Commission itself rejected its own task force's recommendation that Federal power projects, such as TVA, be sold to private industry. There is an area here for honest differences of judgment and opinion, for opposing views as to how far or how fast we should go in disposing of Government business activities—particularly where national security is genuinely involved. Certainly here is an area which will require careful congressional scrutiny and considered judgment. This does not argue that nothing should be done or that a hard and fast position can be taken. It does argue that you, as well as we in Congress, will want to weigh the matters as carefully and wisely as we can.

Example 2: The Hoover Commission recommendations with reference to Federal medical services, particularly as they relate to the care of veterans. Here is an instance in which emotionalized reaction and pressure group activity could make a shambles of sound economy measures, particularly since these health services now involve some 30 million Americans; here, also, is a field in which cold statistics alone cannot provide the only criterion for wise judgment and, let me add, I do not believe for one moment that the Hoover Commission placed the dollar mark above humanitarian considerations in this area. Certainly this is an aspect of the Commission recommendations which calls for united support of all recommendations on which there is agreement, and full, frank, face-to-face study and debate of those recommendations which will inevitably be in controversy.

Example 3: The broad and highly controversial field of foreign aid involves the dual problem of administrative reforms, recommended by the Hoover Commission, and the question of the wisdom of all or parts of this program. Obviously this is an area in which Executive recommendations and congressional decisions will necessarily be the determining factor. I believe the many searching questions raised in the Hoover Commission and its task force reports are of tremendous value in helping the Nation, the Congress, and the Executive grapple with this problem. My votes in the past indicate my own thinking to date on the subject. This is neither the time nor place for a full-dress discussion of this crucial issue. I will only make this observation that the recommendation of congressional approval for a 10-year program of foreign aid is not—I repeat, not—consonant, in my judgment, with either the spirit of the specific recommendations of the Hoover Commission. I shall oppose it.

3. A final area of Hoover Commission recommendations has to do, actually, with basic legislative procedure, as it relates to appropriations and to the recovery by the Congress of its seriously weakened control of the pursestrings. Stated briefly, and in simplest terms, it would require, as the Hoover Commission recommends, "that the executive budget and congressional appropriations be made on an annual accrued basis," even while authorization of a long-term project would still be possible by a single congressional action. This would reduce, if not eliminate, vast carryovers of unexpended funds; it would permit annual review of progress, of costs, and of Executive performance, and would obviate the grave situation reported by the Budget Director in October 1953, that as of July 1 of that year "$81 billion of unfinanced appropriations existed as a claim against current and future income or borrowing."

This subject is too vast for detailed discussion here—but I believe it is a key to very substantial economies, to the effective congressional control of spending required by the Constitution, and to sound fiscal policy which, in importance, overshadows many of the more dramatic and spectacular findings and recommendations of the Hoover Commission. It is one more assurance that even in big government, government as the agent of the people and of the national welfare, will have a fighting chance to govern justly, wisely, and well.

I know of no more appropriate words with which to close these already too-lengthy remarks than this concluding statement of the Hoover Commission's final report:

"The problems before the Commission have by no means been purely financial. In our recommendations we have sought six objectives:

"First. To preserve the full security of the Nation in a disturbed world.

"Second. To maintain the functioning of all necessary agencies which make for the common welfare.

"Third. To stimulate the fundamental research upon which national security and progress are based.

"Fourth. To improve the efficiency and eliminate waste in the executive agencies.

"Fifth. To eliminate or reduce Government competition with private enterprise.

"Sixth, and perhaps the most important of all. To strengthen the economic, social, and governmental structure which has brought us, now for 166 years, constant blessings and progress."

SENATE

TUESDAY, MARCH 20, 1956

(Legislative day of Monday, March 19, 1956)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

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

Our Father God, as noontide marks the fast hurrying day, and the voices of this Chamber are hushed to silence, we would steady our hearts and minds in the glorious thought that amidst all life's fleeting scenes we are with Thee, who changeth not.

We come in the heat and burden of another day, grateful for the love that our indifference cannot discourage and for the patience that our folly cannot exhaust. Come to us, we pray Thee, as refining fire, to purge our inner lives from hatred and envy, from prejudice and malice. Suffer us not to let the sun go down on our wrath. In a mad and violent day may we walk and work in the peace that the world cannot give, in the charity that thinketh no evil, in the good will that bridges all chasms. And when the sunset comes, may we face its summons with an approving conscience void of offense toward Thee and our fellow men. We ask it through riches of grace in Christ Jesus our Lord. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., March 20, 1956.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. ALBEN W. BARKLEY, a Senator from the State of Kentucky, to perform the duties of the Chair during my absence.

WALTER F. GEORGE,
President pro tempore.

Mr. BARKLEY thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Monday, March 19, 1956, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on March 19, 1956, the President had approved and signed the act (S. 1483) for the relief of Irfan Kawar.

LEAVE OF ABSENCE

Mr. FREAR. Mr. President, I ask unanimous consent to be absent from the Senate on official business of the Senate in connection with the Committee on Armed Services, beginning tomorrow, and until Saturday of this week.

THE ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Subcommittee on Reorganization of the Committee on Government Operations was authorized to meet during the session of the Senate today.

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Housing Subcommittee of the Committee on Banking and Currency was authorized to meet during the session of the Senate today.

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Subcommittee on Irrigation and Reclamation of the Committee on Interior and Insular Affairs was authorized to meet during the session of the Senate today.

Mr. NEELY. Mr. President, I ask unanimous consent that the Committee on the District of Columbia may meet this afternoon during the session of the Senate, for the purpose of considering a Presidential nomination.

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

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that there may be the usual morning hour, for the presentation of petitions and memorials, the introduction of bills, and the transaction of other routine business, with a 2-minute limitation on statements.

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

EXECUTIVE COMMUNICATIONS, ETC.

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

REPORT ON CERTAIN MILITARY PRIME CONTRACTS

A letter from the Assistant Secretary of Defense, Supply, and Logistics, transmitting, pursuant to law, a report on military prime contracts with business firms for work in the United States for the period July 1, 1955, through January 31, 1956 (with an accompanying report); to the Committee on Banking and Currency.

IMPLEMENTATION OF INTERNATIONAL CONVENTION TO FACILITATE THE IMPORTATION OF COMMERCIAL SAMPLES AND ADVERTISING MATTER

A letter from the Acting Secretary of State, transmitting a draft of proposed legislation to carry out the International Convention To Facilitate the Importation of Commercial Samples and Advertising Matter (with an accompanying paper); to the Committee on Finance.

ESTABLISHMENT OF CERTAIN POSITIONS IN DEPARTMENT OF COMMERCE

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to authorize the establishment of eight positions for specially qualified scientific and professional personnel in the Department of Commerce with rates of compensation at rates not to exceed the maximum rate payable under Public Law 313, 80th Congress, as amended and supplemented (with accompanying papers); to the Committee on Post Office and Civil Service.

PETITIONS AND MEMORIALS

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

By the ACTING PRESIDENT pro tempore:

A resolution of the House of Representatives of the State of California; to the Committee on the Judiciary:

"House Resolution 16

"Resolution urging Federal action to support the civil-rights decision of the Supreme Court of the United States

"Whereas our great American democracy was founded upon the basic concepts of equality and liberty for all, which principles are embodied in our Constitution and cherished as the supreme law of our land; and

"Whereas these doctrines of equality and freedom have been fountainheads of strength to our Nation which have borne us through our times of trial, nurtured us as a free people who have matured a mighty and thriving civilization, and brought us to an ascendency among the nations of the earth; and

"Whereas there have been reliable reports of serious violations of these American democratic principles in certain of our sister States of the South which threaten the national security, the orderly processes of commerce among the several States, and the welfare of the Nation; and

"Whereas, according to these reports of this critical situation, the constitutional rights of citizens to vote and engage in the pursuit of happiness, to travel, work, and attend school are violated frequently and often with means of physical violence and terror; and

"Whereas these attacks, based soely upon bigotry and race prejudice, have in some Southern States achieved the sanction of State governments in the form of nefarious attempts to defy the Supreme Court of the United States and to threaten nullification of the Constitution; and

"Whereas such unlawful acts and overt defiance of the Constitution and the power of the United States Supreme Court are of national concern, regardless of the States in which they occur, and demand the cognizance of all States, as well as the active attention of the Federal Government, because they are repugnant to every moral, religious, and political principle of our great American democracy and seriously weaken the United States in the international conflict between democracy and totalitarianism: Now, therefore, be it

"*Resolved by the Assembly of the State of California*, That it memorializes the executive branch and Congress of the United States to take the necessary action to support the recent decisions of the Supreme Court on civil rights by the utilization of available agencies and facilities to maintain peace and order, protect the rights of citizens, and enforce the laws of our land; and be it further

"*Resolved*, That copies of this resolution be sent to the President and Vice President of the United States, Speaker of the House of Representatives, United States Department of Justice, and to each Senator and Representative of the State of California in the Congress of the United States."

A resolution adopted by the Woodville, Calif., Chamber of Commerce, favoring the enactment of legislation to provide funds for the construction of Success Dam, on the Tule River, California; to the Committee on Appropriations.

A resolution adopted by the Harbor Commission, San Diego, Calif., approving the need for a national policy to stimulate the domestic fishing industry; to the Committee on Interstate and Foreign Commerce.

A resolution adopted by the Terminus Dam Project Committee, Tulare, Calif., favoring the early construction of the Terminus Dam in California; to the Committee on Public Works.

A resolution adopted by Saint Martin's Council 2489, Knights of Columbus, Amityville, Long Island, N. Y., favoring enactment of the so-called Bricker amendment, relating to the treatymaking power; ordered to lie on the table.

RETENTION OF EMPLOYEES AT UNITED STATES ARMORY IN SPRINGFIELD, MASS.—RESOLUTIONS OF MASSACHUSETTS HOUSE OF REPRESENTATIVES

Mr. KENNEDY. Mr. President, on behalf of myself, and my colleague, the senior Senator from Massachusetts [Mr. SALTONSTALL], I present, for appropriate reference, and ask unanimous consent to have printed in the RECORD, resolutions adopted by the House of Representatives of the Commonwealth of Massachusetts on March 5, 1956.

The ACTING PRESIDENT pro tempore. The resolutions will be received and appropriately referred; and, under the rule, the resolutions will be printed in the RECORD.

The resolutions were received, referred to the Committee on Armed Services, and ordered to be printed in the RECORD, as follows:

Resolutions memorializing Congress and the Department of Defense to retain employees of the United States Armory in Springfield

Whereas the United States Department of Defense has announced that 799 employees of the United States Armory at Springfield will be dismissed from employment on or before June 30, 1956; and

Whereas these employees have devoted many years of faithful service to the production of material essential to the national defense; and

Whereas the skill of said employees in turning out implements of war cannot be duplicated elsewhere in any part of this Nation; and

Whereas said skill is of great importance in this critical period, and should not be permitted to be lost by the Department of Defense; and

Whereas the record of the Springfield Armory and its service to the country since its establishment as the first United States arsenal has not been equaled by any other military equipment installation: Therefore be it

Resolved, That the United State Department of Defense is hereby urged by the House of Representatives of the General Court of Massachusetts to conduct a survey of the needs of all military units, present and future, for the purpose of making every possible effort to retain all of the employees affected by this contemplated layoff, to the end that the defense of our country shall not be jeopardized by the loss of their important skills; and be it further

Resolved, That copies of this resolution shall be forwarded to each Member of the United States Senate and United States House of Representatives from Massachusetts, and to the Secretary of Defense.

COOPERATIVE TAX POLICY—RESOLUTION OF NATIONAL COUNCIL OF FARMER COOPERATIVES, LOS ANGELES, CALIF.

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD, and appropriately referred, a resolution on co-op tax policy adopted by the National Council of Farmer Cooperatives at Los Angeles, Calif.

There being no objection, the resolution was referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

COOPERATIVE TAX POLICY RESOLUTION ADOPTED BY THE NATONAL COUNCIL OF FARMERS COOPERATIVES, JANUARY 16–19, 1956

The clear intention of the Congress in 1951 in the changes made in the tax treatment of farmer cooperatives was that the savings resulting from the operation of such organizations should be subject to a single tax. A number of Court decisions since 1951 tend to prevent the carrying out of the above intent.

Therefore, the National Council of Farmer Cooperatives states its support of the following policies and principles:

1. Farmer cooperatives are owned and controlled by farmers and operate on a cost of doing business basis for the primary purpose of providing essential services and increasing the income of their farmer members and patrons. Under such operations and purposes, the savings resulting therefrom which the cooperative distributes to the patrons under an obligation and agreement to do so represents income to the patron. Such amounts are, and should be

excludible or deductible by the cooperative, and the right of members and patrons to receive such refunds as income, whether in cash or non-cash form, and to invest such amounts in their cooperatives either directly or by setoff, should be recognized.

The council supports the tax status of farmer cooperatives under existing law and shall seek clarification of the 1951 act as to the taxable status of patrons with regard to distributions made to them by their cooperatives, in line with the intent of Congress in the passage of that act.

2. The council is opposed to the application of a withholding tax to patronage refunds and reaffirms the principles of its resolution adopted at the 1951 annual meeting to the effect that—

A withholding tax on patronage refunds is unnecessary and unsound. It would unduly burden cooperatives in both cost and manpower in deducting, recording, reporting, and remitting such taxes without materially increasing net revenue collections. Because the tax withheld has no relation to the rate of taxes owed by the recipient, many recipients would be entitled to tax refunds, and the cost in money and manpower of internal revenue administration would be unnecessarily and substantially increased. Furthermore, a withholding tax would confuse, rather than clarify, the taxable status of such refunds.

3. The council seeks legislation which would eliminate the double taxation to patrons and members which occurs when the Treasury seeks to impose in the same year a tax both on cash payments in redemption of prior issues of non-cash patronage distributions, and also on current distributions in non-cash form.

4. The executive committee is given the authority to implement the above policies during the coming year in a manner deemed best designed to accomplish these expressed objectives.

INTERSTATE FEDERAL HIGHWAY SYSTEM—RESOLUTION OF CITY COUNCIL OF MINNEAPOLIS, MINN.

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD, and appropriately referred, a resolution passed by the City Council of the City of Minneapolis, Minn., urging that Congress pass legislation for an interstate Federal highway system.

There being no objection, the resolution was referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

RESOLUTION ENDORSING ACTION BY THE CONGRESS OF THE UNITED STATES AT THIS SESSION IN THE ESTABLISHMENT AND FINANCING OF A FEDERAL INTERSTATE HIGHWAY SYSTEM

Whereas the city of Minneapolis is vitally concerned in the determination of a location and design of major highways, Federal, State, and local, in the city of Minneapolis; and

Whereas such determination has a significant bearing upon the development of a long range capital improvement program of the city; and

Whereas the specific location of major highways in the city is a necessary prerequisite to decisions by business and industry on location of plants, facilities and services in the city: Now, therefore, be it

Resolved by the City Council of the City of Minneapolis, That we endorse and urge action by the Congress of the United States at this session to adopt a highway and finance program on the interstate Federal system.

Further, that the city clerk be directed to transmit, forthwith, a copy of this resolution to each Member of the House and Senate from the State of Minnesota.

Passed March 9, 1956.

EUGENE E. STOKOWSKI,
President of the Council.

Approved March 12, 1956.

ERIC G. HOYER, *Mayor.*

Attest:

LEONARD A. JOHNSON,
City Clerk.

RESOLUTION OF MINNESOTA TELEPHONE ASSOCIATION, INC.

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD, and appropriately referred, two resolutions adopted by the Minnesota Telephone Association, Inc., at their 47th annual convention held in St. Paul, Minn.

The ACTING PRESIDENT pro tempore. The resolutions will be received and appropriately referred; and, without objection, the resolutions will be printed in the RECORD.

The resolutions, presented by Mr. HUMPHREY, were received, appropriately referred, and ordered to be printed in the RECORD as follows:

To the Committee on Public Works:

"Whereas occupancy of highway rights-of-way by utilities benefits the public as utilities have been permitted and encouraged by legislative enactments and municipal ordinances over the years to make use of public highways for the location of their plant and facilities in order to stimulate development of utility services and to make these services available to the greatest number of people at the lowest possible cost. It has long been recognized by the courts that utilities do not occupy public rights-of-way by sufferance, but, on the contrary, when they construct facilities in public rights-of-way under legislative sanction their right to continue to use the public highway becomes a fixed and vested property right (e. g. *Russell* v. *Sebastian* (233 U. S. 195)); and

"Whereas the burden of relocation costs falls on the subscriber as the cost of providing utility services can be met only through rates collected from the customer; and

"Whereas relocation costs should be charged to the highway project as the cost of relocating utility plant and facilities required by highway improvement projects must, of course, be met from some source, and, in the final analysis, the primary question for determination is where the responsibility for this cost equitably rests; and

"Whereas relocation problem cannot be settled on State level as the expenditure of Federal funds for construction of Federal-aid highways stems from the interest of the Federal Government in promoting interstate commerce and the national defense; and

"Whereas relocation costs of railroads are paid from Federal funds as reimbursement of railroads for relocation costs incurred in connection with Federal-aid projects is justifiable. However, there is no sound basis for relieving one utility, the railroad, of a burden which is left to be borne by the users of other utility services. The unfairness of this is even more apparent in light of the fact that railroad facilities create a hazard to the traveling public, but the facilities of other utilities do not present a hazard. The argument is advanced that railroads are reimbursed from Federal funds because their facilities are situated within private rights-of-way. Special provision for relief in the Federal-aid Highway Act would not be required if the railroad problem only involved the fact that their facilities are located on private rights-of-way. All private property owners are entitled to compensation under general condemnation laws. The special provision is needed to relieve the railroads of the above-mentioned varying State obligations to contribute to the cost of eliminating the hazards of railway grade crossings which are imposed on them regardless of whether their facilities are on private or public rights-of-way. Certainly, the other utilities are entitled to equal treatment with respect to the State laws imposing varying obligations on them; and

"Whereas use of highways as access for maintenance of facilities is no justification for refusal to reimburse utilities, as it has been stated that the utilities receive some advantage because of the convenience of the highways as a means of access for maintaining and servicing their facilities. This is undisputed but this argument ignores the obvious fact that without access through use of the highways to their facilities, the utilities would be wholly unable to furnish service to the public. Here again the use of highways by the utilities in this respect promotes the public interest; and

"Whereas impact of modern highways is particularly burdensome on smaller utilities as the impact on the utilities of the changing character of modern highways has become increasingly serious in recent years. The primary and interstate highways involving the construction of multiple lanes, clover leaves, and other features have necessitated costly utility relocations—moves for the third and fourth time are not uncommon. These costly relocations result in great hardships particularly on the smaller utilities, both publicly and privately owned with limited resources; and

"Whereas a number of States have recognized the principle of reimbursement in the case of toll roads, as the impact of the changing character of modern highways on utility companies is receiving recognition by the States on roads which are not constructed out of funds appropriated for Federal-aid highways or funds expended under the jurisdiction of the State Highway Commission. A number of States in recent years have passed statutes providing for the construction of turnpikes or toll roads. In size and character of construction they are similar to Federal-aid highways. Seventeen State legislatures, largely in the last 2 years, have recognized that public utilities should be fully reimbursed for relocation costs incident to the construction of these toll roads. The following States have so provided: Florida, 1953; Georgia, 1952; Illinois, 1953; Kansas, 1953; Kentucky, 1950; Louisiana, 1952; Michigan, 1953; Nebraska, 1953; New Jersey, 1948; New York, 1946; North Carolina, 1951; Ohio, 1949; Oklahoma, 1953; Rhode Island, 1954; Texas, 1953, Virginia, 1952; Wisconsin, 1953; and

"Whereas, relocation costs while serious to utilities would not burden the Federal-aid highway program, as testimony presented to the Public Works Committee of Congress shows that costs experienced by utilities are of serious concern to the individual utilities but are a small part of the total cost of constructing Federal-aid highways; and

"Whereas a study was made under the direction of Congress to determine the amount of the cost being imposed on utilities as the Federal-Aid Highway Act of 1954 (Public Law 350) directed the Secretary of Commerce to make a study 'which shall include a review and financial analysis of existing relationship between the State highway departments and affected utilities of all kinds.' The Secretary of Commerce designated the Bureau of Public Roads to make the study. The Bureau called on the various utilities for assistance in obtaining the extent of the cost imposed on the utilities by the relocation of utility facilities in order to accommodate Federal-aid highway projects. The results of this study were reported to Congress in February 1955: Now, therefore, be it

"Resolved by the Minnesota Telephone Association, Inc., in convention assembled, this 15th day of February 1956, That this document be served on each member of the Minnesota Congressional delegation and that they and the whole Congress be urged and requested to include utility highway relocation costs in total, in any legislation so as to provide reimbursements to utilities affected under the vast Federal-aid highway program.

"Resolution adopted unanimously February 15, 1956, by the 47th annual convention, Minnesota Telephone Association, Inc., held at the St. Paul Hotel, St. Paul, Minn., February 13, 14, and 15, 1956.

"Attest:

"KEITH W. VOGT,
"Secretary-Treasurer."

To the Committee on Labor and Public Welfare:

"Whereas over 5,000 independent telephone companies provide service in 11,000 cities and towns. Most of the exchanges are very small, many having less than 100 telephones. Many switchboards are taken care of by housewives in their homes. Eighty percent of independent telephones are in residences, many of them farm homes; and

"Whereas living costs are much lower in small towns. In a small community a 5-room house may rent for $30 or $35 compared with $60 or $100 in large towns. In small towns many people have vegetable gardens with chickens, and a cow in the barn; and

"Whereas independent telephone company revenues disable them from paying wage rates considered reasonable in large towns. Average annual earnings per telephone for independent companies range generally from $30 to $45, many a great deal less; and

"Whereas a telephone exchange must provide 24-hour service, a wage increase hits it three times a day. There are three 8-hour shifts; and

"Whereas present law exempts 'any switchboard operator employed in a public telephone exchange which has less than 750 stations.' When an exemption of 500 stations was provided by Congress in 1939, it was given because 'small telephone companies * * * are financially unable to comply with the wage provisions of the act' (House committee Rept. 1448, 76th Cong., 1st sess., accompanying exemption bill, August 3, 1939). When in 1949 Congress increased the exemption of 750 stations Senator BUTLER of Nebraska who introduced an amendment in the Senate, said: 'I believe that my amendment really comes close to carrying out the original intent by exempting most of the smaller independent companies which serve small towns or rural sections.' (CONGRESSIONAL RECORD, vol. 95, pt. 9, p. 12489); and

"Whereas Wage and Hour Division of Department of Labor in 1939 sent telegrams to State public utility commissions asking if any exemption should be provided and how. Twenty-two commissions recommended 1,000 telephones, 1 recommended 750, 6 recommended 500, and 1 recommended 250; and

"Whereas if exemption is repealed it will cripple many small exchanges. They would be compelled to increase rates so high that farmers and small income people in rural areas would take out their telephones. Service would be seriously curtailed. This essential branch of American small business would be on the way out. Senator BUTLER said in 1949 when his amendment was being considered:

"'In practically every State, telephone rates are regulated by the State commission and, of course, we all know that those rates are based primarily on costs of operation. It is obvious that if their costs go up it will be necessary to raise rates to subscribers. In many farming regions the subscribers simply will not stand for an increase in rates, and it will simply mean that many subscribers will discontinue their phone service. I do not believe we want to bring about that result, Mr. President. We should be aiming at methods to expand telephone service in rural regions instead of passing regulations that will have the effect of cutting down the availability of such service. * * * In case of sickness or some other emergency, a telephone frequently makes the difference between life and death. I do not believe the Congress should take any action that will place the telephone service in these sections beyond the reach of the average farm family. We do not have enough telephones on the farm today, Mr. President. I certainly don't believe the Congress should take any action to make it still more difficult for the farmer to acquire such service.

"'It is important to realize that if, as expected, the application of the 75-cent minimum forces a sharp increase in rates and results in many subscribers dropping their telephones, it will mean unemployment among the very group that this bill is designed to benefit—that is, the telephone operators themselves. If several hundred present subscribers discount their service at each of the exchanges affected, it will mean that 1 or 2 or 3 of these operators will be laid off at these exchanges' (CONGRESSIONAL RECORD, vol. 95, pt. 9, p. 12489); and

"Whereas Congress has now again raised the minimum hourly wage to $1 per hour effective March 1, 1956 further aggravating the situation and causing the impact to be even greater should the 750-station operator exemption be repealed; and

"Whereas in many towns a telephone exchange is the only business subject to the Wage-Hour Act because it is the only one doing interstate business. If the exchange loses its exemption and is compelled to pay a higher wage than the prevailing wage there will be a widespread dissatisfaction from subscribers, other employers, regulatory commissions, etc. As public utilities, rates of telephone companies are under strict public regulation; and

"Whereas there is no surer way of putting small business out of business than by subjecting small business in every instance to legislative standards considered reasonable in large metropolitan areas: Now, therefore, be it

"Resolved by the Minnesota Telephone Association, Inc., in convention assembled this 15th day of February 1956, That this document be served on each member of the Minnesota congressional delegation and that they and the whole Congress be urged and requested to preserve the 750-station operator exemption in the Fair Labor Standards Act.

"Resolution adopted unanimously February 15, 1956, by the 47th annual convention, Minnesota Telephone Association, Inc., held at the St. Paul Hotel, St. Paul, Minn., February 13, 14, and 15, 1956.

"Attest:

"KEITH W. VOGT,
"Secretary-Treasurer."

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

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

H. R. 6461. A bill to amend section 73 (i) of the Hawaiian Organic Act (Rept. No. 1695);

H. R. 6463. A bill to ratify and confirm section 4539, Revised Laws of Hawaii 1945, section 1 (b), act 12, session laws of Hawaii 1951, and the sales of public lands consummated pursuant to the terms of said statutes (Rept. No. 1696);

H. R. 6807. A bill to authorize the amendment of certain patents of Government lands containing restrictions as to use of such lands in the Territory of Hawaii (Rept. No. 1697);

H. R. 6808. A bill to amend section 73 (1) of the Hawaiian Organic Act (Rept. No. 1698); and

H. R. 6824. A bill to authorize the amendment of the restrictive covenant on land patent numbered 10,410, issued to Keoshi Matsunaga, his heirs or assigns, on July 20, 1936, and covering lot 48 of Ponahawai house lots, situated in the county of Hawaii, Territory of Hawaii (Rept. No. 1699).

BILLS AND JOINT RESOLUTION INTRODUCED

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

By Mr. MURRAY:

S. 3484. A bill to provide for the location of mining claims by geological, geochemical, and geophysical prospecting methods, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MURRAY (for himself, Mr. CASE of South Dakota, Mr. GOLDWATER, and Mr. MALONE):

S. 3485. A bill to encourage the discovery, development, and production of columbium-tantalum bearing ores and concentrates in the United States, its Territories, and possessions, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MURRAY (for himself, Mr. GOLDWATER, and Mr. MALONE):

S. 3486. A bill to encourage the discovery, development, and production of beryl in the United States, its Territories, and possessions, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SMITH of New Jersey:

S. 3487. A bill for the relief of Lucy Lin and her minor child, Peter Lin; to the Committee on the Judiciary.

By Mr. NEELY (by request):

S. 3488. A bill to amend the act entitled "An act to provide recognition for meritorious service by members of the police and fire departments of the District of Columbia," approved March 4, 1929; and

S. 3489. A bill to amend the acts known as the Life Insurance Act, approved June 19, 1934, and the Fire and Casualty Act, approved October 9, 1940; to the Committee on the District of Columbia.

By Mr. CHAVEZ:

S. 3490. A bill to provide for transfer of title of certain lands to the Carlsbad Irrigation District, N. Mex.; to the Committee on Interior and Insular Affairs.

By Mr. ERVIN:

S. 3491. A bill to authorize the conveyance of a certain tract of land in North Carolina to the city of Charlotte, N. C.; to the Committee on Government Operations.

S. 3492. A bill for the relief of Ching-Sheng Shen and Lee-Ming Chow Shen; to the Committee on the Judiciary.

By Mr. PASTORE:

S. 3493. A bill for the relief of Lydia Anne Foote; to the Committee on the Judiciary.

By Mr. KEFAUVER:

S. 3494. A bill to prohibit certain unfair practices with respect to the cancellation of franchises held by automobile dealers and by radio and television broadcasting stations; to the Committee on Interstate and Foreign Commerce.

By Mr. DIRKSEN (by request):

S. 3495. A bill to amend section 753 of title 28 of the United States Code to prescribe more fully the duties and obligations of official reporters appointed by district courts of the United States; to the Committee on the Judiciary.

By Mr. HUMPHREY:

S. J. Res. 157. Joint resolution authorizing the Federal Trade Commission to make an

investigation and study of the production, transportation, distribution, and sale of refined petroleum products; to the Committee on Interstate and Foreign Commerce.

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

INVESTIGATION OF PRODUCTION, TRANSPORTATION, DISTRIBUTION, AND SALE OF REFINED PETROLEUM PRODUCTS

Mr. HUMPHREY. Mr. President, I introduce, for appropriate reference, a joint resolution authorizing the Federal Trade Commission to make an investigation and study of the production, transportation, distribution and sale of refined petroleum products. I ask unanimous consent that the joint resolution may be printed in the RECORD, as a part of my remarks.

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

The joint resolution (S. J. Res. 157) authorizing the Federal Trade Commission to make an investigation and study of the production, transportation, distribution, and sale of refined petroleum products, introduced by Mr. HUMPHREY, was received, read twice by its title, referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed in the RECORD as follows:

Resolved, etc., That the Federal Trade Commission is hereby authorized and directed to make a thorough investigation and study of the structure of the industry and of the corporate and commercial relationships and practices which affect the supply, production, transportation, distribution and sale of refined petroleum products including particularly, gasoline, fuel oils and lubricating oils and report the facts, with any recommendations deemed appropriate, to the Congress of the United States; and

That the investigation directed include ascertainment of the facts necessary to determine if there exist in the refined petroleum products industry, practices and policies which may violate any of the laws of the United States and whether practices and policies employed in the industry in the United States may have a tendency to restrain competition or to create a monopoly at any industry level in any section of the country; and

That the Federal Trade Commission shall specifically report as to any practices current in the industry which may adversely affect the public and small and independent refiners and marketers of refined petroleum products; and

That in order to avoid any unnecessary duplication of work already done by other agencies of the Government the Federal Trade Commission, for the purposes of this resolution is authorized to request any pertinent information in the possession of, or loan of specially qualified personnel of, any other agency of the United States Government; and

That the Federal Trade Commission shall from time to time and at intervals of not more than 6 months report to the Congress of the United States upon the progress of the investigation and study herein directed and shall within 18 months after the effective date of this resolution and the availability of appropriations, make a final report, with its recommendations, to the Congress of the United States; and

That there is hereby authorized to be appropriated to the Federal Trade Commission for carrying out the purposes of this resolution the sum of $600,000.

Mr. HUMPHREY. The purpose of this joint resolution is to empower the Federal Trade Commission to investigate competitive conditions existing in the oil industry. In more formal language, the joint resolution may be said to authorize and direct the Commission to make an investigation and study of the existing structure of the oil industry and of the corporate and commercial relationships which affect the supply, production, transportation, distribution, and sale of refined petroleum products including particularly gasoline, fuel oils, and lubricating oils.

By design, the scope of the investigation to be authorized is quite broad. To insure the success of the undertaking the Commission must be enabled to freely examine every relevant activity of the industry. Accordingly, the Commission is expected to explore thoroughly those industry marketing practices having anticompetitive effects or which would otherwise violate Federal antitrust law. In addition, it anticipated that the Commission in the course of its investigation will bring into proper focus any industry practices adversely affecting the interest of the public and the small and independent refiners and marketers of petroleum products.

Recognition of the pressing need for an investigation of the oil industry is not, of course, being made now for the first time. On previous occasions, other Members of Congress have called for such an inquiry, the most recent being recommended in 1950 by Representative CLARENCE CANNON, of Missouri. The Federal Trade Commission has also been aware of the necessity for an investigation of the oil industry, at least since 1939. In that year, the Commission submitted to the celebrated Temporary National Economic Committee a formal report entitled "A survey of Controversial Marketing Practices in the Petroleum Products Retail Industry as Presented to the Temporary National Economic Committee." The favorable attitude of the Commission toward investigating the oil industry was expressed in that report in these words:

> The data presented herewith constitute a survey of the character of questionable and perhaps illegal marketing practices, which allegedly permeate the entire retail marketing structure of the petroleum industry. It is quite apparent that a proper solution of the various problems presented herewith cannot be made until a thorough and complete investigation has been made of the marketing practices in this industry, with particular relation to the marketing practices of the major oil companies. The report itself is illustrative of the fact that complaints have been lodged against every large marketer, group of marketers, and some retail associations. Some of these matters (those which seem most serious or oppressive) have been investigated by the Commission and corrective action taken in a number of instances. Other complaints have been referred to the Department of Justice. The Commission has been unable to undertake a general investigation of the various practices for the reason that it has not had an appropriation sufficient to enable it to conduct such a comprehensive investigation and at the same time carry on the duties imposed upon it by law.

Unfortunately for the small-business segment of the oil industry, the investigation so firmly urged by the Commission in its report to the TNEC was never undertaken.

Less than a month ago, during the final public testimony received by my Small Business Subcommittee on the New Jersey gasoline price war, John W. Gwynne, the Chairman of the Federal Trade Commission, was asked whether competitive conditions in the oil industry today are as serious as in 1939 when the Commission made its report to the TNEC. The considered reply of the Chairman and his staff associates was that the industry's competitive situation had not been improved appreciably over the past 17 years. Most importantly, the Commission representatives declared their willingness to launch as soon as possible an investigation such as that outlined by their agency back in 1939. Thus, it is now incumbent upon Congress to proceed expeditiously in providing the Commission with the appropriate authority and funds to be required for the investigation.

