from "4" to "5", and, after line 21, to insert a new section, as follows:

SEC. 6. Nothing herein contained shall be interpreted or construed as approving any act, action, or conduct which is or has been or may be in violation of existing law, nor shall anything herein contained constitute a defense to any action, suit, or proceeding pending or hereafter instituted on account of any prohibited antitrust or monopolistic act, action, or conduct.

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given to the States of Illinois and Indiana to enter into the Wabash Valley Compact in the form as follows:

"THE WABASH VALLEY COMPACT

"Article I

"Findings and Purpose

"The party states find that the Wabash Valley has suffered from a lack of comprehensive planning for the optimal use of its human and natural resources and that underutilization and inadequate benefits from its potential wealth are likely to continue until there is proper organization to encourage and facilitate coordinated development of the Wabash Valley as a region and to relate its agricultural, industrial, commercial, recreational, transportation, development and other problems to the opportunities in the Valley. To this end it is the purpose of the party states to recognize and provide for such development and coordination and to establish an agency of the party states with powers sufficient and appropriate to further regional planning for the Valley.

"Article II

"The Valley

"As used in this compact, the term 'Wabash Valley' shall mean the Wabash River, its tributaries and all land drained by said river and tributaries, to whatever extent they lie within the party states.

"Article III

"The Wabash Valley Interstate Commission

"(a) There is hereby created an agency of the party states to be known as the Wabash Valley Interstate Commission (hereinafter called the Commission). The Commission shall be composed of seven Commissioners from each party state designated or appointed in accordance with the law of the state which they represent and serving and subject to removal in accordance with such law. The federal government may be represented without vote if provision is made by federal law for such representation.

"(b) The Commissioners of the party states shall each be entitled to one vote in the Commission. No action of the Commission shall be binding unless taken at a meeting in which a majority of the members from each party state are present and unless a majority of those from each state concur, provided that any action not binding for such a reason may be ratified within thirty days by the concurrence of a majority of each state. In the absence of any Commissioner, his vote may be cast by another representative or Commissioner of his state provided that said Commissioner or other representative casting said vote shall have a written proxy in proper form as may be required by the Commission.

"(c) The Commission may sue and be sued, and shall have a seal.

"(d) The Commission shall elect annually, from among its members, a chairman, a vice-chairman and a treasurer. The Commission shall appoint an executive director who shall also act as secretary, and who, together with the treasurer, shall be bonded in such amounts as the Commission may require.

"(e) The Commission shall appoint and remove or discharge such personnel as may be necessary for the performance of the Commission's functions irrespective of the civil service, personnel or other merit system laws of any of the party states.

"(f) The Commission may establish and maintain, independently or in conjunction with any one or more of the party states, a suitable retirement system for its employees. Employees of the Commission shall be eligible for social security coverage in respect of old-age and survivors insurance provided that the Commission takes such steps as may be necessary pursuant to federal law to participate in such program

of insurance as a governmental agency or unit. The Commission may establish and maintain or participate in such additional programs of employee benefits as may be appropriate to afford employees of the Commission terms and conditions of employment similar to those enjoyed by employees of the party states generally.

"(g) The Commission may borrow, accept, or contract for the services of personnel from any state or the United States or any subdivision or agency thereof, from any interstate agency, or from any institution, person, firm or corporation.

"(h) The Commission may accept for any of its purposes and functions under this compact any and all donations, and grants of money, equipment, supplies, materials, and services, conditional or otherwise, from any state of the United States or any subdivision or agency thereof, or interstate agency, or from any institution, person, firm or corporation, and may receive, utilize, and dispose of the same.

"(i) The Commission may establish and maintain such facilities as may be necessary for the transacting of its business. The Commission may acquire, hold, and convey real and personal property and any interest therein.

"(j) The Commission may adopt, amend, and rescind bylaws, rules, and regulations for the conduct of its business.

"(k) The Commission annually shall make to the Governor of each party State a report covering the activities of the Commission for the preceding year, and embodying such recommendations as may have been adopted by the Commission, which report shall be transmitted to the legislature of said State. The Commission may issue such additional reports as it may deem desirable.

"Article IV

"Finances

"(a) The Commission shall submit to the executive head or designated officer or officers of each party State a budget of its estimated expenditures for such period as may be required by the laws of that jurisdiction for presentation to the legislature thereof.

"(b) Each of the Commission's budgets of estimated expenditures shall contain specific recommendations of the amount or amounts to be appropriated by each of the party States. Subject to appropriations by the respective legislatures, the Commission shall be provided with such funds by each of the party States as are necessary to provide the means of establishing and maintaining facilities, a staff of personnel, and such activities as may be necessary to fulfill the powers and duties imposed upon and entrusted to the Commission.

"(c) The Commission may meet any of its obligations in whole or in part with funds available to it under article III(h) of this compact, provided that the Commission takes specific action setting aside such funds prior to the incurring of any obligation to be met in whole or in part in this manner. Except where the Commisson makes use of funds available to it under article III(h) hereof, the Commission shall not incur any obligations prior to the allotment of funds by the party jurisdictions adequate to meet the same.

"(d) The expenses and any other costs for each member of the Commission shall be met by the Commission in accordance with such standards and procedures as it may establish under its bylaws.

"(e) The Commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the Commission shall be audited yearly by a qualified public accountant and the report of the audit shall be included in and become a part of the annual report of the Commission.

"(f) The accounts of the Commission shall be open at any reasonable time for inspection.

"Article V

"Advice and Cooperation

"(a) The Commission shall establish a technical advisory committee which shall be composed of representatives of such departments or agencies of the governments of the party states as have significant interest in the subject matter of the Commission's work: *Provided,* That if pursuant to the laws of a party state a representative of any such department or agency serves as a member of the Commission said department or agency need not be represented on the technical advisory committee. The Commission shall provide under its bylaws for procedures for the reference of questions to such committee.

"(b) The Commission may establish other advisory and technical committees composed of private citizens, expert and lay personnel, representatives of industry, labor, commerce, agriculture, civic associations, and officials of local, state and federal governments, and may cooperate with and use the services of any such committee and the organizations which they represent in furthering any of its activities under this compact. The Commission shall encourage citizen organization and activity for the promotion of the objectives of this compact.

"Article VI

"Functions

"The Commission shall have power to:

"A. Promote the balanced development of the Wabash Valley by

"(1) Correlating and reporting on data significant to such development.

"(2) Recommending the coordination of studies by the agencies of the party States to provide such data.

"(3) Publishing and disseminating materials and studies which will encourage the economic development of the Valley.

"(4) Recommending standards as guides for local and state zoning and other action which will promote balanced development by encouraging the establishment of industrial parks to facilitate industrial development, the reservation of stream bank and lake shore areas for recreation and public access to water, the preservation of marshes and other suitable areas as wildlife preserves, the afforestation and sustained yield forest management of submarginal lands, the protection of scenic values and amenities, and other appropriate measures.

"(5) Preparing in cooperation with appropriate governmental agencies a master plan for the identification and programming of public works.

"(6) Cooperating with all appropriate governmental agencies in the encouragement of tourist traffic and facilities in the Valley.

"B. Recommend integrated plans and programs for the conservation, development and proper utilization of the water, land and related natural resources of the Wabash Valley, including but not limited to:

"(1) Encouraging the classification of Valley lands in terms of appropriate uses.

"(2) Cooperating in the development of appropriate plans for flood protection, including but not limited to the construction of protective works and reservoirs.

"(3) Developing public awareness of the need for flood plain zoning and in cooperation with the appropriate agencies of the party states and their political subdivisions evolving standards for the implementation and application of such zoning in the Valley.

"(4) Reviewing the need for and appropriate sources of suitable water supplies for domestic, municipal, agricultural, power, industrial, recreation and transportation purposes.

"(5) Encouraging a pattern of land use and resource management which will increase the natural wealth of the Valley and promote the welfare of its inhabitants.

"(6) In cooperation with appropriate agencies, analyzing the recreational needs and potential of the Valley and developing a program for the use and maximization of recreational resources.

"C. Secure the necessary research and developmental activities by:

"(1) Correlating such research and developmental activities as are placed within its purview by this compact. The Commission may engage in original investigation and research on its own account or secure the undertaking thereof by a qualified public or private agency.

"(2) Making contracts for studies, investigations and research in any of the fields of its interest.

"(3) Publishing and disseminating reports.

"D. Make recommendations for appropriate action to:

"(1) The legislatures and executive heads of the party states and the federal government.

"(2) The agencies of the party states and the federal government.

"E. Undertake such additional functions as may hereafter be delegated to or imposed upon it from time to time by the action of the legislature of a party state concurred in by the legislature of the other.

"Article VII

"Enactment and Withdrawal

"This compact shall become effective when entered into and enacted into law by the states of Illinois and Indiana. The compact shall continue in force and remain binding upon each party state until renounced by legislative action of either party state.

"Article VIII

"Construction and Severability

"The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be unconstitutional or the applicability thereof to any state, agency, person or circumstance is held invalid, the constitutionality of the remainder of this compact and the applicability thereof to any other state, agency, person or circumstance shall not be affected thereby. It is the legislative intent that the provisions of this compact be reasonably and liberally construed."

SEC. 2. A Federal representative to the Wabash Valley Interstate Commission shall be appointed by the President, and he shall report to the President either directly or through such agency or official as the President may specify. Such representative shall have no vote on the commission. His compensation shall be in such amount, not in excess of $100 per diem, as the President shall specify, but the total amount of compensation payable in any one calendar year shall not exceed $10,000: *Provided,* That if the Federal representative be an employee of the United States he shall serve without additional compensation: *Provided further,* That a retired military officer or a retired Federal civilian officer or employee may be appointed as such representative, without prejudice to his retired status, and he shall receive compensation as authorized herein in addition to his retired pay or annuity but the sum of his retired pay or annuity and such additional compensation as may be paid hereunder shall not exeed $12,000 in any one calendar year. The Federal representative shall be entitled to travel expenses, he shall also be provided with office space, stenographic service, and other necessary administrative services. The compensation of the Federal representative shall be paid from available appropriations for the White House

Office or from funds available to the President in connection with special projects. Travel expenses, office space, stenographic, and administrative services shall be paid from any available appropriations selected by the head of such agency or agencies as may be designated by the President to provide such expenses.

SEC. 3. Any additional function delegated to or imposed upon the Wabash Valley Interstate Commission pursuant to section E of article VI of the compact shall be one within the general authority granted by the compact and may be utilized only in furtherance of the purposes of the compact.

SEC. 4. The Wabash Valley Interstate Commission constituted by the compact shall make an annual report to Congress not later than sixty days after the beginning of each regular session thereof.

SEC. 5. The right to alter, amend, or repeal this Act is expressly reserved.

SEC. 6. Nothing herein contained shall be interpreted or construed as approving any act, action, or conduct which is or has been or may be in violation of existing law, nor shall anything herein contained constitute a defense to any action, suit, or proceeding pending or hereafter instituted on account of any prohibited antitrust or monopolistic act, action, or conduct.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill granting the consent of Congress to the Wabash Valley compact, and for related purposes."

Mr. HARTKE. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a brief statement on the bill.

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

STATEMENT BY SENATOR HARTKE

I am indeed gratified that such swift action has been taken by the Senate in considering S. 1257, which I introduced on March 5, 1959, with my senior colleague from Indiana and the two distinguished Senators from Illinois as cosponsors.

The Legislatures of Indiana and Illinois earlier this year passed the Wabash Valley Compact with only one dissenting vote. We now rely on the Congress to give its consent.

The Wabash River Valley is one of the finest and richest in the country. With the consent of Congress the States of Indiana and Illinois will join in a coordinated development of this valley. This is important to the Nation as well as to these States.

The interstate commission authorized by this compact will coordinate these efforts. We are hopeful and confident that proper planning will lead to a greater development of the agricultural, industrial, commercial and recreational potential of this valley.

BILL PASSED OVER

The bill (H.R. 2717) for the relief of Eber Bros. Wine & Liquor Corp. was announced as next in order.

Mr. BARTLETT. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

FEES OF U.S. MARSHALS

The bill (S. 2349) to amend title 28, United States Code, with respect to fees of U.S. marshals, and for other purposes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1921 of title 28, United States Code, is amended to read as follows:

"§ 1921. United States marshals' fees

"Only the following fees of United States marshals shall be collected and taxed as costs, except as otherwise provided:

"For serving a writ of possession, partition, execution, attachment in rem, or libel in admiralty, warrant, attachment, summons, capias, or any other writ, order, or process in any case or proceeding, except as otherwise provided, $3;

"For serving a subpena or summons for a witness or appraiser, $2;

"Where service is requested to be made on a Saturday, Sunday, or holiday, the fees prescribed in the preceding two paragraphs shall be increased by 100 per centum;

"For forwarding any writ, order, or process to another judicial district for service, in addition to the prescribed fee, $1;

"For the preparation of any notice of sale, proclamation in admiralty, or other public notice or bill of sale, $3;

"For seizing or levying on property (including seizures in admiralty), disposing of the same by sale, setoff, or otherwise, and receiving and paying over money, commissions of 3 per centum on the first $1,000 of the amounts collected and 1½ per centum of sums in excess of $1,000. If not disposed of by marshal's sale, the commission shall be in such amount as may be allowed by the court. In all cases in which the vessel or other property is sold by a public auctioneer, or by some party other than the marshal or his deputy, the commission herein authorized to be paid to the marshal shall be reduced by the amount paid to said auctioneer or other party;

"For the keeping of property attached (including boats, vessels, or other property attached or libeled) actual expenses incurred, such as storage, moving, boat hire, or other special transportation, watchmen's or keepers' fees, insurance, and $3 per hour for each deputy marshal required for special services, such as guarding, inventorying, moving, and so forth. The marshals shall collect, in advance, a deposit to cover the initial expenses for such services and periodically thereafter such amounts as may be necessary to pay such expenses until the litigation is concluded;

"For copies of writs or other papers furnished at the request of any party, 30 cents per folio of one hundred words or fraction thereof;

"For necessary travel in serving or endeavoring to serve any process, writ, or order, 12 cents per mile, or fraction thereof, to be computed from the place where service is returnable to the place of service or endeavor; or, where two or more services or endeavors, or where an endeavor and a service, are made in behalf of the same party in the same case on the same trip, mileage shall be computed to the place of service or endeavor which is most remote from the place where service is returnable, adding thereto any additional mileage traveled in serving or endeavoring to serve in behalf of that party. When two or more writs of any kind, required to be served in behalf of the same party, on the same person, in the same case or proceeding, may be served at the same time, mileage on only one such writ shall be collected;

"No mileage fees shall be collected for services or endeavors to serve in the District of Columbia;

"The marshal may require a deposit to cover all fees and expenses herein prescribed."

SEC. 2. Section 1920 of title 28, United States Code, is amended by adding thereto, immediately following the paragraph designated "(5)", a new paragraph designated "(6)", as follows:

"(6) Fees for all marshals' services in a criminal case except for the summoning of witnesses, in a sum to be fixed by the court, not exceeding $25 where conviction is for a misdemeanor and not exceeding $100 where conviction is for a felony."

SEC. 3. Section 1112 of the Act of March 3, 1901, entitled "An Act to establish a code of law for the District of Columbia" (31 Stat. 1189, 1365; sec. 11-1510, D.C. Code, 1951 edition), as amended, is repealed.

SEC. 4. This Act shall become effective ninety days after enactment.

MARTHA L. HORTOBOGYI

The bill (S. 2187) for the relief of Martha L. Hortobogyi was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Martha L. Hortobogyi may be naturalized upon compliance with all of the requirements of title III of the Immigration and Nationaliay Act, except that—

(a) no period of residence or physical presence within the United States or any State shall be required in addition to her residence and physical presence within the United States since December 20, 1956; and

(b) the petition for naturalization may be filed with any court having naturalization jurisdiction.

MARTA NAGY

The bill (S. 2186) for the relief of Marta Nagy was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Marta Nagy may be naturalized upon compliance with all of the requirements of title III of the Immigration and Nationality Act, except that—

(a) no period of residence or physical presence within the United States or any State shall be required in addition to her residence and physical presence within the United States since December 24, 1956; and

(b) the petition for naturalization may be filed with any court having naturalization jurisdiction.

ANTE GRGAS PIVAC

The bill (S. 2154) for the relief of Ante Grgas Pivac was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Ante Grgas Pivac shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to

deduct one number from the appropriate quota for the first year that such quota is available.

YADWIGA BOCZAR

The bill (S. 2081) for the relief of Yadwiga Boczar was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Yadwiga Boczar, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Joseph Pelczar, citizens of the United States: *Provided,* That the natural parents of the said Yadwiga Boczar shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

AMENDMENT OF BANKRUPTCY ACT

The bill (S. 2052) to amend the Bankruptcy Act in regard to the closing fee of the trustee and in regard to the fee for the filing of a petition was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the part of subdivision c of section 48 of the Bankruptcy Act (11 U.S.C. 76c) up to the first colon is amended to read as follows:

"c. TRUSTEES.—The compensation of trustees for their services, payable after they are rendered, shall be a fee of $10 for each estate, deposited with the clerk at the time the petition is filed in each case, except when a fee is not required from a voluntary bankrupt, and such further sum as the court may allow, as follows:".

SEC. 2. That section 132 of the Bankruptcy Act (11 U.S.C. 532) is amended to read as follows:

"SEC. 132. The filing of a petition under this chapter shall be accompanied by payment to the clerk of a filing fee of $120 if no bankruptcy proceeding is pending, otherwise $70. Where $120 has been paid and an adjudication is entered under this chapter, $50 thereof shall be distributed by the clerk as in the case of bankruptcy proceeding; but, if the proceeding under this chapter is dismissed and no order of adjudication is entered thereunder, such sum of $50 shall be refunded to the person paying it."

CANDACE ELIZABETH LEE JOHNSON (KYUNG HEE LEE)

The bill (S. 2028) for the relief of Candace Elizabeth Lee Johnson (Kyung Hee Lee) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Candace Elizabeth Lee Johnson (Kyung Hee Lee), shall be held and considered to be the natural-born alien child of Mr. and Mrs. Jack H. Johnson, citizens of the United States: *Provided,* That the natural parents of the said Candace Elizabeth Lee Johnson (Kyung Hee Lee) shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

LILY ANG

The bill (S. 2022) for the relief of Lily Ang was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of the Immigration and Nationality Act, Lily Ang shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

CHUNG CHING WEI

The bill (S. 1915) for the relief of Chung Ching Wei was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Chung Ching Wei shall be held and considered to have been lawfully admitted to the United States for permanent residence as of March 18, 1947.

IVAN CURKO

The bill (S.1624) for the relief of Ivan Curko was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Ivan Curko, also known as Ivan Sam Curko or John Curko, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

CAPT. THOMAS J. McARDLE

The bill (S. 1149) for the relief of Capt. Thomas J. McArdle was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Captain Thomas J. McArdle, United States Air Force, a sum equal to the amount which he would have received under the Armed Forces Leave Act of 1946 if he had made timely application under such Act for compensation for unused accrued leave, the said Captain McArdle having failed to make application for such compensation because of the confidential nature of his assignment in the United States Air Force during the period allowed for filing under such Act.

BILL PASSED OVER

The bill (S. 981) for the relief of T. W. Holt & Co. was announced as next in order.

Mr. KEATING. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

STAMATIS ZERIS

The bill (S. 673) for the relief of Stamatis Zeris was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Stamatis Zeris shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

LIONIE TARPINIAN

The bill (S. 594) for the relief of Lionie Tarpinian was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Lionie Tarpinian shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

ALVARO RODRIGUEZ JIMINEZ

The Senate proceeded to consider the bill (S. 1980) for the relief of Alvaro Rodriguez Jiminez, which had been reported from the Committee on the Judiciary, with an amendment, in line 7, after the word "fee", to strike out "upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota control officer to deduct one number from the appropriate quota for the first year that such quota is available.", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Alvaro Rodriguez Jiminez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act upon payment of the required visa fee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF BANKRUPTCY

The Senate proceeded to consider the bill (S. 1944) to amend the Bankruptcy Act in regard to the verification of pleading, which had been reported from the Committee on the Judiciary, with an amendment in line 3, after the numerals "18", to insert "of the Bankruptcy Act (11 U.S.C. 41c)", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subdivision c of section 18 of the Bankruptcy Act (11 U.S.C. 41c) is hereby repealed and subsections d, e, f, and g of such section are relettered to read "c", "d", "e", and "f", respectively.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HARVE M. DUGGINS

The Senate proceeded to consider the bill (S. 1862) for the relief of Harve M. Duggins, which had been reported from the Committee on the Judiciary, with an amendment, on page 1, line 6, after the word "of", to strike out "$823.97" and insert "$862", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Harve M. Duggins, United States Commissioner, Knoxville, Tennessee, the sum of $862. The payment of such sum shall be in full satisfaction of all claims of the said Harve M. Duggins for compensation for services rendered by him as United States commissioner and for which he received no pay due to a misunderstanding in entering an order for his reappointment as a United States commissioner: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

YOM TOV YESHAYAHU BRISZK

The Senate proceeded to consider the bill (S. 1583) for the relief of Yom Tov Yeshayahu Briszk, which had been reported from the Committee on the Judiciary, with an amendment on page 1, line 7, after the word "Act", to insert a colon and "*Provided,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this Act: *And provided further,* That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act.", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provision of section 212(a)(4) of the Immigration and Nationality Act, Yom Tov Yeshayahu Briszk may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that Act: *Provided,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this Act: *And provided further,* That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RELIEF OF CERTAIN ALIENS

The Senate proceeded to consider the bill (S. 1033) for the relief of certain aliens, which had been reported from the Committee on the Judiciary, with an amendment to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Ignacio Eiguren Gabiola, Manuel Lopez Gonzalez, Antonio Iglesias Fernandez, Enrique Izaguirre Iturbe, Sabino Jayo Guisasola, Doroteo Madariaga Otegui, Martin Madarieta Arregui, Eusebio Mendiola Ycaran, Savino Navarro Arriaga, Francisco Uribe Asteinza, Pedro Maria Genaro Urruchurtu Urrutia, and Juan Prada-Ramos shall be held and considerd to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MAYBELL KING

The Senate proceeded to consider the bill (S. 540) for the relief of Maybell King, which had been reported from the Committee on the Judiciary, with an amendment in line 6, after the word "class," to strike out "E" and insert "F," so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Maybell King of Mississippi City, Mississippi, is hereby relieved of all liability to refund to the United States the sum of $918, representing the amount of payments erroneously made to her as a class F allottee for the period February 1, 1945, to March 31, 1946, incident to the service of her former husband, Clarence Benning Gwynn, United States Army (serial number 14015824).

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

OURANIA BEN BLIKAS

The Senate proceeded to consider the bill (S. 2101) for the relief of Ourania Ben Blikas, which had been reported from the Committee on the Judiciary, with amendments, in line 5, after the word "the", to insert "natural-born"; in line 7, after the word "That", to strike out "no" and insert "the"; in the same line, after the word "natural", to strike out "parent" and insert "mother"; in line 8, after the word "beneficiary", to insert "shall not", and at the beginning of line 9, to strike out "shall"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, Ourania Ben Blikas shall be held and considered to be the natural-born minor-alien child of Mr. and Mrs. Ben John Blikas, citizens of the United States: *Provided,* That the natural mother of the beneficiary, shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DONALD G. COPLAN

The Senate proceeded to consider the bill (S. 1891) for the relief of Donald G. Coplan, which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 6, after the figure "$500", to strike out "Such sum represents the amount of the judgment and costs for which the said Donald G. Coplan was held liable to Richard Vossen in a civil action in the courts of the State of Minnesota." and, in lieu thereof, to insert "Such sum represents reimbursement in the amount of the judgment and costs for which the said Donald G. Coplan was held liable and has paid as a result of a civil action in the courts of the State of Minnesota."; on page 2, line 6, after the word "service", to strike out the period and "Such sum shall be paid only on condition that Donald G. Coplan shall use such sum or so much thereof as is necessary to pay such judgment and costs in full", and in line 10, after the word "Act", to strike out "in excess of 10 per centum thereof"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Donald G. Coplan, Minneapolis, Minnesota, the sum of $500. Such sum represents reimbursement in the amount of the judgment and costs for which the said Donald G. Coplan was held liable and has paid as a result of a civil action in the courts of the State of Minnesota. This civil action arose out of an accident which occurred on October 4, 1955, between an automobile owned by the said Richard Vossen and a United States mail truck driven by the said Donald G. Coplan, a motor vehicle operator in the Minneapolis post office motor vehicle service: *Provided,* That no part of the amount appropriated in this Act shall be paid to or received by any agent or attorney on account

of services rendered in connection with this claim, and the same shall be unlawful, any contract, to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN AXEL ARVIDSON

The Senate proceeded to consider the bill (S. 1433) for the relief of John Axel Arvidson, which had been reported from the Committee on the Judiciary, with amendments, in line 3, after the word "of", to strike out "sections 315 and 318" and insert "section 315"; and in line 4, after the word "Act", to insert "or the Act of July 9, 1918,"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of section 315 of the Immigration and Nationality Act, or the Act of July 9, 1918, John Axel Arvidson shall be held and considered eligible to be naturalized as a citizen of the United States: *Provided,* That he is otherwise qualified in accordance with the general requirements as to residence, good moral character, attachment to the principles of the Constitution and favorable disposition to the United States as set forth in section 316 of the said Immigration and Nationality Act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GRANTING STATUS OF PERMANENT RESIDENCE TO CERTAIN ALIENS

The concurrent resolution (H. Con. Res. 186) favoring the granting of the status of permanent residence to certain aliens was considered and agreed to.

ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

The Senate proceeded to consider the joint resolution (H.J. Res. 445) to facilitate the admission into the United States of certain aliens, which had been reported from the Committee on the Judiciary, with an amendment on page 3, after line 12, to insert a new section, as follows:

SEC. 8. For the purposes of the Immigration and Nationality Act, Lee Kuhn Wui and Makoto Yabusaki shall be deemed to be nonquota immigrants.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the joint resolution to be read a third time.

The joint resolution was read the third time, and passed.

VICTOR HOFFER

The bill (H.R. 1595) for the relief of Victor Hoffer was considered, ordered to a third reading, read the third time, and passed.

GANNON BOGGS

The bill (H.R. 2078) for the relief of Gannon Boggs was considered, ordered to a third reading, read the third time, and passed.

ESTATE OF SETH E. LIBBY, JR.

The bill (H.R. 2296) for the relief of the estate of Seth E. Libby, Jr. was considered, ordered to a third reading, read the third time, and passed.

SETTLEMENT OF CLAIMS INCIDENT TO NONCOMBAT ACTIVITIES OF THE COAST GUARD

The bill (H.R. 2741) to amend section 2734 of title 10, United States Code, so as to authorize the Secretary of the Treasury to settle claims arising in foreign countries incident to noncombat activities of the Coast Guard was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF TITLE 28, UNITED STATES CODE

The bill (H.R. 2979) to amend section 752 of title 28, United States Code was considered, ordered to a third reading, read the third time, and passed.

EVA MARIE LESHER

The bill (H.R. 4111) for the relief of Eva Marie Lesher was considered, ordered to a third reading, read the third time, and passed.

OMER W. GUAY

The bill (H.R. 5911) for the relief of Omer W. Guay was considered, ordered to a third reading, read the third time, and passed.

COLBERT COLGATE HELD AND CHARLES W. SHELLHORN

The bill (H.R. 6490) for the relief of Colbert Colgate Held and Charles W. Shellhorn was considered, ordered to a third reading, read the third time, and passed.

JOHN B. SUTTER

The bill (H.R. 7085) for the relief of John B. Sutter was considered, ordered to a third reading, read the third time, and passed.

ESTATE OF SAKIHARA KOKI

The bill (H.R. 7638) for the relief of the estate of Sakihara Koki was considered, ordered to a third reading, read the third time, and passed.

RELIEF OF CERTAIN ALIENS

The Senate proceeded to consider the joint resolution (H.J. Res. 444) for the relief of certain aliens which had been reported from the Committee on the Judiciary with amendments, on page 1, at the beginning of line 3 to strike out:

That the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bonds, which may have issued in the cases of Mrs. Serafina Fernandez, Maldonado, Nicola Perretta, Roberto Garcia Marquez, and Salomon Chehebar. From and after the date of the enactment of this Act, the said persons shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued: *Provided,* That suitable and proper bonds or undertakings, approved by the Attorney General, be deposited as prescribed by section 213 of the said Act.

On page 2, at the beginning of line 4, to strike out "Sec. 2. For" and insert "That, for"; at the beginning of line 17, to change the section number from "3" to "2"; in line 20, after the name "Roden", to strike out "Ohannes Vartanyan, Agavni Vartanyan,"; on page 3, at the beginning of line 4, to change the section number from "4" to "3"; at the beginning of line 15, to change the section number from "5" to "4"; in line 16, after the word "Act", to strike out "Anna Almo,"; in line 20, after the word "fees", to strike out "*Provided,* That suitable and proper bonds or undertakings, approved by the Attorney General, be deposited as prescribed by section 213 of the said Act in the cases of Anna Almo and Primetta Galli" and insert "*Provided,* That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said Act in the case of Primetta Galli."; on page 4, at the beginning of line 4, to change the section number from "6" to "5"; at the beginning of line 13, to change the section number from "7" to "6"; in line 14, after the word "Act", to strike out "John C. Flores and"; in line 18, after the word "natural", to strike out "parents" and insert "father"; in the same line, after the word "the", where it appears the second time, to strike out "beneficiaries" and insert "beneficiary", and at the beginning of line 22, to strike out "Upon the granting of permanent residence to each alien as provided for in this section of this Act, if such alien was classifiable as a quota immigrant at the time of the enactment of this Act, the Secretary of State shall instruct the proper quota-control officer to reduce by one the quota for the quota area to which the alien is chargeable for the first year that such quota is available."

The amendments were agreed to.

The amendments were ordered to be engrossed, and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

PROTECTION OF THE PUBLIC HEALTH

The Senate proceeded to consider the bill (S. 2197) to protect the public health by amending the Federal Food, Drug, and Cosmetic Act so as to authorize the use of suitable color additives in or on foods, drugs, and cosmetics, in accordance with regulations prescribing the

conditions (including maximum tolerances) under which such additives may be safely used, which has been reported from the Committee on Labor and Public Welfare with amendments on page 6, line 16, in the heading, after the word "Foods,", to strike out "Drugs" and insert "Drugs,"; on page 7, line 7 after "(ii)", to strike out ", has" and insert "has,"; on page 8, line 23, after the word "is", to strike out "used," and insert "used;"; on page 9, after line 2, to strike out:

(4) The Secretary shall not list a color additive under this section for a proposed use unless the data before him established—

(A) that such use, under the condition of use to be specified in the regulations, will be safe;

(B) that practicable methods of analysis exist for determining the quantity of the pure dye and all intermediates and other impurities contained in such color additive; and

(C) that practicable methods exist for determining the identity and quantity (i) of such additive in or on any article of food, drug, or cosmetic, and (ii) of any substance formed in or on such article because of the use of such additive.

(5)(A) In determining, for the purposes of this section, whether a proposed use of a color additive is safe, the Secretary shall consider, among other relevant factors—

(i) the probable consumption of, or other relevant exposure from, the additive and of any substance formed in or on food, drugs, or cosmetics because of the use of the additive,

(ii) the cumulative effect, if any, of such additive in the diet of man or animals, taking into account the same or any chemically or pharmacologically related substance or substances in such diet; and

(iii) safety factors which, in the opinion of experts qualified by scientific training and experience to evaluate the safety of color additives for the use or uses for which the additive is proposed to be listed, are generally recognized as appropriate for the use of animal experimentation data.

And, in lieu thereof, to insert:

(4) The Secretary shall not list a color additive under this section for a proposed use unless the data before him establish that such use, under the conditions of use specified in the regulations, will be safe: *Provided, however,* That a color additive shall be deemed to be suitable and safe for the purpose of listing under this subsection for use generally in or on food, while there is in effect a published finding of the Secretary declaring such substance exempt from the term "food additive" because of its being generally recognized by qualified experts as safe for its intended use, as provided in section 201(s).

(5) In determining, for the purposes of this section, whether a proposed use of a color additive is safe, the Secretary shall consider, among other relevant factors—

(A) the probable consumption of, or other relevant exposure from, the additive and of any substance formed in or on food, drugs, or cosmetics because of the use of the additive;

(B) the cumulative effect, if any, of such additive in the diet of man or animals, taking into account the same or any chemically or pharmacologically related substance or substances in such diet;

(C) safety factors which, in the opinion of experts qualified by scientific training and experience to evaluate the safety of color additives for the use or uses for which the additive is proposed to be listed, are generally recognized as appropriate for the use of animal experimentation data; and

(D) the availability of any needed practicable methods of analysis for determining the identity and quantity of (i) the pure dye and all intermediates and other impurities contained in such color additive, (ii) such additive in or on any article of food, drug, or cosmetic, and (iii) any substance formed in or on such article because of the use of such additive.

On page 13, line 24, after the word "health", to insert a colon and "*Provided,* That, with respect to any use in or on food for which a listed color additive is deemed to be safe by reason of the proviso to paragraph (4) of subsection (b), the requirement of certification shall be deemed not to be necessary in the interest of public health protection.", and on page 15, line 20, after the word "identification", to strike out "devices," and insert "devices),"; so as to make the bill read:

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 "Color Additive Amendments of 1959".

TITLE I—AMENDMENT OF THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

Definitions

SEC. 101. Section 201, as amended, of the Federal Food, Drug, and Cosmetic Act is further amended as follows:

(a) Paragraph (s) of such section (defining the term "food additive") is amended by redesignating clause (3) as clause (4), and by inserting immediately before clause (4), as so redesignated, the following new clause:

"(3) a color additive; or".

(b) Paragraph (t) of such section is redesignated and otherwise amended to read as follows:

"(u) The term 'safe', as used in paragraph (s) of this section and in sections 409 and 706, has reference to the health of man or animal."

(c) There is inserted, immediately after paragraph (s) of such section, the following new paragraph:

"(t)(1) The term 'color additive' means a material which—

"(A) is a dye, pigment, or other substance made by a process of synthesis or similar artifice, or extracted, isolated, or otherwise derived, with or without intermediate or final change of identity, from a vegetable, animal, mineral, or other source, and

"(B) when added or applied to a food, drug, or cosmetic, or to the human body or any part thereof, is capable (alone or through reaction with other substance) of imparting color thereto;

except that such term does not include any material which the Secretary, by regulation, determines is used (or intended to be used) solely for a purpose or purposes other than coloring.

"(2) The term 'color' includes black, white, and intermediate grays."

Colors or colored articles—when deemed to be adulterated or misbranded foods, drugs, or cosmetics

Food

SEC. 102. (a)(1) Clause (2)(A) of section 402(a), as amended, of such Act (relating to food deemed adulterated by reason of unsafe additives) is further amended by striking out the matter within the parentheses and inserting in lieu thereof the following: "other than one which is (i) a pesticide chemical in or on a raw agricultural commodity; (ii) a food additive; or (iii) a color additive".

(2) Section 402(c), as amended, of such Act (relating to food deemed adulterated by reason of uncertified coal-tar color) is amended to read as follows:

"(c) If it is, or it bears or contains, a color additive which is unsafe within the meaning of section 706(a)."

(3) Section 403 of such Act (relating to the circumstances under which food is deemed misbranded) is amended by adding at the end thereof the following new paragraph:

"(l) If it is a color additive, unless its packaging and labeling are in conformity with such packaging and labeling requirements, applicable to such color additive, as may be contained in regulations issued under section 706."

Drugs

(b)(1) Clause (4) of section 501(a) of such Act (relating to drugs deemed adulterated by reason of uncertified coal-tar color) is amended to read as follows: "(4) if (A) it is a drug which bears or contains, for purposes of coloring only, a color additive which is unsafe within the meaning of section 706(a), or (B) it is a color additive the intended use of which in or on drugs is for purposes of coloring only and is unsafe within the meaning of section 706(a)."

(2) Section 502 of such Act (relating to the circumstances under which drugs are deemed misbranded) is amended by adding at the end thereof the following new paragraph:

"(m) If it is a color additive the intended use of which in or on drugs is for the purpose of coloring only, unless its packaging and labeling are in conformity with such packaging and labeling requirement, applicable to such color additive, as may be contained in regulations issued under section 706".

Cosmetics

(c)(1) Section 601(e) of such Act (relating to cosmetics, other than hair dyes, deemed adulterated by reason of uncertified coal-tar color) is amended to read as follows:

"(e) If it is not a hair dye and it is, or it bears or contains, a color additive which is unsafe within the meaning of section 706(a)."

(2) Section 602 of such Act (relating to the circumstances under which cosmetics shall be deemed to be misbranded) is amended by adding at the end thereof the following new paragraph:

"(e) If it is a color additive, unless its packaging and labeling are in conformity with such packaging and labeling requirements, applicable to such color additive, as may be contained in regulations issued under section 706. This paragraph shall not apply to packages of color additives which, with respect to their use for cosmetics, are marketed and intended for use only in or on hair dyes (as defined in the last sentence of section 601(a))."

Regulations to assure safety of color additives for foods, drugs, and cosmetics

SEC. 103. (a) Such Act is further amended by—

(1) repealing subsection (b) of section 406 and striking out the subsection designation "(a)" after "SEC. 406." in such section;

(2) repealing section 504;

(3) repealing section 604; and

(4) amending section 701(e) by (A) striking out "406 (a) or (b)" and inserting in lieu thereof "406"; (B) striking out "504, or 604,"; and (C) inserting the word "or" after "501(b),".

(b) Section 706 of such Act is amended to read as follows:

"Listing and certification of color additives for foods, drugs, and cosmetics

"When Color Additives Deemed Unsafe

"SEC. 706. (a) A color additive shall, with respect to any particular use (for which it is being used or intended to be used or is represented as suitable) in or on food or drugs or

cosmetics, be deemed unsafe for the purposes of the application of section 402(c), section 501(a)(4), or section 601(e), as the case may be, unless—

"(1) (A) there is in effect, and such additive and such use are in conformity with, a regulation issued under subsection (b) of this section listing such additive for such use, including any provision of such regulation prescribing the conditions under which such additive may be safely used, and (B) such additive either (i) is from a batch certified, in accordance with regulations issued pursuant to subsection (c), for such use, or (ii) has, with respect to such use, been exempted by the Secretary from the requirement of certification; or

"(2) such additive and such use thereof conform to the terms of an exemption which is in effect pursuant to subsection (f) of this section.

"While there are in effect regulations under subsections (b) and (c) of this section relating to a color additive or an exemption pursuant to subsection (f) with respect to such additive, an article shall not, by reason of bearing or containing such additive in all respects in accordance with such regulations or such exemption, be considered adulterated within the meaning of clause (1) of section 402(a) if such article is a food, or within the meaning of section 601(a) if such article is a cosmetic other than a hair dye (as defined in the last sentence of section 601(a)).

"Listing of Colors

"(b)(1) The Secretary shall, by regulation, provide for separately listing color additives for use in or on food, color additives for use in or on drugs, and color additives for use in or on cosmetics, if and to the extent that such additives are suitable and safe for any such use when employed in accordance with such regulations.

"(2)(A) Such regulations may list any color additive for use generally in or on food, or in or on drugs, or in or on cosmetics, if the Secretary finds that such additive is suitable and may safely be employed for such general use.

"(B) If the data before the Secretary do not establish that the additive satisfies the requirements for listing such additive on the applicable list pursuant to subparagraph (A) of this paragraph, or if the proposal is for listing such additive for a more limited use or uses, such regulations may list such additive only for any more limited use or uses for which it is suitable and may safely be employed.

"(3) Such regulations shall, to the extent deemed necessary by the Secretary to assure the safety of the use or uses for which a particular color additive is listed, prescribe the conditions under which such additive may be safely employed for such use or uses (including, but not limited to, specifications, hereafter in this section referred to as tolerance limitations, as to the maximum quantity or quantities which may be used or permitted to remain in or on the article or articles in or on which it is used; specifications as to the manner in which such additive may be added to or used in or on such article or articles; and directions or other labeling or packaging requirements for such additive).

"(4) The Secretary shall not list a color additive under this section for a proposed use unless the data before him establish that such use, under the conditions of use specified in the regulations, will be safe: *Provided, however,* That a color additive shall be deemed to be suitable and safe for the purpose of listing under this subsection for use generally in or on food, while there is in effect a published finding of the Secretary declaring such substance exempt from the term 'food additive' because of its being generally recognized by qualified experts as safe for its intended use, as provided in section 201(s).

"(5) In determining, for the purposes of this section, whether a proposed use of a color additive is safe, the Secretary shall consider, among other relevant factors—

"(A) the probable consumption of, or other relevant exposure from, the additive and of any substance formed in or on food, drugs, or cosmetics because of the use of the additive;

"(B) the cumulative effect, if any, of such additive in the diet of man or animals, taking into account the same or any chemically or pharmacologically related substance or substances in such diet;

"(C) safety factors which, in the opinion of experts qualified by scientific training and experience to evaluate the safety of color additives for the use or uses for which the additive is proposed to be listed, are generally recognized as appropriate for the use of animal experimentation data; and

"(D) the availability of any needed practicable methods of analysis for determining the identity and quantity of (i) the pure dye and all intermediates and other impurities contained in such color additive, (ii) such additive in or on any article of food, drug, or cosmetic, and (iii) any substance formed in or on such article because of the use of such additive."

"(6) The Secretary shall not list a color additive under this subsection for a proposed use if the data before him show that such proposed use would promote deception of the consumer in violation of this Act or would otherwise result in misbranding or adulteration within the meaning of this Act.

"(7) If, in the judgment of the Secretary, a tolerance limitation is required in order to assure that a proposed use of a color additive will be safe, the Secretary—

"(A) shall not list the additive for such use if he finds that the data before him do not establish that such additive, if used within a safe tolerance limitation, would achieve the intended physical or other technical effect; and

"(B) shall not fix such tolerance limitation at a level higher than he finds to be reasonably required to accomplish the intended physical or other technical effect.

"(8) If, having regard to the aggregate quantity of color additive likely to be consumed in the diet or to be applied to the human body, the Secretary finds that the data before him fail to show that it would be safe and otherwise permissible to list a color additive (or pharmacologically related color additives) for all the uses proposed therefor and at the levels of concentration proposed, the Secretary shall, in determining for which use or uses such additive (or such related additives) shall be or remain listed, or how the aggregate allowable safe tolerance for such additive or additives shall be allocated by him among the uses under consideration, take into account, among other relevant factors (and subject to the paramount criterion of safety), (A) the relative marketability of the articles involved as affected by the proposed uses of the color additive (or of such related additives) in or on such articles, and the relative dependence of the industries concerned on such uses; (B) the relative aggregate amounts of such color additive which he estimates would be consumed in the diet or applied to the human body by reason of the various uses and levels of concentration proposed; and (C) the availability, if any, of other color additives suitable and safe for one or more of the uses proposed.

"Certification of Colors

"(c) The Secretary shall further, by regulation, provide (1) for the certification, with safe diluents or without diluents, of batches of color additives listed pursuant to subsection (b) and conforming to the requirements for such additives established by regulations under such subsection and this subsection, and (2) for exemption from the requirement of certification in the case of any such additive, or any listing or use thereof, for which he finds such requirement not to be necessary in the interest of the protection of the public health: *Provided,* That, with respect to any use in or on food for which a listed color additive is deemed to be safe by reason of the proviso to paragraph (4) of subsection (b), the requirement of certification shall be deemed not to be necessary in the interest of public health protection.

"Procedure for Issuance, Amendment, or Repeal of Regulations

"(d) The provisions of section 701(e), (f), and (g) of this Act shall apply to and in all respects govern proceedings for the issuance, amendment, or repeal of regulations under subsections (b), (c), or (e) of this section (including judicial review of the Secretary's action in such proceedings) and the admissibility of transcripts of the record of such proceedings in other proceedings, except that—

"(1) the Secretary's order after public hearing (acting upon objections filed to an order made prior to hearing) shall be subject to the requirements of section 409(f)(2); and

"(2) the scope of judicial review of such order shall be in accordance with the third sentence of paragraph (2), and with the provisions of paragraph (3), of section 409(g).