Mr. President, this joint resolution is presented as a result of hearings which were held in the so-called gasoline price war problem, which related specifically to New Jersey, but also is to be found in other parts of the United States.

I sincerely believe this investigation will be productive of good results. The hearings themselves were beneficial. In fact, many points of law were clarified in the hearings, as were rules of the Federal Trade Commission.

I hope Congress will see fit to act promptly upon the joint resolution, and provide the necessary funds required for this inquiry.

Mr. President, I also ask unanimous consent to have a statement which was prepared by the Senator from Alabama [Mr. SPARKMAN], chairman of the Senate Small Business Committee, supporting this resolution, printed at this point in the RECORD.

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

STATEMENT BY SENATOR SPARKMAN

I am happy to join my distinguished colleague, Senator HUBERT H. HUMPHREY, in sponsorship of his resolution authorizing the FTC to investigate competition conditions in the oil industry. While serving as chairman of the Senate Small Business Committee, I have become aware of many facts indicating that the Nation's gasoline retailers do not possess the true independence to which they are entitled as small-business men.

When the Congress adopts this resolution, it will have taken an important step toward eliminating from the oil industry those practices which prevent service-station dealers from achieving their rightful competitive position in the national economy. The hope that the proposed Commission investigation will raise 250,000 service-station operators to the rank of truly independent small-business men is more than sufficient justification for favoring the undertaking.

AMENDMENT OF CONSTITUTION RELATING TO ELECTION OF PRESIDENT AND VICE PRESIDENT—AMENDMENTS

Mr. LANGER submitted amendments, intended to be proposed by him, to the joint resolution (S. J. Res. 31) proposing an amendment to the Constitution of the United States providing for the election of President and Vice President, which were ordered to lie on the table and to be printed.

Mr. CASE of New Jersey submitted amendments, intended to be proposed by him, to the amendment proposed by Mr. DANIEL (for himself and other Senators), to Senate Joint Resolution 31, supra, which were ordered to lie on the table and to be printed.

Mr. HUMPHREY submitted an amendment, intended to be proposed by him, to Senate Joint Resolution 31, supra, which was ordered to lie on the table and to be printed.

Mr. HUMPHREY (for himself, Mr. LEHMAN, Mr. MURRAY, and Mr. NEUBERGER) submitted an amendment, intended to be proposed by them, jointly, to Senate Joint Resolution 31, supra, which was ordered to lie on the table and to be printed.

RELIEF OF FARMERS FROM EXCISE TAX ON CERTAIN FUELS

The ACTING PRESIDENT pro tempore laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H. R. 8780) to amend the Internal Revenue Code of 1954 to relieve farmers from excise taxes in the case of gasoline and special fuels used on the farm for farming purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. BYRD. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Acting President pro tempore appointed Mr. BYRD, Mr. GEORGE, Mr. KERR, Mr. MARTIN of Pennsylvania, and Mr. CARLSON conferees on the part of the Senate.

AMENDMENT OF MERCHANT MARINE ACT OF 1936

The ACTING PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 2286) to amend the Merchant Marine Act of 1936 so as to provide for the utilization of privately owned shipping services in connection with the transportation of privately owned motor vehicles of certain personnel of the Department of Defense, which were to strike out all after the enacting clause and insert:

That section 901 of the Merchant Marine Act of 1936, as amended, is amended by adding at the end thereof a new subsection as follows:

"(c) That notwithstanding any other provision of law, privately owned American shipping services may be utilized for the transportation of motor vehicles owned by Government personnel whenever transportation of such vehicles at Government expense is otherwise authorized by law."

And to amend the title so as to read: "An act to amend the Merchant Marine Act of 1936 so as to provide for the utilization of privately owned shipping services in connection with the transportation of privately owned vehicles."

Mr. MAGNUSON. Mr. President, I move that the Senate disagree to the amendments of the House, request a conference thereon with the House, and that the Chair appoint conferees on the part of the Senate.

The motion was agreed to; and the Acting President pro tempore appointed Mr. MAGNUSON, Mr. PASTORE, Mr. DANIEL, Mr. BUTLER, and Mr. DUFF conferees on the part of the Senate.

NOTICE OF CONSIDERATION OF NOMINATION OF SHELDON T. MILLS, OF OREGON, TO BE AMBASSADOR TO AFGHANISTAN

Mr. GEORGE. Mr. President, on behalf of the Committee on Foreign Relations, I desire to announce that the Senate received today the nomination of Sheldon T. Mills, of Oregon, a Foreign Service officer of the class of career minister, to be Ambassador of the United States to Afghanistan, vice Angus Ward, resigned. This nomination will be considered by the Committee on Foreign Relations at the expiration of 6 days.

THE PRESIDENT'S MUTUAL SECURITY PROGRAM

Mr. SMITH of New Jersey. Mr. President, in the New York Times of this morning, Tuesday, March 20, there is an important editorial entitled "The President's Message," which comments on President Eisenhower's mutual security program presented in his message of yesterday.

One of the issues raised by the President's message is the question of increased flexibility and continuity. The editorial comments on this point as follows:

There is also opposition both to the increased flexibility and to the requested continuity. But as the President points out, flexibility is needed to meet unexpected shifts in a rapidly changing world, continuity is essential to permit long-term planning for economic developments for which both local and world public and private capital must be mobilized.

In connection with the mutual security program, which will soon be before the Senate, I feel that this editorial comment is important, and I ask unanimous consent that the entire editorial be inserted in the body of the RECORD at this point in my remarks.

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

THE PRESIDENT'S MESSAGE

Undeceived by the new Kremlin strategy, which repudiates Stalin in order to pursue Stalin's policy of Communist expansion the more effectively, President Eisenhower sent a message to Congress yesterday proposing a mutual security program designed to meet the new challenge. This program calls for an appropriation of $4,859,975,000 for military and economic assistance to free nations during the next fiscal year. There is a new emphasis both on flexibility and on continuity, to provide assurance that both we and the recipients will achieve the most for the money spent.

Our mutual security program has helped to save most of the free world, to the great benefit of our own peace and security, not to mention our prosperity, and as the President says, we must not falter now. On the contrary, we must expand our aid and above all improve our methods, to meet the more subtle and therefore more dangerous Kremlin policy.

Despite this obvious fact, the new program seems to be running into considerable congressional opposition. There is opposition to the total amount, which, discounting previously authorized but unspent sums, is about $2 billion above the appropriations for the current fiscal year. But, as the President explains, most of this additional money is needed to fill the pipelines now running empty, and the actual increase in expenditures will be less than $500 million. There is also opposition both to the increased flexibility and to the requested continuity. But as the President points out, flexibility is needed to meet unexpected shifts in a rapidly changing world, continuity is essential to permit long-term planning for economic developments for which both local and world public and private capital must be mobilized.

The congressional opponents of this program seem to believe that the Soviet threat is abating, and that therefore the time has come to cut down on what is miscalled "foreign aid." Any such thesis, however, is vigorously rejected by the President. On the contrary, he warns that Soviet military might continues to cast an ominous shadow and that even if the Soviets have put aside for the moment aggression by force, they continue to pursue their fundamental objective, which is to disrupt and in the end to dominate the free nations. It would therefore be folly to relax. For that reason he still allocates the larger part of the total asked, or $3 billion, for military assistance to deter aggression, with more than half going to the Middle East and Asia, where the threat of aggression is most acute. The rest of the requested appropriation is assigned to economic assistance, to meet the danger of Soviet economic penetration.

Only a small part of the total here would go to Europe, which, except for Greece and Turkey, is enjoying unprecedented prosperity. Most of it would go to Asia, the Middle East, and Africa, now being bombarded by the Soviets with deceptive trade offers that can lead only to suicidal entanglements for the nations permitting themselves to be trapped.

As Secretary Dulles has told the Asian nations on his present tour, our aid is not for our own aggrandizement and is not tied to military commitments, as the Soviets contend. It has only one purpose, defined again by the President. That purpose is to achieve an enduring peace with justice and freedom. The investment of only a little more than 1 percent of our national product in the pursuit of this goal is an investment in our own security.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of executive business, and take up the nomination on the executive calendar.

The motion was agreed to; and the Senate proceeded to consider executive business.

EXECUTIVE MESSAGES REFERRED

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

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

The ACTING PRESIDENT pro tempore. If there be no reports of committees, the clerk will state the nomination on the executive calendar.

UNITED STATES CIRCUIT JUDGE

The Chief Clerk read the nomination of Stanley N. Barnes, of California, to be a United States Circuit Judge for the Ninth Circuit.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the President be notified forthwith of the nomination today confirmed.

The ACTING PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I have a brief announcement to make. Last evening, by unanimous consent, the Senate made Senate Joint Resolution 31, Calendar No. 364, a joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President, the unfinished business. It may be, if that measure involves lengthy discussion, consent of the Senate may be requested to set it aside, so that the Senate may consider other bills, particularly Order No. 1107, Senate bill 2577, a bill to define bank holding companies, control their future expansion, and require divestment of their nonbanking interests, as well as Order No. 629, Senate bill 636, a bill to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes, and certain amendments and substitutes which may be offered to it.

I do not state that the unfinished business will be set aside, but I should like all Senators to be on notice that there is a possibility the two measures I have mentioned will be considered either immediately following the disposition of the unfinished business or at some time when the unfinished business is before the Senate.

CALL OF THE ROLL

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

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

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

Aiken	Beall	Bridges
Allott	Bender	Bush
Anderson	Bennett	Byrd
Barkley	Bible	Capehart
Barrett	Bricker	Carlson
Case, N. J.	Humphrey	Neuberger
Case, S. Dak.	Jackson	O'Mahoney
Chavez	Jenner	Pastore
Clements	Johnson, Tex.	Payne
Cotton	Johnston, S. C.	Potter
Daniel	Kefauver	Purtell
Dirksen	Kennedy	Robertson
Douglas	Kerr	Russell
Duff	Knowland	Saltonstall
Dworshak	Kuchel	Schoeppel
Eastland	Laird	Scott
Ellender	Langer	Smathers
Ervin	Lehman	Smith, Maine
Flanders	Long	Smith, N. J.
Frear	Magnuson	Sparkman
Fulbright	Mansfield	Stennis
George	Martin, Iowa	Symington
Goldwater	Martin, Pa.	Thurmond
Gore	McCarthy	Thye
Green	McClellan	Watkins
Hayden	McNamara	Welker
Hennings	Millikin	Wiley
Hickenlooper	Morse	Williams
Hill	Mundt	Young
Holland	Murray	
Hruska	Neely	

Mr. CLEMENTS. I announce that the Senator from Oklahoma [Mr. MONRONEY] is absent on official business.

Mr. SALTONSTALL. I announce that the Senator from Maryland [Mr. BUTLER] and the Senator from Nebraska [Mr. CURTIS] are necessarily absent.

The Senator from New York [Mr. IVES] is absent because of illness.

The Senator from Nevada [Mr. MALONE] is absent on official business.

The ACTING PRESIDENT pro tempore. A quorum is present.

SENATOR LANGER'S ALLEGED PREJUDICE AGAINST THE SOUTH

Mr. LANGER. Mr. President, I hold in my hand a very interesting editorial published in a recent issue of a Mobile, Ala., newspaper. I ask unanimous consent that the clerk may read it. The reading will require about 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, the clerk may read.

The legislative clerk read the editorial, as follows:

NOT QUALIFIED TO HOLD PREJUDICE AGAINST SOUTH

United States Senator WILLIAM LANGER, of North Dakota, claims the distinction of being the only person ever arrested in an English-speaking country for "filing an affidavit of prejudice against a judge."

History is repeating itself, with variations, in the case of Senator LANGER and his prejudice.

He exploded his prejudice against the South on the Senate floor one day this week. Said he:

"On behalf of the Abraham Lincoln-Theodore Roosevelt-Robert La Follette, Sr.-George Norris faction of the Republican Party, I am authorized to say that we accept the challenge issued * * * by 19 Senators and 77 Members of the House who issued a manifesto on the subject of the recent decision of the Supreme Court in the segregation-in-public-education cases."

We are not concerned with whether Senator LANGER was qualified to hold prejudice against a judge, but we submit that he lacks qualifications to hold prejudice against the South.

As proof, we offer this excerpt from the Encyclopedia Britannica:

"The white population of North Dakota formed 98.5 percent of the total in 1940, as compared with 98.7 percent in 1930, practically all the nonwhite population being Indians."

This, of course, is a sharp contrast to the population structure in the South.

As one example of this contrast, we offer this excerpt from the Encyclopedia Britannica:

"The white population of Alabama formed 65.2 percent of the total in 1940, as compared with 64.3 percent in 1930, practically all the nonwhite population being Negro."

Another example of the contrast appears in this observation by the Britannica:

"The white population of Mississippi formed 50.5 percent of the total in 1940, as compared with 49.7 percent in 1930, practically all the nonwhite population being Negro."

If Senator LANGER will abandon the prejudice he is not qualified to hold against the South and set himself up as an Indian expert, we shall be glad to second the motion, inasmuch as he was adopted by Sioux Indian tribes almost a quarter of a century ago and assigned the name of White Bear.

Senator LANGER is a classic case in point of outsiders attempting to meddle in the South's racial relations when they are no more qualified than a lost ball in a haystack to butt in and tell the white and Negro people of this region how to run their affairs.

If the buttinskies had shown the good judgment to keep their troublemaking noses out of the South's business from the start, the white and Negro people in Alabama and other Southern States would not be harassed as they are today.

Briefly stated, the racial problem in the South is the handiwork of intermeddlers.

Representative ARMISTEAD L. SELDEN, JR., of the Sixth Alabama Congressional District, called attention over the TV from Washington the other day to the harmonious racial situation that had grown up in the South before the integration agitators got busy.

"In my State of Alabama, as in other sections of the South," Congressman SELDEN pointed out, "we have always operated under a segregated system. The Negro race, under that system, has made great progress—perhaps greater progress than any race anywhere at any time in history.

"This progress had been made with the help of the southern white people, and I am happy to say that at the same time racial strife and hatred had been reduced to a minimum."

An honest history will be compelled to record as a great American tragedy the fact that the buttinskies poked their meddling noses into the South's racial affairs.

Happily for both races, and to the everlasting credit of their good sense, the vast mass of the Negro people of the South and the vast mass of the white people of the South still choose the segregation which the intermeddlers would destroy.

SECRETARY McKAY AND CONSERVATION

Mr. NEUBERGER. Mr. President, on March 10 a statement by Secretary of the Interior McKay on natural resources, published in the Washington Post and Times Herald, was included in the RECORD. I desire today to include in the RECORD the reply to that statement which I have sent to the Washington Post and Times Herald.

Reference has been made to Douglas McKay's future ambitions. Mr. McKay may some day be a Member of this body, but I believe he will have to come here from some State other than Oregon. The people of Oregon believe in public power; Douglas McKay is one of the country's leading foes of public power. The people of Oregon believe in conservation; Douglas McKay has done his

best to wreck conservation in this country.

Oregon's ideal of a Republican Senator was the late Charles L. McNary. Senator McNary fought for public-power projects in the Columbia Basin like Bonneville and Grand Coulee; Secretary McKay has used his high office to thwart public-power projects like Hells Canyon and John Day. Charles L. McNary and Douglas McKay were so far apart on conservation—considering McKay's record as Secretary of the Interior—that they could not communicate by telegraph. McNary sponsored the Clarke-McNary Act and other forestry conservation measures; McKay has promoted the Al Sarena timber giveaway, the oil-leasing on wildlife refuges, the attempt to invade our national park system.

Mr. President, I ask unanimous consent that my letter to the Washington Post and Times Herald of March 20, 1956, in answer to that of Mr. McKay, may be printed at this point in the RECORD.

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

SECRETARY MCKAY AND CONSERVATION

Interior Secretary McKay's lengthy defense in your March 10 issue of his 3-year role as chief liquidator of the Nation's natural resources contains many distortions of history that should not go unchallenged.

Mr. McKay said that "when I became Secretary I quickly concluded that protection of the parks was only part of the action that was necessary." Apparently he thought park protection was only a very minor part because his appointment as Secretary was followed by a 3-year battle by conservationists to prevent construction of the McKay-sponsored Echo Park Dam in the Dinosaur National Monument. If this move, endorsed by McKay's department, had been successful it would have been the open sesame for commercial invasion of the entire national parks system.

Only after 3 years of tooth-and-fang fighting were such organizations as the National Parks Association, the Wilderness Society, Wildlife Management Institute, National Audubon Society, General Federation of Women's Clubs, American Nature Association, the Council of Conservationists, the Garden Club of America, and many others, able to knock out Echo Park Dam from the upper Colorado project which McKay's Department sought to build.

Mr. McKay implied that the larger staff and more adequate financing of the national park service program is one of the rewards of his administration. He failed to mention that the Park Service budget for the current fiscal year, authorized by the Democratic 84th Congress, represents an increase of over 40 percent above the funds authorized for such work by the Republican 83d Congress. Also, he did not mention that the authorization is an increase over the recommendations in the administration budget. Why does McKay take credit for congressional action?

In attempting to justify its Al Sarena decision, the Interior Department always returns to the sole defense that its action did not violate any law. Many of this administration's giveaways have been accomplished by steps short of illegality. However, that is a curious defense for a decision, in the exercise of administrative discretion, which—

1. Allowed a private assay 3,000 miles away from Oregon to set aside assays conducted in the West by the Forest Service and Bureau of Land Management.

2. Established a procedure that Dr. Richard E. McArdle, Chief of the Forest Service, testified he had never encountered in 32 years of Government service.

3. Gave Al Sarena patents ostensibly to operate a mine, although in 2 years not a cupful of ore has been mined while the company has logged more than 2 million board-feet of valuable fir and pine timber.

Mr. McKay defends the administration's power partnership program with the statement that "the development of the power resources of the Snake River in the Hells Canyon reach is going forward under private auspices." But what of the 400,000 potential kilowatts and the 3 million acre-feet of flood-control storage lost at Hells Canyon by Secretary McKay's abject surrender of the Hells Canyon damsite to partial development by the Idaho Power Co? If McKay's policies had existed in the 1920's, when Washington Water Power Co., sought to build the little Kettle Falls plant in what was to be the Grand Coulee Reservoir pool, the largest power producer on earth would never have become a reality.

Leading American conservationists have recognized the far-reaching effects of the give-away of the high damsite at Hells Canyon. Loss of storage for power and flood control at Hells Canyon has built up pressure to blockade the scenic Clearwater and Salmon Rivers in an effort to secure alternative reservoir space. No fisheries, wildlife, or recreational values were at stake at Hells Canyon, but now the administration has asked for construction of dams in some of America's finest scenic splendor and a major spawning area for migratory fish.

I would like to cite a paragraph from the statement issued by the Citizens Committee on Natural Resources last month when it called for a reappraisal of McKay's action on Hells Canyon. Dr. Ira N. Gabrielson, distinguished biologist and chairman of the committee, said:

"We are not concerned with the battle between public versus private power interests. But it is apparent that reduction in reservoir capacity at the Hells Canyon site is forcing power and water interests to advocate high dams on the Clearwater River, where a disastrous effect on fish and wildlife resources of national importance will needlessly result."

Here we see the real meaning of the "give-away." When less than the full potential is realized from a natural resource, a chain reaction is created which subtracts from the value of related resources. For that reason, it may be many years before the cumulative deficits from Mr. McKay's backward policies can be fully tabulated.

RICHARD L. NEUBERGER,
United States Senator from Oregon.
WASHINGTON.

KHRUSHCHEV-MALENKOV REPUDIATION OF STALIN

Mr. WILEY. Mr. President, I ask unanimous consent to have printed in the RECORD a statement which I have prepared concerning the Khrushchev-Malenkov repudiation of Stalin.

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

STATEMENT BY SENATOR WILEY

Mr. President, throughout the world there is speculation as to the real meaning behind the dramatic blasting of the Stalin myth—the Stalin legend—by Khrushchev, and to a lesser extent by Malenkov, by Soviet satellite bosses and others.

I do not profess to be sure of knowing the genuine answer. But I do feel that these facts are relatively sure:

(a) Khrushchev will no doubt try to use the new pattern of so-called collective leadership as a further sales argument to the neutralist world and to other non-Communist areas. He will try to portray Red Russia's present regime as more reasonable, more attractive, more wholesome, more worthy of widespread support in the so-called zone of peace.

As such, the latest Red propaganda tactics can prove exceedingly dangerous and beguiling to parts of the free world.

(b) The description of Stalin as the mass murderer that he was confirms that every totalitarian regime is really built on clay which can crumble, except for the temporary "mortar and cement" of terror.

The latest developments show the abiding weaknesses inside Red Russia—the tensions (which I had personally previously pointed up in original and revised editions of Senate documents on Tension Inside the Soviet Union).

SOME HOPE FOR GOOD OUT OF PRESENT DEVELOPMENTS

Of course, if the denunciation of the arch-assassin Stalin serves ultimately to encourage the prospect of peace in the world, we shall rejoice.

If it helps in some way genuinely to lessen the tensions between Communist countries and the free world, this in itself will be a boon for humanity.

The world would be delighted too if it augured some brighter tomorrow for the long-suffering Russian people themselves.

"The old order changeth, giving way to the new."

REDS STILL BENT ON WORLD DOMINATION

But let us not be hasty or premature or overoptimistic. "One swallow does not make a summer." And one series of relatively frank speeches does not alter a fundamental dictatorship.

The Russian bear has not suddenly become domesticated. Let us remember that his teeth are as sharp as ever, his claws as dangerous, and his strength no less because he seems to amble amiably along the forest path to whatever goal he has in mind.

If Russian history means anything (and it has been fairly consistent in its expansionist emphasis since the time of Peter the Great) we dare not assume that Khrushchev and company have suddenly lost their taste for power. They have not abandoned Russia's historic drive for warm-water ports, for a stranglehold on Poland, for dominance in the Balkans, for a greater hand in the exploitation of territories of other countries bordering Russia, nor have they lost their capacity to scheme and connive and conspire and plunge other peoples into wars, or to injure or demoralize others to serve their own expansionist aims.

Nor, Mr. President, have they given the slightest indication that they are abandoning international communism and international espionage as weapons of penetration useful in the furtherance of Russia's imperialistic ambitions.

Their leaders openly admit that they are still wedded to Marxist communism. They say they have no intention of dropping it as the basis of their social system nor as a means to their end of world domination.

KEEP FREE WORLD STRONG BY MUTUAL SECURITY

Only the future can disclose the extent to which they will be forced as time goes on, further to modify this system or perhaps someday to give up this goal. It is a goal which we can be sure they will never reach, so long as we remain strong and maintain our friendships overseas, as we shall.

To maintain such free world strength will require sympathetic consideration of the President's mutual security proposals of yesterday, although certainly many controversial points therein will have to be resolved.

Russia today is changing. It is on the brink indeed of vastly accelerated changes.

The old Bolsheviks are dying off. Stalin slaughtered many of them. The attrition of time will take care of the others. A new generation is rising. From it will come the leaders of tomorrow, leaders in whom a strong seed of doubt has now been planted against the infallibility of Soviet leadership.

It may be that competition with the free world will further force modifications yet to be expected. Certainly we have every evidence, thus far, that our own system of free enterprise is infinitely superior in every way to the system of forced labor and planned economy to which the U. S. S. R. is still unfortunately committed.

SUPERIORITY OF FREE WORLD

Here in the free world, as men work at the things they like most to do, and which bring them more of the rewards they seek in life than any other system thus far devised by man, our people enjoy more of liberty, more of happiness, more of the spiritual things of life, more of opportunity for advancement, and greater economic advantages than the Russian people can ever possibly realize under communism—collective leadership or not.

We know that no man or group of men can ever be wise enough, Mr. President, to plan every detail of the lives of the 200 million peoples of diverse origins and languages and habits that make up the U. S. S. R.

Nor, as these millions become educated and are permitted to learn more of the world in which they live, will they be long content to remain subject to the whims and ambitions and terroristic tactics of the dictators at the top, whether called Stalin or Khrushchev or by some other name.

So though we must be vigilantly on guard, we can hope that the changes we are witnessing in Russia today may somehow be the beginning of better things; of more reasonable action—not just on the surface, but genuinely—perhaps the beginnings of sounder judgments by the leaders in the Kremlin, and of increased intercommunication with the rest of the world.

Perhaps the Iron Curtain, as we have known it, has outlived its usefulness in concealing Russia's weaknesses and preparation for war.

The Soviet leaders know that we know what these sources of weakness are. So, too, we know the sources of Mother Russia's strength—the strength of a great and virile and hard-working people who—like men and women everywhere—want all they can get of the better things of life. Being realists, they know, too, that war in the jet-atomic age cannot possibly pay off. And so we may hope that there will be no war, particularly no war of major magnitude in the foreseeable future.

WISDOM OF PRESIDENT EISENHOWER AND SECRETARY DULLES

Meanwhile, whatever the future may hold, we have peace today.

We have peace, thanks to the great and wise leadership of Dwight D. Eisenhower and the able implementation by Secretary of State John Foster Dulles. Incidentally, we see anew the wisdom of Secretary Dulles in perceiving the impact on Red Russia of American diplomatic successes and the impact of our spiritual strength brought to bear against her.

MEN OF GOOD WILL CAN RESOLVE CONFLICTS

Meanwhile, too, we are, of course, living in a new revolutionary age. The whole world is changing. Colonialism is forced to give way to nationalism, because it failed to give colonial peoples what they wanted and what they think they can get through their own efforts and under their own systems of self-rule.

New forces are arising. Ancient civilizations are reaching for a renaissance under the impact of rapid communication and the availability of modern tools and methods with which to build for the future.

There are obviously conflicts in many areas of the world. There are problems everywhere—even in our own country.

But there are definitely no conflicts and no problems, Mr. President, that cannot be resolved by men of good will.

Let us pray that they will be resolved—in Russia, in the Middle East, in Africa, in Asia—in such an atmosphere. They cannot be solved by war. They can be and must be worked out in peace—not the phony peace of a Soviet graveyard zone, but the living peace of free men.

This is the great lesson we all have to learn today. And this must be our message to the world.

This is the essence of our partnership with the free peoples of the world. Humanity, helpfulness, regard for the rights of others, and the sharing of ideas as well as of our great abundance: These are the roads to peace. And peace, in turn, points the way to happiness and the security that all men seek.

RED BEASTS STILL ON PROWL

The death of the Stalin myth may contribute to this goal. But the Communist leopard has not changed its spots. And in the jungle of world communism, the hungry Soviet bear is still on the prowl for the weak and the unwary.

BOOKER T. WASHINGTON NATIONAL MONUMENT

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the present consideration of Calendar No. 1718, H. R 6904, to provide for the establishment of the Booker T. Washington National Monument. The bill has been cleared on both sides of the aisle. The dedication ceremony has been set for early in April, and we would like to get action on it promptly.

The ACTING PRESIDENT pro tempore. The secretary will state the bill by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 6904) to provide for the establishment of the Booker T. Washington National Monument.

The ACTING PRESIDENT pro tempore. Is there objection to the unanimous-consent request of the Senator from Texas?

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

Mr. JOHNSON of Texas. Mr. President, the purpose of H. R. 6904 is to establish the Booker T. Washington National Monument. This monument would be a public national memorial for Booker T. Washington, often referred to as the Moses of his race, and the only American who has ever made the long journey from a slave cabin to the Hall of Fame. It would serve not only as a recognition of his great contributions to America, but also as an inspiration to present and future generations of Americans.

I ask unanimous consent to have the committee report accompanying H. R. 6904 printed in the RECORD at this point in my remarks.

There being no objection, the report (No. 1692) was ordered to be printed in the RECORD, as follows:

The Committee on Interior and Insular Affairs, to whom was referred the bill (H. R. 6904) to provide for the establishment of the Booker T. Washington National Monument, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

The committee concurs in the excellent report submitted in connection with this bill by the committee of the House of Representatives the pertinent portions of which are set forth below.

PURPOSE OF THE BILL

The purpose of H. R. 6904 is to establish the Booker T. Washington National Monument. This monument would be a public national memorial to Booker Taliaferro Washington (1856–1915), often referred to as the Moses of his race and the only American who has ever made the long journey from a slave cabin to the Hall of Fame. It would serve not only in recognition of his great contributions to America but also as an inspiration to present and future generations of Americans.

The site of the proposed national monument would be the old plantation in Franklin County, Va., where Booker T. Washington was born a slave and where he spent his early boyhood days until freed from slavery by the Emancipation Proclamation.

The measure, if enacted, would require the Secretary of the Interior to maintain and preserve the monument in a "* * * suitable and enduring manner which, in his judgment, will provide for the benefit and enjoyment of the people of the United States." The Secretary would be authorized to establish on the monument grounds a museum of relics and records of Booker T. Washington and for other articles of national and patriotic interest; to provide for public parks and recreational areas, construct roads, and mark with monuments, tablets, or otherwise, points of interest within the boundaries of the monument.

The bill would authorize an appropriation of $200,000 for such purpose.

EXPLANATION OF THE BILL

The establishment of the Booker T. Washington National Monument at his birthplace in Franklin County, Va., would be of great national significance to millions of Americans. The committee notes that a few years ago a national monument was created at the birthplace of George Washington Carver, who served under Booker T. Washington at Tuskegee Institute and who also won the acclaim of the American people for the great contributions he made to his country.

The integrity of the site of the birthplace and early boyhood of Booker T. Washington is beyond question; the site is available; it is easily accessible to many millions of Americans; and it is readily adaptable to the development of a living monument which would inspire those who would walk within its boundaries.

National significance

Booker T. Washington dedicated his life to teaching millions of people the glory and dignity of work well done; to creating and sponsoring programs for the progress of his people; and to furthering national movements for public health, social welfare, and interracial and intersectional harmony. It is said of him that "He lifted the veil of ignorance from his people and pointed the way to progress through education and industry." Dr. Charles Eliot, president of Harvard University, summed up the character of Booker T. Washington in these words: "Teacher, wise helper of his race, a good servant of God and his country."

Booker T. Washington's life and work was monumental. He left a deep imprint on life in America and his influence will be felt far into posterity. A national monument to Booker T. Washington at his birthplace in Virginia would be a deserved and fitting tribute to his accomplishments and his teachings.

Integrity of the site

Booker T. Washington was born in a slave cabin April 5, 1856, on the plantation of James S. Burroughs, his owner prior to emancipation. He lived on this plantation until he was emancipated in April 1865.

A few years ago a log cabin, reconstructed in accordance with plans prepared by the Virginia Fine Arts Commission, was placed on the foundations of the cabin in which Booker T. Washington lived. It is said that other slave quarters can be located by the foundations of the cabins. A description of this cabin and life on the plantation is given by Booker T. Washington in his autobiography, Up From Slavery.

The Burroughs family house was destroyed by fire in 1951. The foundations remain.

An old cemetery of the Burroughs family is on the site. It is said to contain the grave of "Marse Billy," one of Booker T. Washington's young masters who was killed in the Civil War and whom he mentions in his book, Up From Slavery.

Also on the plantation site is the Booker T. Washington Birthplace Post Office, established in 1948.

Availability of the site

The central portion of the plantation tract, on which are located the reconstructed birthplace cabin, foundations of other slave quarters, and the Burroughs house, and the cemetery, contains 165 acres. A modern, 2-story brick building, said to have cost in the neighborhood of $40,000, a 2-story frame dwelling, and a converted old barn (Tuck Industrial Hall) are on this plantation tract. A two-lane driveway, constructed with funds appropriated by the State of Virginia, provides access to the site.

The plantation tract described above is owned by the Booker T. Washington National Monument Foundation, a nonprofit corporation chartered and existing under the laws of the Commonwealth of Virginia. This foundation, in furtherance of its aims to obtain a national monument to Booker T. Washington at his birthplace in Virginia, has indicated its complete willingness to convey all its title and interest in the plantation tract and buildings and improvements thereon as described above on payment of the outstanding indebtedness against the property, which amounts to approximately $17,000.

It is reported that the Commonwealth of Virginia, as an indication of its pride in the accomplishments of Booker T. Washington, has included the sum of $17,000 in its budget for 1956 for the purpose of purchasing the plantation tract described above with the intent of presenting the birthplace site to the United States Government for the establishment of a Booker T. Washington National Monument to serve as a symbol of the opportunities which America offers to all its people. The committee commends the Commonwealth of Virginia for this splendid gesture.

Accessibility of the site

The birthplace of Booker T. Washington in Franklin County, Va., is near the center of one of the most populous sections of the country. It is estimated that more than 100 million people in 23 States live within 750 miles of his birthplace and that more than 87 million live within a 500-mile radius. It is estimated that approximately 32 million tourists visit the many points of interest in Virginia annually.

Booker T. Washington's birthplace is 225 miles from Washington, D. C., 165 miles from Richmond, 53 miles from Lynchburg, and 16 miles from Rocky Mount, Va. It is a short distance from the Shenandoah Valley and only 43 miles from the Skyline Drive of the Blue Ridge Parkway by way of the Booker T. Washington Memorial Highway which passes by his birthplace.

The committee feels that placing the Booker T. Washington National Monument at his birthplace in Franklin County, Va., would make it accessible to the largest possible number of our own citizens and visitors from foreign lands.

Adaptability of the site to development

The plantation on which Booker T. Washington was born and spent the first 9 years of his life is in an agricultural area in the foothills of the Blue Ridge Mountains of Virginia. The whole area is said to be practically in the same condition as it was when Booker T. Washington left it and went to Malden, W. Va.