"Fees

"(e) The admitting to listing and certification of color additives, in accordance with regulations prescribed under this Act, shall be performed only upon payment of such fees, which shall be specified in such regulations, as may be necessary to provide, maintain, and equip an adequate service for such purposes.

"Exemptions

"(f) The Secretary shall by regulation (issued without regard to subsection (d)) provide for exempting from the requirements of this section any color additive or any specific type of use thereof, and any article of food, drug, or cosmetic bearing or containing such additive, intended solely for investigational use by qualified experts when in his opinion such exemption is consistent with the public health."

Confidentiality of trade secrets

SEC. 104. Section 301(j), as amended, of such Act, prohibiting disclosure of trade secrets, is amended by striking out "or 704" and inserting in lieu thereof "704, or 706".

Changes in cross-references and terminology

SEC. 105. Such Act is further amended by—

(a) striking out, in section 301(i) thereof (relating to forgery or unauthorized use of certain identification devices), "404, 406(b), 504, 506, 507, or 604", and inserting in lieu thereof "404, 506, 507, or 706";

(b)(1) striking out, in clause (3) of section 303(c) (relating to color manufacturer's guarantee), the word "coal-tar" wherever it appears in such clause, and (2) inserting after the word "color", wherever it appears in such clause, the word "additive"; and

(c) striking out "harmless coloring" in section 402(d) (relating to non-nutritive substances in confectionery) and inserting in lieu thereof "authorized coloring".

TITLE II—EFFECTIVE DATE, TRANSITIONAL PROVISIONS, AND EFFECT ON OTHER LAWS

Definitions

SEC. 201. As used in this title, the term "basic Act" means the Federal Food, Drug, and Cosmetic Act; the term "enactment date" means the date of enactment of this Act; and other terms, insofar as also used in the basic Act (whether before or after

enactment of this Act) shall have the same meaning as they have, or had when in effect, under the basic Act.

Effective date

SEC. 202. This Act shall, subject to the provisions of section 203, take effect on the enactment date.

Provisional listings of commercially established colors

SEC. 203. (a) (1) The purpose of this section is to make possible, on an interim basis for a reasonable period, through provisional listings, the use of commercially established color additives to the extent consistent with the public health, pending the completion of the scientific investigations needed as a basis for making determinations as to listing of such additives under the basic Act as amended by this Act. A provisional listing (including a deemed provisional listing) of a color additive under this section for any use shall, unless sooner terminated or expiring under the provisions of this section, expire (A) on the closing date (as defined in paragraph (2) of this subsection) or (B) on the effective date of a listing of such additive for such use under section 706 of the basic Act, whichever date first occurs.

(2) For the purposes of this section, the term "closing date" means (A) the last day of the two and one-half year period beginning on the enactment date or (B), with respect to a particular provisional listing (or deemed provisional listing) of a color additive or use thereof, such later closing date as the Secretary may from time to time establish pursuant to the authority of this paragraph. The Secretary may by regulation, upon application of an interested person or on his own initiative, from time to time postpone the original closing date with respect to a provisional listing (or deemed provisional listing) under this section of a specified color additive, or of a specified use or uses of such additive, for such period or periods as he finds necessary to carry out the purpose of this section, if in the Secretary's judgment such action is consistent with the objective of carrying to completion in good faith, as soon as reasonably practicable, the scientific investigations necessary for making a determination as to listing such additive, or such specified use or uses thereof, under section 706 of the basic Act. The Secretary may terminate a postponement of the closing date at any time if he finds that such postponement should not have been granted, or that by reason of a change in circumstances the basis for such postponement no longer exists, or that there has been a failure to comply with a requirement for submission of progress reports or with other conditions attached to such postponement.

(b) Subject to the other provisions of this section—

(1) any color additive which, on the day preceding the enactment date, was listed and certifiable for any use or uses under section 406(b), 504, or 604, or under the third proviso of section 402(c), of the basic Act, and of which a batch or batches had been certified for such use or uses prior to the enactment date, and

(2) any color additive which was commercially used or sold prior to the enactment date for any use or uses in or on any food, drug, or cosmetic, and which either (A) on the day preceding the enactment date was not a material within the purview of any of the provisions of the basic Act enumerated in paragraph (1) of this subsection, or (B) is the color additive known as synthetic beta-carotene,

shall, beginning on the enactment date, be deemed to be provisionally listed under this section as a color additive for such use or uses.

(c) Upon request of any person, the Secretary, by regulations issued under subsection (d), shall without delay, if on the basis of the data before him he deems such action consistent with the protection of the public health, provisionally list a material as a color additive for any use for which it was listed, and for which a batch or batches of such material had been certified, under section 406(b), 504, or 604 of the basic Act prior to the enactment date, although such color was no longer listed and certifiable for such use under such sections on the day preceding the enactment date. Such provisional listing shall take effect on the date of publication.

(d) (1) The Secretary shall, by regulations issued or amended from time to time under this section—

(A) insofar as practicable promulgate and keep current a list or lists of the color additives, and of the particular uses thereof, which he finds are deemed provisionally listed under subsection (b), and the presence of a color additive on such a list with respect to a particular use shall, in any proceeding under the basic Act, be conclusive evidence that such provisional listing is in effect;

(B) provide for the provisional listing of the color additives and particular uses thereof specified in subsection (c);

(C) provide, with respect to particular uses for which color additives are or are deemed to be provisionally listed, such temporary tolerance limitations (including such limitations at zero level) and other conditions of use and labeling or packaging requirements, if any, as in his judgment are necessary to protect the public health pending listing under section 706 of the basic Act;

(D) provide for the certification of batches of such color additives (with or without diluents) for the uses for which they are so listed or deemed to be listed under this section, except that such an additive which is a color additive deemed provisionally listed under subsection (b) (2) of this section shall be deemed exempt from the requirement of such certification while not subject to a tolerance limitation; and

(E) provide for the termination of a provisional listing (or deemed provisional listing) of a color additive or particular use thereof forthwith whenever in his judgment such action is necessary to protect the public health.

(2) (A) Regulations under this section shall, from time to time, be issued, amended, or repealed by the Secretary without regard to the requirements of the basic act, but for the purposes of the application of section 706(e) of the basic act (relating to fees) and of determining the availability of appropriations of fees (and of advance deposits to cover fees), proceedings, regulations, and certifications under this section shall be deemed to be proceedings, regulations, and certifications under such section 706.

(B) On and after the enactment date, regulations, provisional listings, and certifications (or exemptions from certification) in effect under this section shall, for the purpose of determining whether an article is adulterated or misbranded within the meaning of the basic Act by reason of its being, bearing, or containing a color additive, have the same effect as would regulations, listings, and certifications (or exemptions from certification) under section 706 of the basic Act. A regulation, provisional listing or termination thereof, tolerance limitation, or certification or exemption therefrom, under this section shall not be the basis for any presumption or inference in any proceeding under section 706(b) or (c) of the basic Act.

(3) For the purpose of enabling the Secretary to carry out his functions under paragraph (1) (A) and (C) with respect to color additives deemed provisionally listed, he shall, as soon as practicable after enactment of this Act, afford by public notice a reasonable opportunity to interested persons to submit data relevant thereto. If the data so submitted or otherwise before him do not, in his judgment, establish a reliable basis for including such a color additive or particular use or uses thereof in a list or lists promulgated under paragraph (1) (A), or for determining the prevailing level or levels of use thereof prior to the enactment date with a view to prescribing a temporary tolerance or tolerances for such use or uses under paragraph (1) (C), the Secretary shall establish a temporary tolerance limitation at zero level for such use or uses until such time as he finds that it would not be inconsistent with the protection of the public health to increase or dispense with such temporary tolerance limitation.

Effect on meat inspection and poultry products inspection acts

SEC. 204. Nothing in this act shall be construed to exempt any meat or meat food product or any person from any requirement imposed by or pursuant to the Meat Inspection Act of March 4, 1907 (34 Stat. 1260), as amended or extended (21 U.S.C. 71 and the following), or the Poultry Products Inspection Act (21 U.S.C. 451 and the following).

The amendments were agreed to.

Mr. HOLLAND. Mr. President, I support S. 2197, but because of the concern of some persons in my State, at their request I addressed certain questions to Hon. George P. Larrick, Commissioner of Food and Drugs, in the Department of Health, Education, and Welfare, in a letter dated August 20, 1959. I acquainted the chairman of the Committee on Labor and Public Welfare, the distinguished Senator from Alabama [Mr. HILL], with the contents of my letter. I received a written response from Dr. Larrick under the same date, namely August 20, 1959, a copy of which was also furnished to the Senator from Alabama.

I should like to ask the chairman of the committee, who is familiar with both letters, to state whether or not he approves of the positions taken by Dr. Larrick, the Commissioner of Food and Drugs, in his letter of August 20, 1959, replying to my earlier letter of the same date.

Mr. HILL. Mr. President, my views are in accord with the views expressed by Mr. Larrick in his letter to the Senator from Florida [Mr. HOLLAND] dated August 20, 1959.

Mr. HOLLAND. Is my understanding correct that the bill was reported by the unanimous action of the committee headed by the Senator from Alabama, and that the committee, including the chairman, entertain the same views as are expressed in Dr. Larrick's letter?

Mr. HILL. I have not conversed with every one of the 14 members of the committee, but I think I understand the intent and purpose of the bill. I should say that the intent and purpose as supported by the committee are in accord with the views of Dr. Larrick in his letter to the Senator from Florida dated August 20, 1959.

Mr. HOLLAND. I appreciate the reply of the Senator from Alabama.

Mr. President, I ask unanimous consent that my letter to Dr. Larrick and his reply to me, both under date of August 20, 1959, be printed at this point in the RECORD, assuming that that course is agreeable to the Senator from Alabama.

Mr. HILL. It is perfectly agreeable.

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

AUGUST 20, 1959.

Hon. GEORGE P. LARRICK,
Commissioner, Food and Drug Administration, Department of Health, Education, and Welfare, Washington, D.C.

DEAR MR. LARRICK: Several questions have been raised by our citrus industry with reference to certain provisions of S. 2197, the color additive amendments of 1959. I believe these questions can be cleared up by a colloquy on the Senate floor if we can agree upon the intent of these provisions in the bill. Therefore, I would like to ask for your comments on three particular matters with the understanding that this letter and your reply thereto will be placed in the CONGRESSIONAL RECORD during debate on the bill as part of the legislative history of the act.

First, the question has been raised as to whether the definition of the term "color additive" as contained in S. 2197 includes the ethylene process now used in the coloring of citrus fruit and certain other fruits and vegetables. In view of the fact that this process does not actually add color, and in view of discussions we have had on the subject, I do not believe there is any intention of covering the ethylene method in this definition. I will appreciate your assurance that this is the case.

Second, the term "promote deception of the consumer" used in the bill is extremely broad. As you know, in the coloring of citrus every effort has been made to prevent the use of color for deception and we would like your assurance that the long established practice of using ethylene and the use of the color recently certified for the coloring of sound, mature citrus fruit meeting the maturity standards of the respective States, are not considered as "promoting deception" as the term is used in the bill. In view of the statements made by the Department in its message transmitting this bill, I feel sure that it is not intended to claim that these processes promote deception, but I would appreciate your confirmation of this conclusion.

Third, it is my understanding that citrus red No. 2 listed under the provisions of Public Law 86-2, 86th Congress, approved March 17, 1959, shall be deemed provisionally listed under the provisions of section 203 of the bill. I will appreciate your confirmation of this conclusion, also.

Thanking you in advance for your cooperation and with kind regards, I remain,

Yours faithfully,

SPESSARD L. HOLLAND.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, FOOD AND DRUG ADMINISTRATION,
Washington D.C., August 20, 1959.

Hon. SPESSARD L. HOLLAND,
U.S. Senate, Washington, D.C.

DEAR SENATOR HOLLAND: This replies to your letter of August 20, 1959, asking for our views on three questions that have been raised about S. 2197, the color additives amendment of 1959.

It is our understanding that the treatment of citrus fruit with ethylene after harvest does not add color, that it suppresses the formation of certain coloring materials, such as chlorophyll and thus allows the yellow or orange coloring contributed by other natural components to become more apparent. Therefore we would not regard ethylene used in this way on citrus fruit as a color additive within the meaning of the bill.

The second question is whether the application of ethylene or of citrus red No. 2 to sound, mature oranges that meet the minimum maturity standards established under the laws of the States in which the oranges are grown would be considered as promoting deception as that term is used in S. 2197. We would not consider such use as promoting deception.

The third question is whether citrus red No. 2 as listed under the provisions of Public Law 86-2 would be deemed provisionally listed under the provisions of section 203 under S. 2197. It would be deemed provisionally listed.

Sincerely yours,

GEO. P. LARRICK,
Commissioner of Food and Drugs.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

INCREASE IN LIMIT FOR ADMINISTRATIVE SETTLEMENT OF CLAIMS UNDER THE TORT CLAIMS PROCEDURE

The Senate proceeded to consider the bill (H.R. 6000) to amend title 28 of the United States Code to increase the limit of administrative settlement of claims against the United States under the tort claims procedure to $3,000, which had been reported from the Committee on the Judiciary with amendments on page 1, line 7, after the word "of", to strike out "$2,000" and insert "$2,500"; on page 2, line 2, to strike out "$2,000" and insert "$2,500"; in the line after line 5, after the word "of", to strike out "$2,000" and insert "$2,500", and in line 9, to strike out "$2,000" and insert "$2,500".

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act to amend title 28 of the United States Code to increase the limit for administrative settlement of claims against the United States under the tort claims procedure to $2,500."

BILLS PASSED OVER

The bill (S. 883) to confer jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon claims of customs officers and employees to extra compensation for Sunday, holiday, and overtime services performed after August 31, 1931, and not heretofore paid in accordance with existing law was announced as next in order.

Mr. BARTLETT. Over by request.

The PRESIDING OFFICER. The bill will be passed over.

BILL PASSED TO FOOT OF CALENDAR

The bill (H.R. 3240) for the relief of Mrs. Clare M. Ash was announced as next in order.

Mr. KEATING. Mr. President, I have a request that that bill go over; and pursuant to the request I ask that it go over. But I will not object to its being called up by motion at the end of the call of the calendar.

The PRESIDING OFFICER. The bill will be placed at the foot of the calendar.

BILL PASSED OVER

The bill (S. 2467) to authorize the development of plans and arrangements for the provision of emergency assistance, and the provision of such assistance, to repatriated American nations without available resources, and for other purposes, was announced as next in order.

Mr. BARTLETT. Mr. President, on our side, at least, the report on the bill reached the Calendar Committee only a few minutes before the consideration of the various bills was begun. We have had no time in which to study the report. Therefore, I ask that the bill go over.

The bill will be passed over.

MRS. CLARE M. ASH

Mr. WILEY. Mr. President, I ask unanimous consent that the Senate proceed at this time to the consideration of Calendar No. 810, House bill 3240, for the relief of Mrs. Clare M. Ash. I have spoken to the Senator who earlier today objected to consideration of the bill during the call of the calendar. He stated he would have no objection to having the bill placed at the foot of the calendar.

Therefore, at this time, I ask unanimous consent for the present consideration of the bill.

The PRESIDING OFFICER. Is there objection?

There being no objection, the bill (H.R. 3240) for the relief of Mrs. Clare M. Ash was considered, ordered to a third reading, read the third time, and passed.

Mr. WILEY. I thank the Senator for his cooperation.

The PRESIDING OFFICER. That completes the call of the calendar.

PAYMENT TO THE GOVERNMENT OF JAPAN

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 639, Senate bill 2130, to authorize a payment to the Government of Japan.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to the consideration of the bill.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that a statement of the background of the committee action on the bill be printed at this point in the RECORD; and I wish to add that the bill was reported unanimously by the Foreign Relations Committee.

There being no objection, the excerpt from the report (No. 631) was ordered to be printed in the RECORD, as follows:

BACKGROUND AND COMMITTEE ACTION

The Bonin Islands lie about 700 miles due south of Tokyo. During the war, the civilian

population of the islands—about 7,000 Japanese nationals—were evacuated by the Japanese Government to the Japanese home islands. Although 135 persons were allowed to return at one point, the United States, since 1945, has repeatedly held that the Bonins should be closed to other settlement for "security reasons."

Article 3 of the Japanese Peace Treaty gives to the United States "the right to exercise all and any powers of administration, legislation, and jurisdiction over the territory and inhabitants of these islands, including their territorial waters."

Unfortunately, the former residents of the Bonins have not been successfully integrated into the Japanese economy, and it is necessary for the Japanese Government to provide them with assistance. Prime Minister Kishi, during his June 1957 visit to Washington, sought relief for the Bonin Islanders, pleading that the problem constituted a definite irritant in United States-Japanese relations. He favored repatriation and, failing that, indemnification. Subsequently, it was decided that security requirements were such that even limited resettlement was out of the question. The problem then became one of indemnification. The Japanese Government originally requested $12.5 million, but has agreed to accept $6 million.

The Department of State and the Department of Defense agree that the former property holders of the Bonins have legitimate claims. The date from which the claims have been calculated is April 28, 1952, which is when the Japanese Peace Treaty took effect. Since the land has not been in use for many years, there was a problem in determining its value. It was decided to measure the claims by the average value of land in the Ryukyu Islands, another group of Japanese islands under U.S. administration. The figure adopted was $1,060 per acre, and the total value of the land in question was estimated to be $4 million. Interest at 6 percent per annum (standard for the area) was added to this, raising the total sum to about $6 million.

Rather than having the U.S. Government adjudicate individual claims, which both State and Defense regard as unwise, it was recommended that the total amount be turned over to the Japanese Government in full satisfaction of the claims.

On July 27, the committee, sitting in executive session, heard testimony in support of the bill from J. Graham Parsons, Assistant Secretary of State for Far Eastern Affairs; and Robert H. Knight, Acting Assistant Secretary of Defense for International and Security Affairs.

The judgment of the U.S. Government is that the overriding consideration in this matter is one of military security. According to Assistant Secretary Knight, "The Department of Defense considers that the unrestricted use of these islands is essential for the security purposes of the United States." The Bonins encompass only 45 square miles, and any resettlement of the area would circumscribe its usefulness as a military site of critical importance.

COMMITTEE RECOMMENDATIONS

The committee agrees that in these special circumstances repatriation of the former residents of the Bonin Islands is not advisable; that in order to avoid a noxious political problem—indeed, a situation that could undermine our position in the Bonin Islands—the proposed $6 million indemnity should be paid to the Japanese Government. Thus, the committee urges the approval of S. 2130 by the Senate.

Mr. KEATING. Mr. President, will the Senator from Montana yield to me?

The PRESIDING OFFICER (Mr. HARTKE in the chair). Does the Senator from Montana yield to the Senator from New York?

Mr. MANSFIELD. I yield.

Mr. KEATING. I wish to say that this measure is a very important one. I have received authentic information regarding the bill, and that information convinces me of the merit of the bill.

I thank the Senator from Montana.

Mr. MANSFIELD. Mr. President, the bill is a very meritorious one, and its enactment is very much needed at this time. I think it will do much to enhance our good relations with Japan.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 2130) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized to pay to the Government of Japan a sum of $6,000,000. The payment of such sum shall constitute full satisfaction and settlement of all claims of Japanese nationals, formerly resident in the Bonin Islands, arising from the use, benefit, or exercise of property rights or interests in the Bonin Islands by the United States for security purposes, for the period beginning April 28, 1952, and continuing until such time as said use, benefit, or exercise is relinquished by the United States.

SEC. 2. There is hereby authorized to be appropriated the sum of $6,000,000 to carry out the purpose of this Act.

Mr. MANSFIELD. Mr. President, I move that the vote by which Senate bill 2130 was passed be reconsidered.

Mr. JOHNSON of Texas. Mr. President, I move to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

AMENDMENT OF NATIONAL BANKING LAWS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 736, House bill 8159, to amend the national banking laws to clarify or eliminate ambiguities, to repeal certain laws which have become obsolete, and for other purposes.

The PRESIDING OFFICER. Is there objection?

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

Mr. GORE. Mr. President——

Mr. JOHNSON of Texas. Mr. President, the Senator from Virginia [Mr. ROBERTSON] has two bills. I was talking to him only a moment ago. The bills are noncontroversial, and both of them were passed unanimously by the House of Representatives; and the Senator from Virginia is anxious to have the Senate act on them today.

After our conversation at the door of the Chamber, apparently the Senator from Virginia left the Chamber, under the impression that the bills would not be brought up by motion.

Mr. President, at this time 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. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. GORE obtained the floor.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator from Tennessee may yield to the Senator from Pennsylvania [Mr. SCOTT] without losing his right to the floor.

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

Mr. JOHNSON of Texas. I thank the Senator from Tennessee for his courtesy.

Mr. GORE. Mr. President, this situation arises from the fact that the name of the distinguished junior Senator from Pennsylvania [Mr. SCOTT] appears on the list at the Vice President's desk, as I understand. I had been informed that for the remainder of the session such informal arrangements by means of lists of Senators' names would not be adhered to. But inasmuch as the junior Senator from Pennsylvania did not so understand, I certainly wish to yield so that he may speak first.

Mr. SCOTT. Mr. President, I thank the distinguished Senator from Tennessee. I had not been informed of the practice to which he refers. I have been waiting since last Wednesday to have this opportunity, and I have been standing in a position to be recognized by the Chair for the last 10 minutes. So I thank both the Senator from Tennessee and the Senator from Texas.

Subsequently, during the delivery of Mr. SCOTT's remarks on military strength,

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator from Pennsylvania [Mr. SCOTT] may yield for the purpose of bringing up two bills, with the understanding that the colloquy appear in another part of the RECORD, and with the further understanding that he not lose the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 736, H.R. 8159.

The LEGISLATIVE CLERK. A bill (H.R. 8159) to amend the national banking laws to clarify or eliminate ambiguities, to repeal certain laws which have become obsolete, and for other purposes.

The PRESIDING OFFICER. The Chair may call attention to the fact that that bill is the pending business.

The Senate resumed the consideration of the bill.

Mr. JOHNSON of Texas. Does the Senator from Virginia care to make an explanation of the bill?

Mr. ROBERTSON. Mr. President, the two bills which the majority leader is asking to have considered at this time are, so far as we know, noncontroversial banking bills. They have previously

been passed by the Senate, for the most part, in the Financial Institutions Act of 1957. They were unanimously handled this year on the House side. They were unanimously reported by the Senate Banking and Currency Committee.

We have heard no objection to them.

The first bill to which I refer is H.R. 8159.

H.R. 8159 would repeal a number of obsolete provisions of the national bank laws; it would eliminate a number of ambiguities in those laws; and it would make a number of minor substantive amendments relating to the operations of the Comptroller of the Currency and of the national banks.

H.R. 8159 contains 25 sections. All but two of these sections were contained in the same or substantially the same form in the Financial Institutions Act of 1957, which was passed by the Senate on March 21, 1957. The two new sections are of minor importance—section 19 authorizing the Deputy Comptroller to serve as a member of the Board of Directors of FDIC in the event of the Comptroller's disability, and section 25 requiring inclusion of the word "national" in the name of every national bank.

Among the amendments which would be made by H.R. 8159, and were included in the Financial Institutions Act of 1957, are provisions, first, requiring approval of the Comptroller for a national bank to change the location of its main office; second, giving national banks 10 days instead of 5 to furnish reports of condition pursuant to a call by the Comptroller; third, prohibiting receipt of deposits of corporations not examined or regulated by State or Federal authority; and fourth, imposing restrictions on the payment of dividends.

I have been asked whether the restrictions on dividends imposed by section 21 of H.R. 8159 apply only to the declaration and payment of cash dividends, or whether these restrictions apply also to stock dividends. This inquiry refers to the requirement that the approval of the Comptroller of the Currency must be obtained before dividends may be declared in any year which would exceed that year's net profits plus the retained net profits of the preceding 2 years, over and above required transfers to surplus or funds for retirement of preferred stock.

This provision is intended to apply, and does apply, only to cash dividends. Its purpose, as the report states, is to prevent dissipation of needed capital funds by payment of excessive dividends—to prevent the payment of dividends which would result in a weakened and undercapitalized bank.

The declaration of stock dividends, which would not result in the payment of any funds of the bank to the stockholders, would not be affected by these provisions in H.R. 8159.

In order to complete the story, however, I should add that section 5142 of the Revised Statutes—12 United States Code section 57—specifically requires the consent of the Comptroller, and a two-thirds vote of the stockholders for a stock dividend, and also specifically requires that the surplus of the bank, after the stock dividend, must be at least 20 percent of the increased capital stock.

The committee held hearings on this bill on August 14, 1959. The Comptroller of the Currency and representatives of the American Bankers Association testified in favor of the bill. Favorable recommendations were received from the other banking agencies. No testimony was presented to the committee in opposition to any amendment in H.R. 8159.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H.R. 8159) was ordered to a third reading and was read the third time.

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

Mr. ROBERTSON. I yield.

Mr. HOLLAND. Do I understand correctly that this bill is but a part, and a noncontroversial part, of the Financial Institutions Act which the Senate passed by an overwhelming majority year before last?

Mr. ROBERTSON. That is correct. There were two minor differences. All the rest of the 25 changes were included in the bill known as the Financial Institutions Act of 1957. For the first time in the history of our Nation, all the banking and credit laws were put together in one bill.

Passage of the bill was very highly commended not only by the Federal agencies, but by the financial institutions of America; but that bill was put to death on the House side. Now the House is reviving some of the provisions. This particular bill is up for passage. Then there will be another bill involving other parts of the same Financial Institutions Act.

Mr. HOLLAND. I am certainly in accord with what the Senator is doing. I am only sorry other portions of his bill of 2 years ago cannot be passed in the same way.

Mr. ROBERTSON. The Senator is very kind.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 8159) was passed.

Mr. JOHNSON of Texas subsequently said: Mr. President, I move to reconsider the vote by which Calendar No. 736, H.R. 8159, was passed.

Mr. ANDERSON. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT OF LENDING AND BORROWING LIMITATIONS OF NATIONAL BANKS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Order No. 737, H.R. 8160.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 8160) to amend the lending and borrowing limitations applicable to national banks, to authorize the appointment of an additional Deputy Comptroller of the Currency, and for other purposes, which had been reported from the Committee on Banking and Currency, with an amendment, on page 4, line 6, after the numerals "5200", to strike out "is" and insert "and subsection 11(m) of the Federal Reserve Act (12 U.S.C. 248(m) are".

The amendment was agreed to.

Mr. ROBERTSON. Mr. President, H.R. 8160 would authorize an additional Deputy Comptroller of the Currency and increase the bonds of the Comptroller and his deputies. It would increase the ceiling on a bank's borrowing authority from 100 percent of capital to 100 percent of capital plus 50 percent of surplus. It would also liberalize a number of the exceptions to the general rule that a bank can lend no more than 10 percent of its capital and surplus to one borrower, and it would liberalize a number of the present restrictions on real estate loans by national banks.

Most of the amendments in H.R. 8160 were included in the Financial Institutions Act of 1957, which was passed by the Senate on March 21, 1957, but did not become law.

The increase in a bank's borrowing authority to 100 percent of capital and 50 percent of surplus is considered a conservative but helpful change, particularly for smaller banks which meet heavy seasonal needs. The Financial Institutions Act would have increased this to 100 percent of capital and 100 percent of surplus. This is the rule for the banks of many States.

Section 5200 of the Revised Statutes (12 U.S.C., sec. 84) limits loans by a national bank to a single borrower to 10 percent of the bank's capital and surplus. There are a number of exceptions to this rule, where experience has shown that larger loans can safely be made to one borrower. H.R. 8160 would make a special provision for loans secured by frozen or refrigerated foods, up to 25 percent of capital and surplus, comparable to, but somewhat more limited than, an existing provision for readily marketable nonperishable staples. It would place a 25-percent limitation on loans secured by dairy cattle comparable to the existing provision for livestock.

The frozen or refrigerated foods industry has become a great industry in the State of Florida. I am sure the Senator from Florida [Mr. HOLLAND] is interested in that. We have not only been getting splendid frozen foods from Florida, but we are now getting the fresh grapefruit, delivered in the cool, chilled form which is fresh, rather than in the frozen form. It is wonderful. It is sold in my hometown, and in many other places, in the same way that milk is sold, in containers.

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

Mr. ROBERTSON. I yield.

Mr. HOLLAND. I appreciate the cordial and hunger-provoking comments of my distinguished friend from Virginia.

I am glad to back up the Senator's statement that these loans can be safely made, due to the newly discovered processes, whereas the loans would not have been so safe and could not have been made in such large amounts before the knowledge was obtained in the last few years.

Mr. ROBERTSON. We have to admire and sometimes frankly envy the progress made in Florida. Virginia has been very proud in the past of its production of apples, but we envy the production of citrus fruit in the State of Florida.

Mr. President, H.R. 8160 would amend an existing provision which makes the limit on loans to one borrower 25 percent of capital and surplus instead of 10 percent, if the loan is in the form of notes secured by U.S. obligations. The amendment would delete the words "in the form of notes," so that obligations secured in this way would have the benefit of the 25 percent figure, instead of the usual 10 percent.

This was the only point on which the committee amended the bill, and the only point where either the public or an agency raised a question before the committee.

The committee was reminded, even before the bill reached us, as we had been advised in 1957, that there was a comparable restriction on State member banks in section 11(m) of the Federal Reserve Act. In order to keep from creating an unnecessary and undesirable discrimination between national banks and State member banks, the committee amended the bill so as to remove the same phrase—"in the form of notes"—from the Federal Reserve Act.

One witness, a government bond dealer, appeared at the hearing and objected vigorously to a ruling by the Comptroller of the Currency that certain repurchase agreements involving government bonds are lending transactions and subject to the restrictions of section 5200. The dealer objected to this amendment because he thought it might be construed as a ratification of the Comptroller's ruling. The Comptroller took the position that the amendment did not have any bearing on the disputed ruling. The committee made it clear in the report that the amendment was not intended to have, and would not have, any effect on this issue.

Another amendment to section 5200 was the insertion of a new exception, for consumer installment paper, both negotiable and nonnegotiable. The amendment would place the limit on discounts of such paper for one person at 25 percent of capital and surplus. However, where the bank relied on its knowledge of the maker's financial condition for particular paper, and its files showed it, the bank would not have to include this paper in the dealer's limit.

The committee was advised that the laws of many large States now prohibit negotiable paper for consumer installment purchases. In these States, the new provision is expected to be a substantial assistance to many banks. It is recognized, of course, that banks in other States which permit negotiable consumer installment paper and accustomed to handling such paper in the past under the complete exemption for negotiable paper will find this a substantial restriction.

Section 24 of the Federal Reserve Act (12 U.S.C., sec. 371) contains restrictions on real estate loans by national banks. H.R. 8160 would make five changes in these provisions. Two of these were contained in the Financial Institutions Act—permitting loans—secured by leaseholds which have 10 years to run after the maturity of the loan, and permitting 18-month construction loans on industrial or commercial buildings where there is a takeout commitment for a permanent loan and increasing the aggregate limit on such loans. Another of these amendments was one permitting real estate loans regardless of the relation to the appraised value of the property, where the loan is guaranteed by a State or a State agency backed up by the State's faith and credit. This provision was contained in S. 1173, the bill of the Senators from Maine [Mrs. SMITH and Mr. MUSKIE] which the Senate passed on July 15, 1959.

Another amendment would increase from 66⅔ percent to 75 percent of the approved value the amount which might be loaned on improved real property, where the loan is to be fully amortized within 20 years. This will put national banks in more nearly the same position as State banks.

The last amendment was to exempt from the restrictions on real estate loans, those business loans based on a firm's general credit standing and earnings record, where a lien on real estate is taken as additional security.

The amendments contained in H.R. 8160 will be of substantial help to national banks in meeting the needs of business and the public. While each amendment constitutes a relaxation of a restriction on credit, the committee emphasized in the report that it was not the intent, nor will it be the result, of these amendments to encourage or to permit any general relaxation of credit. The overall credit restrictions are not affected in the least by these individual amendments.

The committee recommended that these amendments be enacted promptly, so that the national banks and their customers can get the resulting benefits as soon as possible.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 8160) was read the third time and passed.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. JORDAN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

FREE IMPORTATION OF TOURIST LITERATURE, UNANIMOUS-CONSENT AGREEMENT

Mr. JOHNSON of Texas. Mr. President, the Senator from Pennsylvania [Mr. SCOTT] has been considerate and courteous to me, as has the Senator from Tennessee [Mr. GORE]. Both Senators have speeches they desire to make.

I do not want the unanimous-consent agreement which I am about to propose to apply unless and until the Senators have completed the delivery of their speeches. I therefore ask unanimous consent that following the delivery of the speeches and during the further consideration of Calendar No. 672, H.R. 2411, to amend paragraph 1629 of the Tariff Act of 1930 so as to provide for the free importation of tourist literature, there be a limitation of time on the Yarborough amendment to strike the Anderson amendment of 30 minutes on each side, to be controlled by the Senator from New Mexico [Mr. ANDERSON] and by the Senator from Texas [Mr. YARBOROUGH].

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

Mr. JOHNSON of Texas. Mr. President, I am informed this is agreeable to interested Senators, such as the Senator from Oregon [Mr. MORSE] and the proponents of the Anderson amendment. My colleague from Texas has informed me it is agreeable to him.

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

Mr. JOHNSON of Texas. I yield.

Mr. JAVITS. I of course have no objection to the unanimous-consent agreement. I am very much interested in another phase of the bill. So long as the Senator is asking unanimous consent, would he be willing to cover the entire bill and any amendments, so that we can get on with the business of the Senate?

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

Mr. JOHNSON of Texas. I yield.

Mr. ANDERSON. I think as soon as the Yarborough amendment is disposed of we can pass the bill without any great delay.

Mr. JAVITS. The Senator thinks this will be a proper procedure. I have no objection, Mr. President.

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

The unanimous-consent agreement was subsequently reduced to writing, as follows:

Ordered, That on August 25, 1959, at the conclusion of routine morning business, the Senate resume the consideration of the bill H.R. 2411 (Calendar No. 672), to amend paragraph 1629 of the Tariff Act of 1930 so as to provide for the free importation of tourist literature, and that debate on the motion of the Senator from Texas [Mr. YARBOROUGH] to ings strike out section 4, relating to wood mouldings, be limited to 1 hour, one-half thereof to be controlled by him, and one-half by the Senator from New Mexico [Mr. ANDERSON].

Mr. JOHNSON of Texas subsequently said: Mr. President, I ask unanimous consent that the unanimous-consent agreement previously entered into not apply until after the morning hour tomorrow.

Mr. KEATING. Mr. President, reserving the right to object, will the Senator from Texas enlighten us in regard to the agreement to which he refers?

Mr. JOHNSON of Texas. Earlier today, there was a unanimous-consent agreement on the Yarborough amendment to strike out the Anderson motion or amendment; and that agreement was to go into effect at the conclusion of the remarks to be made by the Senator from Pennsylvania [Mr. SCOTT], and the Senator from Tennessee [Mr. GORE]. If the agreement were kept, time would have to be allotted to the Senator from Idaho [Mr. CHURCH], who now desires to address the Senate. But neither the Senator from Texas [Mr. YARBOROUGH], nor the Senator from New Mexico [Mr. ANDERSON], cares about having the vote taken this evening; and I have told the minority leader that we have other arrangements with regard to any voting this evening.

Therefore, I ask unanimous consent that the unanimous-consent agreement apply as I have requested.

Mr. KEATING. I have no objection.

The PRESIDING OFFICER (Mr. JORDAN in the chair). Is there objection? Without objection, it is so ordered.

Mr. KEATING. Mr. President, the Senator from Vermont Mr. [AIKEN] has requested 20 minutes, following the morning hour tomorrow. Is that satisfactory?

Mr. JOHNSON of Texas. Yes.

Mr. KEATING. I thank the Senator from Texas.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, the Senate will stay in session until a reasonable time this afternoon. There is no assurance that we will reach any votes today. We will see how long the speeches take.

Mr. President, I wish to announce that H.R. 1, reported by the Committee on Public Works, will be taken up tomorrow or the next day. I want all Members of the Senate to be on notice concerning that bill. It is the bill for the Great Lakes water diversion.

U.S. DEFENSE POLICY: OVERALL SUPERIORITY TODAY AND TOMORROW

Mr. SCOTT. Mr. President, some time ago a pamphlet in a series entitled "Democratic Programs for Action," being pamphlet No. 4, "The Military Forces We Need and How To Get Them," was given some currency. I have been much interested in this pamphlet because I find that in great part I cannot agree with its premises or its conclusions.

While the pamphlet is somewhat confused, and exhibits considerable difficulty in arriving at recommendations, it appears to be arguing the possibility of limited nuclear war as against a war of conventional weapons or an unlimited nuclear war; and certainly it argues for vast increases in the size of our Armed Forces, principally to be distributed in the NATO defenses.

How the authors of this pamphlet arrived at this conclusion is not to be ascertained with any clarity from the pamphlet itself. The apparent argument that the kind of war which Russia plans is a limited nuclear war is disputed by many sources, including Mr. J. M. Mackintosh, who is the leading British authority on Russian military affairs, and who has had firsthand experience with Soviet armed forces and top Soviet leaders. In World War II he served as British liaison officer with the Russian Army for 2 years. At present he is adviser on Soviet military affairs to the Institute of Strategic Studies in London.

In U.S. News & World Report for August 24 the following colloquy occurs, and I submit that this entire interview runs precisely counter to the apparent contentions in the pamphlet I have mentioned:

> Question. Do Russian military leaders feel that military expansion in Europe is possible without great risk of a general war?
>
> Answer. The short answer is "No." I think that the Soviet military leaders have convinced themselves by now that the use of Soviet forces in East Germany for military action against West Germany would bring on nuclear war.
>
> Question. Can you envisage any situation in which they would consider that risk worthwhile?
>
> Answer. Speaking again from the point of view of the professional military in the Soviet Union, I can't.
>
> Question. As long as NATO remains a relatively effective military alliance, do you think that the Russians rule out the feasibility of a limited war of any kind in Europe?

Here the Soviet expert is directly in disagreement with the pamphlet. His answer:

> Answer. I think so. It is absolutely essential for the peace and defense of the West that NATO should continue to make it clear to the Russians that it is not only the ground forces of NATO in Western Europe which would face the Soviet Union, but the full might of the United States that would be brought to bear should the Soviets use their superiority in ground forces to attempt to achieve a military gain in Western Europe.

Mr. President, I desire to make a further rebuttal of the somewhat cavalier assumptions contained in the pamphlet of the Democratic Advisory Council.

Mr. President, I submit what has been said by Russian military authorities, writing in Russian military publications, for the benefit of all echelons of the Russian military and for the Russian people, ought to be believed, since it is difficult to see what purpose would be served by deceit or evasion, in view of the nature of the article. I should like to quote briefly from the Russian Army Journal, "Military Herald," of June 1958, the writer being Col. I. Baz, a leading Soviet strategist. This is included in a forthcoming book of Raymond L. Garthoff, "The Soviet Image of Future War."

About this naive assumption that perhaps all our problems could be settled by merely adding more Army divisions in Western Europe, and assuming a certain kind of war will take place, Colonel Baz says:

> It is necessary to bear in mind that, in our time, peace is indivisible and each local, small war has a tendency to become the prologue to a world war, sooner or later transforming itself into a worldwide military conflagration.
>
> The theory of apologists of militarism advocating so-called small nuclear wars has nothing in common with the truth and is calculated to defraud and demobilize the strength of the peace-loving forces.

I will add parenthetically, that is the Russian description of themselves—

> for prevention of a new world war.
>
> The possibility of transforming a small war into a large scale war is as old as wars themselves. It has always existed. But at the present time this possibility is especially great, in particular as a consequence of the mass saturation of the armed forces with various long-range and super-long-range weapons which permit the delivery of powerful blows to distances of hundreds and even thousands of kilometers.

I am very much in favor of the public examination of public policy, particularly in such crucially important fields as the national security. But the observations and conclusions of such discussion ought to be balanced; its recommendations should be positive; its timing ought to be cautious. For instance, I do not feel that a document which blatantly challenges the strategic deterrence adequacy of the United States as well as that Government's willingness to utilize its nuclear retaliatory power came gracefully during the climax of the Geneva Conference.

The authorship of "The Military Forces We Need and How To Get them" is obscure. Who is behind this pamphlet? Who wrote it? Do its "ghosts" include munitions makers? A quick look at the membership of the Advisory Council and its Advisory Committee on Foreign Policy, contained on the inside cover of the pamphlet, fails to reveal any defense experts which, it seems, would be needed to conduct a valuable policy review in this incredibly complicated and constantly changing field.

A NEED FOR EXPERTS AND OBJECTIVITY

Mr. Dean Acheson, Secretary of State during the postwar period of the Marshall plan and the Korean conflict, is listed as the Chairman of the Foreign Policy Committee, and some newspaper reports and usually informed individuals have identified him as the sponsor of the brochure.

I cannot help but find this peculiar. Mr. Acheson is certainly educated, at times through bitter experience, in foreign policy. Military policy, albeit closely interrelated, is nevertheless intensely sophisticated in its own right. Military policy deserves real expertise in its own right. A cattle rancher does not tell his neighbor how to grow potatoes. An advertising executive is not called to advise his firm on labor relations. Nor would we want an optometrist to set a fractured ankle. Also, if there is one

single person who recently has served in high position within the executive branch who should know better than anyone else the degree of difficulty involved in directing international affairs while at the same time having to fend off political snipings, it is Mr. Acheson.

It can be agreed that what we need to aid our thinking are constructive connoisseurs rather than destructive dilettantes.

The pamphlet we are discussing is a strange combination of objective examination and political attack. I have found thought-provoking theories and observations on defense policy which are worthy of attention. I have also found unscientific inconsistency, insinuation, loaded judgments, and outright partisanship. This is a bad mixture.

A critique which attempts to deal with present policies must be founded upon logical objectivity, rather than dark suspicions and ungrounded assumptions of incompetency, ignorance, and blindness.

The American people want the facts, and an expert, unbiased appraisal of them.

The Council either has not read a great deal which has been said or published in this field—by those who are expert in the area—or it expects that its pamphlet's readership will not have done so. For a great deal of essential material has been just plain left out. As one example of a valuable document available on the vital issue of military readiness and the U.S. defense budget, let me mention the prepared statement delivered by Secretary of Defense Neil McElroy before the Subcommittee on Department of Defense Appropriations of the Senate Committee on Appropriations on May 4, 1959.

This is thorough, factual, carefully reasoned, and moderate in tone.

To quote two paragraphs from the McElroy statement:

In all of this discussion it has been evident that considerable differences of opinion exist on defense policies and programs—sometimes even among members of the Defense Establishment. I know that some of our citizens who are not closely associated with these matters are disconcerted by this lack of unanimity, particularly on the part of Defense spokesmen. These people can't be expected to recognize that in the defense program we are dealing with extremely difficult problems for which there are simply no pat solutions—no simple answers. In many areas—looking into the future—we are dealing largely with assumptions, calculations, estimates, judgments. It is not surprising then, that there are differences of opinion even among experienced, professionally competent men.

Nevertheless, the fact remains that the responsible officials—military and civilian—still have the task of studying these divergent points of view and arriving at a specific program. In accomplishing this, it seems to me, the central problem is one of achieving balance, balance between the offensive and defensive forces; between general war and limited war forces; between numbers of men and numbers of weapons; between new weapons and old; between aircraft and missiles; etc. No one would advocate trying to do everything that every individual would like to see done. This would not only be beyond our resources but would simply dissipate our efforts and weaken rather than strengthen our military power. So, we are faced with the necessity of making decisions among various alternatives—in other words, of exercising judgment, of making "hard choices." In doing so, we make use of the best military and scientific talents in the country. Through this process we have formulated the defense program and budget for fiscal year 1960.

The Secretary of Defense further stated that the Department followed two basic principles in regard to developing the fiscal year 1960 weapons program: (1) the present rate of development is maintained and, if advisable, technologically advanced where a program is unquestionably essential; (2) the level of effort is reduced or the program is eliminated when it appears to be of lesser importance or has been overtaken by events, in view of current technical information. This policy, the Secretary contended, provides the Defense Department with the most efficient defense for the money involved, and allows the greatest overall progress through concentrating on the more advanced and promising weapons systems.