"A most fitting monument to Booker T. Washington—one that would be highly adaptable to the site of his birth and early boyhood days, as well as one which would provide the greatest human interest and inspirational values—would be one which would include a restoration of the original plantation setting to depict his humble beginnings, together with a museum that would record the progress of the Negro in America from the time of his coming to these shores as a slave, with exhibits of the achievements of the race in industry, commerce, education, the arts, sciences, and literature, and in other fields of endeavor, thus preserving for posterity the evidence of the contributions of his race to the history and development of our country. The committee notes that this type of monument to Booker T. Washington, located at his birthplace, probably would come closer than anything else to filling a real need long felt in the hearts of millions of Americans and so eloquently expressed by Booker T. Washington in 1899 when he wrote in his book, The Future of the American Negro:

"I wish to say that it [my race] may have reasonable pride in all that is honorable to its history * * *. We have reached a period when educated Negroes should give more attention to the history of their race, and in collecting in some museum the relics that mark its progress. It is true of all races of culture and refinement and civilization that they have gathered in some place, the relics which mark the progress of their civilization, which show how they have lived from period to period. We should have so much pride that we would spend more time in looking into the history of the race * * * in perpetuating in some durable form its achievements, so that from year to year, instead of looking back with regret, we can point to our children the rough path through which we grew strong and great."

The committee concludes that no site other than his birthplace in the foothills of the Blue Ridge Mountains of Virginia would be as adaptable to an appropriate national monument to Booker T. Washington.

SUPPORT FOR H. R. 6904

The committee calls attention to various groups and individuals supporting this legislation as follows:

The American Teachers Association, with its 20,000 members who are representative of the 75,000 teachers who instruct and administer the affairs in all Negro schools throughout the country.

The National Baptist Convention of America with more than 2 million members.

The National Baptist Convention, U. S. A., Inc., with more than 4,500,000 members.

The Improved Benevolent and Protective Order of the Elks of the World, with more than 500,000 members.

Booker T. Washington National Monument Foundation, Sidney J. Phillips, president; George S. Schuyler, editor, Pittsburgh Courier; G. Lake Imes, retired secretary, Tuskegee Institute (45 years of his life identified with Booker T. Washington and Tuskegee Institute).

In addition to the above, letters received by the Booker T. Washington National Monument Foundation from about three-fourths of the Members of Congress indicate that the majority are in favor of this legislation, while others were noncommittal at the time of writing.

DEPARTMENTAL REPORT

The Department of the Interior has submitted an adverse report on the bill. In this instance, the Department has chosen to follow the recommendation of the Advisory Board on National Parks, Historic Sites, Buildings, and Monuments.

The Advisory Board feels that "while Booker T. Washington, the man, is an impressive national figure, the birth site is not equally impressive." The Department reports that the Board feels "* * * that the achievements of Booker T. Washintgon are worthy of national recognition and should be appropriately memorialized." In its view, "the place of such memorialization is at Tuskegee Institute, Alabama."

The committee feels that the National Park Service has shown little interest in establishing a national monument to Booker T. Washington, whether at his birthplace, at Tuskegee Institute, or elsewhere. The only witness sent by the Park Service to testify at the hearings affirmed that the Service had made no plans for the establishment of a national monument to Booker T. Washington.

The committee also feels that the Advisory Board lost sight of fundamental human values in arriving at its conclusions. Beyond this, the Board's reluctance to consider birthplace sites because "* * * today more and more persons are born in hospitals, they are not born in homes," as reported by the historian for the National Park Service, is less than persuasive, if germane.

During the hearings on the bill, it was pointed out by Dr. G. Lake Imes, who spent 45 years at Tuskegee Institute, that "As a memorial, Tuskegee Institute is complete in itself. No single monument or building on that campus could add anything to the glory of that achievement. Rather, it would be dwarfed by the magnitude of his own creation."

It is pointed out that the work and influence of Booker T. Washington was not confined to the school which he established in Alabama. He traveled extensively in all parts of the country in his endeavors and served his country at large.

Attention also is called to the fact that Tuskegee Institute is a private institution directly serving the educational needs of a few. Whether or not millions of Americans lacking the advantages of an adequate education would be reluctant to journey to the campus of an educational institution of higher learning where they might feel out of place, is a further consideration.

In view of the above, the committee is compelled to disagree with the conclusions of the Department of the Interior and the Advisory Board.

The recommendations of Booker T. Washington, as quoted in the foregoing under the heading "Adaptability of the site to development," brings to mind the phrase that a man's achievements are to be measured not so much by the heights to which he has attained, as by the depths from which he came. The committee feels that no other place in America could so well provide the base for that measurement in the case of Booker T. Washington than the place where he was born and lived in the days of his early childhood.

The committee urges the enactment of H. R. 6904. It is hoped that this legislation establishing the Booker T. Washington National Monument at his birthplace in Franklin County, Va., will be enacted in time for the celebration of the 100th anniversary of the birth of Booker T. Washington.

The Department's report is set forth following:

UNITED STATES
DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D. C., February 2, 1956.

Hon. CLAIR ENGLE,
Chairman, Committee on Interior and Insular Affairs, House of Representatives, Washington, D. C.

MY DEAR MR. ENGLE: Your committee has requested a report on H. R. 6904, a bill to provide for the establishment of the Booker T. Washington National Monument. This proposed legislation would authorize the Secretary of the Interior to acquire the property located at Booker Washington Birthplace, Virginia, as a public national memorial to Booker T. Washington, noted Negro educator and apostle of good will. The proposed area would constitute the Booker T. Washington National Monument. The bill would authorize the appropriation of not to exceed $200,000 for purposes thereof.

We recommend that H. R. 6904 be not enacted.

The Booker T. Washington Birthplace Memorial is located in Franklin County, Va., 16 miles northeast of Rocky Mount. The 537.2-acre tract constituting the memorial consists of the plantation of Booker's owner prior to emancipation, James S. Burroughs (a central 207-acre tract, the eastern boundary of which cannot today be determined with exactitude), and land adjoining north and south of State Highway 122. On the plantation tract, there are, principally, a reconstructed birthplace cabin, 1 modern brick 2-story building serving as post office and administration center, the foundation of another building, a converted old barn (Tuck Industrial Hall), and a 2-story frame dwelling used as a residence for the president of the memorial.

There can be very little doubt that the central part of the birthplace memorial property is the birth site and early childhood home of Booker T. Washington, American educator and Negro leader. According to the Burroughs family Bible, Booker T. Washington was born (presumably on the plantation) April 5, 1856. On this site in Franklin County, Booker lived with his mother until emancipated in April 1865. He did not return until 1908, when, sentimentally, he sought out his birthplace.

As is well known, Booker T. Washington was the founder of the Tuskegee Normal and Industrial Institute and achieved international fame as a Negro leader, educator, speaker, and writer. At the time of his death in 1915, he was one of the best known Negro leaders in America.

This proposed legislation has been considered by the Advisory Board on National Parks, Historic Sites, Buildings, and Monuments, which Board was established by the Congress to render advice in matters of this kind. The Advisory Board has considered this matter on two separate occasions. Following its first meeting on the subject, which was held on March 22, 1954, the Board approved the following resolution:

"The Advisory Board on National Parks, Historic Sites, Buildings, and Monuments having considered the proposal that the Booker T. Washington birthplace be included in the national park system, resolves that while Booker T. Washington, the man, is an impressive national figure, the birth site is not equally impressive, since it is largely devoid of original structures or object remains associated with him. It is also lacking in outstanding potentialities for recreational development were the area to be included in the national park system on recreational grounds. The Board greatly appreciates the value of the work that the Booker T. Washington Memorial is doing and commends it for preserving a spot which was dear to Booker T. Washington."

At a subsequent meeting, held on September 7–9, 1955, the Board reaffirmed its earlier view that the achievements of Booker T. Washington are worthy of national recognition and should be appropriately memorialized. The Board stated, however, its view that the place for such memorialization is at Tuskegee Institute, Ala., where he made his greatest contributions to American life. The Board concluded that, since none of the original buildings remained at the birthplace, no expenditure of Federal funds was justified at that site.

In the circumstances, we conclude that, based upon the several recommendations of the Board and other information of record, the Booker T. Washington birthplace site does not measure up to the criteria or standards that have been adopted for the purpose of determining whether historic landmarks, structures, or other objects of historic or scientific interest warrant recognition as national monuments. It is felt also that the area lacks the scenic and topographic appeal of a recreational park. Because of its remoteness from urban areas, its potentiality as a day-use recreational area is limited. It follows that this site does not qualify for admission to the national park system.

The Bureau of the Budget has advised that there is no objection to the submission of this report to your committee.

Sincerely yours,

WESLEY A. D'EWART,
Assistant Secretary of the Interior.

CHRONOLOGY OF EVENTS IN THE LIFE OF BOOKER T. WASHINGTON

A condensed record of certain important events and accomplishments in the life of Booker T. Washington is set forth below. The significance of many of these far-reaching events and accomplishments are not conveyed by their titles.

Condensed record of some events and accomplishments in the life of Booker T. Washington, from a chronoloy filed with the committee

Born a slave on the James Burroughs plantation, April 5, 1856, in Franklin County, Va.

Moved with mother Jane Ferguson, brother John, and sister Amanda to new home in Malden, W. Va., in 1865, after being freed from slavery.

Worked as houseboy in the family of Mrs. Viola Ruffner, wife of Gen. Lewis Ruffner, at $6 per month.

Gained entrance to Hampton Institute in 1872 by cleaning a room which he swept and dusted three times as his examination. Miss Mackie, the lady principal, inspected his work with a white handkerchief to reveal any dust or dirt. Graduated from Hampton Institute in 1875.

Accepted invitation to principalship of a proposed training school for Negro teachers at Tuskegee, June 15, 1881, authorized by State Legislature of Alabama with appropriation of $2,000 for salaries. Opened Tuskegee Normal School July 4 with 30 students in Butler's Chapel, A. M. E. Z. Church, which has since grown to become the most famous school for Negroes in the world.

In 1890, organized Annual Farmers' Conference which helps to raise the standards of rural life in the South.

Pleaded with a congressional committee for a large Federal grant-in-aid in support of the Atlantic Cotton States Exposition held in 1895.

Delivered famous Atlanta Exposition Address, 1895, which was the first of many notable speeches such as: Peace Jubilee in Chicago; Jamestown Exposition in 1907; Fourth American Peace Congress, 1913; National Educational Association, and many others.

He was the recipient of many honorary degrees from such outstanding institutions as Harvard University, Dartmouth College, Wilberforce and Howard University.

Invited Dr. George Washington Carver to join agricultural staff at Tuskegee in 1896.

Wrote over 40 books, among them Up From Slavery, an autobiography, in 1900, which has become world famous. His other works dealt with the school and his activities in behalf of people.

Organized the Anna T. Jeanes Foundation in 1907 in cooperation with Dr. H. O. Frissell of Hampton Institute.

Interested the United States Government in Liberia and was appointed to United States commission by President Theodore Roosevelt.

Cooperated with Mr. John D. Rockefeller in the establishment of the General Education Board in 1910.

Cooperated in the establishment of the Phelps-Stokes Fund and Carnegie Foundation in 1911.

Influenced the establishment of first Rosenwald School built at Notasulga, Ala., which finally grew to 5,000 schools in 1,000 counties in the South at a cost of $21 million, employing 1,500 teachers, with student bodies of 750,000 annually.

In 1900 founded National Negro Business League.

Founded National Negro Health Week in 1914.

Established Baldwin Farms colony in Macon County, Ala., in 1914.

Last public address was before the American Missionary Association and National Council on Congregational Churches in New Haven, Conn., in 1915.

Gave last Sunday evening talk to teachers and students in the institute chapel October 17, 1915, his subject, Team Work. He died November 14, 1915, at Tuskegee Institute and is buried on the campus.

CONCLUSION

Past Congresses or past Executive orders have brought into being more than 180 units of the National Park Service.

The coming into being of national park, national monument, national historic sites, and related Park Service units assumes existence of what might be called a "yardstick of eligibility" of the physical area thus set aside.

Similarly, the committee believes that the individuals or groups of individuals commemorated through bringing into being numerous national park units for that purpose assumes application of a "yardstick of greatness."

Having in mind these two assumptions, and notwithstanding the position of the National Park Service and its Advisory Board, the committee has concluded that Booker T. Washington, the man, measures up fully to any yardstick of greatness which might be applied. The Booker T. Washington birthplace, as a physical area so intimately associated with the man, qualifies when measured by our historic yardstick of eligibility.

While this committee concurs in the conclusions reached by the House committee, we wish here to set forth a special conclusion. It is the unanimous feeling of the committee that every effort should be made by the National Park Service to develop newly created monuments and memorials in a manner that will entail no excessive annual maintenance costs. The committee suggests, therefore, that in developing the Booker T. Washington National Monument, the National Park Service attempt to concentrate its efforts in this particular area to a fitting treatment of the central features of the tract to be donated by the State of Virginia, rather than attempt to reconstruct the original plantation theme by fully developing the entire tract. The willingness of the National Park Service to follow this suggestion of

the committee's is expressed in the communication set forth below:

UNITED STATES DEPARTMENT OF THE INTERIOR,
NATIONAL PARK SERVICE,
Washington, D. C., March 16, 1956.

Hon. JAMES E. MURRAY,
Chairman, Committee on Interior and Insular Affairs, United States Senate, Washington, D. C.

MY DEAR SENATOR MURRAY: Director Wirth has asked me to reply to your letter of March 14, concerning H. R. 6904, to establish the Booker T. Washington National Monument. It is our understanding that statements were made during hearings on the bill that the central portion of the lands, amounting to about 165 acres, would be donated to the Government by the State of Virginia, and your letter confirms this. We are of the opinion that this acreage, and perhaps even less, would be adequate for a proper development. We believe that this area can be appropriately treated to commemorate the achievements of Booker T. Washington without reconstructing the plantation setting with all of its buildings, fields, and appurtenances, and the expensive maintenance that such construction and program would entail.

If the essential lands are to be donated, as you state, the $200,000 authorized by the bill would appear to be adequate to provide a fitting memorial treatment in the central portion and, at the same time, provide the basic facilities needed by visitors to the memorial area.

Sincerely yours,
E. T. SCOYEN, *Acting Director.*

The committee also considered a companion measure, S. 2553, which was introduced by Senator THYE. Reports received on that bill from the Department of the Interior and the Bureau of the Budget are set forth below and made a part of this report:

UNITED STATES DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D. C., February 2, 1956.

Hon. JAMES E. MURRAY,
Chairman, Committee on Interior and Insular Affairs, United States Senate, Washington, D. C.

MY DEAR SENATOR MURRAY: Your committee has requested a report on S. 2553, a bill to provide for the establishment of the Booker T. Washington National Monument. This proposed legislation would authorize the Secretary of the Interior to acquire the property located at Booker Washington Birthplace, Virginia, as a public national memorial to Booker T. Washington, noted Negro educator and apostle of good will. The proposed area would constitute the Booker T. Washington National Monument. The bill would authorize the appropriation of not to exceed $200,000 for purposes thereof.

We recommend that S. 2553 be not enacted.

The Booker T. Washington Birthplace Memorial is located in Franklin County, Va., 16 miles northeast of Rocky Mount. The 537.2-acre tract constituting the memorial consists of the plantation of Booker's owner prior to emancipation, James S. Burroughs (a central 207-acre tract, the eastern boundary of which cannot today be determined with exactitude), and land adjoining north and south of State Highway 122. On the plantation tract there are principally a reconstructed birthplace cabin, 1 modern brick 2-story building serving as post office and administration center, the foundation of another building, a converted old barn (Tuck Industrial Hall), and a 2-story frame dwelling used as a residence for the president of the memorial.

There can be very little doubt that the central part of the birthplace memorial property is the birth site and early childhood home of Booker T. Washington, American educator and Negro leader. According to the Burroughs family Bible, Booker T. Washington was born (presumably on the plantation), April 5, 1856. On this site in Franklin County, Booker lived with his mother until emancipated in April 1865. He did not return until 1908, when, sentimentally, he sought out his birthplace.

As is well known, Booker T. Washington was the founder of the Tuskegee Normal and Industrial Institute, and achieved international fame as a Negro leader, educator, speaker, and writer. At the time of his death in 1915, he was one of the best known Negro leaders in America.

This proposed legislation has been considered by the Advisory Board on National Parks, Historic Sites, Buildings, and Monuments, which Board was established by the Congress to render advice in matters of this kind. The Advisory Board has considered this matter on two separate occasions. Following its first meeting on the subject, which was held on March 22, 1954, the Board approved the following resolution:

"The Advisory Board on National Parks, Historic Sites, Buildings, and Monuments, having considered the proposal that the Booker T. Washington birthplace be included in the national park system, resolves that while Booker T. Washington, the man, is an impressive national figure, the birth site is not equally impressive, since it is largely devoid of original structures or object remains associated with him. It is also lacking in outstanding potentialities for recreational development were the area to be included in the national park system on recreational grounds. The Board greatly appreciates the value of the work that the Booker T. Washington Memorial is doing and commends it for preserving a spot which was dear to Booker T. Washington."

At a subsequent meeting, held on September 7-9, 1955, the Board reaffirmed its earlier view that the achievements of Booker T. Washington are worthy of national recognition and should be appropriately memorialized. The Board stated, however, its view that "the place for such memorialization is at Tuskegee Institute, Ala., where he made his greatest contributions to American life." The Board concluded that, since none of the original buildings remained at the birthplace, no expenditure of Federal funds was justified at that site.

In the circumstances, we conclude that, based upon the several recommendations of the Board and other information of record, the Booker T. Washington birthplace site does not measure up to the criteria or standards that have been adopted for the purpose of determining whether historic landmarks, structures, or other objects of historic or scientific interest warrant recognition as national monuments. It is felt also that the area lacks the scenic and topographic appeal of a recreational park. Because of its remoteness from urban areas, its potentiality as a day-use recreational area is limited. It follows that this site does not qualify for admission to the national park system.

The Bureau of the Budget has advised that there is no objection to the submission of this report to your committee.

Sincerely yours,
WESLEY A. D'EWART,
Assistant Secretary of the Interior.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C. February 1, 1956.

Hon. JAMES E. MURRAY,
Chairman, Committee on Interior and Insular Affairs, United States, Senate, Washington, D. C.

MY DEAR MR. CHAIRMAN: This is in response to your request for the views of the Bureau of the Budget on S. 2553, a bill to provide for the establishment of the Booker T. Washington National Monument.

The Department of the Interior informs us that the Advisory Board on National Parks, Historic Sites, Buildings, and Monuments has considered this matter on two separate occasions and advised against designating the site as a national monument. While recognizing Booker T. Washington as an impressive national figure, the Board noted that the site of his birth is largely devoid of structures or objects associated with him. It also noted that the site is lacking in outstanding recreational values that might justify its inclusion in the national park system on recreational grounds.

This Bureau agrees with the findings of the Board that expenditure of Federal funds is not justified at this site and accordingly recommends against enactment of S. 2553.

Sincerely yours,
PERCY RAPPAPORT,
Assistant Director.

The ACTING PRESIDENT pro tempore. The bill is open to amendment. If there be no amendment to be offered, the question is on the third reading of the bill.

The bill was ordered to a third reading, read the third time, and passed.

OIL LEASES ON WILDLIFE REFUGES

Mr. NEUBERGER. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a letter from Representative HENRY S. REUSS, of Wisconsin, which appeared in the Washington Post and Times Herald on Saturday, March 17, 1956, on the subject of the oil leases which have been granted on wildlife refuges under this administration.

Mr. REUSS wrote in answer to a long letter to the Post from Secretary of the Interior Douglas McKay, which sought to defend his Department's sorry record on conservation and natural resources under the Eisenhower administration. A major portion of that defense was devoted to the question of oil drilling on areas of federally owned lands which have been set aside for wildlife refuges. The Department has pointed with pride to a so-called "stop order" which it put into effect while drafting new regulations governing such oil drilling.

But Representative REUSS' letter points out that "in the 28 months between August 23, 1953, and December 1955, while the stop order remained in effect, Mr. McKay's Department proceeded to grant 566 oil leases in the wildlife refuges" and game management areas, while only a total of 11 oil leases had been granted in wildlife refuges in the preceding 33 years.

In other words, Mr. President, preceding Secretaries of the Interior, Republicans and Democrats, had granted 1 oil lease on a wildlife refuge in every 3 years—but Secretary McKay granted them on the average of 1 in every working day.

Mr. President, just the other day we had the news that one of the dwindling band of the last surviving whooping cranes has died, and that only 13 couples of these birds now remain.

I also ask unanimous consent to include at the end of my remarks an editorial in the Washington Post and Times Herald of March 17, 1956, on this event, which so dramatizes the significance of our efforts to preserve wildlife and fowl in our country; and I am sure that everyone concerned about these efforts will read with interest Congressman REUSS' discussion of the policies of the Eisen-

hower administration, under Secretary McKay, toward oil and wildlife.

Without objection, the letter to the editor and editorial were ordered to be printed in the RECORD, as follows:

RAIDING THE WILDLIFE REFUGES

In his letter to you of March 10, Secretary of the Interior Douglas McKay complains that he is falsely accused of giveaways by Prof. Seymour E. Harris of Harvard. Secretary McKay charges that "Dr. Harris fails to cite a single policy or action by the Eisenhower administration to support his allegation that the Republicans are not preserving natural resources for all the people."

The only reason we have any waterfowl left is because the Department of the Interior over the years has been willing to outlaw the market hunters, the duck baiters, and the other predatory groups which have been intent on making ducks and geese go the way of passenger pigeon. Prior to Mr. McKay's administration, the department had always rigorously enforced the ban on shooting migratory waterfowl that have been lured into gun range by corn, wheat, or other bait.

During the administration of Fish and Wildlife Director Albert Day, from 1946 to 1952, anyone found feeding or baiting ducks as close as 200 yards to the guns was promptly arrested and prosecuted. One of Mr. McKay's first actions after he came to power in 1953 was to remove the office of Fish and Wildlife Service Director from the protection of civil service, then to remove Mr. Day, and instead appoint the present Fish and Wildlife Director, Mr. John L. Farley.

Former Under Secretary of the Interior Ralph A. Tudor tells the story of the replacement of Mr. Day by Mr. Farley in an article in the Saturday Evening Post for November 27, 1954:

"Even before I left for the Capital to take on the new job, my friends in the banking business were telling me that I must 'do something about the Fish and Wildlife Service.' Complaints about Fish and Wildlife continued to reach me at my desk in Washington, and 90 percent of them were from bankers. This puzzled me at first, for it would seem more logical for unhappy bankers to be writing the Secretary of the Treasury. It turned out, however, that apparently every banker on the west coast is a duck hunter. Fish and Wildlife has a rough job, for among its many duties it must tell people when and how long they can hunt and how many ducks they can take—and evidently it is impossible to satisfy a duck hunter.

"I turned the tables on the complainants in this instance by making them talent scouts. My reply to them was that the best way to start improving the Fish and Wildlife Service was to get the man available to head it—and had they any suggestions? The upshot was that they had, and that is how John L. Farley, ardent fisherman, former schoolteacher, businessman, and one-time executive officer of the California Fish and Game Department, came to head the Fish and Wildlife Service."

Under Mr. McKay's administration, violations of the Federal antibaiting regulations have been winked at on a wholesale basis. For the past 3 seasons hunting clubs in California have been allowed to feed and bait ducks as close as 200 yards to the blinds with impunity. In the 1954 season, for example, there was not a single prosecution in the length and breadth of California for violation of the Federal antibaiting regulation.

The public outcry against Mr. McKay's giveaway of our waterfowl resources to the California financial interests may shortly be producing results. According to a report in the Milwaukee Journal for March 5, 1956, of the National Wildlife Federation Conference:

"The nationwide furor among duck hunters over the feeding of ducks during the hunting season on California's licensed shooting preserves may end the practice, Harley Knox, president of the California Fish and Game Commission told the National Waterfowl Flyway Council here Sunday.

"Knox said that he thought the feeding allowed in his State was, in fact, baiting ducks to guns, contrary to Federal regulations.

"'I'm afraid I'm in the minority on the commission,' he added, 'but I do feel that we may abandon the practice so as to be of no further embarrassment to Mr. Farley's office.'"

Having turned migratory waterfowl over to the game-hog pressure groups, there was left to Mr. McKay the problem of the wildlife refuges themselves. Since 1920, the oil companies have been interested in exploiting the Nation's 264 wildlife refuges. Under the administration of courageous Secretaries of Interior like Republican Ray Lyman Wilber and Democrat Harold L. Ickes, the oil companies, with their derricks, their pollution, and their commotion, have been effectively kept out of the wildlife refuges. From 1920 to 1953, only 11 oil leases were granted—1 lease every 3 years.

Then came Mr. McKay. The Department of the Interior, proclaiming that it wanted to "tighten up" the policy on granting oil leases, issued a stop order on August 31, 1953, announcing that it intended to "suspend action on all pending oil and gas lease offers and applications." Then, in the 28 months between August 1953, and December 1955, while the stop order remained in effect, Mr. McKay's Department proceeded to grant 566 oil leases in the wildlife refuges.

Mr. McKay in his letter to you claims that the new regulations, adopted by the Department in December 1955, adequately protect the wildlife refuges against exploitation by the oil companies. I wouldn't know. What is clear, however, is that issuing of the regulations in December 1955, is like locking the stable after the horse has been stolen. Whereas, prior to Mr. McKay, one oil lease was issued on the average every 3 years, under Mr. McKay one oil lease has been issued on the average every working day.

If letting the California financial interests bait migratory waterfowl, in square violation of the antibaiting regulation, and letting the oil companies get 566 oil leases in the wildlife refuges, in square violation of the "no leasing" stop order, aren't giveaways, I wish Mr. McKay would tell us what is.

HENRY S. REUSS,
Member of Congress from Wisconsin.
WASHINGTON.

[From the Washington Post and Times Herald of March 17, 1956]

DARWINIAN DIRGE

Well, it looks as though National Wildlife Week got off to a rather unfortunate start. Down at Austwell, Tex., one of the last surviving whooping cranes has been reported AWOL since January, and is now presumed dead. That presumption, if verified, would leave only 27 whooping cranes left in all this wide, wide world, or for reproductive purposes—which is really what matters—only 13 pairs.

The whooping crane is strictly a piscivorous and herbivorous creature, and in all its biological history has probably never done harm to any human being, although human beings seem to have done a good deal to it, especially by destroying, in their obsession with progress, most of its feeding and breeding places. One trouble, apparently, is that the whooping crane cannot adapt its way of life, as some other species, including our own, have been able to do, to suit altered conditions. Thus it has been gradually falling behind in the grim evolutionary race for survival, in which, it would appear that cockroaches and some other equally unpleasant fauna are the now odds-on favorites. Or, to paraphrase Mr. Leo Durocher, nice things finish soonest.

THE ELECTORAL COLLEGE

Mr. PAYNE. Mr. President, I ask unanimous consent that an editorial from the Portland (Maine) Evening Express of March 15, 1956, discussing electoral college reform which is the subject of Senate Joint Resolution 31, the unfinished business of the Senate, may be printed in the body of the RECORD.

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

TIME TO BURY THE ELECTORAL COLLEGE

The presidential election system suffers from a dangerously inflamed appendix. It is known as the electoral college and the sooner it is cut out the healthier will be the body politic.

The trouble with the electoral college system is that it prevents millions of people from having a say in the selection of Presidents and Vice Presidents. New York State, for instance, has 45 electoral votes, but the candidate who carries New York by, say, 55 percent of the popular vote, receives all of the 45 electoral votes under the present system. So 45 percent of the State's voters are effectively disfranchised. Obviously this isn't fair.

Congress has talked for years about submitting this useless vestige of yesterday to surgery but not until this year has there been much real hope for action. This year a number of plans for reform have been discussed in Washington and if the various factions who agree in principle that it is time to bury the electoral college can also agree on details we may get some action.

Democratic Senators DANIEL, of Texas, and KEFAUVER, of Tennessee, have cleared for debate a proposed constitutional amendment which would split the electoral vote of each State in exact mathematical relationship to the popular vote, including decimals. The Daniel-Kefauver plan was favorably reported by the Senate Judiciary Committee in May of last year but got nowhere after that.

The other proposal which has attracted wide support is that of 2 Republicans, Senator MUNDT and Representative FREDERIC COUDERT, JR., of New York. This would retain the electoral college, entitling each State to a number of electors equal to its delegation in Congress. The electors of a State would be chosen, however, "in the same manner in which its Senators and Representatives are nominated and elected."

In other words, the candidates for President and Vice President who won statewide pluralities would get as many electors as the State had Senators and Representatives at Large. After that the national candidates with a plurality in each congressional district would get the elector from that district.

Senator MUNDT is agreeable to stipulating that the Daniel-Kefauver plan would not go into effect unless a State specifically chose the Mundt-Coudert plan. Such a compromise would appear to favor the first plan, but MUNDT is so sure of the superiority of his plan that he feels most or all States would choose it.

Still other plans have been suggested, some more complicated than these two, some less. Senator HUMPHREY, of Minnesota, put forward at the 1955 session a constitutional amendment for direct election of the President and Vice President by popular vote. HUMPHREY also cosponsored the Daniel-Kefauver plan and at this session produced still another which would split 435 electoral votes according to the popular vote on a nationwide basis with 96 electoral votes—2 per State—to be determined by the vote within the State.

Chief trouble with the Mundt-Coudert plan is that it is unnecessarily complicated, would be unnecessarily expensive, and would not require full participation by all States. The Daniel-Kefauver approach is best because it is simple and, by splitting the elec-

toral vote in exact mathematical relationship to the popular vote, would accomplish the desired end of giving every voter a voice.

Now that most top political leaders agree that the electoral college is outmoded there is greater hope than ever that it can be given a swift and decent burial. Any amendment passed by the Senate and House would still have to be ratified by the legislatures of 36 States to become effective but if the Congress will show some intelligent and persuasive leadership we think the States would be convinced of a need for a change.

THE MUTUAL AID PROGRAM

Mr. KNOWLAND. Mr. President, I ask unanimous consent to have printed in the body of the RECORD the text of a statement I issued yesterday relative to foreign aid legislation.

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

STATEMENT BY SENATOR KNOWLAND

Congress will adequately support the continuation of the mutual aid program to those nations doing their utmost to help themselves.

Except as to specific public works projects that may be presented to and approved by Congress, I do not look with favor upon commitments for 10 years or other long-term periods for foreign economic aid.

Our budget is not yet balanced. Our national debt is over $280 billion. Our individual citizens and our free-enterprise system are carrying heavy tax burdens.

For the economic development of countries in need of capital funds for new or enlarged industrial plants they should look primarily to private investment rather than government-to-government grants and loans.

These countries should create an economic climate that would attract rather than repel such investment.

This will not be accomplished if their tax laws, government-owned competition, or threat of confiscation of private property without just compensation discourages such private investment.

As part of its responsibility as a coordinate branch of the Government, Congress has the duty to carefully consider the proposals of the President and to fully inquire into the programs already under way and those now in contemplation.

HUNGARIAN INDEPENDENCE DAY

Mr. KENNEDY. Mr. President, I should like to call the attention of the Senate to the fact that March 15 was the anniversary of the Hungarian Revolution of 1848.

On that day in 1848, the youth of Hungary revolted in Budapest to enforce their demands for representative government and the elimination of authoritarian abuses, including the imposition of censorship. On the same day, Alexander Petofi, leader of the Hungarian youth movement and a well-known poet, circulated a stirring revolutionary poem destined to become the Marseillaise of Hungarian liberty. Initially the revolution was bloodless, as the Emperor accepted the demands of the people of Hungary and appointed the first Cabinet responsible to the National Legislature. However, the Austrian armies invaded Hungary in the fall of 1848, where they were repulsed by Hungarian forces. In the summer of the next year, the Russian Czar ordered his armies to invade Hungary, at the request of Austria. In the ensuing struggle, Alexander Petofi was killed, at the age of 26, and Louis Kossuth, the Regent, was required to flee the country. Incidentally, Mr. President, during his exile, he spent 9 months in the United States, where he was most hospitably received.

This anniversary reminds every Hungarian of the rich, liberal, democratic traditions of Hungarian history, and of that nation's continuing struggle for independence and freedom. Although today finds Hungary under the yoke of a more thorough and vicious tyranny than in 1848, March 15 provides the hope that Hungary will once again be free. Surely that nation's desire for freedom and the right of self-determination persists under the domination of the Communists, as evidenced by the recent shining examples of resistance to oppression of Cardinal Mindszenty, Bishop William Apor, and the Hungarians arrested at Pocspetri when they forcibly resisted the nationalization of their schools.

Americans of Hungarian descent are to be congratulated on this independence day, and I know that we join with them in their hope that the bright sun of freedom again shines on Hungary before the next Hungarian Independence Day.

CORPORATION AND EXCISE TAXES

Mr. BYRD. Mr. President, Congress is in the process of enacting a tax bill extending peacetime corporation and excise taxes at highest wartime rates which reflect directly in the high cost of living.

In effect, Federal excise taxes are simply Federal sales taxes on things we buy. Corporation taxes are largely passed on to consumers of corporate production and services.

Taxes to be collected by the Federal Government under the pending tax bill are estimated at $3.2 billion a year.

Until Congress and the administration reduce expenditures by this amount and more, continuation of high taxes is an inescapable necessity. And unless Congress reduces appropriations requested in the budget for uncontrolled expenditure by Federal agencies in future years, sound responsible tax reduction in the foreseeable future is unlikely.

In this connection, I ask unanimous consent to have printed in the body of the RECORD some observations which I have made on the basis of a thorough analysis of nearly 1,000 appropriation account items in the Budget Document for fiscal year 1957, which begins on July 1.

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

STATEMENT BY SENATOR BYRD

BUDGET: CURRENT YEAR, ENDING JUNE 30

The Federal budget will be in delicate temporary balance when fiscal year 1956 ends June 30. This fourth balance in 26 years since 1931, as on each occasion in the past, will be by inadvertance. The spenders underestimated receipts.

PRESIDENT'S BUDGET: COMING YEAR, BEGINNING ON JULY 1

As for the President's estimate that the budget will be in balance next fiscal year, beginning July 1, for which we are now enacting appropriation and tax bills, the prediction hangs almost entirely on the proposal to raise postal rates.

Under these circumstances, renewal of deficit spending is probable unless both appropriations and expenditures are substantially reduced. The President's budget calls for increases in both.

As submitted to Congress for enactment, the budget for fiscal year 1957, beginning July 1, along with budget figures for previous years of the present administration for comparison purposes, is summarized as follows:

Administration budgets

[In billions]

	Receipts	Expenditures	Deficits	Appropriations
1954	$64.7	$67.8	$3.1	$62.8
1955	60.4	64.6	4.2	57.1
1956 (estimated)	64.5	64.3	+.2	62.0
1957 (proposed)	66.3	65.9	+.4	66.3

BYRD BUDGET

I suggest revisions in the President's budget for fiscal year 1957, beginning July 1, to reduce expenditures by at least $3.2 billion, increase the surplus by at least $3.2 billion and to reduce appropriations by at least $7.8 billion. These revisions are summarized as follows:

[In billions]

	Receipts		Expenditures		Surplus		Appropriations	
	Amount	Change	Amount (not more than)	Change (at least)	Amount (minimum)	Change (at least)	Amount (not more than)	Change (at least)
Fiscal year 1957 (beginning July 1)	$66.3	--------	$62.7	−$3.2	+$3.6	+$3.2	$58.5	−$7.8

These reductions in expenditures and appropriations are based on careful scrutiny of nearly 1,000 appropriation accounts, expenditure estimates, and unexpended balance projections in the President's budget document. The detail is available in worksheet form, but its volume, of course, precludes presentation in this statement.

In brief:

The expenditure reductions generally involve nonessential expansion in domestic-civilian programs, new nonessential employment, waste and extravagance in the military agencies, and expenditures for foreign economic assistance except under firm obligations already made under prior appropriations.

The appropriation reductions generally involve elimination of those for new nonessential domestic-civilian programs, new nonessential employment, new foreign economic assistance, and for nonessential buildup in unexpected balances.

EXPENDITURES: APPROPRIATIONS

In order to act effectively on budget reductions it is necessary to realize there is a vast difference between annual expenditures and appropriations enacted in the year. It is expenditures, not appropriations, measured by revenue which results in deficit or surplus.

An appropriation simply authorizes a Federal agency to spend money out of the Treasury. In too many instances appropriations enacted in one year may not be finally spent for years to come. Appropriations enacted in a year when revenue is high may not actually be spent until some year when rev-

enue is low. Meanwhile unexpended balances in old appropriations are carried over from year to year and added to new appropriations enacted for the same program.

Once Congress enacts the appropriation, it virtually loses control over its annual rate of expenditure in subsequent years. Exclusive of all new appropriations to be enacted in the current session of Congress, Federal agencies will enter the new fiscal year July 1 with unexpended balances in old appropriations and other expenditure authorizations totaling nearly $75 billion. If the President's request for new appropriations totaling $66.3 billion is fully enacted, funds available to Federal agencies for expenditure on July 1 will total $141 billion.

Of the $66.3 billion in new authorizations requested, $42.7 billion is for expenditure in the coming year and $23.6 billion is for expenditure in future years.

Of the $65.9 billion which the President estimates Federal agencies will spend in the coming year $42.7 billion would be spent from new appropriations on which Congress will act this year, and $23.2 billion will be spent out of balances in old authorizations which are not ordinarily before Congress for action in terms of coming year expenditures.

Under such a procedure effective expenditure control in the coming year requires a combination of tight constructive administrative control in the executive branch of the Government along with cooperative congressional action on that part of new appropriations which are to be spent in the coming year.

To assure expenditure reduction in the future, it will be necessary for Congress to reduce appropriations in a manner to eliminate that part which will be carried over to build up unnecessary balances for expenditure in subsequent years.

In the interest of American taxpayers both expenditures and appropriations can and should be cut substantially, without impairing any essential function of Government.

EXPENDITURE REDUCTION

On the basis of analysis of every one of the nearly 1,000 appropriation account items in the budget, it is feasible to cut expenditures in the coming fiscal year, beginning July 1, as follows:

Billion

1. By elimination of new domestic-civilian programs, etc. $1.0
   (Limited largely to programs previously unauthorized.)
2. In miscellaneous domestic-civilian reductions, more than .4
3. By reduction in foreign economic aid .9
   (Expenditures from firmly obligated balances in prior year appropriations would be allowed for foreign economic assistance. No expenditures would be allowed from new appropriations or unobligated balances. Expenditures for military assistance and direct forces support would not be reduced.)
4. By reduction in nonessential military expenditures .9
   (These reductions would not apply to any major procurement—aircraft, ship, missile, etc.—or to any research and development item. They would not impair any essential element of combat strength or preparedness. They would apply to nonessential new programs, construction, additional civilian employment, etc. They contemplate efficiency and elimination of waste.)

   Total 3.2

APPROPRIATION REDUCTION

One of the most inexcusable features in the President's budget is a $9.2 billion increase in appropriations, as compared with those enacted for fiscal year 1955, which ended last June 30; and a great part of this increase in appropriations will be used to increase expenditures for domestic-civilian programs, and add to unexpended balances in all categories to be carried over into fiscal year 1958.

In view of the fact that only $42.7 billion of the $66.3 billion in requested appropriations is for expenditure in the coming year, analysis of appropriation accounts clearly indicates that it is feasible to cut requested new appropriations as follows:

Billion

1. By elimination of all new domestic-civilian programs, etc. $1.7
   (Limited largely to programs previously unauthorized.)
2. In miscellaneous domestic-civilian reductions 1.3
   (Based largely on reductions to fiscal year 1956 level, elimination of unnecessary buildup in unexpended balances, and elimination of additional new personnel.)
3. By reduction in foreign aid 2.5
   (Limited largely to elimination of all new appropriations for so-called economic assistance but including small reductions in appropriations for direct forces support and military assistance which would be used to add to unnecessary balances.)
4. By reduction in nonessential military appropriations $2.3
   (These reductions would not apply to any major procurement—aircraft, ship, missile, etc.—or to any research and development item. They would not impair any essential element of combat strength or preparedness. They would apply to nonessential new programs, construction, additional civilian employment, etc. They contemplate efficiency and elimination of waste. They would reduce unnecessary balances.)

   Total 7.8

With the kind of administration and legislative action to which American taxpayers are entitled, such expenditure and appropriation reductions would not curtail any essential functions of the Federal Government. They would curtail initiation of new so-called foreign economic assistance projects, and eliminate new nonessential domestic-civilian programs. They would reduce unexpended balances at the end of fiscal year 1957 by $4.4 billion. They would preclude employment of 46,000 new additional civilian employees on Federal payrolls.

These reductions in expenditures and appropriations are summarized in the following table:

Suggested reductions in appropriations and expenditures

[In millions]

	1956 actual		1957 requested		1957 Byrd budget			
					Reduction		Suggested	
	Appropriations	Expenditures	Appropriations	Expenditures	Appropriations	Expenditures	Appropriations	Expenditures
Foreign aid:								
New legislation			$4,860	$990	$2,460	$540	$2,400	$450
Old appropriations	$2,703	$4,190		3,300		360		2,940
Total	2,703	4,190	4,860	4,290	2,460	900	2,400	3,390
Military:								
Existing legislation	33,147	34,575	33,790	35,347	1,161	681	32,629	34,666
New legislation			1,117	200	1,117	200		
Total	33,147	34,575	34,907	35,547	2,278	881	32,629	34,666
Domestic-civilian:								
Existing legislation	26,134	25,505	23,989	25,212	1,308	419	22,681	24,793
New legislation			2,885	1,166	1,745	1,026	1,140	140
Postal rate increase			−350	−350			−350	−350
Total	26,134	25,505	26,524	26,028	3,053	1,445	23,471	24,583
Grand total	61,984	64,270	66,291	65,865	7,791	3,226	58,500	62,639

The effect of these suggested reductions on unexpended balances is summarized by categories as follows:

Unexpended balances (start of the year)

[In millions]

	1957, estimated (July 1, 1956)	1958, requested (July 1, 1957)	Cut suggested	Under Byrd budget (at start of fiscal year 1958)
Foreign	$6,592	$7,157	$1,605	$5,553
Military [1]	39,061	38,100	1,417	36,683
Domestic-civilian	28,920	28,448	1,411	27,037
Total	74,574	73,705	4,433	69,272

[1] Exclusive of balances in transfers from foreign military assistance funds.

MILITARY FUNDS

It is noted with emphasis that these reductions in expenditures and appropriations are not applied to major procurement of aircraft, ships, ordnance, missiles, or to military research and development items.

Neither is there reduction in expenditures for military assistance.

Budget figures show military agencies at the beginning of the new fiscal year on July 1, exclusive of new appropriations, will have unexpended balances totaling $39.1 billion. These balances are in direct appropriations to the military agencies. They do not include $3.1 billion additional available to them in transfers from old foreign-military assistance appropriations. When old military-assistance funds are added, military balances total $42.2 billion. If requested new military appropriations are fully enacted the total expenditure availability for military agencies would be more than $77.1 billion. And to this would be added any additional transfers from new military assistance appropriations yet to be enacted.

The military-fiscal situation may be summarized as follows:

1. Military agencies will start fiscal year 1957 on July 1, with unexpended balances in old direct appropriations and other expenditure authorizations totaling $39.1 billion.

2. Military agencies will have additional balances available to them in transfers from old foreign-military assistance funds of $3.1 billion.

3. Exclusive of new money to be appropriated in this session of Congress, military agencies will start the fiscal year with spending authority totaling $42.2 billion.

4. New appropriations requested for military agencies total $34.9 billion.

5. Assuming full appropriation of the request, military agencies will start fiscal year 1957 on July 1 with direct and indirect spending authority totaling $77.1 billion.

6. This total does not include additional funds to be transferred to military agencies during the coming year from new foreign-military assistance appropriations.

7. Of the $77.1 plus billion available to military agencies, it is estimated that they will spend $36.7 billion, leaving an unexpended balance at the end of the year of more than $40 billion.

As for the Air Force, it will start the fiscal year with unexpended balances, including those available to it from foreign-aid money, totaling $20.1 billion. The proposed $15.4 billion in new appropriations for the Air Force would bring its total spending authority to $35.5 billion. Of this total it is estimated Air Force will spend less than $17.3 billion and end the year with a balance of $18.3 billion plus transfers during the year from new foreign military assistance funds.

To show the effect of building up such balances as those which exist in the Military Establishment, it may be interesting to note that there is not a dollar of appropriation in the new budget for such an important item as Army procurement and production. There hasn't been an appropriation to this item since the Korean war.

All expenditures for Army procurement and production since the Korean war have been out of balances in old appropriations. This will be continued in the coming year with expenditures estimated at $1.6 billion. At the end of next year these old balances in the Army production and procurement account will still total $4 billion.

This is to say for years a military agency has been spending more than a billion dollars a year for procurement and production without ordinary appropriation control.

The time has come for a complete and thorough examination of fiscal practices which have grown up in all the military agencies. This would not necessarily involve programs.

There is evidence of abuse of privileges which have been made available in the name of preparedness, including exploitation of balances, use of military assistance funds, use of foreign currencies, use of revolving funds, use of Federal housing insurance, use of civilian manpower, etc.

The reductions in military budgets which I am suggesting are based on more efficient use of facilities, funds, and civilian employment. That is not too much to ask of agencies with more than $75 billions of taxpayers' money at their disposal.

CIVILIAN EMPLOYMENT

Of the 48,000 new civilian employees requested in the President's budget, 22,556 are requested through military appropriation accounts. Of this total 20,858 are requested in the Air Force which is increasing civilian employment more than 28,000 in the current year—a total of 49,000 civilian employees in 2 years.

The remaining 25,000 new civilian employees are requested for the coming year through domestic-civilian and foreign aid appropriation accounts. It is difficult, if not impossible, to determine precisely the increase in foreign aid employment because budget detail for foreign assistance has not been submitted.

The 48,000 civilian employment increase figure is not a net figure. The net increase in the President's budget is 9,000. In activities where decreases or present levels have been recommended, my suggestions would not disturb the requests for personal service.

The President's budget requests employment of 48,000 new people. My suggestions would allow 2,000 new employees for military research and development work and eliminate the remaining 46,000 at a saving of $274 million. This would eliminate requests for increases in all items where the figures are up, except those involving increases for military research and development.

EXPENDITURE CONTROL

The reductions I have suggested could be accomplished in the coming fiscal year 1957, beginning July 1, and in future years, without damage to any essential function of Government. It is disappointing that the administration, which made a good start in reducing appropriations, expenditures, and unexpended balances, now proposes increases.

Unfortunately, some of the more nonessential programs cannot be reached by the orthodox process of reducing appropriations. There are more than 100 program accounts outside appropriation control.

This type of Federal commitment is growing. It involves Federal guaranties, insurance, statutory authority to spend from the public debt, use of foreign currencies, use of the corporate device, permanent appropriations; and now there is a trend toward trust funds, which should be watched.

The reputation of the Federal Government as guardian of trust funds is already questionable. If trust funds are to become a means of evading Federal control of Federal programs at all points except the bureaucrats who promote them, we may as well expect continuing pressure to set up every Federal program as a trust fund.

Sound tax reduction depends upon expenditure control. Expenditure control requires vigilant administration in the executive branch over appropriations already enacted and careful consideration by Congress of appropriations when they are authorized and requested.

Meanwhile, the Federal debt, by the latest Treasury report, stands at nearly $280 billion—nearly $5 billion over the permanent statutory limit.

In 26 years, since we started the deficit-financing spree, interest on the steadily growing debt has cost taxpaying Americans $82 billion. Interest in the coming year will bring the cost of this debt to nearly $90 billion.

Until control over expenditures is regained and applied effectively for sufficient expenditure and debt reduction, taxes cannot be reduced if the Government is to remain sound.

TRIBUTE TO MILWAUKEE SENTINEL SPORTS AND VACATION SHOW

Mr. WILEY. Mr. President, there is going on right now in the Milwaukee Arena Auditorium one of the great shows of the Midwest and the Nation—the Milwaukee Sentinel Sports and Vacation Show.

This is the 16th year of this entertaining show which attracts a tremendous attendance—over 150,000 a year.

I wish to convey my warmest greetings to all the folks who have contributed to and are participating in the show, and to state that it is a splendid symbol of America's vacationland, wonderful Wisconsin.

I send to the desk a statement which I have prepared on this subject, and ask unanimous consent that it be printed at this point in the body of the RECORD.

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

WELCOME TO WONDERFUL WISCONSIN

(Statement by Senator WILEY)

The call of the outdoors can be heard throughout America.

It is a call to enjoy the best possible way the miracle of leisure time in our country—more leisure than any other people has known in history.

THE LURE OF BADGER FISHING, HUNTING

It is a call, in particular, to the 8,676 lakes of Wisconsin, and especially to the 1,412 trout streams, totaling 8,349 miles.

This summer well over a million anglers will try their excellent luck in Wisconsin waters.

Around three-quarters of a million of that number will be residents. But Wisconsin also leads the Nation in the number of nonresident fishermen. Last year's total reached more than 326,000.

At hunting time, some 450,000 big- and small-game hunters will take to the State's woods and marshlands.

It is only natural, therefore, that in Wisconsin's greatest city—Milwaukee—there should be conducted one of the greatest, if not the greatest, sports shows of the Nation.

DIVERSE SENTINEL PROMOTIONS

It has been staged every year since 1940, with the exception of 1943, when it was suspended because of the war. It is the only sports show owned and operated by a newspaper—the Hearst newspapers' Milwaukee Sentinel.

It is a part of a diversified Sentinel promotion program, which includes such well-attended attractions as the Winnebago Outboard Marathon (cosponsored by the Wisconsin Stock Utility Outboard Racing Association and the Fond du Lac Association of Commerce), the Sentinel-Chevrolet Soap-Box Derby, as well as golf, bowling, and baseball events, pointing dog trials, junior rifle championships, and archery competition. These events, with vast drawing power in sports-minded Wisconsin, are all crowd-pleasers and certainly in the wholesome public interest.

The outdoor show itself attracts multitudes not only from all over my own State but from northern Illinois, Michigan, eastern Iowa, and Minnesota.

As the attractive souvenir edition of last Sunday's Milwaukee Sentinel demonstrated, the show is also the occasion for the display of the greatest sports and vacation equipment of the Nation. That means the finest outboard motors (products of Wisconsin craftsmanship). It means every conceivable type of fishing lure and other items for our Izaac Waltons; it means hunting and camping equipment, golf clubs, canoes, aluminum boats, and a vast variety of other material, including modern station wagons and trailers.

WISCONSIN OUTBOARD MOTORS

Wisconsin is particularly proud of its outboard motors—which I have been pleased previously to commend in the CONGRESSIONAL RECORD.

The Midwest is, of course, the boating capital of the Nation. This is only natural because fishermen purchase 66 percent of the Nation's motors, and the Midwest yields to no area in its enjoyment of fishing. (As regards the remainder of outboard sales, incidentally, 19 percent are bought for cruising, 8 percent for hunting, and 7 percent for water skiing.)

DIVERSE EVENTS AT SHOW

The overall show itself will be the scene of the ninth annual Wisconsin indoor archery championship, cosponsored by the

Sentinel and the Wisconsin Field Archers Association. Archery has, in recent years, gained ever wider public acceptance, and is a rapidly growing segment of Wisconsin's inviting recreational picture.

There will also be spin casting tests, the second annual junior rifle championship contest, a competition in the Milwaukee Council Industrial Recreation Bail Casting League, a camera contest and numerous other events.

All of these attractions will naturally increase the outdoor man's appetite and his wife's; so they will naturally enjoy the best eating thereafter in Milwaukee's great restaurant establishments.

WISCONSIN'S OUTSTANDING RESORTS

And their thoughts will turn to the approaching period of their complete vacation—not just for a weekend but for several weeks—perhaps in the north woods or elsewhere in the Badger State. A variety of resort association booths and exhibits, and abundant literature from the Wisconsin Conservation Department give the vacationer helpful facts and suggestions. Wisconsin's resorts are of course famed throughout the Nation for their hospitality, attractiveness, and pride in service.

CONSTRUCTIVE USE OF LEISURE

And so, the show plays a vital role in Wisconsin's economy, because naturally it helps assure tremendously increased tourist revenue to America's vacationland.

It symbolizes, however, the American way of life. It represents wholesome enjoyment of leisure time in the great outdoors, in God's country, where the air is fresh in a man's lungs and on his face, where he can really relax, away from life's tensions, where he can teach his youngster in the values of nature, of camping, of self-reliance, of strengthening one's body and one's mind.

Thus, although there are but a few days remaining, I want to issue my warmest invitation to folks in the midwestern area to take in the sports show and best of all take in wonderful Wisconsin.

WHAT AVIATION EDUCATION MEANS TO ME—ADDRESS BY ARTHUR GODFREY

Mr. RUSSELL. Mr. President, Arthur Godfrey is known in every home in this country as a great figure in the entertainment field. It is not so widely known that Mr. Arthur Godfrey is a great expert in the field of aviation. He has not only flown practically every type of plane that has been in the air for the last 20 years, but he has made a study of aviation as related to the defense of the United States.

On March 16, 1956, Mr. Godfrey made a speech before the sixth annual conference of the National Aviation Education Council in New York, which I think would be interesting to those who are concerned about the national defense and are interested in aviation education. I ask unanimous consent that the address be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Is there objection to the unanimous-consent request of the Senator from Georgia?

Mr. JOHNSON of Texas. Mr. President, reserving the right to object, and I shall not object, I should like to associate myself with everything the chairman of the Armed Services Committee has said about Arthur Godfrey. I spent 2 delightful days with him this past fall in Texas, at which time, at his own expense and in his own time, he came to discuss the air power situation in the United States and in the world. I think he is very well informed, is a lovable gentleman, and is extremely patriotic. I received a copy of the address which the Senator from Georgia has asked to have printed in the RECORD. I hope every Member of the Senate will have an opportunity to read it.

Mr. RUSSELL. I appreciate the statement made by the distinguished majority leader.

The ACTING PRESIDENT pro tempore. Is there objection to the unanimous-consent request of the Senator from Georgia?

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

WHAT AVIATION EDUCATION MEANS TO ME

(By Arthur Godfrey)

It is a distinct and very great privilege to be permitted to speak to this audience tonight. As a matter of fact, it is a real treat for me. Rarely, indeed, do I have the opportunity to appear publicly without my ukulele or my jokebook. American radio and television audiences (God bless them), unfortunately are not noted for swarming to their sets these days to listen to a man with a message; especially, curiously enough, if that message is for "their own good." And, more especially, if the man, burning with this message, happens to be a popular entertainer. 'Tis a most discouraging paradox: if a man be a recognized authority on a subject such as ours tonight, few save those who already understand him, will bother to tune in his broadcast. If, on the other hand, he happens to be a so-called big name in the entertainment world, he has to use extreme care about the manner in which he tries to get his message across, no matter how well informed he may be, no matter how dedicated, no matter how bursting with the desire to share his information with his countrymen.

When people picture you a whimsical clown, they tune you in to be entertained—not scolded. It's extremely difficult ever to get them to take you seriously. For the past quarter century, therefore, I have been forced to restrict most of my "lectures" on airpower to a word here and a sentence there sandwiched in between poor jokes and commercial plugs for my good sponsors.

Having said that, let me add quickly that I've got a fair amount of uneasiness about addressing a group of professional educators on any aspect of how to do better the job of aviation education. In my business—which has its complicated, technical aspects, too—we're always leery about the well-meaning gent who wants to blind us with the brilliance of his ignorance. Sit easy, I'm not about to lecture you on how to run your business.

Instead, and begging your indulgence in advance, I'm going to think out loud a little—about what has happened, what is happening today and, maybe, even take a look-see ahead with you at what lies beyond the horizon.

Now this may come as a surprise to some of you but flying has been a consuming interest of mine ever since that first ride I got in a Navy flying boat at Norfolk, Va., in the late summer of 1920.

I suppose the big attraction then was the thrill, the glamor of it all.

Like a million other American kids—I was fascinated by the accounts of the dogfights of the First World War, led by Capt. Eddie Rickenbacker.

But, over and beyond the appeal of what others had done in the air, was the quite indescribable feel of wind in my face as I sat in an open cockpit—as near to being completely out of this world as is ever given to earth-bound man. Aviation was something far removed from education in the formal sense, and few dreamed of aviation ever having any commercial usefulness.

We learned about flying because we wanted to. If anybody had said what we were doing was educational, we'd have dropped it like a hot potato.

In those golden days, everyone who flew was a hero. The men who flew the mail were heroes. Short-lived ones; each year 1 out of every 4 was killed. The Army pilots and the Navy pilots were heroes, too, but now they were peacetime heroes. There was no grim specter of impending war, we thought.

Ten years later, Lindbergh and a host of other trans-Atlantic fliers had fired the imagination of the whole world. Commercial aviation was struggling to get off the ground, and Mrs. Godfrey's boy Arthur was just barely becoming solvent to the point where he could begin the business of self-education in aviation with real live airplanes. By about 1929 or 1930, I had become acquainted with the special joys of gliding, quiet as a wheeling hawk across the sky. I had many different instructors. Few of them remained in one place very long in those days. We flew in many types of airplanes.

Outstanding among those who gave me my early training in the fundamentals of flying, was Bob Ashburn, of Alexandria, Va.—still one of the greatest in the business. The planes we used were Aeroncas and Taylor Cubs—little 40-horsepower jobs on wheels or floats. Bob had an OX-5 Travelair and a J-6-7 Challenger. George Brinkerhoff, who still runs the oldest airport in America, College Park, Md., gave me instruction in the old fleet trainers. We had a wonderful time, in the true sense of the word, during those happy, carefree days and we logged hundreds of flying hours.

Most important, I soaked up every particle of information I could get my hands on about flying, about planes and their engines, about the men who flew for a living, about meteorology, and about navigation. I devoured every piece of literature on the subject I could find and on bad days I sat for hours absorbed in "hangar flying" swapping lies with other pilots. My aviation education was progressing.

Simultaneously, I began to talk about flying on the radio, and I've been talking about aviation ever since. Once in Washington, about 1934, I said something over the air, about why didn't my listeners—the ones who wanted to—come out to the little airport—Beacon Field—just south of Alexandria, Va., and let me give 'em a ride. I expected 3 or 4, maybe even a dozen, would take me up on the offer. Well sir, before we got through making good on that one, there were hundreds. We had to call into service every light plane available in the Washington area, and I darned near went broke.

I've never been sorry I did that. Even today—every now and then—somebody comes up to me and says: "You know, you gave me my first ride in an airplane." At least one of them is a senior captain on American Airlines today.

For the past 5 years, I've been privileged to give a leg up to a bunch of transportation students at American University in Washington. They get the chance to learn to fly—and from my standpoint, what's best of all, their instructor is the same Bob Ashburn who was one of mine nearly a quarter of a century ago.

In the early days, then, I talked only about the joys of aviation—the astringent cleanliness that pervades your mind and body when you get into the air. But, in

addition to flying those little planes myself, I had become practically a commuter between Washington and New York, flying in the early tri-motored Stinsons, Curtis Condors, and the first Douglas DC-2's and DC-3's. I began to learn about commercial aviation—including the fact that even with DC-3's, the airlines made very little money in those days. Eastern Airlines was the first to operate in the black without subsidy, years before any other.

Too many of the airline flights carried but a single passenger, me. I got thus to know a good many of the pilots personally—great guys, all of them. And, one way or another, I gathered many priceless pilot-hours in twin-engined equipment and, after the war, four-engined transports. Little by little, I got an insight into the tremendous ground organization that is required to keep those planes in the air. More and more I realized how necessary to the welfare of our Nation is a healthy, growing air transport network.

That realization, you might say, was the equivalent of a passing mark for me, in another grade in the school of aviation education.

When the clouds that foretold the beginning of World War II began to darken, military aviation in this country had fallen behind in many respects. Our long-range bombers—the B-17 and the B-24—were the best in the world, but we had precious few of them. Our fighters—the ones we had on Pearl Harbor day—consisted of too few of any kind. The ones that were really good were hardly beyond the prototype stage.

Looking back, we can thank God for two things upon which I'm afraid we can no longer depend—our brave allies who fought on in the face of overwhelming odds to give us time to build the planes to punch back—and for the broad Atlantic and Pacific which protected our shores.

Late in 1944, I flew in a B-24 to Saipan, getting there on the eve of the first B-29 raid on Tokyo. I thrilled to see the fleets of those great superforts take to the air. While there, I learned a grim lesson—one all of us should keep uppermost in our minds: Those B-29's flew to Tokyo and back in the face of some of the most savage defense the Japs could mount. We lost a lot of them and a lot of good men—but no mission was ever turned back by enemy action short of its target.

After the war, and the end of gasoline rationing, I went back to light planes again. I fooled around with a Luscombe and the grand little Taylorcraft and the Piper Cub—graduating to the SeaBee; to the Navion (of which I have owned three successive models); to a Twin-Beech. In 1950, when Eastern Airlines began to retire their DC-3's, my good and dear old friend—one of my boyhood idols—one of the truly big men of aviation—Capt. Eddie Rickenbacker, sold me one at book value.

I had it completely rebuilt better than new; and, equipped with DC-4 engines and the latest available electronic equipment, it serves me as a fast, dependable, comfortable transport for my troupe and other business associates. Last fall, I traded in my last Navion for a new Beechcraft Bonanza, the sweetest little four-place, single-engine airplane I have ever flown. In it, I commute back and forth between New York and my home in Virginia each week.

You may be interested in knowing that I have just ordered a brand-new helicopter from Larry Bell to be delivered within the next month or two. I borrowed one from him last November and demonstrated it on my television programs from Florida and learned, interestingly enough, that since I can fly and maneuver it within the range of a television camera, it seems to arouse more interest in aviation generally than a fixed-wing airplane.

In 1950, however, my aviation education took on a new phase. Come Armed Forces Day that year (I believe it was the first such) I was invited by the Air Force, even though at that time I was a Naval Reserve officer, to fly an Air Force jet—a little T-33 trainer. Up until that time, despite thousands of hours of experience in flying my own and other commercial and executive airplanes, I had been denied the privilege of learning to fly naval aircraft on grounds of physical disability.

After having demonstrated rather quickly to my Air Force hosts my ability to fly that jet, they half jokingly, half seriously invited me to resign my Navy commission and join up with them—saying they would be delighted to have me learn to fly everything they had. I began to "ride" my Navy friends a little bit about that and it wasn't very long before (more to shut me up than anything else, I think) they permitted me to take a course of instruction at the Naval Air Training Command in Pensacola.

I never worked harder in my life and, noting my enthusiasm and earnestness, my instructors, bless their hearts, went to work with a will with me and after several short tours of duty, by 1953, I had qualified as a carrier pilot, had checked out in jets, became a qualified instrument pilot and learned to fly helicopters. I even took a short whack at blimps at Lakehurst. I had won the coveted Navy wings.

None of this was easy; all of it was wonderful, even though it did take a lot of time away from my professional commitments. What I've been telling you is not to prove what a smart guy I am, but so you'll understand that for me it hasn't been enough to learn about aviation in books—I had to get in all over.

Sometimes I wish I could have confined my love for and knowledge of aviation to the sheer happiness of flying; to the weekly joy of heading back to Leesburg to my beloved wife and children; to an occasional romp through an old-fashioned loop or a chandelle or an Immelmann.

But, as time when on, it became increasingly evident that V-E day and V-J day were just the end of fighting Germany and Japan.

We had another enemy—whom we might easily have put down—at the time. Never, in the history of the world, it seems to me, has a situation been handled quite so badly. As late as 1952 or even 1953 this Russian threat to our way of life might have been removed—without firing a shot—without dropping a bomb—yes, without risking a single life. And there were those in high places who sought to do it that way—but you know how this lovable, ponderous, slow-witted democracy of ours works. It doesn't take much to get us going—just a bomb or two dropped on us. The only trouble is—nowadays it only takes one bomb—in one plane—per city.

Can you guess what one high Government official told me 3 years ago, when I asked him to give me his objections to the proposal to go over and stick a gun in Stalin's ribs and make him pull that Iron Curtain down? He said: "Arthur, we couldn't do that: it would frighten our Allies, and, besides, if we defeat Russia, we'll have to feed all those people and it would break us."

That kindly old gentleman is still very active in our Government in Washington today.

Let's face it, we're engaged in a bitter technological race with Russia. The stakes, on our side of the table, are not only survival of our way of life but of our very own lives.

The weapons which comprise modern air power have become enormously complicated. Even compared to the airplanes of World War II, today's supersonic fighters and near-supersonic, long-range bombers are as different as is today's television set from the crystal receivers and earphones of yesterday's radio.

They cannot be flown by "weekend warriors" or part-time reservists of any nature, no matter how dedicated they may be. If we are to maintain the deterrant air superiority so vital to our survival, we must induce the cream of America's youth to become professional airmen.

Military aviation must be made an attractive career. How do this? The same way we could make teaching a more attractive profession—pay decent salaries.

The record of the strategic bomber in World War II is there for all to see. No American bombing mission was ever stopped by enemy action short of its target. It is only reasonable to assume, therefore, that any first-class bombing force can do the same—whether the bomber crews speak Russian or English. We lost only 5 percent of our bombers to enemy action in World War II—4 percent to fighters and 1 percent to ack-ack. The men who fly our bombers today, many of them veterans of scores of missions, doubt seriously if those figures would be changed much in a modern air battle. But, without going into great detail, let's say that our defenses are five times better than the Nazis and the Japs had. Let's say they're 10 times better—or 15 times better. That would mean we could keep 75 percent of an enemy bombing mission from reaching the target. Only 25 percent would get through. But, you see, nowadays it takes only one bomb—in one plane—per city. Each bomb more powerful than all the bombs dropped in World War II. Just let me ask you to stop here a minute and picture if you can what would happen if only six Russian bombers got through our defenses some night—each one carrying an H-bomb. New York, Chicago, Detroit, Pittsburgh, Washington, and Seattle. One bomb per city. Oh, they don't get away with it. Somebody shoots 'em down all right eventually—but the bombs are away. Those six cities are gone. Three or four or five million people are dead. We've got no Government seat (and probably no Government)—no power to produce—the great American know-how is all shot. Ah, but we've still got a few guided missiles.

The Navy's out there somewhere steaming along at 31 knots—and the Army's shooting off those atomic cannons at somebody, someplace. It was back in 1951 when I first became really aware of this mess. I got a big shock listening to a high ranking Naval officer make a speech one night. He said General Curt LeMay was a madman and called the B-36 bomber the most horrible waste of time and money and manpower in the history of our country. I decided to find out for myself—because if that were true, then we were begging for trouble.

Gen. Hoyt Vandenberg, who shortened his life by sticking to the job of Air Force Chief of Staff long after he had become deathly ill, made it possible for me to get the facts. I met General LeMay and I have since made a comprehensive study of his command. That man is so dedicated, so competent, so inspiring. To know him is to admire him—to know him well is to believe and to have confidence that he and his command are doing the very best job that can be done with what they have. Their tools must be better and in greater numbers. His equipment has been B-36's and B-47's—which I have flown. They now have the B-52, but in small quantities. Without more and soon, the grim threat increases in an inexorable geometric ratio, a factor I'll have more to say about later.

Last fall, I wrote about this experience in the Saturday Evening Post. They titled it "This Is My Story." In the section about flying in the B-47, the printers goofed and it came out I had been flying at Mach 9 instead of 9 tenths. Maybe I haven't been kidded about flying at more than 5,000 miles per hour.

What I have discovered in this latest course of my aviation education is that instead of the unification of the armed services we're supposed to have—we have triplification—with each service competing bitterly against the others to obtain a bigger share of the Defense Department dollar. The technological revolution has obsoleted most of the weapons used effectively as recently as the Korean war. But, you'd never believe it—to hear some of the arguments.

In order not to embarrass my friends, in order to be free to say what I had found to be true—after long and very serious consideration—I took a step last spring that was a tough one: I resigned my proud commission in the Naval Reserve. I think we are in grave danger, and believe me this is one time I'd love to be proven wrong.