Since the budgetary policy of the President comes under persistent attack—although lessening in recent weeks—this background information is particularly pertinent. It should help refute the "divide and conquer" technique of some of the President's critics, who argue the inadequacy of the defense budget on the basis of separate testimony by the individual Chiefs of Staff, who endorse the over-all adequacy of the defense budget, but request more money for preferred programs in their own baliwicks. Now these requests are perfectly natural, and have been going on for years. No separate military arm ever has enough for itself. It is the duty of the representatives of each to argue, to plead, to harangue for more. When a Chief of Staff speaks individually for his own service, it is not surprising that he is never satisfied with the share allocated to his own service.

What we must not lose sight of, as Secretary McElroy said, is that the officials responsible for the entire defense program must arrive at decisions which bring about a balanced, coordinated, overall proficiency. The fragmentary separated approach can easily result in contradictions, waste and critical gaps. So when the service chiefs speak together, considering the entire multifaceted defense posture, their balanced judgment should be heeded.

As a footnote, it is interesting to observe that if the individual estimates of each of the Joint Chiefs concerning the program needs of each of the other comrade Chiefs were calculated, our overall defense budget for fiscal year 1960 would be considerably less than it is now.

PAMPHLET CHARGES DUAL WEAKNESS

The material in "The Military Forces We Need and How To Get Them" attempts to deal with both strategic and tactical military preparedness.

The pamphlet challenges our defense policies and programs in both areas. Our conventional capability is weaker, it claims, particularly in NATO. A radical shift in the balance of nuclear power is claimed to result in loss to the United States of our "monopoly" and our "nuclear preponderance." We will soon lose, if we have not lost already, a status of "nuclear parity" with the Russians. The tasks before us, therefore, are to "restore" our nuclear striking power and to enlarge and "futurize" forces capable of fighting in a limited engagement.

Here are the basic assertions. There is a great deal of discussion surrounding them, some factual documentation offered, many theories expounded, but the argumentation and evidence offered do not prove the premises or effectively support the conclusions. There is too much wild assumption. There is raw speculation, illogical reasoning, innuendo, and a feeling of urgent necessity to score points for use in political campaigns.

The authors of the brochure assert that the first priority of the United States is to assure nuclear adequacy. One agrees wholeheartedly. The administration agrees also, and when it originally said so, was sneered at by these same critics for its policy of massive power ready for use.

On June 27, in a press conference at Quantico, Va., the Secretary of Defense said:

This says it better than the pamphleteers because, in addition to endorsing the idea of nuclear adequacy, it spells out what nuclear adequacy is. The pamphlet is more vague and less consistent in its definition, and goes on to talk about the "lethargy" of the administration and the "vulnerability of our strategic nuclear power."

The judgment of our chiefs is that * * * the No. 1 responsibility we should retain * * * is to be in a position always to respond to a nuclear attack by any opponent in such a destructive way that he would know that his country would be destroyed if he would undertake such an attack.

QUANTITATIVE ILLOGIC OF PAMPHLETEERS

Here I cannot agree. In its assertion that the United States is failing as a nuclear power, the Democratic Advisory Council jumps from the fact that Russia has increased her nuclear striking capability strongly over the past 5 years to the conclusion that the United States has less ability for retaliatory destruction. In quantitative terms, it is assumed that as the enemy grows stronger, we must weaken. This is the mentality which later argues for the numerical matching of the Russians in missiles via a crash program, without regard for the overall qualitative potency of the United States. Little emphasis is given the imperative fact that, in order to insure against retaliation which could destroy her, Russia must guarantee that her first nuclear strike to all intents and purposes annihilates our ability to strike back. No basis for that possibility is indicated in this pamphlet; nor is the matter actually dealt with face to face by the pamphleteers.

The pamphlet claims that the Soviet, already strong in conventional forces and improving its limited war capability, has broken the U.S. strategic nuclear monopoly, and therefore U.S. ability to protect Europe with a strategic

nuclear shield diminishes. This intellectual freewheeling awes one. This fragment of illogic completely overlooks the fact that it is plainly foolish to assume that Russia will court outright an initial nuclear air attack from our side by going all out with her ground forces. She will not give us that advantage. With tactical forces in Europe as a limited war buffer, the U.S. huge strategic retaliatory power does supply the Continent with continued protection.

It is ironic that, eventually and inevitably, the pamphlet comes full circle and accuses the administration of depending too much on strategic nuclear forces.

The fact that the United States must depend on her strategic nuclear strength to a major degree because of Russia's overwhelming predominance of manpower-for-land forces is sidestepped by the document under discussion. The administration, moreover, emphatically disputes the claim that the United States has lost her status of nuclear predominance over the Russians, let alone that a situation of nuclear parity is being threatened.

U.S. NUCLEAR PREPONDERANCE MAINTAINED

Secretary of Defense McElroy said in April of this year:

> So long as the United States continues to have an overall preponderance of capacity to deliver high potency weapons—on target—we need not fear attack. We have such a preponderance now and no one in this administration—civilian or military—has any intention of allowing this condition to change.
>
> The opinion of our top military advisers is unanimous that we have the power now to discourage any all-out attack on the United States and the free world and we have effective mobile power which can quickly be applied in potential trouble spots around the free world to discourage or to contain military action of a so-called limited scope.

Current U.S. defense policy rests primarily on the manned bomber, since, in the judgment of our military leaders, the manned bomber will remain for ourselves as well as the U.S.S.R., the most effective means of delivering nuclear weapons, in the volume and with the accuracy required to strike a decisive blow, for some time into the future—while the intercontinental ballistic missile is still moving to the operational stage and in adequate numbers. Our Democratic critics seem to overlook this reality; nor do they acknowledge the fact or efficacy of the United States "mix" policy of defense now in practice.

Secretary of Defense McElroy has pointed out that the United States has several times as many heavy jet bombers of the B-52 class, and also more medium bombers, than the U.S.S.R. This, plus our refueling capability and greater training in strategic warfare is surely being taken into account by the U.S.S.R., if not by the D.A.C.

"MIX" POLICY OF U.S. DEFENSE

The "mix" or "double weapons" quality of U.S. preparedness meets the Soviet threat not by matching it numerically missile for missile, but rather by continuing to depend on a widely diversified retaliatory force made up of many different weapons systems, including our long-range strategic bomber force, our intermediate-range nuclear missiles deployed abroad, our atomic-capable tactical aircraft overseas, and our atomic-capable carrier air groups in the Mediterranean and Far Pacific—all of which could strike a devastating blow deep in the U.S.S.R. right now.

By contrast, the U.S.S.R. has no carrier air groups; it has no intermediate-range missiles capable of hitting the United States; it has no tactical aircraft based close enough to strike our country; it has a vastly inferior strategic bomber force. Is this nuclear parity?

In further answer to the "missile gap" charge—more of a slogan than an argument—it should be pointed out again that this gap is largely of our own making. We estimate, in order to have a liberal margin of insurance, the Russians' future missile capability on what they could do ideally, considering the industrial and scientific resources which are calculated to be available to them. Thus we project the Russian buildup of long-range ballistic missile forces into the next few years. When we compare what they could conceivably do, with all their resources, with what we actually plan to do with our defense budgeted for, some gap arises. This protective method of estimation must not be forgotten when cries go up for a "crash" program in missiles.

Why do we not hear something from the experts of the D.A.C. about the Russians' huge bomber gap, or about their perilous nuclear retaliatory gap? These gaps are current and real, and not contrived out of statistical estimates or misestimates for the future.

CRASH-AND-CRISIS THEORY REJECTED

The crash-and-crisis theory of defense preparedness offered by anonymous pamphleteers is not acceptable to the administration. The Department of Defense has mapped out a strategic defense policy to carry us ahead into the early 1960's which is neither complacent nor unalert, but soundly based on a thorough examination of the military capability of the Soviet now and in the future, plus a careful consideration of our own technological capacities.

This policy is a refutation of the superficial missile-for-missile "numbers game" approach. Better to proceed, as we are, by making sure we have what it takes, now and in the future, to promise overwhelming nuclear destruction to the Soviet should she attack us, so as to deter attack, or any serious consideration of it.

This policy puts our primary current strategic dependence on a manned bomber striking system, proven and ready, and a huge variety of other weapons, including missiles, as above noted.

It results in the correct decision to move ahead in research and development of the solid-fuel missiles of the future, rather than in undue construction and reliance upon soon-to-be-obsolete missiles of the earlier stage, even though these are being produced in sufficient quantity to provide a powerful temporary segment of our overall strategic capacity.

It results—and this is the elemental point—in a much greater capacity in the U.S. strategic destructive power than that of her enemies.

If we harkened to the impetuous, amateur, and superficial demands for closing the alleged missile gap, we would be liable, by overlooking the real needs in our defenses, to liken ourselves to the eagle of Aesop's fables who, when shot by an arrow constructed of his own feathers, found he had supplied his enemy with the means for his own destruction.

SOVIET MISSILES AND "ACCEPTABLE RISK"

Nobody has offered evidence to warrant the conclusion that Russian missile capability can or will be such as to achieve a knockout blow to our SAC, missile, and carrier facilities so that our capability to retaliate would be reduced below the level of acceptable risk. This should be made clear. This should be reemphasized, lest the pamphlet's querulous charges of missile inadequacy give the mistaken impression that we are not in fact achieving a posture of balanced defense.

The Ballistic Missile Early Warning System, the dispersal and hardening of SAC bases, and the construction of alert facilities demonstrate current progress in our insurance policy against increased Soviet ICBM attack power in the next few years.

The Secretary of Defense has informed us that a good start has been made on the BMEWS system during the past year, and has stated:

> By the time it is anticipated that a full-scale Soviet ICBM attack could be launched against this country the BMEWS system is expected to be able to provide that critical margin of warning which will enable our strategic forces to get off on their retaliatory mission.

The accelerated SAC dispersal and ground alert program should be completed by the end of the present fiscal year, and will frustrate the enemy both by making it more difficult for him to reach our bases and by increasing the speed with which we could retaliate if the need arose. In this connection, our potent retaliatory power from mobile sea bases must also be kept in mind.

To measure our progress in the ballistic missile field, we note that substantial funds were recommended in the present fiscal year's budget for the continued production of the Atlas and for the development of the Titan. Money adequate for pushing forward on the development of the Minuteman solid fuel missile and the Polaris program was also budgeted. We are not wasting time or effort in advanced missilery.

BUDGETING FOR ADVANCED MISSILES

Again, Secretary McElroy's statement supplies documentation. The following budgetary wrapup, taken from his testimony, serves to set the record straight:

> Specifically, the fiscal year 1960 budget provides additional funds for such advanced retaliatory weapon systems at Atlas, Titan, Minuteman, and Polaris; for the B-52/Hound Dog combination, the B-58 and for development of the B-70, as well as the supporting tankers for the B-52 and B-58.

A final increment of funds is included in this budget to complete the presently planned production program for Jupiter and Thor.

Now, you will note that there is included in the 1960 budget quite a variety of retaliatory weapons systems. We plan to obligate in 1960 a total of about $5.2 billion for procurement, research, development, test and evaluation, and the construction of facilities for these systems. Roughly $2.4 billion will go for manned aircraft and their related equipment and about $2.8 billion for the ballistic missiles. I want to emphasize that these figures do not include the operating costs for these or any other of the retaliatory systems which will be supported in 1960.

Concerning the pamphlet's charge that Polaris is not being funded highly enough, the Department argues that it must not jump wildly ahead of itself, and insists that the money requested is sufficient for efficient progress. This judgment is supported by information supplied Congress 3 weeks ago stating that the submarine-borne intermediate-range missile weapon would be ready for combat use before the end of 1960, or 3 years ahead of the original goal. Such a schedule factually destroys the charge that the administration is "dragging its feet" on Polaris, although the charge reads well in a political pamphlet.

Proceeding to the pamphlet's treatment of the tactical or "limited" area of our defense, the criticism of present policies and programs continues—shriller, more gloomy, and less consistent than before.

The Democratic tract indulges in a tortured, at times seriously provacative, and certainly confused effort to grasp the intricate character of limited conflict and its relationship to U.S. strategic defense policy.

Let us examine the D.A.C.'s advice in this regard.

D.A.C. CHARGES TACTICAL INADEQUACY

"NATO is pitifully weak," they contend.

Our own contribution to that military alliance is "weaker," it is asserted, and the full complement of 30 NATO Divisions should be honored. Why, they proclaim, the weakness of NATO is so obvious that the enemy may feel he can knock off Europe with a quick, restricted attack. NATO must depend upon falling back immediately on the strategic deterrent of the United States. In turn, however, this will do no good, because the enemy knows that Europe's disaster in the event of nuclear retaliation will be much greater than that which she faces in the event of a "limited war," and therefore it is likely that the West's strategic deterrent is a bluff. "A defense dependent upon the willingness and ability of the NATO governments to employ nuclear weapons in a war of unlimited violence lacks credibility," it is claimed by the pamphleteers. The presence of nuclear weapons in NATO countries is evidently considered to be no more than an act of courtesy on the part of these countries.

At this point the pamphlet has asserted that our limited war capability is nonexistent and that our nuclear deterrents—barely at parity with the Soviet's—probably won't be used anyway.

It is argued, with some effectiveness—even though "all the best authorities" are not "convinced"—that limited war fought with tactical nuclear weapons is not cheaper and does not involve less manpower than limited war fought conventionally, but rather more. The rather extraneous point is made that our tactical forces should be equipped with nuclear weapons, but only to deter the enemy from using his. Their use would not give us a military advantage anyway, the critics claim.

Finally, the topic "Limited Nuclear Warfare or Withdrawal" is discussed in such a way as to imply that these policies have been offered as alternatives by the administration. This is not all true. The administration has rejected both policies. The Advisory Council, after beating around the bush, concurs.

The pamphlet's solution to this dilemma in Europe, and ostensibly elsewhere, in the event of limited engagements, is to "increase the hazards to the Soviet of using its ground forces so that it will be as dangerous as using nuclear forces in the first instance." How is this to be done? Through an increase in our defense forces and through "a vigorous flow of scientific and military invention." Quite a nervous plea is made here for our scientists to "invent something."

Here is one of the most typical examples of naivete to be found in the pamphlet—when the pamphleteers make their entire case depend upon the ability of our country to invent something in the future. Incidentally, Mr. President, I may say that even though the inventions were made, I am sure the Russians would claim they themselves had made the same inventions 50 years before.

Those who have written the pamphlet seem to rely upon having our scientists make some inventions, although the writers of the pamphlet do not specify what the inventions might be. Certainly such an attitude is typical of the schoolboy-writing nature of the pamphlet.

In demanding that the United States increase her manpower complement in Europe, it appeared as if the pamphleteers were advocating that we match the Russians man for man. This is only half an argument, however. Later in the tract, the Democratic Advisory Committee begs its own question, by admitting that our limited forces will inevitably be smaller than those of our Communist adversaries.

"A proper marriage of invention and tactical innovation may greatly increase the effectiveness of the smaller force," the document states. I do not think that anyone would disagree with that statement, although we must admit that the same opportunity for improvement exists for the enemy. In fact, Mr. President, that statement reminds me of boyhood experiences, when one boy would threaten another one, and would say to him, "I am going to do so and so to you," and the boy who was threatened would reply, "Well, while you are doing it, I am going to do so and so to you." So, Mr. President, certainly the pamphleteers should realize that it is quite proper for us to assume that the Russians would be doing something mysterious, too, at the same time.

It is a rather empty "if" to wager the future on, particularly when things are as bad now as the critics indicate. Cannot the pamphleteers come up with a better answer? When real solutions are needed for the problems which the Democratic Advisory Council dilettantes have just finished overexaggerating, they are out to lunch.

CONTRADICTION AND CONFUSION

To sum up, this is the way their argument goes:

If we can strengthen our NATO forces enough, the enemy will have a tougher problem containing any limited conflict of his making and therefore would be less likely to start one. But we are informed that we can never equal his manpower, and that our tactical atomic weapons should be kept only as a deterrent. Furthermore, we are advised that the Russians would not use their own tactical weapons, anyway, again in order to keep the conflict from expanding—so that deterrent is needless. The fog thickens.

I have earlier quoted from the statement made by the Russian expert, who said that certainly the Russians would use all their forces in limited wars. Of course, Mr. President, history shows that usually limited wars expand into worldwide conflagrations.

The Kremlin, being unable to keep a conflict of its making limited, would be in great danger of courting strategic nuclear retaliation. Facing this eventuality, the enemy would be too scared to initiate a limited conflict, in the first place—and we have outfoxed him. This is contradicted when the pamphleteers inform us that Russia thinks our nuclear retaliatory power is only a bluff and would not be used anyhow. The smoke of sophistry has us weeping.

This argument, though noteworthy for its painful effort, simply cannot be held up by the fantastic delusion of an "innovation and invention" advantage which, by a wave of the Democratic wand, will be granted us by our fairy godmother. This mighty exercise in illogic falls of its own weight, crumbles from its own confusion.

NATO: STRONG AND WILLING

I certainly agree that it is advisable to have the NATO forces reach the full complement of 30 divisions. But we cannot forget that NATO is an alliance made up of several sovereign states, over whom we have no control. The United States cannot force its European allies to greater participation, and if we went ahead and increased our own contribution unilaterally—and, incidentally, U.S. combat forces to NATO have not been diminished, but have remained constant, and have been improved qualitatively—it might be largely wasted. Besides, that would create an even larger "political imbalance" and would encourage the Europeans to depend more on us, and do less and less to help themselves.

There is little evidence to indicate that NATO will merely fall back on the strategic nuclear deterrence behind her if attacked in a restricted action. NATO is there to fight, and will fight.

This is the present policy of all NATO governments. If the organization existed only as a "paper tiger," it would not have thrived. NATO not only exists to fight, but is equipped to fight effectively.

Any military move the Communists make will be challenged by force. If necessary, our tactical forces will use nuclear weapons. If necessary, additional men and equipment will converge in the European Continent. This is what our STRAC divisions are for, and the mobility and effectiveness of our conventional forces for restricted conflict situations have already been demonstrated in the Lebanon and Quemoy areas.

If the time comes when our limited forces cannot handle the enemy, when the tactical deterrent has failed, when the United States and her allies have gone to their fullest capacity to contain the enemy on a restricted basis and are unable to do so, then the war has become unlimited, and our strategic striking power will be brought into play. Again, this last-resort deterrent, as massive and as horrible as it is, will fail to deter, will fail to avoid war, unless we are determined to use it when necessary.

If ever the United States and the rest of the free world fail to use their available strength to resist a sustained Communist attack, our destiny will be gravely endangered, for our enemy, ever probing for that single opening, that one sign of critical weakness, seeks for a start to go all the way. Our policy is serious; it is "willing." We are committed to our friends to intervene at once against a common aggressor, and we will. The Russians know all this, even if the Democratic Advisory Committee does not.

THE QUALITY OF U.S. FORCES: CHARGES AND REBUTTAL

The Democratic Advisory Council condemns the size and quality of our forces. The Army is understrength, the pamphlet maintains, and its equipment and weapons are obsolescent.

By June of 1959, it was predicted, our total military forces would be weaker by almost one million men. The charge is leveled that we are reducing our forces to pre-Korean strength. The last Truman defense budget is referred to with admiration.

What are the facts?

In June of 1959, the U.S. total military forces were 1 million less than at the peak of the Korean war. The cold war is not the same as a hot war, despite the contentions in this portrayal of doom. Do the pamphleteers want to draft an extra million young men? If so, for what purpose?

Until the Korean war, defense budgets were progressively lowered by Democratic Congresses. President Truman's original defense budget request for fiscal year 1951, right on the eve of the Korean war, amounted to the staggering sum of something over $13 billion. Also, the pamphlet failed to mention that President Truman anticipated, in his last budget message, that defense budgets in the near future would decline "until they reach the level required to keep our Armed Forces in a state of readiness." The level he mentioned was "in the neighborhod of $35–$40 billion annually." This is actually less than where our defense budget is today.

That makes Mr. Truman a good prophet, if he will take the time to read the statements he made at that time.

In order to evaluate the pamphlet's charges of understrength and outdatedness, let us compare the situation as of June 30, 1959, with that of exactly 9 years earlier—on the eve of the Korean war.

The Army had 593,167 men and 10 divisions. It had no missile commands. It had 48 antiaircraft batallions with guns, and 1,291 aircraft. Today, the Army has 870,000 men and 14 divisions. Its levels of training, equipment and readiness are much higher. It has 82 antiaircraft batallions equipped with missiles. It has 5,300 aircraft.

The Navy had 381,538 men, 598 active ships, 9 carrier air groups, and 7 antisub squadrons. The Navy currently has 630,000 men, 864 active ships, 16 carrier air groups, and 22 antisub squadrons.

The Air Force has moved from 411,277 men to 845,000; from 48 wings to 105, the modernization or qualitative improvement of which is immeasurable; and from 12,500 to over 20,000 active aircraft. Moreover, in 1953 the Air Force had 11 heavy strategic bomb wings of 30 B–36's each. Today, it has the same number of wings with 45 B–52's in each. With additional B–52's funded in recent budgets, including 1960, there eventually will be 14 such wings. Also entering the inventory as a partial replacement for the B–47 is the B–58 mach 2 medium bomber with intercontinental range, and under active development is the B–70 high altitude long-range heavy supersonic bomber.

The Marine Corps moved from 74,279 men to 175,000 in 9 years, and increased their divisions and air wings from two to three each. Both the Marines and the Army announced recently that infantrymen will be equipped with a bazookalike antiaircraft missile equipped with infrared heatseeker, called the Redeye.

The total force level of the Army, Navy, Air Force, and Marine Corps at the outbreak of the Korean War was 1,460,261. The total force goal aimed at by the beginning of the current fiscal year was in the neighborhood of double that figure, 2,525,000.

It is crystal clear that these statistics devastate the contentions of the gloomy members of Dean Acheson's brood.

In our present era of rapid technological advance, the cycle of modernization and replacement is continuous. At any moment, therefore, it is all to easy to term an operational model in some given category "obsolete," while gazing at the prototype of the future. The U.S. forces are greatly modernized, as compared with those which fought in Korea, and they are much more lethal. It would be a mistake to become complacent; it would be unfortunate if we didn't recognize areas needing improvement in the "futurization" of our Armed Forces. Yet great technological advances have been made under the Eisenhower administration, and huge combat power has been incorporated into our Armed Forces in the past 6 years.

Our forces are not being "blindly neglected." This is false.