Listen to me another few minutes.

You and I know that air power includes the sum total of a nation's aeronautical development, inclusive of its public opinion, as Gill Robb Wilson said not long ago, "What military aviation is to the business of security, civil aviation is to the security of business; for defense there are no geographic perimeters but only those which define the aeronautical stature of a nation. These studied conclusions all seem very clear to us.

"But we must remember that the American lay public has had no background from which to reach this understanding. Our public education is only scantily geared to produce airwise youth."

Our adult population is even more ignorant of the most elementary principles of aeronautics. During the past 4 or 5 years, we have managed to convince millions of people of the comparative safety of airline travel—but that's all they know about it—and apparently that's all they care. In true, typically American fashion, even those who use the airlines in their travels, spend a lot of time and energy cussing the inconveniences. Airport development has been a bone of contention in most every city. I've seen airports built far out on the outskirts of a town where there were none but scattered farmhouses. Within a few years, thriving communities have been built around these airports. And from whom come the complaints about noise and low-flying aircraft? The people who built their homes alongside the runways.

If somebody wants to build a new radio or television tower, where do they locate it? Right off the end of the runway that's in use most of the time. These new communities must have schools for their children. Where do they build them? Close by the airport where the noises will cause the most interference with classroom work. And even those with sufficient vision to plan and build an airport, where do they put it? On the leeward side of the city so that planes taking off on the runway planned for the prevailing winds will have to climb out over the city, thus disturbing everybody's sleep.

Airline passengers, actually, pay even less attention today to the captain and copilot up in the cockpit than they give to the engineer and fireman in the locomotive of a pullman train. All they want to know is how much does a ticket cost, why don't you serve a cocktail with the luncheon and why is the pilot bouncing the plane like that? They even hope the plane hits an air pocket or two so that they can brag about it to their friends when they get back on the ground and describe how rough the flight was because they had a tail-wind. They could actually feel it kicking the tail around and the pilot was exhausted.

It is nothing short of amazing to me that aviation—even military aviation—has advanced so far along as it has in this country. You'd be astounded if you knew how little some of the men in the highest places in Washington know about aviation.

In 53 short years, the science of aeronautics has progressed at an appalling rate. This, despite public apathy, despite a sometimes indifferent Government attitude, and despite often paralyzing opposition even to this day. And further, despite the unheeded fact that aviation has led the great technological march of the past half century, if we were to plot a curve showing development of the speed of aircraft over the past 50 years, we would find that it has just about doubled itself every 10 years.

By 1910 we had reached 100 miles per hour; 1920, 220 miles per hour; 1930, 300 miles per hour; 1940, 600 miles per hour; 1950, 1,200 miles per hour; and you know where we're headed for now. If you plot the gross national product over the same period of time, you find the curve almost coincides. The same goes for the use of electrical energy measures in trillions of kilowatt-hours. The same goes for the national wealth, for construction costs, for patents, for population, for mental patients, for discovery of the elements.

In other words, if you combine all these curves, you come up with one which I think we can logically label our national-growth curve. Call it coincidence, if you will, but that national-growth curve follows almost exactly our airspeed curve, proving, it seems to me, that even those who have never seen an airplane, let alone ride in one, owe every last bit of the high standards of living in America today to the growth of aviation.

Furthermore, a study of this curve will show that normal technical and associated progress is a geometric progression and that progress occurs at any given time at a rate substantially proportional to the total progress made up to that time.

And yet, if you plot the actual support given to Air Force research and development from 1930 up to the present time, you will find that this country really believes in research and development and is willing to support it only when danger threatens.

The current research and development effort in the Air Force is about one one-thousandth part of the gross national product, having leveled off since Korea at about this rate. Therein lies the key to the desperate situation in which we find ourselves today insofar as our airpower is concerned. We blow hot and we blow cold. Our national policy does not recognize the natural rate of technical progress—does not recognize the natural increase in support we have to build into a research and development program if we are going to progress at a normal rate.

That's the reason we find ourselves in America today losing progressively faster the power to deter a long-range Soviet bombing attack. Therefore, unless we make some changes in the right direction pretty quick, some time next year, or by 1958 at the latest, our deterrent curve will be crossed by the Russian deterrent curve. What happens after that, only providence knows.

Our deterrent power for the past 5 years has been, and is today, a fleet of B–36 intercontinental bombers. For those same 5 years, the B–36 has been obsolescent and is today obsolete. It must be replaced by a much faster, better airplane—the B–52.

Five years ago, I started telling this story, not only to the listeners to my programs but to select audiences such as this. But these things sink in slowly, and the path of those of us who are seriously concerned has been a rocky one. To date, we haven't even got one wing of B–52's in combat readiness. We are building them at the ridiculous rate of four per month. Plans have been instituted to raise that production to 16 or 17 a month, I have read. By what date, I don't know.

Meanwhile, all I know is that last May, almost 1 year ago, the Russians allowed us to see in flight more comparable airplanes than have been delivered to our Strategic Air Command to this day. From the articles I have read in public print, authored by people supposed to know, I gather that the Russians are building their version of the B–52 at the rate of at least 35 a month and have been doing so for at least a year. We've been concerned with more bang for a buck and haven't stopped to realize that in a critical time like this you can't get a bang out of a buck.

We don't know—those of us who have been fighting this fight—how much good we have done or how much progress we have made in awakening the American people to the threat that lies only hours away across the North Pole. But there has been a stirring of activity in Washington and in remote places like Ramey Air Force Base in Puerto Rico, where the Joint Chiefs of Staff just met to review the situation. A select Senate committee has been appointed to investigate the facts. Lots of people are beginning to take a good hard look at things. There are many reasons for it as there naturally would be in our system of government with its checks and balances and in our military picture with its own checks and balances. But regardless of the reasons, I am very much heartened by the fact that we are looking at it and that this will give the American people a few cold turkey facts. I am confident that given the facts to which they are entitled—American will come up with the right answers. I know, too, that our way of life depends on those decisions being made now.

Phew—I sure got serious, but that's the way I feel, and that's what aviation education means to me.

Let me close with this one thought—be proud, ladies and gentlemen, in the vital work you are doing. Be strong in the knowledge that upon the success of your work depends the freedom we hold so dear.

Thank you, and God bless you.

THE PELTON DAM, OREG.

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD an excellent statement that was made by my colleague, the junior Senator from Oregon [Mr. NEUBERGER], this morning before a subcommittee of the Committee on Interstate and Foreign Commerce on the Pelton Dam issue in my State; also a statement which was made by Mr. Roland Bowles, of the Oregon division of the Izaak Walton League, on the same issue, one of the clearest, most concise, and, I believe, most clarifying statements on the subject I have ever heard; and also the text of my statement before the committee.

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

STATEMENT BY SENATOR NEUBERGER

Mr. Chairman, I appreciate the time which the committee is giving today to hearing opening testimony on the bill introduced by Senator MORSE and myself, S. 3250, to deal with the immediate problem of water law raised by the Pelton Dam decision of the Supreme Court of the United States. I realize that your committee has a particularly heavy schedule this week and in the weeks immediately ahead, and that you have interrupted consideration of other measures before you for the sake of these hearings today. Consequently, Mr. Chairman, I shall keep my own remarks brief.

I asked the committee whether it might not be possible to have these first hearings on S. 3250 today because hearings are also being held this week by other committees on related legislation. As one example, the Committee on Interior and Insular Affairs is now holding hearings on S. 863 introduced

by Senator BARRETT which would have a major impact on the relationship between the Federal Government and the States as to the use and control of water on federally owned lands within the different States. This bill, and others like it, which have been introduced in the House of Representatives, have received much of their present impetus from the Supreme Court's opinion in the case of the Federal Power Commission against Oregon—the decision which we refer to as the "Pelton Dam case" for short.

Mr. Chairman, at the conclusion of my remarks, I am going to ask to have made a part of the record of these hearings the Supreme Court's opinion, from 349 U. S. 435, as well as my statement in the Senate in introducing S. 3250. At this time, however, I should only like to review briefly the background of the Pelton Dam case which led up to the Supreme Court's decision of last summer.

The controversy arose 7 years ago from an application by a predecessor of the Portland General Electric Co. to construct a hydroelectric project on the Deschutes River. The Deschutes is a tributary of the Columbia River which is located entirely within the borders of the State of Oregon and which is one of the famous fishing streams of the Pacific Northwest and, indeed, of the Nation. Agencies of the State of Oregon—the State Game Commission and the State Fish Commission—as well as the Oregon Division of the Izaak Walton League intervened before the Federal Power Commission in opposition to the application for a license to construct the Pelton project on the Deschutes.

In 1953 the power company unsuccessfully sought to have State opposition to its project eliminated by means of special State legislation.

The Federal Power Commission granted a license to the Portland General Electric Co., overriding the objections of the intervening agencies of the Oregon State Government. It is important to note that the FPC did this without any finding concerning navigability of the Deschutes; it based its authority for the license on the fact that the project is to be built on lands belonging to the United States.

The State took an appeal to the United States Court of Appeals for the Ninth Circuit. That court set aside the Commission's order on the ground that Federal public lands laws had long ago made the use of nonnavigable waters on Federal lands subject to State control, and that licensees would have to comply with State water law.

Upon the petition of the FPC, the Supreme Court took up the case for review and reversed the decision of the Court of Appeals. The significance of the issue presented by the case and in S. 3250 is shown not only by the fact that the Supreme Court granted certiorari, but also by the fact that several other Western States in which, as in Oregon, the Federal Government owns a large proportion of the land, joined Oregon in the litigation as amici curiae.

Mr. Chairman, I am not a lawyer, and I shall not try to develop in detail the full legal implications of the Supreme Court's decision that the United States may, by a simple administrative order, "reserve" for itself or its licensees the water flowing through all Federal public lands without regard to the procedures of State legislation designed to carry out State policies for the best use of this precious resource. I do want to point out, however, that S. 3250 does not seek to go nearly so far as other pending bills to establish a universal supremacy of State law over Federal needs in this field. I believe that some of the other proposals I have seen go too far, and that as a result of seeking a complete and far-reaching solution, no legislation at all may be enacted in this highly controversial field. Therefore, my bill, S. 3250, proposes only to reverse the narrow basis for the specific holding in the Pelton Dam case—i. e., that, whatever might otherwise be the law on the Federal public lands, the creation of a reservation permits the FPC to disregard State water law in licensing a project even on a wholly intrastate nonnavigable stream.

Section 2 of my bill would revoke the license granted for the Pelton Dam project pending any future procedures in accordance with law as amended by my proposed amendment to the Federal Power Act.

That amendment, to summarize it once more, would only apply to the question of FPC licenses—not to Federal projects—and to only licenses for projects which come under FPC jurisdiction because they are to be built on lands of the United States. As to such projects, of which the Pelton Dam happens to be the example which raised the issue of State water law all the way to the Supreme Court, S. 3250 proposes only to overcome the effect of a Federal "reservation" on the applicability or nonapplicability of State law—in other words, to return the law to the position in which it was before the Supreme Court's decision. Because this aim is much more modest than that of the other proposals made in the wake of the Pelton Dam decision, I believe it can and should be enacted at this session of Congress.

STATEMENT BY ROLAND BOWLES, PRESIDENT, OREGON DIVISION, IZAAK WALTON LEAGUE ON PELTON DAM BILL, S. 235, BEFORE THE SENATE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Gentlemen, the Deschutes River from its source to its confluence with the Columbia River lies entirely within the State of Oregon, the source being in the easterly slope of the Cascade Mountains; and it empties into the Columbia some few miles above The Dalles, on the south side of the great river. The principal tributary of the Deschutes in the area with which we are concerned is the Metolius River, a stream that is world renowned in a world of rivers, by reason of the constancy of its flow and the relatively slight fluctuation in temperature from the coldest day in winter to the hottest day in summer. The Metolius arises from the porous lava of the eastern slope of the Cascade Mountains, which acts as an absorbent for the rainfall and snow, thus accounting for both the constancy of flow and the remarkably small fluctuation in temperature.

In 1909 the State of Oregon enacted its basic water law, wherein it laid claim to all waters within the State of Oregon from all sources of supply, pursuant to the Desert Land Acts of 1866, 1870, and 1877, which by that time had been tested numerous times in the courts and tested in numerous cases by the Supreme Court of the United States, always to the end that the intention of Congress in those acts had been to give to the States the right of control over water on all Federal lands. This law became effective in July, 1909, and on December 31, 1909, the Secretary of the Interior withdrew some of the public domain on the east bank of the Deschutes River, in the area concerned in the Pelton project, from entry and reserved it for power purposes. Other lands along the east bank in the project area were withdrawn, until the withdrawals were completed in about 1920. The west bank of the river in the area is in Indian Reservation, which was established by treaty in 1855. Numerous other power withdrawals were made along the banks of the Deschutes River between 1910 and 1920, all the way to its mouth.

No attempt was made by any company to exploit the power resources of the Deschutes River until about 1922 when substantial surveys were run, and no development of any kind was undertaken until in 1949 Portland General Electric Co. made application to the Hydroelectric Commission of Oregon for a permit to construct a dam at the Pelton site. The hearing was held by the Hydroelectric Commission of Oregon, in which all of the interested fisheries agencies objected to any development in this stretch of the river. The objection by the fisheries agencies was on several grounds. The first was that any project of the height contemplated would inevitably destroy the anadramous fishes of the salmonoid type using the river above the point of the proposed construction; and that the State of Oregon through its Fish Commission had established a salmon hatchery at the headwaters of the Metolius River, which is the principal spawning stream for the spring Chinook salmon using the Deschutes River system, and that this hatchery would be made utterly useless as the result of the proposal by Portland General Electric Co.; and also the Oregon State Game Commission had established a hatchery in the Metolius System for taking the spawn from the summer run of steelhead that likewise used that stretch of the Metolius River, this fish providing a great deal of the recreational fishery for which the Deschutes River System is world famous.

Attempts were being made at that time to establish a run of sockeye, or blueback, as they are locally known, in Blue and Suttle Lakes, which are part of the Metolius System. The Metolius River System, which has throughout the year an almost contant temperature of relatively cool water, is ideal for the hatching and rearing of the types of salmonoid fishes peculiar to this river system, in that the spring run of Chinook come into the river in June, July, and August and do not spawn until the latter part of September and into October, spending several months prior to spawning in the cool waters. The summer run of steelhead come in in July, August, and September and do not spawn until the following January through April.

The Portland General Electric Co. had proposed a holding pond system at the point of construction, holding these fish in artificial ponds until they were ready to spawn, removing the eggs, placing them in a hatchery till the eggs were "eyed out," and then transporting the eggs to the hatcheries in the Metolius area, holding the small fish in holding ponds at the large hatcheries until they were ready for their downstream migration, then transporting them again in tank trucks below the dam and releasing them downstream of the dam.

In contrast to the cool waters of the Metolius, temperatures in the Deschutes at the pont of construction of the Pelton Dam have been known to reach 68° during the time the fish would be held. That alone is enough to indicate that the salmonoid fishes could not withstand the long interval of time in captivity prior to spawning, as the temperature increase would cause the fish to become diseased and die before the spawning operation could take place.

This proposal for fish handling has been tried at other similar structures in the Northwest, with known results, namely, an almost complete elimination of the salmonoid fish of the types encountered here.

At the time of the original proposal to the Hydroelectric Commission of Oregon no reregulating dam was contemplated by the applicant. As a result of the strenuous objections on the part of the fisheries agencies, permits were denied by the State agencies to Portland General Electric Co. An application in the interim was made to the Federal Power Commission, and a hearing on that application was held in Portland, Oreg., beginning June 3, 1951. At that time a reregulating dam was proposed some 2½ miles below the main structure, to impound the waters that would be released from the generators, twice each day, over a period of approximately 8 hours.

The operation contemplated by the Portland General Electric Co. being a peaking operation, this type of operation, unregulated, would of course cause very serious fluctuation in the stream below the dam, and inevitably would result in serious erosive effects on the bed and banks of the stream itself, as well as possibly death to people using the river for recreational purposes, or for any purpose.

The reregulating dam will be so operated as to maintain the flow of the Deschutes River in a constant state, in other words, the same amount of water will be released from the reregulating dam as would normally flow in the channel were no structures placed across the river.

At the Federal Power Commission hearing the same general principle of fisheries handling was suggested by the applicant, and an offer was made by the applicant to provide the State fisheries agencies the sum of $100,000 annually for increased costs made necessary as the result. This was objected to on the grounds as was the situation before the Hydroelectric Commission of Oregon, that it would be destructive of the fisheries resource, and no known method of handling the anadromous fish involved could replace the natural spawning and rearing areas, and that the salmonoids would eventually be eliminated from the river system above the point of construction at least.

The State of Oregon likewise objected on the ground that the Federal Power Commission had no jurisdiction to grant a license under the Federal Power Act until all State laws had been complied with with respect to the utilization of water resource. Nonetheless, a license was granted by the Federal Power Commission, in spite of the failure of the applicant, that it had complied with State laws. This license was challenged in the Circuit Court of Appeals of the United States, Ninth Circuit, San Francisco, which in an opinion of February 18, 1954, ruled that the Federal Power Commission had no authority to issue such a license. The case was then appealed to the United States Supreme Court, which, on June 6, 1955, ruled that the Circuit Court of Appeals was in error, in that Pelton Dam would be constructed on "reserved lands" of the United States, and the Desert Land Acts specifically exempted reserved lands from their application.

However, the Federal Power Commission's general counsel, Mr. Gatchell, has publicly stated that the Supreme Court decision has not nor did the Federal Power Commission in its findings and order, grant to the applicant any right to the use of the water, only a right to construct a dam. This decision then, of course, leaves the situation exceedingly clouded in that respect, and in the respect that the reregulating dam will not be constructed on "reserved lands."

The lands involved at the reregulating dam site are private lands, on both banks. Those on the east bank had been a part of the public domain and taken up for homestead long ago, as were those on the west bank of the river at that point. And it is at that point that the migratory fishes will be blocked from the use of their normal path to their historic spawning grounds and whatever fishery facilities are finally decided upon are installed.

The fisheries resources agencies also objected to this license on the further ground that the 1948 report of the Corps of Engineers, United States Army, known as the 308 Report, recommended that all construction of dams on streams entering the Columbia River west of McNary dam, of which the Deschutes is one (other than the Willamette) should be withheld for a period of years, and that these streams should be used and built up so far as possible as salmon-spawning streams, to offset the losses that were effected because of huge upstream projects such as Grand Coulee Dam. All interested agencies, including the Federal Power Commission, had taken part in the discussion and formulation of the policies as shown in the 308 Report, even though they had not been a formal party to it. As the result of the recommendations of the Corps of Engineers, the Congress of the United States set about implementing the program with respect to salmon fisheries, which is known as the lower Columbia River program, by appropriating money for the establishment of hatcheries, putting in fishways past both natural and manmade obstructions, and stream clearance and related facilities, to the end that these streams could be fully utilized to their greatest extent, to rehabilitate the salmon runs for which the Columbia River system had long been famous. Up to the present time, the Congress of the United States has appropriated in excess of $12 million in the furtherance of this program.

In excess of $200,000 had been allocated by the Fish and Wildlife Service, Department of the Interior, for expansion of the salmon hatchery on the Metolius River at the time the application was made by Portland General Electric Co. for this construction. As the result of the application work was suspended, no funds have been released, and that expansion is at a total standstill at this time; indicating that the Fish and Wildlife Service feel definitely and positively that any construction at the Pelton site would result in a wasteful expenditure of funds for a hatchery upstream.

In 1953 the legislature of the State of Oregon had an opportunity to pass upon this project in its session, when a bill sponsored by the Portland General Electric Co., which would in effect have given them a permit for this construction, was denied in the lower house of that legislature.

In recent weeks petitions have been circulated throughout the State, a sample of which is being left with this committee, and in excess of 15,000 names were secured within a matter of days upon these petitions. All circulation was on a purely voluntary basis. No funds were expended to secure names or signers. People from every walk of life and of every political complexion have expressed violent opposition.

The Save-the-Deschutes Committee, which was formed primarily for the purpose of protecting this river from encroachment of high hydroelectric construction such as is contemplated here, is composed of representatives of many sportsman's groups, including but not limited to the Izaak Walton League of America, the Oregon Wildlife Federation, and others, many independent individuals who neither fish nor hunt, the Oregon State Grange, the International Woodworkers A. F. of L., the Oregon State Industrial Union Council, CIO., and others, who are opposing this project, irrespective of whatever agency, either public or private, were proposing its construction.

The Deschutes River, as this committee may well know, has long been famous over much of the world, for its magnificent rainbow trout and the wonderful fishing and recreational opportunities that it affords. This construction will inevitably do much to destroy that recreational resource. More important, however, though we are not minimizing the value of the fishing and the recreational resource, is that matter of water.

The Deschutes River is in a comparatively dry area where irrigation is necessary to the production of crops. It is true that present irrigation water is protected under the terms of the license granted by the Federal Power Commission, but unfortunately the Federal Power Commission failed to take into consideration two very important and fundamental points, the first of which is that our population in this area is growing at a rate substantially faster than that of the rest of the Nation, that that population has now more time to spend in recreational pursuits and more opportunity to pursue outdoor recreation than ever in our history by reason of good roads, good automobiles and generally more money to spend.

Recreation is the third largest industry in the State of Oregon, exceeded only by lumbering and agriculture. Tourists from outside the State, in the year 1955, spent in excess of $120 million in Oregon. It is the considered opinion of competent persons in the field that if the resident tourist dollar were added to this, it is very likely that the total would exceed even agriculture. In 1955 there were 322,529 persons licensed to angle in the State of Oregon. Experience of the past has indicated that this number will increase with each succeeding year, so long as there is reasonable opportunity to enjoy this type of recreation. Certainly it is not too much to ask that at least some few streams, of major importance, in the State of Oregon be dedicated to this task.

The other aspect of this Deschutes River that was totally overlooked by the Federal Power Commission is that while electrical energy can be generated in many fashions, from oil, natural gas, even wind, though that would not be recommended in this area, we will only have the amount of water that God has given us. If the waters of the Deschutes system are dedicated to the production of electrical energy, in defiance to the expressed public policy of the State, then this water will be forever denied other uses. While we realize that the water will not be consumed in the process, still it must be delivered to the turbines and cannot be taken out in the event that our expanding population some day might demand that this water be devoted to irrigation or domestic consumption. With the tremendous potential that is now on the immediate horizon, to be derived from the application of atomic sources to power production, it would be the greatest folly to tie up a river as important for other benefits, in a single purpose project, which will have a rated capacity of 120,000 kilowatts, but by the figures of the Federal Power Commission itself will only be able to produce on a constant basis not over 40 percent of that rated capacity. Contrary to the claims of the applicant in the hearing in 1951, who stated that we would have a power shortage in the Northwest by 1955, we have ample power; and all people connected with the industry who are of fair mind, state that with the construction on the large streams now contemplated or in progress, we face no power shortage prior to 1964 or 1965, and by that time atomic energy is likely to be a major factor in the electrical picture of the entire Nation.

This construction is not needed, particularly at this time. The recreational aspects of the stream are certainly needed at this time, and will be more greatly needed as our population expands.

Fisheries resources are especially needed. They cannot ever be replaced, once they are lost. Every square yard of spawning and rearing area must be maintained in order to preserve what little is remaining of the resource that meant so much to the economy of the region in years gone by. The salmon fishing industry has made its sacrifice in this program, along with the many others, in that it has been severely curtailed in its operations and fishing time. Certainly another sacrifice in the form of eliminating spawning and rearing grounds, such as will result from this construction, is neither wise nor advisable, particularly when no power shortage exists.

In addition, the economic factors of this construction must also be considered. In the hearing before the Federal Power Commission, the applicant stated that it had made application to the Office of Defense Mobilization for a certificate of necessity, giving it a rapid writeoff against the income taxes on this project, that if the applicant received the requested writeoff of 80 percent over a 60-month period that it could produce power

at $22.60 per kilowatt-year; that if it received no writeoff and the normal amortization would apply, power would cost $26.20 per kilowatt-year. They were given a certificate to the extent of 65 percent in 60 months, which means that the power produced at this plant will cost approximately $24 per kilowatt-year, in contrast to power that is sold by the Bonneville Power Administration of $17.50 per kilowatt-year.

We are interested in the entire body of this legislation, S. 3250, first, that the license granted by the Federal Power Commission to the Portland General Electric Co. to construct what is known as the Pelton project, F. P. C. No. 2030, be revoked; and secondly, that the position of the State with respect to their right to control the waters of their internal nonnavigable streams, such as the Deschutes, be restored to them; for water is the lifeblood of the West, and the people closest to those resources are most generally in a much better position to determine their use, than a board or commission sitting some 3,000 miles away, for the plans and aspirations of the people who have grown up close to those resources are more likely to result in a wiser use for the greatest number over the greatest length of time.

THE PROBLEMS POSED BY THE PELTON DAM PROJECT AND DECISION

(Statement by Senator WAYNE MORSE on S. 3250 before the Senate Committee on Interstate and Foreign Commerce, Tuesday, March 21, 1956)

Mr. Chairman and members of the committe, your action in scheduling hearings on S. 3250 is appreciated. As you know, I am a sponsor of the bill and, of course, advocate favorable action. In fairness to the many groups in central Oregon and to the committee, I must state for the record that this is a controversial project. Therefore, I request that the opportunity be afforded advocates of the Pelton Dam project to present their views to the committee.

At this time I do not wish to make an extended statement because there are witnesses from Oregon whose time in Washington is very limited.

TWO BASIC PROBLEMS PRESENTED

A. State authority over intrastate, nonnavigable streams

The Pelton Dam, for which the Federal Power Commission has issued a license over the protest of Oregon agencies, would be located on the Deshcutes River, a wholly intrastate stream. In the case before the Commission and the courts, no party contested its classification as a nonnavigable waterway. Federal jurisdiction was based upon the fact that the dam would be built on Federal land, which had been reserved by administrative action for future power development.

The Supreme Court's decision upholding the Federal Power Commission license was based in major part upon a technical difference between "public lands of the United States" and "reserved" lands. There was no doubt that as to "public lands" the Desert Lands Act applied, thereby insuring the State control over water rights. The Court held, however, that reserved lands, though formerly public lands, were not covered by the Desert Land Act and hence the State did not have the authority to withhold approval of a dam and the use of the water proposed.

It is quite clear that this is a technical kind of distinction which has no support in policy considerations. I do not criticize the Court. It interpreted the law as it found it, and that was in a somewhat confused condition.

The bill which Senator NEUBERGER and I propose would do no more than remove the distinction without a difference from the Federal Power Act. We share the concern of many Westerners over the implications of the *Federal Power Commission* v. *Oregon* decision. It does endanger State authority in private license proceedings for projects on wholly intrastate, nonnavigable streams.

Some have advocated a drastic and radical revision of the Federal Power Act as a result of what has become known as the *Pelton* case. This is a dangerous and shotgun approach to what is a narrow problem so far as the text of the law is concerned.

We urge returning the law to the condition it was in before the *Federal Power Commission* v. *Oregon* decision without major and dangerous surgery.

B. Power versus conservation

As every member of this committee knows, I am an advocate of hydroelectric power development. None knows this better than the chairman, the senior Senator from Washington, Mr. MAGNUSON.

However, in approaching problems of resource development in the river rich Pacific Northwest and elsewhere, a proper balance must be maintained between power production and other very valuable resources. Wherever possible, the use of a stream for power and other conservation uses should be harmonized so as to promote the greatest good for the people of the area. At certain sites the economic production of power should take precedence over competing potential uses. At others, the preservation of invaluable fish runs or other wildlife resources have a higher social value.

The Deschutes is famous for its commercial and sports fish runs. The power potential of the Pelton site is relatively small; it is a total installed capacity of 108,000 kilowatts. I am not completely convinced that the fish and power uses are finally irreconcilable, although the procedure in this case has led to a winner-take-all result to date. Some, who believe that the power use is more important than fish resources in the Deschutes and the Metolius which joins it above the Pelton site, do not fully appreciate that the power that would be generated would not be used in central Oregon, but would go into the Portland General Electric service area in western Oregon. Yet many who support the project argue that the power produced at Pelton would provide central Oregon with badly needed power.

I believe that a cancellation of the Pelton license and the revision of the law proposed would make possible a fresh start on attempts to harmonize use of the site for power and preservation of fish runs. However, if a final choice must be made between relatively small power production and the irreplaceable commercial and sport fish runs, the latter have higher social utility in this area. Commercial fishing in the Columbia Basin has been declining. Sport fish resources are shrinking in Oregon and elsewhere in the Nation. Once lost they are difficult, and probably impossible to replace.

Outdoor recreation is of ever-increasing importance to our people. Our growing population, increasing leisure, and the pressures of city life make outdoor recreational opportunities ever more important. We cannot afford to shrink those opportunities.

The bill Senator NEUBERGER and I have introduced is designed to prevent shortsighted use of a site and the frustration of State authority by a technical, and probably unintended, distinction in the Federal law.

We, therefore, urge that this reasonable and moderate proposal be enacted into law, lest accumulated dissatisfaction result in more far-reaching and less desirable revision of the Federal Power Act.

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

ELECTION OF PRESIDENT AND VICE PRESIDENT

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business, Senate Joint Resolution 31.

The Senate resumed the consideration of the joint resolution (S. J. Res. 31) proposing an amendment to the Constitution of the United States providing for the election of President and Vice President.

Mr. WELKER obtained the floor.

Mr. JOHNSON of Texas. Mr. President, I request that the Senator from Idaho [Mr. WELKER] be permitted to yield to the Senator from Tennessee [Mr. KEFAUVER] for not exceeding 5 minutes.

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

Mr. KEFAUVER. Mr. President, previously, on behalf of the Committee on the Judiciary, I reported Senate Joint Resolution 31. It proposed the submission of a constitutional amendment providing for the election of a President and Vice President. I wish to take this opportunity to make a general statement in connection with it.

The modernization of the Constitution with reference to the election of a President and Vice President has been the subject of discussion for many, many years. Undoubtedly, the concept of an elector has changed since the time of the adoption of the Constitution. At that time it was contemplated that electors would be men of superior intelligence who themselves would exercise their judgment in the selection of candidates for the two highest positions in the United States, but as political parties have formed and as time has gone on, such electors are supposed to carry out the will of the political party which elects them, although there is still no provision requiring them to do so.

As late as 1948, one elector, who was elected in the State of Tennessee on the Democratic slate for Mr. Truman and Mr. BARKLEY, voted instead for the candidates of the States Rights Party. This was not material in that particular case, but if the will of a majority of the people should be overthrown by some group of electors casting their votes in a manner different from that which was expected of them, it could bring about a very distressing and confusing situation in the United States which might lead to disaster.

Furthermore, Mr. President, there has never been any uniformity in the methods pursued by the various States as to their rights in connection with the election of a President.

Mr. GORE. Mr. President, will the senior Senator from Tennessee yield for a question?

Mr. KEFAUVER. I am happy to yield to my colleague.

Mr. GORE. Before the Senator leaves the question of the latitude of electors, I should like to inquire of him if it is not a fact that although electors under the present system may, as the able Senator has pointed out, be elected and

commissioned from their respective States as the result of the efforts of organized political parties, nevertheless, there is no legal compulsion on the electors to obey the will of the mandate. There is a moral obligation, as I interpret it, but, as the Senator has pointed out, one elector from the State which he and I have the privilege and honor to represent did, indeed, cast his ballot for a candidate whose electors had not carried the State of Tennessee. Does not the Senator think that some remedy for such a situation is required?

Mr. KEFAUVER. Yes; I fully agree with my distinguished colleague that while there is a custom and a moral obligation on an elector to vote for the Presidential candidate who receives the greatest number of votes, there is no legal compulsion that he do so. As late as 1948, one elector voted for the candidate who received, I believe, the third largest number of votes in his State. It was a very much smaller number of votes than were cast for President Truman and Vice President BARKLEY.

Mr. GORE. Would it not have been legally possible for all the electors from the State of Tennessee to have cast their votes as did that one elector?

Mr. KEFAUVER. It would have been legally possible.

Mr. GORE. Would not such a practice lead to an incorrect reflection of the franchises of the people of the whole State?

Mr. KEFAUVER. Such a practice could completely reverse the intention of the people of a State, and if it changed the eventual result, it might not only lead to a great deal of confusion, but might actually lead to a rebellion, or a very hectic time.

It might lead to the election of a person for whom the people had not voted.

This is a problem that is fraught with many dangers. We have realized for a long time that the electoral college system was completely outmoded; that the system might lead to a miscarriage of the intention of the people. I think the condition should be remedied.

Mr. GORE. I congratulate my able colleague upon the leadership he has provided in this field, and for the proposal he has made to remedy a basically undemocratic and, as the Senator has so ably pointed out, dangerous situation.

The ACTING PRESIDENT pro tempore. The time of the Senator from Tennessee has expired.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator from Tennessee may be permitted to have 2 additional minutes.

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

Mr. KEFAUVER. Mr. President, I had intended to make a general statement about the status of the matter, and its details could be more fully explained by some of my colleagues.

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

Mr. KEFAUVER. I yield.

Mr. HUMPHREY. I know the senior Senator from Tennessee is a cosponsor of Senate Joint Resolution 31. I was wondering whether or not the Senator supports the proposed substitute, which is, I believe, the Daniel-Mundt——

Mr. DANIEL. The Daniel-Kefauver-Mundt resolution. My question has been answered.

Mr. KEFAUVER. I strongly favor the proposal which was originally labeled as the Lodge-Gossett proposal, whereby the Federal vote of a State would be divided in proportion to the popular vote. That has many advantages which I shall point out.

However, as my colleagues know, that proposal passed the Senate in the 81st Congress and went to the House of Representatives. There the Mundt-Coudert plan was offered, but resulted in nothing being done. At this session of Congress there has been much interest as indicated by the number of Senators who have joined in sponsorship of one or another of the plans. I filed one resolution, providing for the Lodge-Gossett plan in which nine Senators joined, including Senators HUMPHREY, COTTON, SPARKMAN, MANSFIELD, DIRKSEN, ERVIN, DANIEL, NEUBERGER, and HILL. The distinguished junior Senator from Texas [Mr. DANIEL], who has done such fine work in trying to bring forth a bill on which action can be taken, sponsored a similar resolution on which 19 Senators joined. Meanwhile the Mundt-Coudert plan was again offered. The provisions of the Mundt-Coudert measure can be followed at present under the Constitution. As a matter of fact, a large number of States have elected electors on the district basis.

The Mundt-Coudert proposal contains some improvements over the Constitution at present. My feeling was that the matter should be brought up for discussion, so that it might receive the attention of the Senate and the House of Representatives, thus enabling the two Houses to compose their differences and to work out a plan which would remedy the defect in the present system, and thus bring about as popular a vote as can be had. It was my view that by combining the two measures there would be a better chance of having full consideration of them throughout the debate.

The ACTING PRESIDENT pro tempore. The time of the Senator from Tennessee has expired.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator from Idaho may yield 2 additional minutes to the Senator from Tennessee.

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

Mr. KEFAUVER. If the Mundt-Coudert plan were offered as a plan in itself, separate from the others, I should be very reluctant to support it. But in order to have the matter considered, with a likelihood of some kind of constitutional amendment being submitted to the people, I have favored considering the Lodge-Gossett plan and the Mundt-Coudert plan along with the Senate proposals. What the two Houses of Congress may eventually work out, I, of course, do not know, but the two plans have been joined for the purpose of discussion.

Mr. HUMPHREY. Has the Senator from Tennessee read and studied Senate Joint Resolution 152, which is another proposal that has been advanced, and which I was privileged to sponsor? It was developed by a research staff of the Brookings Institution. It has received considerable support from persons in the field of constitutional law and those who have studied the operations of the electoral college.

I have asked my question because I am concerned that by the substitute proposal which the Senator from Tennessee has said he would like to have considered, the Senate might very well enact a measure which would not work to the advantage of a better electoral college system, but might actually work to the disadvantage of majority rule.

The ACTING PRESIDENT pro tempore. The time of the Senator from Tennessee has again expired.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator from Idaho may yield 2 additional minutes to the Senator from Tennessee.

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

Mr. KEFAUVER. Is the proposal referred to by the Senator from Minnesota a popular-vote proposal?

Mr. HUMPHREY. No; it is not. It is a proposal which provides that the votes cast for Senator in each State shall go to the party getting the majority of the votes, the remainder of the votes to be divided according to the votes of the candidates of the respective political parties.

Mr. KEFAUVER. This is my attitude about the entire matter. I think it is quite apparent, in the first place, that there needs to be some modernization of the method of electing the President and Vice President.

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

The PRESIDING OFFICER (Mr. LAIRD in the chair). Does the Senator from Tennessee yield to the Senator from Kentucky?

Mr. KEFAUVER. I yield.

Mr. BARKLEY. A moment ago the Senator from Tennessee said that his amendment would come as close to the popular vote proposal as possible.

Why hold back from the popular vote method? Why not let the people vote directly for President and Vice President, instead of going through the electoral college, which is an outmoded, antiquated piece of machinery, adopted 175 years ago, because those who adopted the Constitution were not quite sure whether the people were capable of governing themselves?

I have favored the popular voting system for President and Vice President for 40 years. One of the first measures I introduced in Congress in 1913, was a resolution to adopt a constitutional amendment which would have allowed the people to vote directly for President and Vice President. That is what I favor now. I do not see why we should hesitate about adopting it.

Mr. KEFAUVER. I appreciate the observation of my distinguished colleague. I, too, would be very happy if the President and Vice President could be elected by popular vote. I think that if in the beginning the Constitution had been written so that the people of the States could have voted for President and Vice President by popular vote, and if there could have been some uniform requirements or qualifications for the voters, that would have been a good thing.

Even now I would support the idea of the proposal submitted by my distinguished colleague from Kentucky for a popular vote if it were possible to have the Constitution so amended.

The PRESIDING OFFICER. The time of the Senator from Tennessee has expired.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator from Idaho may yield 5 additional minutes to the Senator from Tennessee.

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

Mr. KEFAUVER. The reason I do not support the popular vote proposal today, is that the political facts of life make it impossible to secure the approval of such an amendment by three-fourths of the States. About two-thirds of the States secure some benefit because the number of electors is based upon the number of Senators and Representatives, which gives to the small States a little advantage.

Surveys have shown that a popular-vote amendment would have absolutely no chance of being approved by three-fourths of the States.

Mr. BARKLEY. I realize that. Still, that offers to me a good reason to believe in or advocate the popular election of President and Vice President. It took a long time before the Constitution was amended to provide for the popular voting for United States Senators.

The electoral college was really intended to function under the Constitution, and it did function, because it provided that the candidate receiving the highest vote for President should be President, and the candidate receiving the next highest vote should be Vice President. But later, when the party system was adopted, it developed that that procedure was impractical.

It took a long time to secure a constitutional amendment to provide for the election of Senators by the direct vote of the people.

Notwithstanding the difficulties which I realize the Senator has mentioned, they do not in any way dampen my belief or my feeling that some of these days we shall have to give the American people the right to vote directly for President and Vice President. I favor that now, notwithstanding the difficulties involved in the procedure.

Mr. KEFAUVER. I think there is no disagreement between the position taken by the Senator from Kentucky and myself. I wish it were possible to give the people the right to vote by popular vote for President and Vice President. But the electoral college system having been established in the beginning, and certain benefits accruing to the smaller States by virtue of the system—the survey, I believe, shows that some 30 or 31 States would actually lose some of their status in the election of President and Vice President if the present system were abandoned and the popular vote plan were adopted—a political impossibility presents itself so far as the securing of a popular vote resolution is concerned.

Since that is the situation, I have advocated getting as close as possible to the popular-vote system, while at the same time getting away from the obsolete, antiquated electoral college, which might cause much distress in the Nation one of these days.

Mr. BARKLEY. While the popular election of President and Vice President might affect the political strength of some States, it would give the people of this country more strength; it would not take away from their strength. It has happened in 2 or 3 instances that the man who received the largest number of votes from the people did not get the presidential office, because of the shifting of the electoral votes. Under the electoral college system, the man who received a minority of the votes received the majority in the electoral college and became President.

Mr. KEFAUVER. Yes. My recollection is that three times in our history the candidate who received the majority of the votes was not elected. That is unfortunate. I wish we had started out on a popular vote basis. Of course, that would require uniformity of qualifications for voters throughout the United States.

Mr. BARKLEY. That is true, but I am not arguing that point at this time.

Mr. DANIEL. Mr. President, will the Senator yield for just a second?

Mr. KEFAUVER. I am at the mercy of my friend from Idaho. Will the Senator yield me more time?

Mr. WELKER. How much times does the Senator wish?

Mr. KEFAUVER. Five minutes.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator from Idaho may yield the Senator from Tennessee not to exceed 5 minutes, and I ask the indulgence of the Senator from Idaho.

Mr. WELKER. I am happy to indulge the Senator.

The PRESIDING OFFICER. Without objection, the Senator from Tennessee is yielded 5 additional minutes.

Mr. DANIEL. Mr. President, will the Senator from Tennessee yield?

Mr. KEFAUVER. I yield to my colleague from Texas.

Mr. DANIEL. Is it not true that since there are different voting age requirements in some of the States—for instance, Georgia allows those who are 18 and over to vote; other States require that a person be 21 to vote—that would be one factor that would prohibit us from having a popular vote and being fair to all the States?

Mr. KEFAUVER. Yes. I wish there was a popular vote basis, and that we had started out on that basis, but I think if we had such a basis we would have to have uniform qualifications for the voters. Otherwise one State might endeavor to secure an advantage by having different qualifications from those which existed in other States. For my part, I wish all the States had an 18-year-old provision, as does the State of Georgia; but that is a separate and a different matter. I do believe the so-called Lodge-Gossett plan is the nearest we can get to a popular vote plan, and at the same time have some chance of getting it approved by the various States. It also would get rid of the antiquated electoral college system.

Generally, the advantages of that plan are, first, that it would avoid the dangerous situation which would result from electors voting for a candidate who was other than the choice of the people in a particular State.

The second advantage is that it would mean a real two-party system in the United States, because a vote in any State would mean just as much as a vote in one of the so-called pivotal States. Both parties would fight just as hard for votes in other States as they now fight for the votes in the present pivotal States. We know that, as matters are now, in each political party the strategists decide that the campaign is to be waged in key States. Although they did in 1952. Ordinarily the Republican candidates do not go into the Southern States. Ordinarily the Democratic candidates do not feel it is worth their time to go to New England, for instance. If the proposed plan were adopted, the voters of every State would have the educational advantage which would accrue to them from an active participation in a national election. It would certainly cause more citizens to exercise their right to vote. There would be more interest. They would vote and participate more in the elections, and that certainly would be in the public interest.

Furthermore, if a voter in one State had as much influence as the voter in another State, the emoluments coming from the Federal Government would be more equitably distributed among States in all sections of the United States. The same applies to the appointment of officers in the excutive departments, Cabinet members, and their administrators.

I believe the general welfare, through the participation of more people in elections, would be furthered by the adoption of the plan. I know it has been argued that this amendment might take away the influence of certain minority groups in some of the States of the Union, but I submit it would be an incentive for a much larger participation by minority groups all over the United States. I am certain that more of our Negro citizens would have an incentive to participate, and that many barriers to their participation would be more readily removed in some of the Southern States, if this plan were put into operation. The same is true as to other groups in other parts of the country.

The Mundt-Coudert system can be used by the States now. It has been joined in the proposal for the purpose of getting a full discussion of the entire matter.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. KEFAUVER. I hope this discussion will end in the passage of a good resolution, which the House of Representatives and the Senate will submit to the people.

ATOMIC PROGRESS AND REACTOR HAZARDS

Mr. WELKER. Mr. President, today I wish to discuss an extremely important subject—one which affects all the people of the United States, and one in which, to a particular degree, the people of my State of Idaho are interested. The Senate members of the Joint Committee on Atomic Energy have been notified of my intention to speak today. It is my hope that they are present. However, in order to maintain continuity and to prevent digressions, it will be necessary for me to refuse to yield for questions until my statement is completed.

For many years now the atom has been a sacred subject in the Halls of Congress, a subject of which only the members of the Joint Committee on Atomic Energy were presumed to have knowledge. There are some of us who have not been members of this very powerful and influential committee. Yet the activities of the atomic-energy program vitally affect the lives of the citizens of all our States.

In the year 1949 the Atomic Energy Commission established the national reactor test site in Idaho.

According to the semiannual report of the Atomic Energy Commission, dated July 1949—

> To assure proper experimental testing and operation of new reactors without hazard to any large nearby community, the Commission is establishing a reactor testing station at a remote location. The location that has been selected as best for this testing station is an area in southern Idaho, including grounds now occupied by a naval ordnance station.

In the next semiannual report of the same Commission, it was stated:

> In the interest of public safety, operational economy, and security, the Commission in the fall of 1948 determined to establish in a remote location a reactor testing station capable of accommodating a number of the newest and most powerful reactors then under design. Accordingly, with the cooperation of the United States Army Corps of Engineers and the United States Geological Survey, more than 70 possible locations in various parts of the country were surveyed on the basis of such factors as isolation, accessibility, availability of water supply, and favorable meteorological conditions.
>
> As a result of the surveys, the Commission last March announced that it had selected a 400,000-acre site in the Snake River plains of southern Idaho—including 173,000 acres of naval proving ground property near the town of Arco—as the best location for the new station.

My friends and neighbors from the adjoining great Western States of Montana and Wyoming were not particularly pleased with the location of this facility in Idaho. In April and May of 1949, they requested permission to appear, and did appear, before the Joint Committee on Atomic Energy, to put forward the reasons why this reactor test area should be located within their States. I refer those who are interested to the hearings held before the Joint Commission on Atomic Energy, 81st Congress, 1st session, entitled, "Selection of Site for Reactor Test Station." These hearings, which encompass 165 pages, set forth the reasons why the Atomic Enery Commission felt that such a site was essential, and established the justification for the location of this site in my home State of Idaho.

A letter written on April 12, 1949, by David E. Lilienthal, then Chairman of the Atomic Energy Commission, to Representative MIKE MANSFIELD, now a United States Senator from the State of Montana, said in part:

> The requirements for such a station demanded an isolated area of at least 400,000 acres to minimize potential hazards.

The same letter discussed at some length the question of the disposal of radioactive wastes.

Mr. Roger S. Warner, Jr., Director of Engineering of the Atomic Energy Commission, quoted Mr. Lilienthal as stating:

> This is the site we want, and we will go up to the President, if it is necessary, to get it.

Mr. Carleton Shugg, then the General Manager of the Atomic Energy Commission, stated in these hearings the basic need for a test site and the criteria used in selecting the area. He said—page 84:

> The Atomic Energy Commission has concluded that in order to press forward with the development of new reactors in a manner compatible with public safety and welfare, acquisition, and development of a new remote testing site is necessary.
>
> The test station will be essentially a field facility for testing and proving for the entire national reactor-development program, while research and development activities continue at existing installations. Participating in this project will be Commission research units working on reactors, Armed Forces agencies concerned with military utilization of reactors, and industrial groups working on problems for the Commission in this field.
>
> During the first half of 1948, the importance of the development of a separate reactor-testing station became increasingly apparent to representatives of the Commission, advisory groups, and others engaged in the reactor-development program. All known factors related to the subject were considered by staff members in the light of the objectives of such a program, and a general statement of criteria for the site of such a station were developed. These criteria, which were later refined and developed in the course of further study, provided in general that the site for a reactor-testing station should:
>
> 1. Be removed from heavily populated and industrialized areas.
> 2. Be near enough to existing communities so that construction and operating personnel can be accommodated.
> 3. Contain at least 400,000 acres of land, preferably of submarginal value for farming and ranching and not suitable for future agricultural, mining, or other development.
> 4. Be near a readily accessible reliable water source that would supply continuously a minimum of 50 cubic feet per second.
> 5. Have geological, hydrological, and meteorological conditions facilitating the handling of radioactive wastes under normal and emergency operations.
> 6. Be near an electric power source that will be capable of supplying a minimum of 70,000 kilowatts at a reasonable cost.
> 7. Be amenable to acquisition and development with utmost economy.

To some degree Mr. Shugg was repeating the information previously released by the Atomic Energy Commission on March 22, 1949, in a press release announcing the selection of the Idaho site for the reactor test station.

Mr. President, my point in reviving this bit of important history is to set the stage for some questions which I intend to ask, and to which I hope to obtain straightforward, clearcut answers.

There can be no doubt that it was the intent of the Atomic Energy Commission, with the support of the Congress of the United States, to establish in a remote and isolated area a proving ground for the development of atomic reactors. What was the first criterion in the selection of a site? I quote from Mr. Shugg, who, I again remind Senators, was then General Manager of the Commission, that the site "be removed from heavily populated and industrialized areas." No voice was ever raised by any person at any time against the advisability of locating these potentially hazardous machines in isolated areas. My State was proud to participate in the program. Four hundred thousand acres, a territory almost half the size of the State of Rhode Island, are encompassed in this one facility. If need be, an area twice that size is available. I am certain that other States in the West will be glad to furnish additional land if needed.

In March 1954 Dr. H. D. Smyth, then a Commissioner of Atomic Energy, when discussing an experiment in Idaho with a boiling water reactor, stated:

> This particular experiment illustrates very well the reasons for choosing an isolated area as a site for experimental reactors. It was not only that some of the reactors might be inherently dangerous, but it was felt that an experimental reactor, one built primarily for the purpose of obtaining information, should be operated to extremes, and that it was desirable to have them in an isolated location for that reason. In other words, if you want to get as much information as you can out of a reactor, you need to push it to the point where it might conceivably run into trouble.

Let us get one thing straight before we go any further. Today we are not talking about small research facilities, as was Dr. Smyth. We are not talking about low-powered, portable, package reactors. We are addressing our remarks today to the location of those reactors which will contain within their cores fissionable material and fission products with a radiation equivalent exceeding that of all the radium in the world. I became increasingly restless as each day brought more news that it was the intention of this group or that group or the other group to build an atomic power reactor at or near large city industrial regions. I am in favor of the most vigorous program for the development of atomic power that can be achieved in the United States; but I want the program to be carried out with a little bit of commonsense.

Why did the Congress of the United States consent to the establishment of a national reactor test site in Idaho if we are now to allow a pressurized water reactor, containing over 100

pounds of enriched uranium to be located within 20 miles of Pittsburgh, Pa.? I recently read testimony given before the Joint Committee on Atomic Energy by one atomic energy Commissioner that for the first year of operation this reactor would lose more money in operating costs than its entire replacement value.

Furthermore, I have been told by individuals upon whose scientific competence I rely, that the impact of atomic power on the economy of the United States would be slight, if at all, in the foreseeable future because of the abundance of fossil fuels which God has so graciously bestowed on our Nation.

Just for the sake of the record, may I quote from the McKinney Panel Report issued in February 1956 by the Joint Committee on Atomic Energy—page 49:

We recommend:

1. That the Congress, the American people, and the people of the world recognize that large sums of money and years of effort must be spent to bring atomic power to a point where it can be used effectively and widely on a competitive basis; unless and until research and development demonstrate that atomic power can be economically feasible, there can be no substantial impact.

This, in essence, is but a repetition of remarks made some years ago by Dr. Lawrence Hafstad, at that time Director of the Reactor Division of the Atomic Energy Commission. In 1949 Dr. Hafstad said—page 119:

The large electric-power plants supplying our cities and atomic-power reactors would seem to be of more nearly comparable size. However, this does not mean that cheap electric power from atomic sources is assured. The money the consumer pays for electricity goes largely to cover costs of distribution. Relatively, the cost of the coal or other fuel is small. Therefore, since atomic energy promises further reduction in fuel costs only, it is clear that even successful power-producing reactors could bring little, if any, immediate reduction in the cost of electric power to the consumer.

In 1950 he said—page 126:

First to assist in cutting through the underbrush, let us assume that the cost of uranium fuel is zero, that peace unexpectedly breaks out and that fissionable material is available as war surplus. Then reminding you again that all we produce in a reactor is heat, you will note that all we can replace with nuclear energy components in the conventional steam powerplant is the firebox and boiler. All the heat transfer apparatus, the turbines, the generators, and the distribution system remain the same. In this regard, a rough figure to carry in mind is that even if power could be put on the bus bars at the central station at zero cost, the costs of distribution are such that the cost to the consumer would be reduced only by 25 to 35 percent. The fondest hopes for civilian atomic energy must therefore be expected to produce savings somewhat less than this and can hardly be expected to be really revolutionary.

His successors in office have never basically disagreed with him in his conclusions.

It is clear that the problem with which we are dealing is the design and development of a reactor which will be safe, and which eventually will be competitive with conventional fuels in the high-power cost areas.

Let me point out that our present reactor designs are merely a substitute form of heat, and that the remainder of the generating and transmission system is unchanged. We are merely trying to replace the boiler and the fuel with an atomic reactor.

There has been much discussion about the necessity for the development of atomic power as an instrument of foreign policy. It has been said that if we do not build reactors in foreign countries that can produce power, the Soviets will most certainly step in and perform this service. In the magazine U. S. News & World Report, March 16, 1956, there is an article which sets forth plan A, sponsored by Commissioner Thomas Murray, of the Atomic Energy Commission, and plan B, sponsored by Chairman Lewis L. Strauss, of the Atomic Energy Commission, for putting the peacetime atom to work. Mr. Murray wants the Government to put up $1 billion; Mr. Strauss wants industry to do the financing. Both want the reactors built near cities.

Today I want to talk about plan C, which we will call the "Commonsense plan." I submit that we should build every conceivable type of reactor, regardless of cost, which our scientists feel offers prospect of ultimate success.

Mr. President, I have stood on the floor of the Senate and watched billions of dollars of the American taxpayers' money be scooped out in our Santa Claus foreign-aid programs over my objections. I am not going to argue about the cost of developing atomic power. I am not going to sit here and watch the bureaucrats go to the Waldorf for dinner and then protest against leaving a tip to the waiter. Far from it. As long as we are dissipating our national assets in precarious overseas adventures, I am perfectly willing to endorse either Mr. Murray's $1 billion plan of anybody else's $2 billion program for the development of atomic energy. Plan C, however, differs from plan A of Mr. Murray's and plan B of Mr. Strauss in that it reverts to the original stated intent of the Atomic Energy Commission and the Congress to build these experimental power reactors in isolated sites purchased specifically for that purpose.

Why does the Senator from Idaho make such a fuss about this subject? Is it because he is jealous that the people of Pennsylvania are going to have a reactor 20 miles from the great industrial metropolis of Pittsburgh? Is the Senator from Idaho again complaining because his State and the other western States seem to be always left out when Federal money is being expended? Oh, no, Mr. President. I am sure the Senators from North Dakota and the Senators from Wyoming, Montana, Nevada, Utah, and Colorado could make quite a case if we were to place our objections to this reactor program on the basis of the expenditure of Federal funds in certain selected States.

I am no babe in the woods, Mr. President. It has not escaped my notice that every time one of these tremendous installations was built it just happened to end up in Tennessee or South Carolina or New Mexico or Washington or certain other favored areas.

Of course we in Idaho welcome any program which will give increased employment and increased earning to our people. But that is not why I rise on the floor of the Senate today. Anyone but a congenital idiot knows that if atomic power is ever to be in the competitive field, the last place in the world to build a reactor would be at Shippingport, Pa., sitting on top of a coalfield in a region that has more coal, oil, and natural gas per capita than almost any area in the United States, or, for that matter, in the world. The Senator from Massachusetts [Mr. KENNEDY] appeared before the joint committee some time ago. He tried to tell them that if it is desired to locate an atomic reactor where power costs were high it should be built in New England. His logic is unassailable, but, in my opinion, his conclusions are wrong.

Mr. President, I shall tell my colleagues why I rise to protest the spreading of these atomic reactors near large civic centers of the United States. I shall quote the experts of the Joint Committee on Atomic Energy, this McKinney panel, and I invite every Member of the Senate to rise, when I finish, and accept the responsibility for the location of these nuclear devices in or near populated areas.

First one. I quote from page 124 of the Report of the Panel on the Impact of the Peaceful Uses of Atomic Energy, January 1956:

A nuclear reactor's getting out of control may, under special conditions, cause widespread injury to people and loss of use of property because of radioactive contamination. These events should not occur if design and operating standards are properly established and effectively enforced. Yet, men make mistakes and accidents happen.

Then I wish to read pages 126, 127, and 128. I wish to read carefully so that at no time can any person say that the Senator from Idaho failed to bring this information to the attention of this Congress and, insofar as possible, to the people of the United States.

14.4. INSURANCE AGAINST DAMAGES RESULTING FROM PEACEFUL USES

The 1954 act requires all licensees of the Commission to hold the Government free from any liability arising from damage to persons or property as a result of any licensed peaceful uses of atomic energy. This means that the licensees must pay for all damages, even though the special nuclear materials which they may be using under license belong to the Federal Government and even though all Commission and local regulations are fully obeyed. The risks incurred run from minor health hazards risked by direct employees to the extremes of potential damage resulting from runaway atomic powerplants. These upper damage limits could theoretically include the severe radioactive contamination of expensive urban and industrial areas and radiation injury to millions of persons—injury which might not be able to be evaluated completely for decades or even generations. This is the most extreme view and is the one which is commonly used to prove that the risks are too great for private enterprise to assume. It is in the light of these risks that the respective obligations of private enterprise and Government must be balanced.

Sufficient experience in the atomic-energy program to date has permitted private insurance companies to provide coverage of the risks to employees within a reasonable rate structure. This accomplishment is in

contrast with the practice that prevailed during World War II when personnel engaged in atomic energy work were injured against job-incurred injuries by complete Government assumption of the insurance risk.

Many States have already modified their workmen's compensation laws and regulations to permit coverage for radiation injuries. Care must be exercised by all those connected with these programs to make sure that all real injuries are properly covered, but that at the same time imagined or tenuously related injuries continue to be dealt with in reasonable balance.

There is real urgency in getting more and better knowledge about the effects of radiation and continuously reviewing standards in the light of the best knowledge available. The Commission has a heavy obligation to sponsor such research in every possible way. Yet, at the same time, the public must be given better understanding of the fact that development of scientifically complete knowledge in these areas is a never-ending task and that a great deal of such research requires a stepwise process which dollars alone cannot speed.

The more widely discussed insurance problem, however, is that relating to the liability of licensees operating atomic powerplants which might theoretically go out of control and shower nearby cities or the countryside with radioactive materials.

No 100-percent safe power reactor has as yet been conceived; 99.99-percent safe may not be enough. While every precaution has been taken in reactor and component designs to assure safety, manmade devices and controls are involved. Unforeseen malfunctions may occur, leading to reactor or plant destruction. Just as perverse ingenuity of punch-press operators has on occasion counteracted safety devices designed for their own protection, reactor safety and control equipment and procedures may be circumvented. Consequences may be serious.

Experience on reactor accidents is meager. Research on this problem is barely started. Important background data has been obtained as a result of an accident involving a research reactor in Canada, and from a deliberate "runaway" reactor experiment conducted by the Commission. From this limited base, it has been concluded that damage may range from local contamination of the reactor structure to contamination of an area of several square miles or more if weather conditions contribute to dispersal and fallout of radioactive particles. The results seem to range from the rough equivalent of partial or complete destruction of a plant by fire to events on the scale of the Texas City disaster. The maximum effects on high industrial or population concentration may be far-reaching in terms of radioactive contamination and radiation exposure. Destructive shock waves of overpressures, however, are unlikely to accompany a "runaway" reactor and nothing like the effects of atomic bombs seems likely or even possible.

If, in spite of all the safety precautions taken, injuries or property damage should still take place, what can be done to insure against ruinous financial loss?

The number of claims for injury or damage resulting from an accident may reach extremely large proportions. Those involved from the liability standpoint include not only the designers and fabricators of equipment, but the operators, corporate licensees, and all of the businesses servicing licensees. The assets of many companies might thus be available to cover such liabilities. Yet no company seems likely to be able to assume liabilities so great as to threaten its solvency.

The insurance industry can cover the atomic powerplant risks involved to the same extent that it normally does in hazardous industries. Several competent studies are in progress, and these should be permitted to determine whether current efforts to form special funds to cover atomic-energy risks will be successful. The obstacle of insurance seems quite likely to be overcome for at least the present development phases of the atomic-power industry.

Those proposing to build and operate atomic facilities and the insurance industry are naturally trying to minimize the possibility of extreme financial losses to their organizations by seeking to have the Government reconsider its position and underwrite losses which are purported to be beyond the capacity of industry.

It is still difficult to judge how necessary it may be to encouragement of development of peaceful uses of atomic energy for the Government to go into the atomic catastrophe insurance business.

Several things must be considered:

Assumption of insurance risks by Government will not now speed demonstration of economic feasibility appreciably. Research and development in reactor technology are going forward in Commission laboratories. Construction of the Commission's first large-scale demonstration plan is under way. As we have said, several additional demonstration plants privately sponsored are now to operate in 1958 or 1959. Should private sponsors withdraw from these projects, we believe that the Commission should proceed with the construction of one demonstration plant of each promising major type.

There is, accordingly, no sound basis for attempting to devise now on a crash basis a Government insurance program.

We recognize that the present power reactor demonstration program is directed at proving part of the Nation's energy reserves for the future. Risks in this stage of the development tend to be high. It seems to us, however, to be much too early for private enterprise to concede defeat on the insurance problem. To do so is to prejudge the research efforts still under way and to jeopardize unnecessarily the national attempt to carry atomic power forward to widespread application by private enterprise.

14.5. CONCLUSIONS AND RECOMMENDATIONS

The possible hazards from peaceful uses of atomic energy range from minor to catastrophic. Hundreds of applications in the fields of medicine, agriculture, and industry can apparently go forward under present regulations and standards with no serious risks.

There is urgent need for better data, however, and every effort to expedite its development should be made by the Commission and all other responsible public and private groups involved in development of peaceful uses. Every argument for changes in standards should be explored fully in competent forums to insure that no lead is left unexplored and that real doubts are resolved for maximum public safety.

Federal, State, and local authorities must continue to cooperate closely in the establishment and enforcement of the best uniform radiation health standards which can be developed. There must be balance between the conceivable and the actual hazards, however, and for some years to come the Federal Government will certainly have the responsibility of establishing this balance. This is not the sole responsibility of the Commission, but a joint responsibility of all Federal agencies involved or affected.

We are not satisfied that the time has yet arrived to reconsider the need for a Federal atomic insurance program covering peaceful uses. We have noted with interest recent plans of private insurance companies to deal with these problems. Such efforts should be encouraged. At least 2 and possibly 3 years remain in which to conduct research and accumulate knowledge and experience before any substantial private activity can be delayed or stopped because of inability to obtain adequate insurance. In fact, implications that the Government is prepared now to take on the insurance burden might stifle vigorous private efforts to meet the problem. We look on a Federal atomic insurance program as a threat to private atomic enterprise, not a benefit. It is a last resort not yet called for and one which may not be needed.

Therefore, we recommend—

1. That the Commission be encouraged to step up its program of research into the causes, effects, and control of atomic hazards; the 2 or 3 years remaining before any full-scale "demonstration" atomic powerplant comes into operation must be used to obtain the maximum amount of information in order that both those concerned with protection against harmful levels of radiation and those concerned with providing insurance to cover such damage as may occur can have the most advanced knowledge possible at the earliest time; and

2. That the joint committee and the Commission continue to encourage the insurance industry to develop ways of meeting atomic insurance problems entirely within the concepts of private enterprise.

Now let us check a few things which were said there. The panel says:

1. The risks incurred run from minor health hazards risked by direct employees to the extremes of potential damage resulting from runaway atomic powerplants. These upper damage limits could theoretically include the severe radioactive contamination of expensive urban and industrial areas and radiation injury to millions of persons—injury which might not be able to be evaluated completely for decades or even generations.

2. No 100-percent safe power reactor has as yet been conceived; 99.99 percent safe may not be enough. While every precaution has been taken in reactor and component designs to assure safety, manmade devices and controls are involved. Unforeseen malfunctions may occur, leading to reactor or plant destruction.

3. Experience on reactor accidents is meager. Research on this problem is barely started.

4. The possible hazards range from minor to catastrophic.

Mr. President, either this panel was composed of uninformed and unintelligent individuals, or we had better heed their solemn warnings. I happen to know that they are neither uninformed or unintelligent, and I would like the record to show that before arriving at their conclusions they collected 749 pages of testimony and affidavits.

I should like the record to show that the Chairman of the Atomic Energy Commission on November 9, 1955, just 4 months ago, when talking of reactor technology, said "the state of the art is still primitive."

Further evidence of the potential hazards involved is shown by the difficulty of obtaining adequate insurance.

As late as March 15, 1956, only last week, the Joint Committee on Atomic Energy conducted a seminar with the representatives of the Atomic Energy Commission and with atomic manufacturing, operating, and insurance interests to exchange views "on the problems of providing adequate indemnification for reactor owners and manufacturers." The Chairman of the Joint Committee on Atomic Energy said:

> It was necessary that this seminar be conducted in executive session to insure the greatest possible freedom of expression for various participants.

Since no classified information was involved, it is difficult to understand this atomic curtain. The fact is, that some

industrial representatives at this seminar stated that at the present time they would not place the fissionable material in the reactors under construction because of the danger of a catastrophe.

Instead of worrying about "providing adequate indemnification for reactor owners and manufacturers," it is about time that the Joint Committee on Atomic Energy began to worry about the safety of the people living in these areas. One wonders what will happen if some intelligent citizen at Shippingport, Pa., seeks a court injunction to prevent the construction of what might be a public hazard. I believe he would get the court injunction.

As further evidence to show that I am not an alarmist, may I quote a report prepared by the Division of Biology and Medicine of the Atomic Energy Commission and submitted to the Joint Committee on Atomic Energy on October 10, 1955. This report states, at page 590:

Until more quantitative estimates of the probabilities of accidents of various degrees of severity can be made, it will be generally impossible to determine whether the precautions taken in the construction of a particular reactor are inadequate or unduly expensive. In view of the general perversity of nature, it is not inconceivable that we may experience a series of catastrophic accidents after a longer period of favorable experience in the construction and operation of nuclear reactors. Similar considerations apply to an even greater degree to the extension of nuclear power to the propulsion of planes, trains, ships, and so forth.

Let me also quote from a staff study of the Joint Committee on Atomic Energy dated November 28, 1955, which says:

There seems to be an appalling lack of scientific analysis of the scope of the damage which might be caused by a runaway reactor. One license application before the Commission—that of the Commonwealth Edison Company of Chicago—has the start of a good study of the problem. The environmental report for the site selected for this reactor shows the geographical and meteorological data for the site. These include studies of flooding the site, prevailing wind direction, and amounts of rainfall. The studies appear to be very complete in the areas they cover. However, I find a noticeable lack of other information:

(a) Nowhere in the materials is there any probable fallout pattern. The Atomic Energy Commission was able to put together such a pattern for the benefit of the public press in connection with the possible detonation of a hydrogen bomb over the city of Washington. It would seem to me to be entirely feasible to obtain a similar pattern—especially if the results of the borax experiment, and of some of the Las Vegas tests and of its monitoring of its own reactors are circulated.

(b) There is no indication of the radioisotopes which are likely to be unleashed into the atmosphere in the event of a possible malfunctioning.

(c) There is no study of the population whom the fallout from such a reactor would affect. It is relatively easy to obtain this population study. Radio stations make this study for their coverage all the time and use this information in filing with the Federal Communications Commission and in selling station time.