Two brief paragraphs from Defense Secretary McElroy's testimony before the Senate Appropriations Subcommittee quickly document this point:

Attention is also given in this budget to the continued modernization of our ground force equipment. Funds are included for tanks, trucks, small arms and ammunition, electronics and engineer equipment as well as for a variety of missiles for employment by troops in the field. The Army will also buy two new aircraft—the Mohawk high performance observation aircraft and the Caribou light transport—as well as additional helicopters.

The tactical units of the Air Force, in support of the ground forces, will continue to be modernized with the F–105 supersonic fighter-bomber, the surface-to-surface missile Mace, and the C–130 troop transport.

A STRONG NATIONAL ECONOMY

The overall recommendations made for the revamping and refurbishing of our defense programs in the Democratic pamphlet amount to a cost of $7.5 billion annually.

This $7.5 billion in annual expenditures would be the poorest spent money in the entire defense budget originally programed. After determining an adequate overall effort, one can always add marginal amounts, ad infinitum, which, in consideration of profitable return for the insurance bought, move further and further into the area of diminishing returns. This we cannot afford to do, either militarily or economically—despite the advice of the partisan experts.

Seven and one-half billion dollars annually is a great deal of money, in addition to a $41 billion defense budget which exists at the present. The American taxpayer already supports the largest cold-war budget in history.

Thus it is that the "spendocrats" the people who have no concern or hesitation about the disposition of other people's money, people who have no sense of responsibility for the total cost of the budget, people who believe in spending at any price, regardless of whether the money is needed or not, do not advise us where we shall get the $7.5 billion. They do say that, "There can be no question of the capacity of our economy to support this addition to defense expenditures." That is doubtless in addition to the $10 billion or more welfare proposals espoused by the Democratic Advisory Council members and Democratic Senators and Representatives. Other than these indignantly obscure protestations, however, our friends seem to have run out of advice, again at the most crucial point.

The pamphlet claims that defense policies require "executive leadership with the energy to grapple with the real issues and to make the necessary decisions." The U.S. leadership in the defense field is of the highest caliber—experienced, sound, and mature, as well as energetic—and I may add, infinitely superior to the anonymous kitchen cabinet which put together this curious and nonfactual political pamphlet.

The leadership of the United States, as exemplified by the President, the Department of Defense, and responsible leaders in the Senate and House in both parties, have rejected the "crash and crisis" approach to our national defense. The leadership has refuted the automatic, gloomy, and debilitating assumption that the Soviet is way ahead and that we are way behind, and the belief that the only way to set it all right again is to spend lots more money. It acknowledges the fact that we are in for a long haul, and stresses that our various resources must be utilized accordingly.

The policies and programs set up by our genuine defense experts for the present and future recognize the critical relationship between military preparedness and a strong national economy—our total capacity for survival.

When the authors of the pamphlet arrived at the sum of $7.5 billion annually, they did so, and I quote, "in very general and approximate terms." This is one of the most candid statements in the pamphlet.

I submit that the entire tract was conceived and executed in very general and approximate terms, and that is why I have gone to some lengths to rebut it. Critical examination and review is crucially necessary—especially in this field, as I stated at the outset of this discussion—and to that extent we must be grateful to the members of the Democratic Advisory Council. But in this instance they fell short of the needed standards and the interests of the country were not served.

Mr. President, I will conclude by citing the difference between action in the 86th Congress and the naive recommendations of this Democratic Advisory Council pamphlet.

The pamphlet urges three immediate steps. It was published last month. The steps urged were:

First, an increase in the production of jet tankers, which the Senate and the other body refused to do.

Second, to double the combined Atlas-Titan missile production currently programed, which the Senate and the other body refused to do so far.

Third, to continue the development and production of the airborne cruise missiles, such as the Snark and Regulus II, to be maintained at dispersed locations and made mobile, at relatively low cost. This, to a large extent, this body and the other body of Congress have refused to do.

One of the blessed things about our Government is that those who represent continue to represent, and those who represent themselves as experts are exposed for what they are namely, political pamphleteers.

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

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

Mr. KEATING. I want to commend the Senator from Pennsylvania for bringing this pamphlet to our attention. He has performed a very useful service in so doing. I was considerably shocked when I read the report of the Democratic Advisory Council that the United States, over the next 4 years, must spend an extra $30 billion on its national defense above our present defense expenditures—in other words, $7½ billion above the budget recommendations, of which they were very critical, in the coming year.

Of course, I realize that the Democratic Advisory Council was created, according to its charter, to formula and enunciate Democratic policy. I assume that is what they were doing when these armchair people, such as Paul Ziffren, Jacob Arvey, and a few others, promulgated this policy.

Mr. SCOTT. Perhaps, if the Senator will permit me to comment at this point, this policy of this oddly assorted group of established military geniuses conceived of themselves a being created to advise and consent to the Democratic majority here in the Congress. I am very glad the majority in the Congress has so frequently ignored them.

Mr. KEATING. I think it probably has been helpful to our country that they have, in many respects, but it makes one wonder who is formulating the policy of the party. The congressional majority has, as a matter of fact, not only fostered a cut in the budget recommended by the President for natonal defense, amounting to practically $20 million, but it has attempted to take a good deal of credit for the reduction in the defense budget in that regard; whereas we find the council which was set up to formulate and enunciate the policy of the Democratic Party giving us a very disturbing report which would make one practically believe that Russian troops were marching down Pennsylvania Avenue and that our country was in great danger because we are not ready to spend $7½ billion more than the budget recommended by the President.

However, all of the leading military experts, such as Gen. Nathan F. Twining, former head of the Air Force, Gen. Maxwell D. Taylor, former Chief of Staff of our Army, Adm. Arleigh A. Burke, Chief of Naval Operations, Gen. Randolph McC. Pate, head of the Marines, and a one-time military figure of considerable consequence, one Dwight D. Eisenhower, have recommended what they consider a fair and adequate budget for our national defense, but which still takes account of the other demands made upon our Federal Treasury.

That budget has been presented to the Congress, and the Congress, under the leadership of the same group who are enunciating this other policy, has seen fit to reduce the amount, not even giving to the President what he says he needs for national defense, to the tune of $20 million.

So that situation puts a person in a good deal of confusion over what the actual situation is as between these two elements, both of them prominent in the party, setting forth what appear to be very conflicting views on the needs of our national defense.

I think the Senator from Pennsylvania has been very helpful to us, and has shown he has studied this problem very thoroughly in presenting these figures to us, to set the record straight in order that we and the country may be well informed on this issue.

Mr. SCOTT. Mr. President, I appreciate what the Senator from New York has said. The figures which I have cited have been checked for accuracy with the Department of Defense. In my judgment, these figures will stand up against any attempt to counter them.

I will say to the Senator from New York that perhaps the other party ought to adopt the symbol of Janus, the two-faced god of war, instead of the symbol of the jackass or the donkey, since it has now put itself in a position where one wing of the party is saying, "Let us spend $30 billion more" and the other wing of the party is asserting regularly on the floor of this body that they have spent a billion dollars less.

I add, neither figure is accurate, but both figures would be available and useful in a political campaign, since they would be able to say to any person who asks, so that he who runs may read, anything which is most pleasing to him; namely, that the party either sought to increase funds for the preparedness of our country militarily or that it sought to decrease funds. Perhaps our friends think there is not any better place to be than on both sides of an issue.

Mr. KEATING. Mr. President, if the Senator will yield further, that is a very convenient position to be in, but I have a great deal of confidence in the intelligence of the American people and their capacity to realize that one should not with one breath say, "Our funds for national defense are inadequate," and have members of the same group at the other end of the avenue setting forth the proposition that the President has asked for too much and that we must cut the defense budget. The people, in my judgment, are not going to swallow that kind of an argument. The people want a straightforward statement of the needs of our national defense and of what we are doing to meet them.

Mr. SCOTT. I firmly believe it is better for the country to rely upon the judgment of General Eisenhower than upon the judgment of "General" Acheson.

I thank the Senator from New York.

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

Mr. SCOTT. I yield to the Senator.

SENATOR MURRAY'S NATURAL RESOURCES AND CONSERVATION BILL

Mr. NEUBERGER. Mr. President, I rise to commend the distinguished senior Senator from Montana [Mr. MURRAY] for the outstanding leadership that he has again manifested in his bill (S. 2549), the proposed Natural Resources and Conservation Act of 1960. I am privileged to be one of the original cosponsors of this bill which, I am confident, will become a keystone of national policy. In the formulation of this proposal, Senator MURRAY evidences the forward-looking confidence in the future of this Nation that he voiced in his remarks at the time he introduced the

measure on August 17, 1959. In discussing the vastly increased requirements for natural resources that will be an inevitable consequence of population growth and rising living standards, Senator MURRAY said:

In the face of this increasing requirement for, and pressure on, natural resources, I am not fearful that we shall fail to meet the Nation's needs. Certainly the United States will have the economic and financial ability for the tasks involved, and we have the skills and competence.

I share Senator MURRAY's confidence in the ability of this Nation to meet its obligations to its citizens, and also to the people of the free world who rely on us until their own economy matures. I agree, too, with Senator MURRAY's farsighted reminder that success in fulfilling these purposes requires actions that are both timely and well considered.

The proposed Natural Resources and Conservation Act effectively implements the views and recommendations of recognized authorities in this area of national policy. A few quotations will demonstrate how well the bill accords with the best thinking on the subject.

Dr. John Kenneth Galbraith, professor of economics at Harvard University, in a recent address, has provided us with a condensation of the Paley Commission findings regarding the "gargantuan and growing appetite" for natural resources. Dr. Galbraith said:

Conservationists are unquestionably useful people. And among the many useful services that they have recently rendered has been that of dramatizing the vast appetite which the United States has developed for materials of all kinds. This increase in requirements we now recognize to be exponential. It is the product of a rapidly increasing population and a high and (normally) a rapidly increasing living standard. The one multiplied by the other gives the huge totals with which our minds must contend. The President's Materials Policy Commission emphasized the point by observing that our consumption of raw materials comes to about half that of the non-Communist lands although we have but 10 percent of the population, and that since World War I our consumption of most materials has exceeded that of all mankind throughout all history before the conflict.

This quotation bears out Senator MURRAY's appraisal of the need for timely action, and the following quotation from testimony before the Finance Committee of the Senate bears out the confidence that the United States has financial ability to meet conservation needs. On April 18, 1958, Dr. Sumner H. Slichter of Harvard University said:

The United States is a growing country, with its population rising by about 3 million a year, and with its output growing at a normal rate of about $14 billion a year or more. Such a growing economy needs more and better schools, roads, recreation areas, and projects for the development of its resources. If the economy were to succeed in achieving full capacity operation by the early fall of 1959, the gross national product should be around $470 billion a year, or about $45 billion above the present (1958) rate. Certainly a substantial part of this increase of $45 billion in the gross national product should go for much needed public works of various sorts.

The United States has, in fact, attained and surpassed the $470 billion rate of gross national product foretold by Dr. Slichter. Regrettably, however, no part of the increase in gross national product is being invested in the much needed public works. Failure to make this investment in America is the blight of the administration policy of no new starts. Sterilizing effects of this blight are evident today, and they will mar the Nation's countryside for decades to come.

Prof. Gilbert F. White, of the University of Chicago, distinguished as a scientist, educator, and natural resources planner, has pointed out that, in the long run, one of the basic deficiencies in natural resources and conservation activies is "lack of understanding of national aims and, consequently, of national means as well." Professor White continues:

So long as this is diffuse, we cannot expect any amount of organizational legerdemain or budgetary management to more than palliate the difficulties. If we seem confused in the field of defense where there at least seems no doubt that we wish to protect and preserve the United States, how much more complex is the case of natural resources where we are not certain as to what we are to conserve? We are not certain that we want to develop all of our waterpower or to save all of our soil, or how much oil, if any, we should keep underground, or whether we should curb our appetite for lead in gas, and iron in tail fins. Having already and of necessity modified the web of nature, we do not know how far is too far in directing our changes in it.

In recent years we have had a generous review of both policies and administration. Raw materials situations have been assessed; water policy has been proposed; a new attack has been made upon problems of recreation. An important element which has been lacking is a general examination of national aims within the range of politically possible means of achieving them, and of the probable impacts of each possible program.

Professor White's conclusion is directed straight at the provisions of S. 2549, the natural resources and conservation bill. Professor White said:

Of the numerous organizational changes that may be in order, none seem more promising of benefits to the whole process of preserving or reforming the American landscape than those which promote a continuing appraisal of the probable results of following the choices which are open.

This is the essence of Senator MURRAY's proposal for a Council of Resources and Conservation Advisers to prepare annually the Resources and Conservation Report of the President, and the joint committee of the Congress that would give continuing attention to resource development, utilization, and conservation.

In conclusion I desire to say that I think it is particularly appropriate that I should be given permission very courteously to make these remarks about conservation by the distinguished junior Senator from Pennsylvania. If I am not mistaken, one of the greatest conservationists in the history of this country came from the State of Pennsylvania and was given to the Nation by the State of Pennsylvania. I refer to the illustrious ex-Governor of Pennsylvania, a man who was the first Chief Forester of the United States, Gifford Pinchot, and I believe and feel that if Gifford Pinchot were with us today, he would support Senator MURRAY's National Resources and Conservation Act.

I thank the Senator from Pennsylvania.

Mr. SCOTT. I am delighted to yield and am much pleased that the Senator has brought in the name of a very famous Governor of our State, a great forester and a famous conservationist.

Mr. NEUBERGER. We are very proud in the Pacific Northwest, that one of the most beautiful national forests in the Cascade Mountains carries the name of Gifford Pinchot and is known as the Gifford Pinchot National Forest.

THE HIGHWAY CONSTRUCTION PROGRAM

Mr. GORE. Mr. President, in February 1955, the President of the United States submitted to the Congress a report which dramatically called to the attention of the country the inadequacy and dangerous condition of our highways. This report, prepared by a commission headed by Gen. Lucius D. Clay, pointed out that one-seventh of all Americans owed their livelihood either directly or indirectly to the highway and highway transportation industries. Particular emphasis was given to the tremendous loss, both economic and in terms of human life and suffering, which was being experienced daily because our highway construction program had not kept pace with expanding needs.

Highway building had been necessarily slowed by the priority demands of a wartime economy. The President recommended that in order to alleviate a critical problem the Federal Government should assume major responsibility for the construction of a new system of interstate and national defense highways, interconnecting our major metropolitan areas. The President gave particular emphasis to the importance of the new system of highways to national defense.

The proposal received intense consideration by the committees of the Congress for almost two complete sessions. There evolved the Federal Highway Act of 1956, of which it was my privilege to be coauthor. This act provided that the Federal Government should pay 90 percet of the cost of constructing this new System of Defense and Interstate Highways with a construction schedule calling for completion of the system by 1972 to design standards adequate to meet estimated traffic needs of 1975. It provided, also, for corresponding improvement of primary, secondary, and urban highways to a corresponding state of adequacy.

Construction progress is now well underway. The State highway departments and the highway construction industry have responded to the challenge. We are now, however, in a critical situation in which, unless appropriate action is taken by the Congress, construc-

tion will stop altogether on the vital Interstate and Defense System or, at best, be so slowed down and stretched out as to make impossible completion of the system on schedule as specified by the act of 1956.

A halt in construction of the Interstate System will be disastrous. State highway departments have geared their operations to the authorized level. Engineering staffs, recruited with great difficulty and expense, would have to be disbanded only to be recruited again at great loss in money and time, if and when the program is resumed. The highway construction industry, having increased its capacity at the request of Congress, will be severely injured. The entire economy will receive a jolt from which it will not be easy to recover. Substantial increases in unemployment will be inevitable.

Meanwhile, if the program is halted, the gap between highways in being and those required will rapidly increase. Our highways will continue to get worse instead of better, and more people, instead of fewer, will be killed on our inadequate highways. Carnage on the highways and economic loss will go unchecked. Unless we take action to provide better highways, the situation will become much worse. Every year that passes sees the need for better highways become more acute. We cannot afford further delay. Even at the rate of progress authorized in the 1956 act we will barely hold our own between the need for highway improvement and the deterioration of the present system of highways.

The act of 1956 created the highway trust fund, earmarking the revenues from certain highway user taxes for transfer to that fund to be used to defray the Federal Government's portion of the cost. From the beginning, it was recognized that in the early years of the program revenues in the fund would be insufficient to meet annual expenditures. To meet this anticipated problem it was provided that when deficits occurred the trust fund would borrow from the general fund, with the borrowed sums to be repaid in later years when revenues were expected to exceed expenditures for highway improvements. Prior to final congressional action, however, restrictive language was written into the bill which was designed to limit annual apportionments to the States to such amounts as would be available in the trust fund with which to pay the bills when they came due. As a result of this restrictive language, the crisis which we now face was, from the effective date of the act, inevitable. This restrictive language has come to be known as the Byrd amendment; though, in fact, I am informed it was advanced by the former Secretary of the Treasury, Mr. George Humphrey.

All responsible people agree that the Congress must act to prevent a collapse of the highway program. If we are to act properly, however, we must do so on the basis of a clear understanding of the problem.

To begin with, the highway trust fund will be out of money by October 1, 1959—unless this Congress acts the highway trust fund will be bankrupt by the time Representatives and Senators reach their home States.

The States will present during this fiscal year vouchers for reimbursement totaling an estimated $493 million for which funds will not be available for payment. Normally this deficit would be made up by borrowing from the general fund as provided in the Highway Revenue Act. However, the Department of Commerce Appropriation Act recently passed by the Congress limits appropriations to such amounts as "may be available in and derived from the highway trust fund." This amount is expected to be $493 million less than required. Unless we take action, the Federal Government will be forced to default in its obligations to the States. This default will occur in October, next October, October 1959, prior to the reconvening of Congress in January.

Moreover, no apportionments of interstate funds whatever can be made for fiscal year 1961. These apportionments should have been made last month. Unless the States receive this obligational authority they will be compelled to terminate even the planning of additional projects. If the Federal Government defaults on its obligations to the States, the States then will be forced to default in payment of their obligations pursuant to contracts performed and completed, unless they can raise the funds from their own resources.

Already many States have announced that no additional contracts can be awarded. Invitations to bid on contracts which have already been advertised are being withdrawn. In short, we face a complete stoppage of the construction of the new System of National Defense and Interstate Highways which the President declared necessary for national security and which the Congress proclaimed as necessary for national security and to promote a growing economy and safety on the highways.

The problem has two parts which, though related, are separate:

First, we must provide funds to the States in 1960 to meet the obligations that the States have incurred by contract pursuant to Federal commitments in the Highway Acts of 1956 and 1958. Without congressional action, then, the States will be forced into default, or budgetary stringencies, on obligations falling due this fiscal year, and this situation, let me repeat, will occur very soon, unless the Congress acts. Solution of this phase of the problem will have a bearing upon the 1960 budget.

Secondly, we must take action to permit continued apportionments to the States to avert complete stoppage of the interstate program. Authorization of apportionments for fiscal 1961 must be made this year to allow time for proper planning, advertising of contracts, and award of contracts. Such authorization, however, can have no impact whatever on the 1960 budget because under the law the funds could not actually be disbursed until fiscal 1961. Actually, for the most part, fiscal 1961 apportionments would not be disbursed until 1962.

So, Mr. President, solution of this problem which, as I have said, has two parts, will have an effect on the 1960 budget with respect to obligations falling due within 1960, which arise from apportionments already made; but action to permit apportionments for 1961 will not have an effect upon the 1960 budget. Actually for the most part fiscal 1961 apportionments would not be disbursed until fiscal 1962.

Before proceeding to discuss possible solutions, I should like to dispel certain myths about the program and the cause of our present dilemma.

In the first place, the present crisis has not been caused by an increase of construction costs over estimates. On the contrary, contracts are being awarded generally well within or below estimates.

Only today the Bureau of Roads made an announcement that highway construction costs during the April-June quarter dropped by more than 2½ percent.

In the second place, this crisis was not caused by the Highway Act of 1958. As a matter of fact, the Congress was confronted with this same problem last year. The act of 1958 met this problem and averted a slowdown of the program at that time. While that act may properly be said to have postponed the crisis, it cannot be said to have caused it. The delay in resolving the problem and the acceleration provided in the 1958 act have combined to make the problem more acute today.

I think Congress must enact legislation to meet Federal obligations to the States and to permit continued interstate and defense highway apportionments on schedule.

There is no magic way to build highways without money. The only real source of funds for the Federal Government is by way of taxation. This is not to say, however, that there is only one type of tax or only one class of citizens and taxpayers upon whom to levy it.

The administration insists that the only solution to the problem is to impose a further increase in the gasoline tax. This proposal is labeled a pay-as-you-go plan. The implication is plain that users of our highways have not been paying their fair share of taxes and that they should be compelled to do so or else accept responsibility for stoppage of the highway program. Any such implication is highly inaccurate and downright misleading.

In the first place, the theory that highway users should pay the entire cost of the program by direct taxes levied upon them cannot be supported. Good highways benefit everyone and every segment of our economy. We do not levy a special tax on teachers and the parents of students to pay for schools because we realize that education not only benefits everyone but is a responsibility of the general public. The same rule applies, or should apply, I insist, to highways.

But even if we accept the thesis that highway users should pay the entire cost of highways, the administration position, as well as its implications, is unjustified.

Highway users are already paying direct excise taxes far in excess of the amount needed for the highway programs. In addition, of course, the users of our highways pay income taxes and all other taxes, as do all of the people.

What are the facts, Mr. President, about highway user taxes?

In fiscal 1958 highway users paid in direct Federal excise taxes $3.493 billion. Of this amount, only $2.026 billion was transferred to the highway trust fund. In other words, of each highway user dollar collected, 58 cents went for highways while 42 cents went for other purposes, to be diverted from use on highways. On the basis of information now available, approximately the same ratio will be applicable, under the budget, to 1959 collections. I ask unanimous consent to insert at this point in the RECORD a table showing actual collections of highway user taxes in fiscal 1958 and indicating the amount of each transferred to the trust fund or kept in the general fund.