(d) There is no study of the watersheds lying under the probable fallout patterns—although this would be important only if there are long-lived radioisotopes in the debris such as radiostrontium.

(e) There is no study of the probable injuries which would be incurred by the population under the fallout pattern—either to persons or to property.

(f) There is no study of the sums which would be required to pay for most of those injuries to persons or to property. The insurance companies have this information at their fingertips.

(g) There is no study of the frequency of the possibility of malfunctioning of reactors. One of the most important factors for the amount of damage which could be done is the presence of a containing vessel. If there is a containing vessel (and not a pressure vessel which is part of the structure of the reactor itself) there can be minor incidents which occur in the operation of the reactor which will not materially affect parties outside of the container. This could have a material effect on the possibility of damage outside, since the container could hold the small incidences while giving way only for major catastrophes. The point at which it would give way would depend on such items as the structural strength of the container, the strength of connecting pipes and openings, and the requirements for escape hatches for employees who might be caught within the container.

Without any scientific information before me it would be my first uneducated guess that the funds put up by the insurance companies would probably be able to take care of the malfunctioning of the reactor which did not rupture the containing vessel. If the containing vessel should be ruptured, then the insurance funds may well be completely inadequate to take care of the catastrophe.

The Commission so far apparently has failed to require any of this kind of information in its license applications which could afford a basis for thinking about the possibility involved in the safety of a reactor.

May I emphasize that the material which I have quoted on the possibility of a reactor catastrophe does not represent the relatively uninformed view of the Senator from Idaho. These are the words of the experts, and we in the Senate had better listen.

What has happened to the theory of orderly progress in science? We do not even know today which type of reactor holds the most promise for the ultimate development of power. As a matter of fact, according to the Joint Committee on Atomic Energy, the Shippingport type is the most uneconomic of them all. In my opinion, we shall never know until we build them. They will never be built until the Government builds them in the isolated sites already in existence or others purchased, if need be, for that specific purpose.

The atom is a marvelous thing, but it has not changed the law of economics. How can any utility company legally invest the funds of its stockholders in a $30 million venture to produce electric power which at the present time will cost 52 mills as against the 5 mills from a conventional plant?

We know how to build steam turbines and transmission lines. What we have to learn how to build is a reactor with a fuel cycle economical enough to generate heat which can be transferred to those turbines and which will operate in a completely safe fashion.

Who is going to accept the responsibility if any large-scale reactor accident occurs, with the resulting loss of life and radioactive contamination of land surface and subsurface waters?

How can the Congress of the United States sit idly by and let this program get so far out of hand as to constitute a menace to large segments of our population?

What legitimate opposition can the Atomic Energy Commission, any member of the Joint Committee, or any other Member of this Senate raise against a vigorous reactor-development program located in isolated areas?

I have no objection to the spending of $30 million on the Shippingport reactor, but can anyone tell me why it should not have been built at the national reactor test site? Why should it not be operated only so long as it contributes to the technology which we seek to advance and then either abandoned or used as a training vehicle?

Mr. President, I have attempted to follow this situation as it has developed, and the only stated opposition to the principle which I propose is one to which I cannot give credence. I have been told that out scientists will not work in areas that are not adjacent to their normal environs. Perhaps someone can explain to me how they managed to keep them up on top of a 7,500-foot mesa at Los Alamos, N. Mex. I have only the greatest admiration for our men of science. Hundreds of them are now at work in Idaho on just the very job which I am discussing today. Their contributions have been magnificent. American scientists will go where their duty calls them, just as many an American boy in recent years went to the far-flung corners of the earth, some never to return, because of their responsibilities to our society. Mr. President, I would not want my previous remarks to be interpreted by uninformed easterners to be detrimental to the wide open spaces of my beloved Idaho. For those to whom hunting, fishing, skiing, and the glories of nature have any allure, Idaho beckons. Do not tell me our great scientists would not love to live in our beautiful and fine cities of Blackfoot, Pocatello, Shelley, and Idaho Falls.

But this is a serious subject, Mr. President, and one which deserves immediate serious attention. I serve notice that, insofar as I am capable, I intend to resist in every orderly fashion any attempt to locate any power-producing reactor near any populated area at the present stage of the art.

I have been one who believes that the United States tells too much while the Soviets tell nothing. I know I am a voice crying in the wilderness as I sit on the Senate Internal Security Subcommittee and listen to the story of Soviet intrigue and espionage. On this subject of atomic power, however, Mr. President, I am going to become a "giant liberal." I am going to demand that, in addition to declassifying all of the information on building reactors, which is so fashionable, we also declassify all information on reactor hazards.

If there are not any reactor hazards, I am going to ask why the Atomic Energy Commission has a committee on reactor safeguards, which advises it "with regard to the hazards associated with the operation of reactor facilities."

I am going to get somebody on the line before we have a catastrophe, and I pray we never will have such a catastrophe.

I am going to find out who is legally responsible for the damages incurred if we do have a catastrophe. At every opportunity I am going to try to make sure that "fools don't rush in where angels fear to tread."

Now, Mr. President, I have had my say. I want to summarize my views so that the record will be clear:

First. I am in favor of a vigorous reactor development program.

Second. I am in favor of the construction of all of the various types of reactors which, in the opinion of the Atomic Energy Commission, should be constructed.

Third. I have taken cognizance of the expressed warnings of competent people that at the present time the hazards of reactor operation are practically unknown, and that they might be catastrophic.

Fourth. I believe that any large scale reactor accident either here or abroad will be a serious setback to the atomic-power program.

Fifth. I believe that the building of potentially hazardous, large-scale, uneconomic power reactors—complete with turbogenerating systems—is not conducive to progress.

Sixth. I know of no urgent or compelling reason why, in the face of these warnings, these reactors should be built near giant centers of population.

Seventh. I, therefore, sincerely urge that until such time as we have thoroughly explored the hazards involved that these nuclear machines be built and operated in remote and isolated regions specifically purchased by the Government for that purpose.

Mr. President, I yield the floor.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had passed, without amendment, the following bills and joint resolution of the Senate:

S. 760. An act for the relief of Pietro Meduri;

S. 1992. An act to provide for the conveyance of a certain tract of land in Madison County, Ky., to the Pioneer National Monument Association;

S. 3452. An act to amend the act of July 15, 1955, Public Law 161, 84th Congress (69 Stat. 324), by increasing the appropriation authorization for the Aircraft Control and Warning System; and

S. J. Res. 95. Joint resolution to authorize the American Battle Monuments Commission to prepare plans and estimates for the erection of a suitable memorial to Gen. John J. Pershing.

The message also announced that the House had passed the bill (S. 1194) to provide for construction by the Secretary of the Interior of Red Willow Dam and Reservoir, Nebr., and construction by the Secretary of the Army of the Wilson Dam and Reservoir, Kans., as units of the Missouri River Basin project, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 4437. An act relating to withholding for State employee retirement system purposes, on the compensation of certain civilian employees of the National Guard and the Air National Guard;

H. R. 5975. An act to authorize the Secretary of the Interior to reimburse owners of lands acquired for water and power developments for their moving expenses, and for other purposes;

H. R. 8535. An act to amend the act of July 4, 1955, relating to the construction of irrigation distribution systems;

H. R. 10003. An act making appropriations for the Government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1957, and for other purposes; and

H. J. Res. 317. Joint resolution designating the week of November 16 to 22, 1956, as National Farm-City Week.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and joint resolutions were severally read twice by their titles and referred as indicated:

H. R. 4437. An act relating to withholding for State employee retirement system purposes, on the compensation of certain civilian employees of the National Guard and the Air National Guard; to the Committee on Armed Services.

H. R. 5975. An act to authorize the Secretary of the Interior to reimburse owners of lands acquired for water and power developments for their moving expenses, and for other purposes;

H. R. 8535. An act to amend the act of July 4, 1955, relating to the construction of irrigation-distribution systems; to the Committee on Interior and Insular Affairs.

H. R. 10003. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1957, and for other purposes; to the Committee on Appropriations.

H. J. Res. 317. Joint resolution designating the week of November 16 to 22, 1956, as National Farm-City Week; to the Committee on the Judiciary.

REVIEW OF FOREIGN POLICY—III—THE NORTH AFRICAN CRISIS

Mr. MANSFIELD obtained the floor.

Mr. PASTORE. Mr. President, will the Senator from Montana yield to me, to permit me to make a unanimous-consent request?

Mr. MANSFIELD. Yes, provided I do not thereby lose the floor.

Mr. PASTORE. Mr. President, I ask unanimous consent for that purpose.

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

Mr. PASTORE. Mr. President, under such unanimous consent, let me say that I understand the distinguished Senator from Montana is about to deliver a very, very important address. Therefore, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. PASTORE. 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. MANSFIELD. Mr. President, on several occasions in recent weeks I have addressed the Senate on foreign policy. On January 20, I dealt with the need for a general review of foreign policy, as have other Members of the Senate. My thought, as I expressed it at the time, was that out of the review "there could come new ideas to fill the vacuum, to stop the dangerous drift which has settled over our foreign policy."

A month later, on February 16, I discussed the region of southeast Asia as it relates to American foreign policy. An examination of the situation in that region led me to the following conclusions:

1. The United States should make clear that it stands solidly behind our present obligations under the Southeast Asia Defense Treaty. At the same time, however, we should also make clear that we are always prepared to consider a reduction in our role in the defense of that area under certain conditions. The conditions are either a recession in the totalitarian threat to southeast Asia or the strengthening of its defenses by the accession of nations more directly concerned to the treaty or by other defensive arrangements.

2. The executive branch should make a careful reexamination of the premises under which it dispenses military aid. It must bring into its calculations more emphatically than it has in the past such factors as genuine need and capacity of recipient governments in terms of their defense and the degree of responsibility which they show to their own peoples.

Further, the executive branch should report as fully as possible to the American people on the extent to which American equipment has fallen into the hands of the Communists in Asia. If it fails to do so in the near future, then the appropriate committees of Congress might well consider a complete investigation of this matter.

3. Nonmilitary grant aid as a permanent element of American foreign policy should be limited, as was intended by Congress, to the technical assistance or the point 4 program. If the executive branch presents a prospectus for a useful and effective expansion of this program—and I am not at all sure that this is possible—then I believe Congress should give it sympathetic consideration.

Large-scale grants of economic aid to any country, when necessitated by unusual circumstances, however, should be considered individually on their own merits by the Congress.

If the southeast Asian and other underdeveloped countries seek long-range aid for economic development unavailable through existing sources, such aid should be considered as far as possible for whole regions and on the basis of repayable credits of the most generous terms. The executive branch should present specific proposals in this connection and not seek a permanent blank check which reveals little of the extent to which this country might be committed without the clear understanding of the American people and the consent of the Senate and Congress as a whole.

Mr President, I also pointed out the vital significance of the Bandung Conference—a conference whose importance has been sadly underestimated—the attitude of the overseas Chinese, especially in Singapore, Djakarta, and elsewhere; and, Mr. President, let me say that the

trend on the part of the overseas Chinese, especially in Singapore, is toward Mao Tse-tung and Communist China, and away from Chiang Kai-shek and Formosa, and the attitude of certain southeast Asian states toward the Geneva Conference between the United States and Communist China, a conference now in its seventh month.

Mr. President, my intention, as I have already indicated, is from time to time to review developments in various critical regions of the world—North Africa, Western Europe, the Far East, the Middle East. It is possible to pinpoint half a dozen situations where American policies can profit from examination by the Senate. In some of these situations, as in Korea, our concern is readily apparent. In others, this country appears to be only remotely involved, or not involved at all.

Appearances, however, can be deceptive, Mr. President. What seems remote today can become immediate tomorrow. I need hardly remind the Senate that not so long ago Formosa and Korea were scarcely more than geographic place names. And who among us had ever heard of the so-called offshore islands of China until we were impelled by them toward war?

The examples could be multiplied, but the Senate will understand the point I am trying to make. Every major situation of international tension—however remote, however indirect our present concern may be—every situation of that kind, carries a potential impact for the safety and welfare of this country. Our foreign policy must take these situations fully into consideration, and the Senate cannot afford to lose sight of them. We cannot afford to do so, if we are to fulfill effectively our constitutional function of advice and consent in foreign relations.

It is for this reason, Mr. President, that today I wish to discuss the North African crisis. The difficulties in North Africa have been among the more obscure in their implications for American foreign policy. On the surface they have appeared to have little direct relationship to the interests of this country.

North Africa can be regarded, it has been regarded, as an area which involves only France, Spain, the French, Moslems, and other peoples who inhabit Tunisia, Morocco, and Algeria. This is one way of looking at the North African situation. If we are not involved, if it is solely a matter affecting others, then we have no responsibilities and presumably nothing to worry about.

That is an easy way, Mr. President. But it is an easy way only for the moment. It puts off until tomorrow what blurs the seemingly pleasant portrait of a world of peace and prosperity today.

The trouble with that approach, Mr. President, is that it ignores the repercussions of the crisis in North Africa which do affect us directly. It ignores the likelihood that an intensification of the crisis in that area will draw us deeper and deeper into the situation. That process has already begun. The recent mob violence against the American consular post in Tunis, the anti-American demonstrations, are the first danger signals; and we will ignore them at our own peril.

The easy way, then, Mr. President, is perhaps not as easy as it appears to be at first glance. Perhaps it may be better not to assume that what happens in North Africa is of little significance to the United States. It may be preferable for the Senate, for the American people, to begin now to grapple with the facts in North Africa.

If we do so we may obtain a more accurate understanding of how the totality of our interests is related to these facts and how those interests may best be served. We may see that while the north African crisis does indeed involve in the first instance the relationship of the French and north African Moslems, it also spreads its impact far beyond this core. It involves the future of the North Atlantic Treaty Organization and European union. It colors the attitudes of the Moslem nations and of colonial peoples toward all western nations, including the United States. It affects the historical friendship between France and the United States, which has its roots in the American Revolution. It can facilitate the penetration of the African continent by the Soviet Union. It embraces, in the last analysis, the future of France as one of the great wellsprings of western civilization and freedom.

Are these matters in which the United States has only a passing interest? Are they matters which can be sloughed off as of only casual concern to this country? Some may so regard them. I cannot share that view; and I doubt that many Americans, if apprised of the facts, will share it.

Can NATO disintegrate; can the animosity of the Afro-Asian world be turned against the West; can Communist totalitarianism penetrate Africa; can the democracy of France be reduced to impotency in the face totalitarian pressures from left and right—can all these developments take place without the most serious implications for this country? Despite the blissful unawareness of some, these developments do threaten to issue from the north African crisis. The seeds of all of them are already germinating in its heat.

Those who talk of success in foreign policy may be able to exorcise this crisis with a smug platitude or a smile of fatuous optimism. The smile must indeed be broad, however, if it is to be stretched to cover the situation in north Africa.

Mr. President, I am no enemy of the smile. When it is evoked by what is pleasant or humorous, it helps to lighten the burden of the day. It may even have a place in the sober business of conducting this Nation's foreign relations, just as it has in the conduct of the Nation's political campaigns. What it is not, however, what the smile can never be, is a substitute for sound foreign policies based on a perceptive understanding of the problems which confront us. Nor is it a substitute for careful thought as to how the interests of the United States may best be safeguarded in dealing with these problems. That is true in the north African crisis no less than in others.

We cannot smile away this situation and its implications for us. We can only face it and seek to delineate an intelligent course for this Nation to pursue with respect to it. That is why I raise the question of north Africa and ask the Senate to take the time to consider it here today.

I have sought, as I am sure other Senators have, to follow as closely as possible the rapid flow of developments in that region as they are reported in the press. Several months ago, as a member of the Committee on Foreign Relations, I also found occasion to observe the situation firsthand in Morocco. I regret that I was unable to proceed at that time beyond Morocco to Algeria and Tunisia, as I desired to do.

Limited as this background is, it is sufficient to convince me that the pressures are growing for a more direct involvement of the United States in the north African crisis. It is sufficient to convince me that our policies have drifted dangerously there, as they have elsewhere. It is sufficient to convince me that the time is already late for the Senate to focus attention on north Africa. If the available facts are inadequate for a complete understanding of the situation—and, in my opinion they are inadequate—I trust the executive branch will take the trouble to supplement them. I hope that Members of this body will see fit to acquaint themselves more fully with them by direct observation. In a letter to the distinguished chairman of the Committee on Foreign Relations, dated October 17, 1955, in which I transmitted a report on Europe after the Geneva Conference, I suggested that—

> In view of the possible repercussions on our policies respecting Europe and the Middle East, it might be desirable for the committee to have some members familiarize themselves at firsthand with the North African situation.

I reiterate that suggestion today.

In the meantime we can begin to examine the situation on the basis of the limited information that is already available. Let me, at the outset, point out that it is inexact to regard all of North Africa as a single crisis except in the broadest sense. The situations in Tunisia, Morocco, and Algeria have many characteristics in common, and present many similar problems. There are, however, also important differences. If our policies respecting North Africa are to be effective, these differences must be given full consideration.

In the discussion today I should like to turn first to the similarities of the situation in all three regions of North Africa. Taken together, Tunisia, Morocco, and Algeria constitute a great crossroads, five times the size of metropolitan France, lying between the heart of the African Continent, the Middle East, and Europe. Over these crossroads, conquerors have moved in one direction or another since time immemorial. The great religious movements have passed through them. North Africa can be, as it has been, a bridge to link three continents in peace, cooperation, and progress. It can also be, as it has been, an avenue of conquest which, if history is any indicator, leads only to the ruin of both conqueror and conquered.

In recent times, Europeans, and particularly the French, have gone to North Africa in great numbers. They brought many of the benefits of material progress as well as political stability to the area and they took much from it. The colons, as those who are settled in the region are called, have a great stake in all three regions, especially in Algeria, where they number a million. Their stake, however, is in many ways a privileged one, supported by the power and sacrifices of metropolitan France. The colons seek to maintain that stake. Many are determined to maintain it by any means, including the terrorization of the Moslem populations, and even the intimidation of the French Government itself.

The great preponderance of the inhabitants of North Africa, however, are not French or European. They are mostly Moroccan, Algerian, and Tunisian Moslems. And the Moslems of North Africa—to identify the people of the three areas—have been caught up in the same wave of militant nationalism and pan-Islamism which has swept through most of the countries of the Middle East in the decade since World War II. These movements among the Moslems of North Africa are, I believe, for the most part authentic expressions of a widespread popular discontent with a status of political inequality and social and economic misery. They contain their share of extremists who, like their counterparts among the colons, are prepared to resort to the terrorizing of peaceful Europeans and even other Moslems in their determination to achieve immediate political domination in the North African regions.

Until recently, the situation in North Africa has been relatively free of Communist influence. That does not mean that it will long remain so. On the contrary, it is clear in Communist broadcasts from Europe, from the activities of agents in North Africa, in the nearby Arab States, and from the diplomacy of the Soviet Union in the Middle East—it is clear that the Communists are seeking by any means to make inroads into the Moslem nationalist movements.

I believe we may expect them to make those inroads unless the causes of North African discontent are alleviated in time, unless progress is made in restoring a political stability to that area which is acceptable to the great majority of the native peoples.

If Communist influence grows, where will the responsibility lie? With the North Africans, who are seeking redress of legitimate political and economic grievances? We can hardly blame a drowning man for grasping at the tail of a shark if, in his agony, he mistakes it for a log. Can we place the responsibility on the diabolic genius of the Communists? They will be only too glad to take it, and they will offer North Africa as one more evidence of the invincible march of communism toward world domination.

If communism takes root in North Africa, I think the responsibility will not be attributable to the invincibility of that ideology or any exceptional ability on the part of its adherents. Nor will it be attributable to the native people, who seek to rectify long-festering wrongs. It will lie, instead, with those who pretend to exercise political responsibility in North Africa—be they French, Spanish, or Moslem—but who fail to exercise it with understanding, with compassion, and with courage. It will lie with those European fanatics in North Africa, France, and elsewhere whose only answer to the restlessness of a whole people is a sterile and, in the long run, futile repression. It will lie with those religious and political extremists in the Moslem camps of North Africa and nearby countries whose personal will to power is so overwhelming that in the name of freedom they adopt irreconcilable positions which can destroy the meaning of freedom for their own people and undermine it elsewhere in the Mediterranean regions.

Mr. President, I do not underestimate the difficulties of reconciliation in North Africa. The bitternesses are intense. The dilemmas are many. The stakes in terms of power for a few are so high that they are blind to all considerations other than what appears to be their immediate self-interest.

Before the chance to obtain a just and reasonable settlement is lost, however, I hope that those who gibe at the idea will consider the consequences which will flow from the failure to achieve one.

Some of these consequences are already apparent. They can be seen in the ugly face of racial and religious terrorism. That face has shown itself in many parts of North Africa during the past few years—in the massacre of the innocent—native and French alike—in the swift and deadly sweep of the knife of the political assassin, in the sabotage of properties representing decades of patient creative labor by both Europeans and Moslems.

Much innocent blood on both sides has already been shed in North Africa. Much wanton destruction has already been done. But more blood will flow and more damage will be done unless a settlement is achieved. What spoils will remain to the side which may emerge victorious if the conflict continues? They will inherit an accumulation of ruins. They will gain a heritage of smoldering hatred and fear, a sullen acquiescence on the part of the defeated.

And if that is the inexorable consequence of an "all or nothing" attitude in North Africa, what of its impact on France?

France is already bleeding itself white to maintain a force of over 300,000 men in North Africa. What have these sacrifices produced other than the scorn and derision of those who, forgetting the real greatness of France in Europe, still dream Louis Napoleon's 19th century dream of grand empire in the deserts and swamps of the tropics? What have these sacrifices produced but the dismay of the decent people of France and the virtual immobilization of their government? Now it has even come to mobs and riots in the streets of Paris. What will follow? The barricades and then, after, the iron fist of tyranny? How much longer will the free institutions of France withstand these pressures? How much longer before Western European cohesion—deprived of the essential cement of French inspiration—how much longer before it begins to crumble?

And what of the Moslem people in North Africa? Will they gain from the agonies of France? Have they forgotten the achievements of French culture and civilization? Have they forgotten, in truth, that the very demands for freedom and equality which they now echo throughout the land are themselves derived from the traditions of liberty which flow from France?

These are some of the questions which I hope those who call for "all or nothing" in North Africa—European and Moslem alike—will consider carefully before it is too late.

There can be a peaceful solution to this crisis. But there can be a solution, in my opinion, only if the realities of the situation are fully and frankly recognized. There can be a solution only if the responsible political leaders—French, Spanish, and Moslem—have the courage and determination to act firmly on these realities, and if they have the sympathetic support of other nations whose fundamental self-interest lies in the preservation of peace in North Africa and the Mediterranean region. I mean this country, as well as the Western European nations and the nearby Arab States. If there is more stirring of the troubled waters, if there is a stubborn resistance to necessary change and if there is malicious fishing for advantage by outsiders, there shall be no solution in North Africa, and all will stand to lose in the long run regardless of any momentary profit that may be gained.

If there is to be a stable and meaningful peace in North Africa, I believe these principles must govern it:

First. The legitimate grievances of the Moslem people must be corrected; the economic, political, and social inequities must be ended as rapidly as possible.

Second. The rights of the European settlers to a place in the future of North Africa must be protected.

Third. Responsible officials in North Africa must be prepared to deal swiftly and impartially with the terrorism of the mob and the assassin, be they European or Moslem.

I realize, Mr. President, that it is easy to state principles involving other peoples several thousand miles away. I realize, too, that if the crisis is met successfully in North Africa, it will be met primarily as a result of the efforts of the French and the Moslems. My purpose in stating these principles is not to presume to guide them. The responsible leaders on both sides have long since recognized them. My purpose in emphasizing these principles is to make clear what I believe to be the only valid framework in which American foreign policy can exercise a constructive influence toward peace in North Africa.

Our direct interests in North Africa are relatively limited and there is little desire or likelihood of any increase in the near future. Few Americans reside in the area. Our commercial interests are small. We have rights in Tangier and extraterritorial privileges in Morocco which we are in the process of surrendering. We have airbases in

Morocco, built at great cost, not for us alone, but as part of the defense structure of the North Atlantic community and the Mediterranean area.

If our direct interests are limited, however, our indirect interests—as I have already tried to point out—are immense. They add up to the urgent necessity of finding a peaceful solution of the North African crisis at one end of the Mediterranean. Our interests will be served by a foreign policy which contributes to that end, to the development of an accommodation that is acceptable to the vast majority of Moslems in North Africa and to France. We cannot be a party to any plan to repress the legitimate aspirations of the Moslem peoples in North Africa but at the same time we cannot abandon a free France in its hour of great need. These are not, necessarily, mutually exclusive objectives. They need not immobilize our foreign policy in that region.

The way for us, then, is clear. If France and the North Africans move toward a reconciliation of their interests—if the concept of "independence with interdependence" takes root—there may be a constructive role which, together with other free nations, we can play; but only in those circumstances.

In some respects, there is hope for a settlement along those lines. In Tunisia important political agreements have already been achieved. Something similar is taking place with respect to Morocco, despite the reticence of Spain which controls a substantial part of the sultanate. In both these regions, I believe a sound basis for further progress has been laid.

Algeria, however, which is of the greatest importance to France, presents far more difficult and complex problems. Algeria has long been treated as an integral part of metropolitan France, as "France south of the Mediterranean." France seeks a solution respecting Algeria in the alleviation of the political inequities and the crushing burden of poverty under which most Algerians live, but without changing the present integration of Algeria and France. No one can say with any certainty whether this approach will be effective. While it is being attempted, moreover, there is little that this country or any other country can do without complicating the difficulty.

Mr. President, we have had expressions of despair in this country over the North African crisis interspersed with the smiling assurances that conditions were improving in the world. What we have not had is a facing up of the significance of this situation to us. What we have not had is the kind of intelligent initiative in our policies which might contribute to a peaceful solution in North Africa.

At the outset I made clear to the Senate my personal limitations in reviewing this situation. As I pointed out, we may not have all the facts. But on the basis of what we do know, on the basis of the facts which I have attempted to summarize here today, I am not satisfied that we have done what might be done to increase the prospects for peace in North Africa. It seems to me that the logic of these facts opens up avenues of exploration in foreign policy which the executive branch might well pursue and yet has not pursued, at least to the knowledge of the Senate.

As I noted, Tunisia and Morocco are both moving toward freedom with interdependence on the basis of agreements acceptable to responsible French and North African nationalist leaders. The time may be fast approaching when consideration should be given to inviting both Tunisia and Morocco—and Spain—to associate with NATO. They are essential components in the maintenance of peace in the Mediterranean, and I believe that NATO has much to offer for their security.

It seems to me, too, that NATO, or perhaps the Western European Union, could play a significant role in easing the economic stresses that the present transition in North Africa places on both European and Moslem. Is it too much to anticipate that a joint economic effort by the NATO countries could contribute immeasurably to the common progress of both? Is it too much to anticipate that such an effort might do much to alleviate the economic causes of discontent and fear in North Africa, that it might help to develop a mutuality of interest which could translate the concept of independence with interdependence into a reality? Is it too much to expect the executive branch to exercise some initiative in this direction?

Mr. President, I do not know whether these thoughts may have application. I do know, however, that a critical situation exists in North Africa which contains dangerous implications for the United States. It seems to me that in such circumstances there is a responsibility to do more than alternately exude confidence or despair. There is a responsibility on us to raise the issues that are involved and to consider possible ways in which they may be resolved. That is all, Mr. President, that I have been trying to do today.

Mr. SMITH of New Jersey. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. SMITH of New Jersey. As in the case of previous reviews of foreign policy, I thoroughly appreciate the fine contribution of the Senator from Montana.

Mr. MANSFIELD. I thank the Senator.

Mr. SMITH of New Jersey. I appreciate especially his analysis of the North African crisis. I am not quite clear, however, as to the estimation at which the Senator is endeavoring to arrive. Is it his opinion that the President should take steps with NATO, with the possible approach of NATO becoming concerned in the African question, and trying to work out some solution of the problem?

Mr. MANSFIELD. No. The Senator from New Jersey, whom I value highly as a friend and whom I respect as a keen student of foreign affairs, must have misunderstood me. What I tried to suggest was that once Tunisia and Morocco achieve their independence it might be worthwhile that we consider the possibility of their becoming associated with NATO, and I have reiterated and oft expressed desire that Spain might also be associated with NATO because she is interested in the particular part of the Mediterranean nearest her shores.

I have advanced a further possibility, that the NATO nations, or perhaps a Western European Union group, might consider the possibility of collectively advancing economic aid to the regions bordering the Mediterranean, so that some of the inequalities brought about by poverty and poor housing might be alleviated to some extent. I look upon that as a joint effort in which we might participate.

Mr. SMITH of New Jersey. I thank the Senator. I should like to ask him one more question, namely, whether his approach to and study of the matter is leading toward an urging of more and more integration of the European area into what we have called in a broad way the United States of Europe, in order to solve their internal problems among themselves.

Mr. MANSFIELD. The Senator is absolutely correct. I have felt for many years, as I know the Senator from New Jersey has felt, that one of the keys to the future of Western Europe is the establishment of a United States of Europe, which would do away with customs walls and other difficulties, and would guarantee a sort of homogeneity which would be of tremendous value to the countries united collectively, but the advantage of which they do not derive so long as they act individually.

Mr. SMITH of New Jersey. I share the view of the Senator from Montana on that subject. I assume from his talk that problems such as the North African one might eventually be considered in relation to the integration of European states, if that could be done in a tactful way.

Mr. MANSFIELD. I had not thought of it in that way, I must admit, because I was looking at the situation from a purely strategic and economic point of view. But with the world becoming smaller, as it is getting smaller every day, we are, of course, neighbors with one another. North Africa is not too far away from Europe any more, geographically, so we must consider the importance of a country like Morocco, which is both a Mediterranean and an Atlantic nation, and the part it would play in the future defense of what we call western civilization. It is very important that those areas should not veer toward the east or the north—I mean toward the Soviet Union, in the latter sense—but should be kept, if possible, within the western orbit.

Mr. SMITH of New Jersey. I thank the Senator from Montana very much for his observations. Again, I commend him for his fine contribution.

ELECTION OF PRESIDENT AND VICE PRESIDENT

The Senate resumed the consideration of the joint resolution (S. J. Res. 31) proposing an amendment to the Constitution of the United States providing for the election of President and Vice President.

Mr. THURMOND. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a statement I have prepared on the subject of electoral college reform.

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

STATEMENT BY SENATOR THURMOND

I shall not dwell at any length on the technical aspects of the substitute being proposed here today in lieu of the original version of Senate Joint Resolution 31. However, I do want to make a few comments on the proposal as a whole and state my strong support of this resolution, on which the distinguished junior Senator from Texas [Mr. DANIEL], the distinguished senior Senator from South Dakota [Mr. MUNDT], and I were able to reach a compromise agreement.

I would like to commend the Senator from Texas and the Senator from South Dakota for the fine work they have done on this substitute amendment. They have made a great contribution to the American system of Government in agreeing on this substitute proposal which combines salient points of our separate plans. I have been happy to have worked with them on this plan for the past several months, through a number of conferences and redrafting of combination plans.

Most important in this plan is the fact that its adoption would result in more exactly translating the will of the people into electoral votes. The proposed amendment would provide a much more exact register of their will than the present winner-take-all system of allocating the electoral votes of the States.

I believe that many citizens who now take little interest in an election of President would be given an incentive to vote under the compromise amendment being considered. In many States where one political party or the other has a vast majority, the individual voter who belongs to the minority party has no incentive to vote because he knows his ballot will in no way affect the outcome of the election.

Under the proposed plan, the individual voter could vote with the knowledge that his effort would carry equal weight to the extent his vote compared with the total votes cast in his State.

From the standpoint of a State, the will of people will be more exactly registered in the division of electoral votes. From the standpoint of the Nation, Presidents elected after adoption of this amendment will be more nearly the candidate who has won the greatest popular vote.

There is another important feature of this plan, Mr. President, which I believe to be highly desirable in maintaining a strong and stable government. The plan limits the electoral votes of any State to the top three candidates, thus discouraging the creation of numerous splinter parties which have caused weak and unstable governments in some foreign countries.

An additional safeguard to the will of the voters is contained in this plan in that candidates for elector, in States where the district system is adopted, would be bound legally to support the presidential candidate to whom they were pledged.

I believe the optional system of choosing electors, as provided in this plan, makes it acceptable in every State. Some States prefer the preservation of the electors, as such. Others want to discard the electors because they believe they have long since stopped serving any good purpose.

Whether a State wants to maintain the buffer of electors, who are State officers, between the State and Federal Government, or whether another State wants to translate the popular vote into electoral votes directly, cannot cause reasonable argument over this plan because it permits the States, individually, to adopt either course for the choosing of electors.

I hope that every Member of this Senate who wants our system of election for the President and Vice President improved will join in supporting the substitute for Senate Joint Resolution 31. While many of us disagree politically, I am convinced that the result of passing this resolution would be consistent with the wishes of a majority of the members of both major political parties because it would give each of the Members a greater voice in his Government.

Mr. DANIEL. Mr. President, the Senator from Tennessee [Mr. KEFAUVER] has reported to the Senate from the Committee on the Judiciary Senate Joint Resolution 31, which would modernize and change the methods of electing the President and Vice President of the United States.

Without a doubt, the electoral college method of electing the President is the most archaic and undemocratic feature of the United States Constitution. It was one of the few mistakes made by the Founding Fathers—a mistake they made because they thought the people could not be trusted to select the President and Vice President.

As originally intended, the States were to select well informed public men as electors, and they were to meet and select a President and Vice President, without reference to popular vote or any other method of expression from the people. The original form has been retained in the solemn words of the Constitution, although for more than a century it has had no practical use. In fact, the electoral college system has never functioned as contemplated by the framers of the Constitution. The form should be removed from our Constitution before it rises to haunt us by flouting the will of the people in selecting a President. So long as the form remains in the Constitution, it is possible for electors to cast their independent votes contrary to the expressed will of their constituents, and this, in fact, has been done in more than one instance.