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

Revenues collected from increases in highway user taxes imposed by highway act of 1956

[In millions of dollars]

	1957	1958	1959
Gasoline, 1 cent	432	519	535
Diesel, 1 cent	10	17	17
Tires, 3 cents	81	92	93
Tread rubber, 3 cents	11	13	14
Trucks, buses, and trailers, 2 percent (1957) and 5 percent (1958–72)	34	103	107
Truck use	26	33	34
Total	594	777	800
Auto excise, 3 percent	343	351	312
Total (including auto excise)	937	1,128	1,112
Total additional revenues for fiscal years 1957–59 (not including auto excise)			2,171
Auto excise			1,006
Grand total			3,177

Mr. GORE. Throughout the years, highway users have paid larger sums in taxes than were spent for highways. In 1934 the Congress passed the so-called Hayden-Cartwright Act. This act, which is still in effect, provides that any State which diverts to nonhighway uses a larger percentage of highway user taxes than was diverted at the time the act was passed shall forfeit its right to Federal-aid highway funds. Thus we encourage the States, by threat of withholding Federal funds, to use all their revenue from highway taxes for highway purposes. Yet the Federal Government does not follow that example. Indeed, it is now proposed that we levy still additional taxes upon the users of our highways, even though they are now paying more than $1.5 billion a year in excess of the amount actually used for highways. I am advised that, for the current fiscal year, the sum diverted to uses other than construction of highways, will be approximately $1,600 million.

Some appear to have forgotten that highway users taxes were substantially increased by the act of 1956. For the information of the Senate, I list here the taxes that were increased and the amount of the increase in each case:

Gasoline from 2 to 3 cents per gallon.

Diesel fuel from 2 to 3 cents per gallon.

Automoile tires from 5 to 8 cents per pound.

Tread rubber 3 cents per pound—a new tax.

Trucks, buses, and trailers from 8 to 10 percent for 1957 and from 5 to 10 percent from 1958 to 1972.

Truck use tax $1.50 per thousand pounds—a new tax.

Also in 1956, although not in the same act, Congress extended an additional 3 percent excise tax on automobiles which otherwise would have expired. This tax has been extended annually since then. This 3 percent extension, which is also an increase in highway user taxes, has brought in an additional $1,006 billion in the last 3 fiscal years.

All told, Mr. President, highway user tax increases since 1956 have brought into the Treasury $3.177 billion. Total expenditures from the highway trust fund for the interstate program through fiscal 1959 amount to $2.358 billion. Thus the revenues from tax increases alone amount to more than total interstate highway expenditures since the act of 1956 was enacted.

It seems to me that we should keep these figures in mind when considering the possibility of imposing yet an additional increase in the gasoline tax. I ask unanimous consent to insert in the RECORD, a table showing revenues received from highway user tax increases in the last 3 fiscal years.

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

Highway user excise taxes, disposition—Actual collections, 1958

[Millions of dollars]

	Gasoline	Diesel	Lubricating oil	Auto	Truck and bus	Parts and accessories	Tires	Tread rubber, tubes, truck use	Total
Trust fund	1,558	50			111		244	63	2,026
General fund			35	1,170	95	167			1,467

Mr. GORE. Highway users accepted these new levies without undue protest. They did, however, seek some assurance that the question of equitable distribution of the burden of the cost of highways be subjected to study. Accordingly, section 209(b)(2) of the 1956 act declares it to be the policy of the Congress that "if it hereafter appears that the distribution of the tax burden among the various classes of persons using the Federal-aid highways, or otherwise deriving benefits from such highways, is not equitable," the Congress shall enact legislation in order to bring about such equitable distribution.

The distinguished Presiding Officer of the Senate at the moment was a member of the Public Works Committee when that provision of the law was enacted, thus giving to highway users assurance that if, after careful study, it was determined that they were paying more than an equitable and fair share of the burden of highway costs, the Congress would rectify the mistake.

Section 210 of the same act directed the Secretary of Commerce to make a study and to provide the Congress with information to enable it to determine what taxes should be levied and in what amounts "in order to assure, insofar as practicable, an equitable distribution of the tax burden among the various classes of persons using the Federal-aid highways or otherwise deriving benefits from such highways."

The Secretary of Commerce was directed to submit his final report no later than March 1, 1959. Subsequently, at the administration's request, the date of submission of the report was extended to March 1, 1961.

The new taxes levied by the act of 1956 have brought into the treasury substantial revenues. During fiscal years 1957, 1958, and 1959, receipts from these increases alone have, as I have said, totaled $3.177 billion, more, I repeat, than has been used for interstate highway improvements since 1956.

Mr. President, we assured the highway users that the question of equitable distribution of the burden of the cost of highway construction would be restudied. The administration requested that submission of the study called for by the law be delayed from 1959 until 1961. If I had known at the time the request was submitted that there was a plan to ask that taxes be further increased on every gallon of gasoline, I would have opposed the extension. I think we should have such a study before we levy more Federal sales taxes on every gallon of gasoline every person puts in his car or his truck.

Yet without even establishing that the additional levies imposed in 1956 are equitable and fair, it is now proposed to increase the gasoline tax once again, while we wait another 2 years for the study to be completed.

Mr. President, a further increase in the gas tax at this time, at the very least, is not in accord with assurances given by the Congress to the highway users in 1956. The facts speak for themselves. A gasoline tax increase is grossly inequitable and completely unfair.

I should like to read at this time two paragraphs from an article appearing in the New York Times of yesterday:

> Today the tax on gasoline is at a higher rate than that on any other essential product; even that on many luxury items. If the Federal tax of an additional cent a gallon goes into effect on September 1, as provided in a bill approved recently by the

House Ways and Means Committee, the gasoline levy will exceed 10 cents a gallon and will just about equal the refinery price of the product.

On what other commodity essential to our economic life do we have a 50-percent tax? At retail levels, every time a man drives up to a filling station in my State and has his tank filled or partially filled, one-third of what he pays is taxes. I repeat that a further increase in this tax is unjustifiable. I continue to read from the article:

Some economists are wondering how much tax an essential product can stand before there is an adverse effect on the Nation's economy. With business expanding and wage rates moving upward, it is held that the general economy can sustain the present or a higher level without much difficulty. But if a recession should develop, it is feared the high gasoline tax would aggravate it.

The Ways and Means Committee of the other body, after long study and labor, has apparently approved an increase of 1 cent per gallon in the gasoline tax for fiscal 1960 and 1961. For the reasons I have already given, such an increase is without justification. Moreover, the plan proposed by the Ways and Means Committee is inadequate to meet existing needs. It falls short in the following respects:

First. For the remainder of fiscal year 1960 a 1-cent increase in the gas tax would bring in approximately $380 million. This would fall short by more than $100 million of providing enough funds to reimburse the States the amounts which will be owed. Figures released by the Ways and Means Committee indicate that as of January 1, 1960, under its proposal, the trust fund will still have a deficit of $309 million, and will still be in arrears by $107 million at the end of the fiscal year. On January 1, 1961, the deficit will be $351 million, and the deficit will not be eliminated until July 1, 1961. I cannot believe, Mr. President, that our preoccupation with a balanced budget will let us go so far as to undertake to balance it by simply not paying to the several States the amounts owed to them by the Federal Government. I cannot believe that the Federal Government will default on its commitments to the States. Yet this is what will happen unless additional funds are made available to the trust fund and appropriated for expenditure by the Bureau of Public Roads.

Second. The Ways and Means Committee proposal would permit the apportionment of $1.8 billion this year for fiscal 1961 and only $2 billion next year for fiscal 1962. The 1956 act prescribes an annual level of apportionment of $2.2 billion. These apportionments were based upon the cost estimates submitted in the Clay report. Under more realistic estimates later submitted by the Secretary of Commerce, an annual level of apportionment of $2.5 billion will be required to complete the system by 1975. Even at this rate, there will be a 3-year stretchout of the program. With annual apportionments no higher than those which would be permitted by the Ways and Means Committee proposal, this brand new System of National Defense and Interstate Highways would not be completed until long after 1975. The highways would be obsolete before they were even built.

This proposal destroys the integrity of the interstate highway and defense system as a unified, integrated system of national highways, interconnecting all the principal metropolitan centers, to be completed on schedule and adequate to the needs of 1975.

In any event, a further appropriation act will be required this year if the States are to receive full payment, because the maximum amount appropriated in the bill already passed is insufficient to meet the estimated requirement for funds. Unless such an appropriation bill is passed, we shall have broken faith with the States.

Mr. President, the Congress must come to grips with this problem. In 1955 the President recommended that the National System of Interstate and Defense Highways be built within 10 years. At best this will now be almost doubled. We cannot allow a further stretchout. We cannot accept the proposal of the Committee on Ways and Means of the other body.

I am willing to meet head-on the question of raising additional revenue if the facts require it. This is admittedly difficult to accomplish in the Senate which cannot initiate revenue raising proposals except by way of amendment. There are many areas in our tax structure, however, from which additional revenue might be obtained far more equitably than by extracting yet another pound of flesh from highway users who are already paying sums substantially in excess of the cost of highways.

Earlier this year the Senate adopted an amendment to a tax bill which would have repealed the tax favoritism granted to dividend income by the Revenue Act of 1954. Had we been able to retain this amendment in conference, it would have increased revenue by $335 million in fiscal 1960—almost as much as would be obtained from a 1-cent increase in the gasoline tax. The administration, despite its pleas for additional revenue, was opposed to this amendment, and so were the conferees from the other body.

Mr. President, we have an obligation to implement the interstate highway program which both the President and the Congress have called essential to the national welfare. Pending submission of the study now being undertaken by the administration, and as long as highway user taxes are diverted to other purposes, a further increase in the gasoline tax is unjustified. We can and we should make available an additional portion of these revenues so that the program can go forward.

Why should discrimination be practiced on highway improvement? Why should all other programs, all other expenditures throughout our country and around the world, continue—be the budget balanced or unbalanced—yet stop dead-still our vital interstate and defense highway improvements unless an addtional Federal sales tax is levied on each gallon of gasoline? I reject this injustice, this total lack of reason.

Funds can be provided for continuation of the highway program in any one of three ways, or a combination of the three.

First. A direct appropriation from the general fund to the highway trust fund or dedication of a sufficient amount of revenue from existing highway user taxes to the trust fund, together with the repeal of the so-called Byrd amendment. To the extent that the amounts thus appropriated exceeded the amounts by which Congress has reduced the Presidential budget estimates, a budget deficit would result, assuming the accuracy of the budget estimates of revenue. The administration opposes this method.

Second. The levying of additional taxes with the revenue dedicated to the trust fund. The administration favors this course and has proposed that an additional Federal sales tax 1½ cents be levied on each gallon of gasoline. Congress has declined to approve this recommendation. I think it will continue to decline such approval. I am vigorously opposed to this proposal, as are many others, for reasons already stated.

Third. Congress can make a further reduction in other expenditures by enacting a rescission of appropriations heretofore made by an amount sufficient to permit highway improvement within the total budget estimates. I propose this course as a solution. I introduce a bill to rescind 1 percent of all fiscal 1960 appropriation bills with discretion vested in the President to except fixed statutory requirements such as veteran pensions and other obligations made mandatory by statute, which are spelled out in the bill. My bill would dedicate to the highway trust fund such portion of the revenue from excise taxes on automobiles as may equal the total amount of such recision. It provides for a continuation of our highway improvement programs within the 1960 budget estimates.

This will afford the Senate a clear choice of reducing other expenditures or increasing gasoline taxes. When the highway bill reaches the Committee on Finance I shall offer this bill as an amendment thereto.

The PRESIDING OFFICER. The bill will be recived and appropriately referred.

The bill (S. 2588) to amend the Highway Revenue Act of 1956 so as to transfer to the highway trust fund a portion of the receipts from the excise tax on passenger automobiles collected during the 1960 fiscal year; to rescind 1 percent of certain appropriations made for the 1960 fiscal year; and for other purposes, introduced by Mr. GORE, was received, read twice by its title, and referred to the Committee on Finance.

THE FOOD FOR PEACE ACT WOULD MAKE THE FARMER A KEY FIGURE IN AMERICAN FOREIGN POLICY

Mr. CHURCH. Mr. President, we are now in the seventh year of an administration which came to power in a full tide of confident talk about solving the farmers' problems. Ready assurances were freely given. The ills of farming,

we were told, were the Government's fault; streamline the Department of Agriculture, get the Government out of farming, give the farmers freedom to plant as they please, and all would be well; above all, eliminate high and rigid price supports.

Flexibility was the key word in the new magic formula. By means of flexible price supports, we were assured, supply would be brought into balance with demand, surpluses would disappear, the cost of the farm program to the taxpayer would be slashed, and a fair price would be established for the farmer, not by Government subsidy, but by the genuine needs of the marketplace.

THE FAILURE OF FLEXIBLE PRICE SUPPORTS

Mr. President, let there be no mistake about it. This administration got its way. Congress acquiesced to Eisenhower's demands for flexibility. Rigid price supports, established at 90 percent of parity when the Democrats left office, were abandoned. Authority was granted the Secretary of Agriculture, within broad limits, to adjust price supports as he saw fit. He has used this authority to move price supports remorselessly downward. The magic formula has been put to the test, and too many years have passed, to blame its failure any longer upon the carryover effects of the last Democratic administration.

Never has a farm program been given such fanfare as this administration's program of flexible price supports. The businessmen were told that it would put an end—not to business subsidies—but to handouts for the farmer. Housewives were told that it would reduce food prices at the grocery store. Farmers were told they need not worry, for flexible price supports would get the Government out of farming, and would return them to the healthy competition of the open market.

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

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

Mr. MANSFIELD. To what program does the Senator from Idaho refer? Does he refer to the one which was passed by the Congress, but was vetoed; or does the Senator from Idaho refer to the one which was promised by Mr. Benson, last January, but which he has not yet delivered to Congress?

Mr. CHURCH. I am referring now to the original promotion of the flexible price support program of the Republican administration at the time when it was first urged upon the Congress early in this Republican administration.

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

Mr. CHURCH. I am happy to yield.

Mr. MANSFIELD. Then the Senator from Idaho has not yet gotten to the point. Six and one-half years after this administration came into power, the agricultural surpluses had increased by 700 percent, and the cost of maintaining those surpluses had increased 7 times, 4 million small farm families had left the land, and 1,400,000 farm families—according to the Commodity Credit Corporation of this administration—are today earning less than $1,000 a year. I am sure the Senator from Idaho will agree that those facts are worth mentioning, in addition to the fact that this "businessman's administration" has increased the personnel of the Department of Agriculture by approximately 22,000 since January 20, 1953.

Mr. CHURCH. I thank the Senator from Montana very much for his observations. I am about to make some of the points he has made so cogently, and I appreciate the figures he has cited, because they fill out the case which I hope to establish in the course of my remarks this afternoon.

Mr. MANSFIELD. I hope the Senator from Idaho will also recall the promise made by Secretary Benson in January of this year; namely, his promise that he would present Congress with an administration program, although to this day no such program has been forthcoming from the administration.

Mr. CHURCH. I thank the Senator from Montana very much. I would only add that I think the failure of the administration to present such a program merely is an indication of its refusal to concede defeat with respect to the much ballyhooed farm program which it has followed to date. The facts demonstrate that is program is a failure, as I hope to point out during the course of my remarks.

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

Mr. CHURCH. I yield.

Mr. KEATING. The Senator from Idaho does not contend, does he, that at any time the Congress has responded to the program—whether right or wrong—recommended by Secretary Benson?

Mr. CHURCH. I do, indeed.

Mr. MANSFIELD. What program?

Mr. CHURCH. I do, indeed, make the point, and I shall make it later in the course of my remarks. It demonstrates the extent to which the flexible-price-support concept was adopted by the Congress, as the result of administration pressures, and the degree to which that program has failed; and I think the statistics will bear out my point.

Mr. KEATING. I agree that part of the program has been enacted by the Congress. But not during my tenure in either the other body or in the Senate has the Congress ever enacted the program sent to it and recommended by Secretary Benson.

Mr. CHURCH. In response to that statement, let me say that we have given a sick patient the administration's dose of medicine by the teaspoonful, but the patient has gotten persistently sicker. I do not think the remedy now comes in the form of giving the patient dosages of the same medicine by the tablespoonful.

Mr. KEATING. That is a matter of opinion. If we had given the patient the proper dosage when we began, we might have avoided a lot of the trouble we have had.

Mr. CHURCH. It is my opinion that it was the wrong medicine to start with, and that the medicine has been making the patient weaker and weaker, and that further doses are very apt to kill the patient.

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

Mr. CHURCH. I yield.

Mr. MANSFIELD. I should like to repeat that the Congress in the past 6½ years, to my knowledge, has passed two good farm bills, and perhaps three. All of them were vetoed by the President on the advice of the Secretary of Agriculture. This January we asked the Secretary of Agriculture to come up with a program. He promised to do so. We are still waiting.

Mr. CHURCH. That, I think is a very accurate statement of the facts.

With respect to the administration's farm program, the forecasts were so favorable, Mr. President, that many still prefer the fiction to the fact. But the results of the flexible price support program are in. Let us face them:

Has farm production, which was supposed to have been inflated by high price supports, fallen off with their removal? It has not. Farm output in 1958 was 14 percent higher than in 1953, despite a dwindling farm population.

Have the lower prices resulted in larger markets, so that the increased production could be balanced against increased demand? They have not. Per capita food consumption rose only 2 percent from 1952 to 1957. The excess production has gone into storage, not into mouths, and the Government investment in farm surpluses tripled by 1958. We now have a staggering $7 billion worth of surplus food and fibers in storage.

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

Mr. CHURCH. I yield.

Mr. MANSFIELD. Is not the Senator being conservative in his estimate of $7 billion worth of food and fiber in storage?

Mr. CHURCH. I am trying purposely to give the administration the benefit of the doubt with respect to all of these figures, for I do not want to overstate the case. I think, however, there are other figures with respect to surpluses which are considerably above those I have given.

Mr. MANSFIELD. And that applies to the interest rates, of course. Is that correct?

Mr. CHURCH. Yes.

Has the Government gotten out of farming? Hardly, Mr. President. Total appropriations for the Department of Agriculture have risen from less than $3 billion in 1953 to more than $7 billion in 1959. The present administration has spent more money for the Department of Agriculture than the total of all previous administrations combined since the Department was first created.

Has the Department of Agriculture been streamlined? It now employs 97,000 people; in 1953 it employed 78,000.

Have farmers been freed from the burden of Government controls? If so, Mr. President, what do these extra 19,000 people do?

Finally, do farmers enjoy the promised full parity of income? Net farm operators' income has fallen, since 1952, by 21 percent. Farmers' income per person

is about half that of the nonfarm population. The parity ratio, which stood at 100 in 1952, now hovers at around 80.

Let us admit it, Mr. President. The administration's farm program—flexible price supports, expansion of markets, streamlined administration, freedom to plant, soil bank, and all—is a monumental failure.

THE NEED FOR A NEW APPROACH

Seven years would seem long enough to experiment with failure. But the administration stubbornly refuses to concede. Every attempt by Congress to change the program has been vetoed by the President. We desperately need a reappraisal of the whole farm problem, and a new approach to its solution, but there will be none forthcoming until another President occupies the White House. That is the plain truth.

What, then, can Congress do? Is there any way that we can move to help the farmer, and still avoid a veto? I submit there is one course open to us that holds promise. It is the Food for Peace Act, which was introduced by the distinguished senior Senator from Minnesota [Mr. HUMPHREY].

I am one of the sponsors of this measure. I voted, as a member of the Foreign Relations Committee, to report it favorably to the Senate. When I campaigned for office, I urged the application to our farm problem, and to our foreign relations, of the principles embodied in this bill. I believe the farmers of Idaho to favor it, and that they have given me a mandate to speak and vote for it in this Chamber.

Beyond that, Mr. President, I believe this to be a measure which serves well the deepest aspirations of the American people—one on which men of good will, whether here in the Senate or in the White House, can agree.

In form, the measure is an extension and expansion of the Agricultural Trade and Development Act, better known as Public Law 480. In substance, it is much more than that. Its central objective is to move food out of storage and into stomachs. By this means, we can strike a telling blow against the hunger, poverty, despair, and disease on which communism breeds.

Mr. President, this bill will also reduce the appalling rental costs for storing and warehousing our mounting surpluses, now approaching a billion dollars a year. And, by seeking to put the food to better use, the very use for which God intended it—to feed the hungry of the world—rather than to permit it to rot away in sterile storage, this bill moves in the direction of returning our farmers to their natural place, in the forefront of those who labor in joy to serve human need.

The principal authority granted in the original Public Law 480 was for the President to sell our surplus agricultural commodities to friendly nations in exchange for their own currencies. He was directed to see that these sales did not interfere with normal marketing of our farm products through regular commercial channels. The dollar value of foods and fibers to be sold under Public Law 480 was limited to a rate of $1½ billion annually. All of this amount is presently being used, and Public Law 480 will expire, unless extended, at the end of this year.

THE FOOD FOR PEACE ACT

The International Food for Peace Act builds upon the foundations of Public Law 480. Indeed it takes the form of amendments to that law, so that, if enacted, the program will continue to bear the title of Public Law 480. The authority to sell our surplus foods for foreign currencies, under the bill, is extended for 3 years, and the dollar volume of authorized sales is increased by one-third, to a total of $2 billion a year.

As in Public Law 480, the proceeds we receive from the surplus food sales will be deposited in accounts subject to our control within the countries making the purchases. We can then use the money for a wide variety of purposes, all geared to advance our foreign policy objectives.

Up to one-fourth of the proceeds, under the terms of the bill, may be loaned, through the facilities of the Export-Import Bank, to American businesses, for expansion of their trade and business activities abroad. As these loans are repaid, the principal and interest will remain with the Bank, to create a revolving fund from which further loans may be made. Thus our surplus food will be used to generate capital which may be employed over and over again to promote American enterprise abroad, long after we no longer have surplus foods and fibers for export.

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

Mr. CHURCH. I am happy to yield to my good friend from Tennessee.

Mr. GORE. The genesis of a somewhat similar idea for the making of multilateral soft currency loans may be traced to the distinguished junior Senator from Oklahoma, as the able Senator knows.

This is a fine illustration of the constructive course of action which a legislator can take. All too many people look upon a position of Representative or Senator as a position merely to pass upon the suggestions submitted by the executive branch of the Government. I disagree with that concept.

I think the Senator from Oklahoma [Mr. MONRONEY] is a noble man in our ranks. He is constructive. He is understanding. He is courageous. And he is persuasive. I think this is the fine mark of his service.

Mr. CHURCH. I wish to say to the Senator from Tennessee that it is typical of him to take an occasion of this kind to pay a much deserved tribute to a colleague.

I also add that the Senator from Tennessee has demonstrated once again on the floor of the Senate this afternoon his belief that legislation ought to originate in the Halls of Congress and that we are not bound to accept the recommendations which come to us from the executive branch of the Government. The Senator from Tennessee [Mr. GORE] speaks with great authority on matters of highway construction. He was one of the original leaders in the great legislative effort to establish the Interstate Highway System, and this afternoon he has exhibited once again his capacity for imaginative thought. In doing so he acts in the best tradition of a U.S. Senator.

Mr. GORE. I thank the Senator.

Mr. CHURCH. Mr. President, the Food for Peace bill also makes these proceeds, realized from the sale of surplus foods abroad, available to meet our Government's own obligations. We can use the foreign money in each respective country—in place of American tax dollars—to pay for the buildings, equipment, facilities, goods, and services required for our diplomatic and military personnel, and to finance the exchange of students, and the translation of such scientific publications as our needs may require.

Other portions of the proceeds may be used to develop new markets for our farm products, and to defray the cost of American participation in trade, agricultural, and horticultural fairs. As under Public Law 480, the proceeds may also be used to help support the military forces of countries threatened by Communist aggression.

Finally, Mr. President, a part of these proceeds may be loaned back to the purchasing country for programs of which we approve, to promote trade, to improve living standards, and to facilitate long-term economic development. To achieve these very objectives in underdeveloped countries, we are now appropriating hundreds of millions of our own tax dollars each year. American taxpayers have already bought our surplus food once. What better use for the food, then, than to replace dollars in carrying on our foreign aid program abroad?

Public Law 480 also permits foreign currency loans back to the country purchasing surplus food, to promote trade and economic development. Normally, these loans have been made through the established banking facilities of the friendly nation from which the currency was obtained. As these loans are repaid, with interest, new funds become available for which no uses are authorized under the existing law.

The Food for Peace Act specifies that these repaid funds may be used for the endowment of nonprofit foundations to foster and promote research, education, health, and public welfare. These foundations will be directed by a board of trustees made up, in equal numbers, of citizens of the United States and of the country in which the foundation is located. They will function very much like the charitable foundations—such as those established by Ford and Rockefeller—with which we are familiar in this country. As the years go by, substantial sums of money, to be used for scholarships, research, and charitable activities, will accrue to their trust accounts. Through the good work of these foundations, the free concepts and humanitarian ideals of the United States will live on in many foreign lands for generations to come.

SURPLUS FOOD DONATIONS

Mr. President, the Food for Peace Act is not limited to the sale of our surpluses alone. Like Public Law 480, this bill provides that surplus food may be donated for the relief of hunger at home and abroad. Surplus food will continue to be available for our own school lunch programs, for use in American hospitals and other charitable institutions, and for distribution to our own needy through agencies of the States. Surplus food for foreign relief, through organizations like CARE, will also be continued.

In addition to these uses for which surplus food could be donated under Public Law 480, the Food for Peace Act would establish a major new purpose, donations to national food reserves in certain friendly countries. Famine relief is already authorized under the Public Law 480 program, but experience has shown that it often arrives too late to do much good. Moreover, conditions short of famine often result in great hardship to the common people living in primitive economies, when local food distribution breaks down as the result of hoarding, panic, or natural disaster. It has been found, also, that construction work stimulated by development programs often results in the bidding up of food prices to the point where severe damage is done to local segments of the economy. The mere existence of national food reserves, strategically located with these hazards in mind, will do much to remove them.

SUMMARY AND CONCLUSION

Mr. President, these are the broad outlines of the International Food for Peace Act. Its net effect is that we will export, in place of dollars contributed by American taxpayers, surplus food produced by American farmers. With this food, we will first relieve hunger, and then set in motion programs that will help remove the conditions which produced it: poverty, illiteracy, disease, and ignorance. As a part of this process, our vast hoards of food and fiber, which are taxing our substance in storage charges and demoralizing our farm economy, will be put to work in the service of human need.

I do not mean to suggest that this bill is a panacea for all the ills of our farm program. Far from it. But it has immense significance because of the emphasis it puts on a new approach to their solution.

Heretofore, we have relied on farm programs which sought to avoid surpluses through the curtailment of production. The present Republican administration has tried to reduce production with the soil bank and lower price supports. But production has gone up. The surpluses are bigger than ever. The program has failed.

Earlier Democratic administrations sought to prevent surpluses by imposing acreage limitations on the planting of certain basic crops, coupled with high price supports to preserve farm income and purchasing power. Again, however, it must be observed that surpluses were not avoided.

Mr. President, no other society in all the world has yet been blessed, for any sustained period of time, with a surplus of food. Hunger, scarcity, and famine have been the lot of the billions of human beings who have preceded us on this earth, and they remain the lot of most of those who live outside the island of abundance which is the United States.

What we do with this abundance may well shape the course of history, and determine the kind of world in which our children will live. It is not simply an economic problem; it is a part of the transcendent moral challenge of our time.

I think farmers understand, perhaps better than anyone else, that not one scrap of food or clothing is truly surplus so long as there are in this small world millions of our kind who are hungry or unclothed. Most farmers have understood, I believe, the economic realities which have dictated efforts to prevent the glutting of markets by controlling surplus production. But even when these programs have been intelligently administered, and have proved effective in sustaining farm income, I think they have deeply disturbed the farmer.

I am not a farmer, Mr. President, but I come from a farm State, and I have known and talked with farmers all my life. They are proud of their capacity to produce. When a farmer works hard, and the land is good, he is baffled and angry if there is no market for the product of his labor. No good farmer wants to be driven to a city job in order to buy shoes, medicine, and education for his children. But by the same token, farmers do not enjoy accepting money, in whatever form it takes, for not farming.

It goes against the grain, Mr. President, because there is a nagging reproach in the sight of sun and rain falling unheeded on fields left barren of seed. Farmers know that human beings are hungry, and I think they would not be farmers if they did not sense that there is an intimate connection between the fertile acres entrusted, for a time, to their care, and hungry people, whether they are in India, in Africa, or in the house next door.

There are dozens of communities, in my State, where not one person, through all the years of the depression, ever went on relief. Food was shared. An empty home, or an abandoned factory, is a rebuke to man's folly in wasting that which he has himself created. To waste food, in the face of hunger, rebukes the earth, the water, and the sun. No man who tills the soil can see this done without a deep unease.

Mr. President, this bill seeks not to plow food under or to hoard it away; it seeks not to forestall abundance. Rather its objective is the very opposite. This bill would utilize abundance. It would put our surplus food to wholesome use, and make our farmers key figures in the great American effort to build a world of freedom and peace.

I hope we will approve it.

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

Mr. CHURCH. I yield to the Senator from Montana.

Mr. MANSFIELD. Mr. President, I commend the Senator on his magnificent speech, and assure him that so far as the Foreign Relations Committee was concerned, as I recall the proposal, the measure had the unanimous approval of that group. I hope that in pushing the food-for-peace proposal, in which the Senator from Idaho, the Senator from Minnesota, and others have been so vitally interested, ways and means can be found to substitute for our foreign aid dollars more in the way of food to peoples in need.

It is my understanding that the peoples of Southeast Asia live on an average of 28 to 30 years, that many of them get by on 1 mill a day. I think what is proposed is one way in which they could be furnished hope, in which they could be given the consideration to which they are entitled, and I hope at the same time that we can use some of our surpluses, which we ought to be thankful for, instead of bemoaning, to take care of our own people, the needy and the aged. There are many in this country who are in need.

There are many ways through which the surpluses given to us by Providence can be used, not only to further our own national interest, but, in my opinion, to further the foreign policy objectives of the United States as well.

Again I commend the Senator, and express the hope that the proposal which he has so eloquently expounded this afternoon will be brought to a vote, will be passed by both Houses, and will be signed by the President of the United States.

Mr. CHURCH. I thank the Senator very much.

Mr. President, I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the amendments of the Senate to each of the following bills of the House:

H.R. 303. An act to provide for the conveyance of certain real property in the District of Columbia to the Association of the Oldest Inhabitants of the District of Columbia; and

H.R. 2318. An act to provide for the regulation of closing-out and fire sales in the District of Columbia.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H.R. 2317) to amend section 7 of "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes," approved July 1, 1902, as amended, so as to provide for the bonding of persons

licensed to engage in a business, trade, profession, or calling involving the collection of money for others.

STUDY BY TAX FOUNDATION, INC.

Mr. THURMOND. Mr. President, Tax Foundation, Inc., a private, nonprofit organization engaged in research on expenditures and taxation of Federal, State, and local government, is doing an outstanding job in graphically presenting to the public the story of what happens to their dollars. In their July-August monthly publication, they have created Charlie Green, typical $7,500-a-year American. Charlie is described as follows by Tax Foundation:

Charlie is married, father of two children, owner of a home in a metropolitan suburb. He is not the "average worker" but one of the 27 million unorganized white-collar workers who have been referred to as "the forgotten men" of our time. This group generally suffers more than the average employee from inflation and high taxes. Recent estimates show white-collar workers now outnumber "blue-collar" people for the first time in the Nation's history.

Charlie's annual income of $7,500 is about $600 more than the average U.S. family's and considerably above the $4,900 he had 10 years ago. Total direct taxes and some indirect excises, not counting hidden taxes, take 24 percent of his income now, compared with 14 percent of his smaller income a decade ago.

Inflation also has big holes in his pay increases. Since 1949, the Consumer Price Index has risen 22 percent. For Charlie, $1,014 of his $2,600 increase in income has been wiped out by higher prices.

Since another $1,091 of his increased income has been eliminated by higher taxes he now must pay, his net increase in income after inflation and taxes is not anywhere near $2,600; it is just $495.

In the list of Tax Foundation features a number of interesting facts are brought out:

First. For the first time in U.S. history, cost of government is his largest expense—more than food, clothing, or shelter. In 1949 the Green family spent $1,271 for food while paying $679 as its share of the cost of government. In 1959 Tax Foundation, Inc., estimates the Greens will spend $1,622 for food and for government $1,770.

Second. Charlie's Federal tax burden in 1949 was $447 and in 1959 is $1,081. These dollars were spent as follows:

	1949	1959
Charlie Green's income	$4,900	$7,500
His Federal tax burden	447	1,081
National defense	147	671
Foreign affairs, finance	69	50
Veterans' services, benefits	77	69
Labor and welfare	18	58
Agriculture and agricultural resources	28	90
Natural resources	12	23
Commerce and housing	22	47
General government	12	22
Interest	62	102
Contingencies allowance		3
Total	447	1,081

Third. In addition to direct taxation, the Greens pay a considerable sum annually in hidden taxes. Without trying to find dollar amounts, Tax Foundation spent some time adding up the number of taxes on various items and found there are at least 100 taxes on an egg, 116 taxes on a man's suit, 150 taxes on a woman's hat, 151 taxes on a loaf of bread, and 600 taxes on a house.

Tax Foundation is to be commended for the fine service they are rendering the public in informing them of the dangerous trend in this Nation of more and more Government spending. Our Nation was founded with the idea of having as little Government control as possible. What would our Founding Fathers think—men like George Washington, Thomas Jefferson, Alexander Hamilton—if they were to return and find middle-class families spending more money to keep up the Government than they are to feed their families.

THE TRINITY RIVER PROJECT, CALIFORNIA—KNOCKOUT BLOW TO PARTNERSHIP

Mr. KUCHEL. Mr. President, over a fairly long period of time the government of California, under three Governors, recommended to the Congress that it authorize the Trinity River project as a vast Federal water and power project and as an adjunct of the Central Valley project, our vast federally built multipurpose reclamation undertaking located in the Central Valley of California.

In 1955 my colleague, former Senator William F. Knowland, and I sponsored legislation in the Senate to authorize Trinity as a Federal multipurpose undertaking. Similar legislation was introduced in the House of Representatives by then Representative, now U.S. Senator, CLAIR ENGLE, of California. His bill passed the House and came to the Senate Committee on Interior and Insular Affairs. It contained an amendment which did not change the bill in any respect, but which provided for a study by the Secretary of the Interior as to the possibility of recommending subsequently to Congress that a private utility be authorized to enter into a contract with the Government to generate power at the Trinity project.

It was made clear in the legislative history in the Senate that the Committee on Interior and Insular Affairs, in recommending the House-approved bill to the Senate, did not desire any change in the multipurpose character of the Trinity River legislation, which the bill itself envisaged. That was the legislative history on which the Senate passed the Trinity River project legislation, and on which the President signed it into law. When I returned home to California, I was very glad to speak out and point with pride to the Trinity project as an example of the benefits to our California people which flow from Federal reclamation projects in our State. I pointed with pride to Trinity which President Eisenhower had approved. I was proud to have played a part in its enactment which, as I say, our State government had requested.

Subsequent to that time a regrettably and unhappily long argument occurred as to whether the Trinity law should be amended to authorize a so-called partnership contract and to repeal the preference clause which was written in to the Trinity law. Just a few days ago, the House Interior Committee rejected a bill which would have practically repealed that Trinity law and would have authorized a so-called partnership arrangement between the Secretary of the Interior and the Pacific Gas & Electric Co.

At about the same time, the Senate approved an amendment which I had successfully offered in the Senate Committee on Appropriations, providing for, roughly, $2,500,000, by which the Secretary of Interior would take the first steps toward planning and purchasing the necessary generating equipment at Trinity, in order that the multipurpose character of the dam, which the present law requires, might be carried into effect. Thus, I think, this controversy came to its end.

On August 16, the San Francisco Chronicle, one of the great newspapers of California, published an editorial entitled "Knockout Blow to Partnership."

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

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

KNOCKOUT BLOW TO PARTNERSHIP

Four years ago President Eisenhower signed a $225 million bill for Trinity River development. No waters, but many millions of words, have since spilled over the dam that this legislation provided for. The contest between the President, his Secretary of Interior, and the Pacific Gas & Electric Co. on the one hand and, on the other, the opponents of Mr. Eisenhower's private "partnership" idea has been fought with many a ringing metaphor and clashing cliche. Last week it came to an end.

We doubt whether many people were surprised by the outcome: the House Reclamation Subcommittee voted to bury permanently a bill that would have authorized the Pacific Gas & Electric Co. to build a $60 million powerplant and sell the developed power through its system. In a Democratic Congress the surrender of the principle of public power development was hardly to be expected. It was particularly unlikely in view of the opposition to partnership of both of California's Senators. Democrat CLAIR ENGLE, who as a Congressman had been one of Trinity project's chief sponsors, has consistently been one of the most unflinching fighters for Federal development. Republican THOMAS H. KUCHEL, rather to the astonishment of many Californians, came out a year and a half ago with the announcement that he firmly opposed the Pacific Gas & Electric Co. plan as unsound and likely to virtually nullify the ability of the Central Valley project to supply power to its preference customers such as municipally owned utilities.

There was much to be said for the Pacific Gas & Electric case in terms of the immediate savings of capital outlays and the millions in tax revenues that would be gained by its development of Trinity power. But the idea of letting a private utility move in on a facility that had been publicly paid for and make a profit out of a benefit supplied by the taxpayers never got very far with Congress.

This issue has not been taken to, and therefore it has not been settled by, the people. Partnership may be more popular than the 13-9 vote of the Reclamation Subcommittee makes it appear to be; the truth is no one really knows what is the majority view on this issue, heavily obscured as it is by clouds of conflicting claims and cost figures.

What is perfectly clear, now that partnership on the Trinity has been laid to rest, is the necessity for authorizing and providing funds for the U.S. Bureau of Reclamation to construct the power generators. Northern Californians expect Congress, which has so long delayed decision on the disputed partnership issues, to take care of this before adjournment.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, August 24, 1959, he presented to the President of the United States the enrolled bill (S. 900) to amend section 204(b) of the Federal Property and Administrative Services Act of 1949 to extend the authority of the Administrator of General Services to pay direct expenses in connection with the utilization of excess real property and related personalty, and for other purposes.

ADJOURNMENT

Mr. MANSFIELD. Mr President, I move that the Senate adjourn until noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 52 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, August 25, 1959, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate August 24, 1959:

IN THE ARMY

The following-named officer for reappointment to the active list of the Regular Army of the United States, in the grade indicated, from the temporary disability retired list, under the provisions of title 10, United States Code, section 1211:

To be major general

John Taylor Lewis, O7000.

The following-named officer for advancement on the retired list in the grade indicated under the provisions of title 10, United States Code, section 3962:

To be lieutenant general

John Taylor Lewis, O7000.

The officers named herein for promotion as Reserve commissioned officers of the Army under the provisions of title 10, United States Code, section 3384:

To be major generals

Brig. Gen. William Edwards Blake, O295362, Army National Guard of the United States.

Brig. Gen. Gilbert William Embury, O233743, U.S. Army Reserve.

Brig. Gen. John Simon Gleason, Jr., O398999, U.S. Army Reserve.

Brig. Gen. Edward Foster Griffin, O198652, Army National Guard of the United States.

Brig. Gen. Fernando C. Mencaccy, O278275, U.S. Army Reserve.

Brig. Gen. Clarence Harris Peace, A355161, Army National Guard of the United States.

Brig. Gen. George Weaks Trousdale, O189048, Army National Guard of the United States.

Brig. Gen. Loren Gregory Windom, O275591, Army National Guard of the United States.

To be brigadier generals

Col. John Alvin Dunlap, O325757, Artillery, Army National Guard of the United States.

Col. Herbert Barnard Eagon, O266877, Infantry, Army National Guard of the United States.

Col. William Esbitt, O291450, Infantry, U.S. Army Reserve.

Col. Oliver Henry Gibson, O262499, Adjutant, General's Corps, Army National Guard of the United States.

Col. Robert Louis Hughes, O387135, Infantry, U.S. Army Reserve.

Col. James Hugh Kidder, O248043, Medical Corps, U.S. Army Reserve.

Col. Noble Owen Moore, O397127, Artillery, Army National Guard of the United States.

Col. Richard John Quigley, O400101, Infantry, Army National Guard of the United States.

Col. Frederick August Schaefer III, O434728, Infantry, Army National Guard of the United States.

To be brigadier general

Col. Charles Goldsmith Stevenson, O233-309, Adjutant General's Corps, Army National Guard of the United States.

The officers named herein for appointment as Reserve commissioned officers of the Army under the provisions of title 10, United States Code, section 593(a):

To be major generals

Brig. Gen. George Hilton Butler, O186922, Army National Guard of the United States.

Col. Henry Vance Graham, O398163, Adjutant General's Corps, Army National Guard of the United States.

Col. Edwin Weston Heywood, O384274, Adjutant General's Corps, Army National Guard of the United States.

Col. Daniel Sylvester Tuttle Hinman, O313290, Adjutant General's Corps, Army National Guard of the United States.

IN THE AIR FORCE

The following persons for appointment in the Regular Air Force in the grades indicated, under the provisions of section 8284, title 10, United States Code, with a view to designation under the provisions of section 8067, title 10, United States Code, to perform the duties indicated, and with dates of rank to be prescribed by the Secretary of the Air Force:

To be major, USAF (Medical)

LeRoy C. Pierce, AO976006.

To be captains, USAF (Dental)

Frederick D. Birmingham, AO3045855.
Robert E. Bulman, AO3042923.
Wilbur J. Dickman, AO2255768.
Ralph H. Frady, Jr., AO3042189.
Paul J. Johnson, AO2261597.
Dan E. Pickle, AO3000644.
Dale F. P. Rank.
Robert A. Tanquist, AO2260285.
Robert M. Wood, O1110352.

To be captains, USAF (Nurse)

Carol L. Anderson, AN785521.
Georgia M. Thomas, AN2244538.

To be first lieutenants, USAF (Dental)

Carl N. Fillinger.
Phillip Kamish, AO3075173.
James W. Wooten, AO3077778.

To be first lieutenants, USAF (medical)

Mervyn L. Elgart, AO3079037.
Richard E. Padrnos.
Roderick H. Turner, AO3088649.
Carl Wolnisty, AO3075145.

To be first lieutenant, USAF (nurse)

Elizabeth T. Fellin, AN2243078.

To be first lieutenant, USAF (medical specialist)

Patricia J. Rooney, AJ101203.

The following persons for appointment in the Regular Air Force, in the grade of second lieutenant, under section 8284, of title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

Distinguished aviation cadet graduates

Byron W. Evans, AO3102191.
Albert W. Kandetzki, Jr., AO3082468.
Ernest T. Laudise, AO3082423.
David C. Lindberg, AO3102204.
John H. Livesay, AO3102115.
Cloyce G. Mindel, AO3082447.
Jon C. Vance, AO3102202.
Ray M. Wallace, AO3082308.
Paul D. Winkler, AO3102089.

Distinguished officer candidate graduates

Nicholas M. Brandjes, AO3101424.
Alexander C. Dwelis, AO3101617.
Arthur C. Evans, AO3101624.
Harry O. Evers, Jr., AO3101625.
Wayne D. Hauth, AO3101650.
Charles L. Hite, AO3101309.
Timothy L. Hogen, AO3101520.
Dale D. Lierman, AO3101711.
Henry R. McMillan, AO3101810.
Peter C. Pintler, AO3101739.
Charles A. Rader, AO3101541.
Gerald J. Varner, AO3101772.
Stephen L. Werner, AO3101530.

Subject to medical qualification and subject to designation as distinguished military graduate, the following distinguished military student of the Air Force Reserve Officers' Training Corps for appointment in the Regular Air Force in the grade of second lieutenant under section 8284, of title 10, United States Code, with date of rank to be determined by the Secretary of the Air Force:

William F. Ring

HOUSE OF REPRESENTATIVES

MONDAY, AUGUST 24, 1959

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Isaiah 45: 5: *I girded thee, though thou hast not known Me.*

O Thou God of all our days, may the renewal of soul and the rest of body and mind that we received on the Lord's Day inspire us with strength for the duties and responsibilities of this new week.

May Thy spirit come nearer than we have ever known before, dispelling the doubts that assail us and the feelings that Thou dost neither know nor care about, the troubles and trials which we are facing.

We beseech Thee to silence our anxious thoughts and gird us with confidence and courage when we are in danger of becoming weary and sick at heart because of the strife and sadness in the world around us.