Mr. KENNEDY. Mr. President, will the Senator yield, or would he prefer to yield later?

Mr. DANIEL. I yield.

Mr. KENNEDY. It is my understanding that since 1820, out of 12,000 electors, only in 5 cases have they voted against their instructions—once in 1820; 3 times in 1824, when 3 Clay electors left him; and once in 1948; and in 1948 the elector indicated in advance that he would support Governor Thurmond. So the actions of 5 electors out of 12,000 does not seem to me to represent a major evil.

Mr. DANIEL. I thank the Senator from Massachusetts for his contribution. He simply illustrates my point. If it was possible for five electors in our history to act contrary to the vote of the people, and to cast their votes contrary to the will of the people who cast their votes for electors for President and Vice President, it means that we have a system under which similar action could be taken by more electors in the future; and we ought to end any chance of such a practice in the future.

Mr. KENNEDY. That was merely once in a hundred and thirty years, because four of those instances occurred in 1820 and 1824. So the danger does not seem to me to be very substantial, bearing these statistics in mind.

Mr. DANIEL. In the Hayes election, if only one elector had changed his vote, there would have been a different President of the United States. The evil of the matter is to have a constitutional provision which leaves the choice of the President and Vice President to electors named in the States, without having the electors bound to follow the will of the people.

The practice which has been substituted for the constitutional form is just as evil and undemocratic. I refer to the custom which is generally understood and followed—that all electoral votes of each State will be cast for the candidate who receives a plurality of the popular vote within that State. That is the custom to which the Senator from Massachusetts has referred, namely, of actually following, in most cases, the vote which is cast by the people.

In effect, this disfranchises millions of American voters. In effect, we find that the dummy electors merely vote as the people want them to vote. That is the practice which has generally been followed. But we find in our present system that the practice which has been followed by most of the States is that the winner in a State, even if he be the winner by only one vote, takes all the electoral votes of the State. This disfranchises many voters in all our States in every Presidential election year. Their votes for a candidate for President are not counted in the electoral vote, unless their candidate receives a majority of the popular vote in their State.

For instance, if a candidate receives a one-vote plurality in the State of New York, he now receives 100 percent of the electoral votes of New York, and the candidate receiving only one less vote at the polls receives none of the New York electoral vote.

The legislative proposal now before the Senate is not new to those Members of this body who were also Members of the 81st Congress. The measure which became known as the Lodge-Gossett amendment in the 81st Congress was, as reported by the Senate Judiciary Committee, in exactly the same text as the resolution approved by the Senate on February 1, 1950. This amendment was the subject of hearings by the Standing Subcommittee on Constitutional Amendments of the Committee on the Judiciary on March 16, 18, 25, April 1 and 6, 1955. Copies of these hearings should be on the desk of each Senator. The amendment was reported to the full Committee on the Judiciary by a vote of 3 to 2 in April 19, 1955. It was considered by the full Judiciary Committee at its meeting of May 16, 1955, and reported to the Senate by a vote of 10 yeas, 3 nays, with 2 members not voting. A cursory examination of the hearings will show that they dealt with proposals other than the amendment now under consideration.

It is no secret, Mr. President, that though there is considerable sentiment for amending the Constitution to eliminate many aspects of an archaic system, not all the proponents of the amendment

are in agreement as to the form which such remedial legislation should take. The Senate in 1950 overwhelmingly supported the Lodge-Gossett amendment which the committee had reported. The vote at that time was 64 yeas, 27 nays.

However, since that time considerable sentiment has developed in favor of a plan which has properly become known as the Mundt-Coudert plan. After the committee had reported the resolution but before it became the unfinished business of the Senate, it was ascertained that remedial reform of any nature would probably be impossible unless some agreement were reached among the proponents of reform on an amendment on which all, or almost all, could agree.

A similar idea must have formed in the mind of the distinguished Senator from South Dakota [Mr. MUNDT], and we discussed with him the possibility of compromising our viewpoints with respect to the form which the amendment should take. It was found that the Senator from South Dakota had the same basic belief which was held by those of us who authored the Gossett-Lodge amendment last year that electoral reform could not be accomplished unless our differences were composed. Later the distinguihed Senator from South Carolina [Mr. THURMOND] introduced a third proposal embodying some of the features of each of the two proposals then under consideration, plus some new ideas of his own. The three, together with the Senator from Tennessee [Mr. KEFAUVER], who acted as chairman of the constitutional amendment subcommittee in hearing these proposals, united in a substitute, which has been introduced on behalf of 53 Members of the Senate.

This substitute, as I stated a few days ago when it was introduced, embodies the original proposal approved by the Senate in 1950, approved by our Committee on the Judiciary, and known as the Lodge-Gossett proposal, by which the States would have their same electoral votes, but the electoral votes would be divided in proportion to the popular vote in each State.

The only provision we have added is that any State which desired to do so, as indicated by action of its legislature, might choose electors on a congressional district basis. States would have 2 electors for their 2 Senators, and would have as many electors from congressional districts as they had congressional districts.

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

Mr. DANIEL. I yield.

Mr. GORE. The senior Senator from Tennessee [Mr. KEFAUVER] made the statement earlier that States could now elect to follow the procedure in the Mundt-Coudert proposal. Does the Senator agree with that?

Mr. DANIEL. That is correct. In other words, all the Senator from South Dakota asked of those of us on the Judiciary Committee who represented the Lodge-Gossett proposal—the proportional division amendment—was to leave that feature as it is today, whereby those States which desire to do so may elect their electors on a congressional-district basis.

It seemed that was a perfectly fair request. The Senator from South Dakota and Representative COUDERT have done a great deal of work on that proposal. If we adopted that proposal alone, it would be much better than the system we have today, and would be more representative of the vote of the people; but all they ask is the alternative by which any State which desires to do so may exercise the right it has today to name its electors, two at large and the rest by congressional districts.

There was one further agreement made before we accepted as an alternative a provision which is not in the Constitution today. That was the provision, which is now in our proposed substitute, that the electors must vote as they are pledged to vote. The elector pledged to vote for a certain presidential or vice presidential candidate would have to cast his vote for such candidate.

Mr. DOUGLAS. Mr. President, will the Senator from Texas yield?

Mr. DANIEL. I have yielded to the Senator from Tennessee.

Mr. GORE. The Senator has covered the additional question which I had intended to submit. In addition to preserving the latitude now available to the States to select their electors on the basis of action by congressional districts, the Senator's proposal, or the proposal which he and 52 other Senators advocate, and which I support, and intend to support, would impose upon those electors, however they might be elected, whether by the State at large or by congressional district, the obligation of reflecting in the electoral college the mandate of the people.

Mr. DANIEL. That is correct. In other words, the present system of free and independent electors would be abolished, and the vote of the people would determine, and each State's electoral vote would be counted. Under either of the alternative methods provided in the substitute, correct credit would be given to individual voters in selecting the President of the United States.

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

Mr. DANIEL. I yield.

Mr. SMATHERS. I wonder if the Senator from Texas would be willing to yield the floor temporarily to the able Senator from Massachusetts, so that the Senator from Texas might start a meeting which had been set for 3 o'clock, with the understanding that when the Senator from Texas returned the Senator from Massachusetts would yield the floor back to the Senator from Texas.

Mr. DANIEL. Mr. President, I ask unanimous consent that, without losing the floor, I may yield to the Senator from Massachusetts with the understanding that his remarks will come at the conclusion of my remarks, and that I can interrupt him when I return to the floor and resume my remarks.

Mr. KENNEDY. I accept the floor with that understanding, because, since my remarks will be contradictory to those of the Senator from Texas, I would not want them to appear in the middle of the statement of the Senator from Texas.

Mr. SMATHERS. That will not happen under the unanimous-consent agreement.

Mr. DANIEL. That sentiment is mutual.

Mr. President, has the unanimous-consent request been granted?

The PRESIDING OFFICER. Is there objection to the unanimous-consent request? The Chair hears none, and it is so ordered.

(At this point Mr. KENNEDY addressed the Senate on the resolution. His address appears at the conclusion of Mr. DANIEL'S remarks.)

Mr. DANIEL. Mr. President, I deserve no credit whatever for having proposed the amendment to the Constitution. The proposal was contained in similar proposed amendments to the Constitution to improve our electoral system and get rid of the archaic system which we now have, which have been offered in nearly every Congress during the last century.

A strong effort was made for improvement in 1950. At that time the Senate by a two-thirds vote adopted what was known as the Lodge-Gossett amendment. It merely provided that the electoral vote of each State should remain as it is now, namely, 1 vote for each Member in Congress, but that that vote should be divided in proportion to the popular vote in each State. In that way voters themselves would have a more direct say as to who should be the President of the United States.

I was attracted to the amendment then when the Senate was considering it, and when the distinguished Representative from the State of Texas, Ed Gossett, cosponsored the amendment in the House.

When I came to the Senate I introduced the same amendment which the Senate had approved by a two-thirds vote. That is the amendment which was reported by the Committee on the Judiciary.

I am surprised to hear any Senator defend the present system and say that he does not want the present system changed. It would seem to me that most of the Senators would wish to give the people themselves a more direct say as to who should be President and Vice President.

I have heard discussion on the floor today by several Members of the Senate to the effect that they would like to change the system so as to provide a direct vote of the people for President and Vice President. As has been explained by the senior Senator from Tennessee [Mr. KEFAUVER], that would be almost impossible to accomplish, because about 31 States would lose some of their representation in the electoral vote—and that is particularly true of the smaller States—because at the present time, instead of the vote being based simply on population or on qualified voters, the States are entitled to 2 votes for their Senators and 1 vote for each Representative in the total electoral vote.

For that reason, and for other reasons, such as differences in voting qualifications in the various States, it would be impossible for us to have a direct vote for President and Vice President. It

would be impossible because too many Members of Congress wish to preserve our State units and the present electoral votes by States when it comes to the election of a President.

Therefore, it seems to me—and this is in accordance with the testimony given at our hearings that were held on this subject—that the closest we can get to the people themselves having a direct vote for President and Vice President is to divide the electoral vote within each State in accordance with the popular vote. That is the amendment I have sponsored. As I say, I have simply sponsored it in the same words in which the Senate adopted it by a more than two-thirds vote in 1950.

It became obvious, after we reported the amendment to the floor, that there were not two-thirds of the Members of the Senate who would support the amendment in that form, because many Members of the Senate—and, I might say, a majority of those who appeared before our committee—testified that they felt the better system for electoral reform would be to let each State keep its present electoral votes but elect named electors in the same manner that named Senators and Representatives are elected.

Therefore, they testified in favor of that plan which we now know as the Mundt-Coudert plan. I personally felt that it was not as desirable as the so-called Lodge-Gossett plan, and I said so in committee. However, on finding such a large number of the Members of the Senate and of the House of Representatives favoring the proposal of electing their electors on the basis of Congressional districts, with two electors at large, it became evident that if we were ever to get any electoral reform, we would have to compose our differences.

It seems to me that those who adhere to that plan and think it is the best plan by which the people can express themselves on the election of President and Vice President were very fair in agreeing that all they wanted was the alternative of following their program if their State legislature so desired. In other words, the substitute which I shall call up in a moment would put into effect the so-called Lodge-Gossett proposal, with only this change:

We would provide that instead of requiring 40 percent of the vote for election, as it was provided in the original amendment, the electoral vote will be distributed among the highest 3 candidates for President and Vice President. This is to get rid of the argument of splinter parties, to try to get rid of any possibility that dividing the vote in that way would increase splinter parties.

That change has been made in the original resolution as reported from the Judiciary Committee on the Lodge-Gossett amendment. Under this proposed substitute, we would follow the Constitution of the United States on this subject in that any State which may so desire may provide for the election of its electors in the same manner in which it elects its Senators and Representatives.

When that proposal was brought before the subcommittee, it was felt that if the proponents of the Mundt-Coudert alternative would provide further that their electors should be bound to vote for the candidate to whom they are pledged, it would be acceptable as the only means of getting something through the Senate with a two-thirds vote for electoral reform. Frankly, I feel that if the Mundt-Coudert amendment is the one to get through, it would be better than the present system, because the people would have a more direct say in the election of the President and Vice President than they now have.

This is what led the Senator from Texas to try to compose these differences and to support the substitute, namely, that the Mundt-Coudert proposal of the election of electors by congressional districts would be followed under the present amendment. We have had no uniformity in the election of electors for President and Vice President. Even now some of the States have the short ballot where only the names of the President and Vice President go on the ballot.

Other States have the names of all the electors on the ballot. In some States electors have been chosen by the legislature. In some States they have been chosen by direct popular vote. In 11 States we have had the election of the electors under the Mundt-Coudert plan, by congressional districts.

Mr. DOUGLAS. Mr. President, will the Senator from Texas yield?

Mr. DANIEL. I yield.

Mr. DOUGLAS. When was the Mundt-Coudert plan abandoned? It does not now prevail in any of the States. Was it not abandoned about 1860?

Mr. DANIEL. I think Michigan was the last State to use the plan, in 1892.

Mr. DOUGLAS. Even in 1892 Michigan was an isolated State, so far as this method was concerned, was it not?

Mr. DANIEL. I think that is true; but in the very beginning of the history of our country there were 11 States, including the Senator's State of Illinois, which followed the congressional district system.

Mr. DOUGLAS. Is it not true that this method was proposed by Alexander Hamilton for the election of 1800, in a letter to John Jay, then governor, because he thought it would be a way in which the Jeffersonian vote in New York could be decreased, but Jay refused to put it into effect? It is true that later the Jeffersonians thought it would be to their advantage to use it upon occasion; but was not the district system abandoned because it was realized that the districts were unequal in size and that such a method would offer an opportunity for the decision of the electoral college to be at great variance with the decision of the voters in an important State or in the Nation?

Mr. DANIEL. I am not sure as to the Senator's reference to our early statesmen. The only quotation I have in mind is one from Madison, in which he said, in effect, that this system of election, the district system, was the plan which the framers of the Constitution had in mind, and it was used in several of the original States.

It was used in a total of 11 States—12, including Michigan.

The point of what I am trying to say is that under our Constitution we can use this system, and it is not a great concession to the supporters of the Mundt-Coudert plan to allow the electors to continue to have their right, if the legislature consents, to use it, because, after all, it is a more direct expression of the people, in my opinion, than is the present method of "winner take all."

I cannot understand how anyone can defend the present system of "winner take all" of a State's votes.

One of my objections to the Mundt-Coudert plan is that by congressional districts we have a smaller unit in which the winner takes all. But it is much better, it seems to me, to have an elector elected just as a Representative is elected by congressional districts, than it is for the total vote of an entire State to go to whoever receives a plurality. The Senator from Illinois knows the result of that. It has caused several of the pivotal States in our country to unduly influence the affairs of our political parties, and to have an undue weight in the election of a President and Vice President.

Mr. DOUGLAS. Do I correctly understand the Senator from Texas to be implying that the big States control the policies of either the Democratic or Republican Party?

Mr. DANIEL. The pivotal States, I said.

Mr. DOUGLAS. They are the big States, are they not? What are the specific States which the Senator says control the politics of the parties?

Mr. DANIEL. I did not say they control the politics.

Mr. DOUGLAS. I thought the Senator said that. What are these big States?

Mr. DANIEL. They have undue weight and influence. The large pivotal States which I have in mind are New York, for instance, Ohio, and the Senator's State of Illinois. They have undue weight, it seems to me, under our present system.

Mr. DOUGLAS. What about the State of Texas?

Mr. DANIEL. Texas certainly does not have any undue weight under our present system. Only in exceptional cases do we ever find a vote so close in Texas that there is any contest within the State. In the Senator's State there is a great contest. It is a pivotal State. In New York there is a great contest, because whoever can get one more vote than the other candidate is going to receive the entire electoral vote of that State. Delegates go to the convention and say, "We must have a candidate from New York," or from Illinois, or from one of the pivotal States, because, by having a candidate from one of those States, it can receive the necessary plurality to get all the State's electoral votes. In presidential elections we find most of the campaigning in those pivotal States.

I think it would be more democratic if the appeal were made to a majority of the people of the whole country, and not to just the people concentrated in about eight pivotal States in which a few votes

makes so much difference in the total electoral vote.

If we had, for instance, either of these proposals in effect, I believe we would see campaigning throughout the entire country, and the vote of a citizen in Tennessee would amount to as much as would a vote of a citizen of New York.

Mr. KENNEDY. Mr. President, will the Senator from Texas yield?

Mr. DANIEL. I yield.

Mr. KENNEDY. I think the Senator's statement about presidential candidates and vice presidential candidates coming from pivotal States is not really borne out by the facts. Presidents and Vice Presidents have come from such States as Missouri, Utah, Iowa, Kansas. A few have come from States which the Senator refers to as pivotal. About 50 percent of the American people live in the 9 most populous States. Each of these States has only two Senators. Therefore, less than half of the people control 78 of the 96 Senators.

I think when we consider the balance of power in relationship to the Presidency, Nevada, by virtue of the two Senators to which it is entitled—even though Nevada has a much smaller population than has New York—has more than equal representation as compared with the State of New York. Even though Nevada might have a population ratio of 1 to 124 with New York, the electoral vote ratio, as I understand it, gives Nevada a relationship to the State of New York of about 1 to 16 or 17.

So the point I make is that when all these factors are considered, it is not only the unit vote for the Presidency we are talking about, but a whole solar system of governmental power. If it is proposed to change the balance of power of one of the elements of the solar system, it is necessary to consider all the others.

Mr. DANIEL. Does the Senator from Massachusetts object to the direct election of the President and Vice President?

Mr. KENNEDY. I do.

Mr. DANIEL. In other words, the Senator from Massachusetts would be opposed to an amendment which provided that the people themselves shall have the right to vote directly on who shall be their President and Vice President?

Mr. KENNEDY. I would object to it, and I would do so on the practical ground that once again the smaller States, having very small populations, would have a disproportionate power in the counting process. The distribution of the population of the country is such that a relatively small percentage of the country could either defeat or ratify a constitutional amendment. Thus, while some States might be shortchanged in some regards in the matter of governmental power, they would receive their just deserts in other regards.

But in answer to the Senator's question, I maintain that on practical grounds the people in the smaller States, would be deprived of their electoral vote on the basis put by the Senator, that is, if they were included in the direct vote, as proposed by Senator LANGER, a proposal which would never be adopted. On theoretical grounds, it seems to me it would be a breach of the agreement made with the States when they came into the Union. At that time it was understood that they would have the same number of electoral votes as they had Senators and Representatives.

Mr. DANIEL. For those two reasons, I agree with the Senator that we should not have the direct vote for President and Vice President; but we should get as close to it as we possibly can.

Does the Senator from Massachusetts have any other objection to the direct election of the Presidfent and Vice President?

Mr. KENNEDY. No; I think the reasons I have given are sufficient. The reason why the Senator may also be against direct elections is that it would place tremendous influence, a disproportionate influence, in the major, pivotal States. So the Senator wants to go just far enough to deprive the States of their rightful influence, but not to go so far in the other direction as to give them what they really deserve.

Mr. DANIEL. The Senator from Texas has already stated that he wants to see the electoral vote remain exactly as it is by States, but within those States the Senator from Texas feels that the direct vote of the people should be reflected as nearly as possible in the electoral vote in each year that the country elects a President and Vice President.

Referring to what I said a moment ago about the pivotal States having many of the candidates for President and Vice President, let me read from page 11 of the committee report on that subject. The Committee on the Judiciary, after going into the matter quite thoroughly, came to this conclusion:

> First, it means that presidential candidates from these States—

That is, the doubtful States, under the present system—

> It means that presidential candidates from these States have a marked advantage over rivals from other States in the nomination struggle. Sixteen major party candidates since 1900 (17, if Theodore Roosevelt is considered a major party-candidate in 1912) have come from New York or Ohio.

Sixteen of the twenty-six major party candidates for President since 1900 have come from New York or Ohio.

I have no desire to do any injustice to those States.

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

Mr. DANIEL. I yield.

Mr. GORE. The Senator is not proposing, is he, that the people from New York, Ohio, or Illinois be disfranchised? Is he not, in fact, proposing that the something less than one-half of the people who under the present system have no voice in the electoral college be, in fact, enfranchised to exercise their proportionate influence in the electoral college.

Mr. DANIEL. That is exactly correct. Today close to one-half of all the voters in the doubtful States are disfranchised. Their votes are not counted in the electoral college, because they do not vote for the candidate getting the plurality in that State. Not only are their votes not counted as they cast them, but they are counted opposite from the way they are cast, because they happen to be in the minority. Their votes are counted as if they had cast them for the presidential candidate receiving the plurality within the State.

The junior Senator from Tennessee is exactly correct. We are not trying to disfranchise anyone; we are simply trying to make an improvement in the electoral system, under which each individual voter will have a chance to have his vote reflected in the total vote in the electoral college.

Mr. GORE. Is not the Senator from Texas also proposing to enfranchise, so to speak—that is, to give some voice in the electoral college—to the seemingly permanent minorities in certain States, such as Mississippi, on the one hand, and Maine, on the other?

Mr. DANIEL. That is correct.

Mr. GORE. If the Senator will examine the records of the past several elections, he will find that there has been a very strong minority vote in Maine, but that in no instance has that minority vote had one iota of influence upon the electoral college.

Mr. DANIEL. That is correct; and there is no incentive among those who might belong to the minority party in either Maine or Mississippi to go to the polls in greater numbers or to do anything about the election, because they feel that their votes will not be counted, or at least will not be counted as they cast them.

Mr. GORE. I happen to believe that in the southern part of our Nation, through the practical workings of politics, a really vigorous two-party system might serve better the public interest. Does not the Senator from Texas think that in both Mississippi and in Maine a real, working, two-party system would be encouraged by the adoption of his proposed amendment?

Mr. DANIEL. There is no doubt about it. The Committee on the Judiciary made the finding that a two-party system would be encouraged in the States which do not now have it. More people would be encouraged to go to the polls in a general election. Let me read something on that point from page 12 of the committee report:

> It should be observed that when statisticians compute how much weight is to be given to an electoral vote, they always use the general election figures. These figures are usually very markedly smaller than the primary election figures in one-party States. In 1946 in South Carolina, for example, 13 percent of the population voted in the primaries, while only about 1½ percent voted in the November elections.

Think of that; 1½ percent of the voters in South Carolina voted in the November 1946 elections.

> In Georgia, the relationship was 15 percent (primaries) and 4½ percent (general elections). In Mississippi, it was 6 percent (primaries) and 0.2 percent (general elections). In Texas, 28 percent of the population voted in the primaries; only 5 percent turned out for the general elections.

In presidential years, a little larger vote is turned out in the November elections. The last presidential election year, 1952, was an exception. But an examination of the election returns

through a period of years will disclose that in the Southern States both Democrats and Republicans stay away from the polls in November because they think that those States are going to vote for the Democratic Party.

The Democrats reason that there is no use in going to the polls; the election will go in our favor anyway.

The Republicans take no interest, because they figure that their vote will not be reflected in the total electoral votes from that State, under the present system.

The same situation, only in reverse, exists in Maine, as the Senator from Tennessee has pointed out, and in some of the other States where the Republican Party is predominant.

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

Mr. DANIEL. I yield.

Mr. LANGER. The Senator believes, does he not, that every good citizen ought to vote?

Mr. DANIEL. That is correct.

Mr. LANGER. Is not one of the reasons why citizens do not vote the fact that the names of the candidates for President and Vice President do not appear on the ballot?

Mr. DANIEL. In some States that is true.

Mr. LANGER. Does not the Senator believe that the best way to make votes of the minority count is to have a direct popular vote by the people?

Mr. DANIEL. I say to the distinguished Senator from North Dakota that, as I just said, I think the nearest we can get to a direct popular vote would be the most democratic way of electing our Presidents and Vice Presidents. But there are two reasons agreed upon between the Senator from Massachusetts and myself why we do not believe that will be done. However, the Senator from North Dakota, who was the distinguished former chairman of the Committee on the Judiciary, and sat through the discussion in the committee, knows that the Senator from Texas would like to get a system which would give the people the best chance to express themselves. I feel the proposal before us is the nearest we can get to a direct election.

Mr. LANGER. Why cannot a President be elected in the same way a United States Senator or a governor, or a Representative is elected? There simply would be primary elections held in June, and the people would elect whatever Republican candidate and Democratic candidate they wanted to run for President and Vice President. The top men would be placed on the Democratic ticket and the Republican ticket, and the people would vote directly for the man they wanted. What is the objection to that?

Mr. DANIEL. I imagine one of the objections would come from the Senator's own State legislature. I think the Senator would find that his own legislature would hesitate or refuse to approve such a proposal. How many Representatives from North Dakota are there?

Mr. LANGER. There are 2 Representatives and 2 Senators.

Mr. DANIEL. There are now 4 electoral votes in North Dakota. The State of North Dakota gets an additional weight in the electoral college, because, as a separate State, it receives 2 votes for the 2 Senators and 2 votes for the 2 representatives. If there were a direct election, the people of North Dakota would not have as much of a say in the election as they do under our present electoral vote division by States. There are 30 or 31 States which would lose some of their total weight in the election of a President if the present division of the electoral vote were abandoned. That is one reason why I stated I do not believe we could go that far.

Mr. LANGER. I am sure the Senator will remember the year when I proposed my constitutional amendment. It was voted down in the Judiciary Committee.

Mr. DANIEL. Yes.

Mr. LANGER. Before I did that I polled the people of North Dakota. By a vote of 8 to 1 the people of North Dakota voted in favor of direct elections for President and Vice President. In election after election only about half the people of the United States vote. As the Senator from Texas said a few moments ago, they are not interested. In the Senator's State, and in some of the other States in that part of the country, they assume that whoever receives the Democratic nomination for governor will be elected.

Mr. DANIEL. That is true.

Mr. LANGER. As the Senator suggested, in Maine, the people probably assume that the Republican nominee will win.

I am not familiar with all of the little towns in the State of Texas, but I venture the guess that if the Senator would go back over the history of Texas he would find again and again and again that a candidate who came from a small town was elected as governor of Texas. That is true in North Dakota. We have small towns with small populations. It is surprising, when one reads the records of our elections, how time and time again the candidates who were elected governors did not come from Fargo or Grand Forks or some of the large towns, but came from small towns. Someone who had been elected to the State Legislature became popular because he advocated things the people liked.

For the life of me, I cannot see why in the United States of America the people should not be allowed to vote for the man they want as President of the United States, why the people should not elect their candidates on the Republican and the Democratic tickets, why a number of fellows in a smoke-filled room should hand-pick candidates for President on both the Democratic and the Republican tickets and say to the people, "Here are the two sons of guns. We are going into the cocktail lounge. You go out and fight over whether you want Mr. A or Mr. B for President." It seems to me if we are truly going to let the people be represented, the way to do it is to let a voter go in a booth, where he or she may be alone with his or her God, and there determine whether he or she will vote for Mr. Dewey or Mr. Dulles or Mr. Eisenhower, and Democrats can decide whether they want Mr. Stevenson, Mr. Kefauver, Mr. Daniel, or someone else for President. Does not the Senator believe that is the proper way to do it?

Mr. DANIEL. No, Senator. I am trying to get as close to that as would ever be possible under tthe present Constitution and the present division of the electoral vote in our country. I think the Senator will agree with me that the proposal I am making would get a lot nearer to a direct election by the people than exists now.

Mr. LANGER. I would not approve of it, because I am in favor of abolishing the electoral college. We do not need one if the people vote directly for President and Vice President.

Mr. DANIEL. Does the Senator understand that the proposal now before the Senate would provide that the people would vote directly for President and Vice President in every State except where a State, by its legislature, would decide to have the vote by congressional district?

Mr. LANGER. As I stated in the Judiciary Committee, I totally disagree.

Mr. DANIEL. Under the proposal, the votes, although by States, would be directly for President or Vice President. That would be better than what we have now.

Mr. LANGER. Yes, but why not have a direct election? Eventually; why not now?

Mr. DANIEL. The Senator has an amendment. I am sure he will offer it.

Mr. LANGER. I intend to offer it as a substitute a little later. I received 33 votes in favor of it last year.

Mr. DANIEL. The Senator from North Dakota and I are much nearer to agreeing in principle than are some who oppose the proposed amendment, because some who oppose the amendment seem to oppose it for a different reason than on the ground of opposition to direct elections of President and Vice President.

Mr. LANGER. I should like to ask one further question, although I do not want to impose on the Senator's time. In Texas, I take it—not considering the last election—thousands of Republicans do not vote in the general elections.

Mr. DANIEL. That is correct, and thousands of Democrats do not vote.

Mr. LANGER. Does not the Senator believe that if Republicans knew that the vote was going to be counted in the sum total, thousands, and perhaps hundreds of thousands, more would vote?

Mr. DANIEL. There is no doubt about that. That is one of the reasons why the subcommittee, and a majority of the full committee, voted for the resolution and reported it to the Senate. We felt thousands more of the citizens of our Nation, both Democratic and Republican, would come to the polls and vote.

Mr. LANGER. In the event that the measure now before the Senate should be defeated, would the Senator be willing to vote in favor of direct elections?

Mr. DANIEL. No, I would not do so, because of the inequity which would be created as between the States. It would disturb the entire electoral vote which various States now have. The States

have been allowed to have the same number of electoral votes as there are Senators and Representatives in those States, and, as the Senator from Massachusetts said a moment ago, I think it would be unfair to change that.

Mr. LANGER. But in the State of Texas a small county might object to the present arrangement which exists in Texas, might it not?

Mr. DANIEL. Does the Senator mean in the election of a governor?

Mr. LANGER. Yes.

Mr. DANIEL. No. The people get to vote in Texas.

Mr. LANGER. Why would not the same arrangement be satisfactory on a national scale?

Mr. DANIEL. The 30 or 31 States which have electoral votes in the same number as there are Senators and Representatives are not going to give up the additional power which they have. In my opinion, that certainly would be the situation.

Mr. LANGER. What power do the smaller States have in that matter?

Mr. DANIEL. Furthermore, let me say to the Senator from North Dakota that according to the evidence before our committee, it would violate the agreement under which the original States entered the Union, if we were to change their proportionate voting power for President of the United States.

Mr. LANGER. It would not change anything at all. They voted to enter the Union, and that was all there was to it—the same as a county does when it becomes part of a State.

At the present time, New York runs the show, although once in a while Chicago comes into the picture. But one presidential candidate after another has come from the State of New York.

Mr. DANIEL. Sixteen of the 26 candidates since 1900, according to our report, came from New York and Ohio.

Mr. LANGER. Yes. I am in favor of having Texas and North Dakota represented in that group.

Mr. DANIEL. I am, too; and that is one of the purposes of this amendment, namely, so that the smaller States will have better representation through individual citizens.

Our amendment goes a great deal nearer to what the Senator from North Dakota wants to have accomplished than does the present system. Our amendment would constitute some improvement.

I hope that if the Senator's amendment for direct elections is defeated, he will at least vote for our amendment, as some improvement.

Mr. LANGER. The Senator from North Dakota is very unpredictable; he might do that. [Laughter.]

Mr. CASE of New Jersey. Mr. President, will the Senator from Texas yield to me?

Mr. DANIEL. I yield.

Mr. CASE of New Jersey. In regard to the point raised by the Senator from North Dakota, I wish to take exception to the suggestion—although I know it was meant very honestly by the Senator from Texas—that the proposed amendment probably would come closer to reflecting the popular vote than does the present system.

As the Senator from Massachusetts pointed out, there were 2 instances—or probably there was only 1, if we grant that the Tilden-Hayes contest undoubtedly was affected by fraud—in which, under our present system, the person receiving the largest number of popular votes did not also receive the largest number of electoral votes.

I have had the Library of Congress staff make a study of the presidential elections in the United States going back to 1860. It seems to me that to go back farther than that would serve no useful purpose, because so many social changes, voting changes, and other changes have occurred since that time. I have determined that there are two cases in which, if the Lodge-Gossett proposal or, as it is now known, the proposal of the Senator from Texas [Mr. DANIEL] had been in effect, the candidates who actually received the larger number of popular votes, and who did also receive the larger number of electoral votes—to wit, McKinley and Garfield—would not have received the larger number of electoral votes, and would not have been elected President.

Mr. DANIEL. Our committee, after weeks of studying this matter, reached the conclusion that it was simply impossible to relate the proposed amendment to previous elections and arrive at any proof of what would have happened back then if this amendment had been in effect, because if there is anything that is certain, it is that under a change in our electoral system, there will be a larger amount of voting on both sides; and that in those cases, the number of votes cast was undoubtedly smaller than the number of votes which would have been cast if another system had been in effect.

Mr. CASE of New Jersey. I recognize the force of that argument. However, I think it is very limited in its application. But it shows that this entire matter is extremely speculative, insofar as the effect of the proposed constitutional amendment is concerned. However, when one argues that the past would not be repeated, it seems to me that the Senator who uses that argument is basing his case on very dangerous ground; and I take that view in this instance also, if that is the ground upon which the Senator from Texas proposes the amendment. Other than by judging from the experience in the past, we scarcely can test this proposal.

I shall be glad to point out the effect on our two-party system, and as regards the way—perhaps illogical—by which we arrive at the will of the people. I am frank to say that I do not think a popular vote would be as good as the present system, for this purpose. Therefore, I do not regard the fact that a candidate does not receive the largest number of votes on a single day as being the test as to the best way to elect the President of the United States.

In the United States we have accomplished this consensus, not only in the case of the election of candidates, but in the case of the solution of great problems, by a system which is very difficult to explain logically, but which I think is understood by those who have to operate under it. I think the existence of a few difficulties and a few logical inconsistencies, if you will, in a system which in practice has worked so well, does not constitute sufficient ground for changing that system lightly. It seems to me that to change the system under those circumstances would be the height of folly.

Mr. DANIEL. Does the Senator from New Jersey believe that the present system has worked well, when we have so small a percentage of the voters of the Nation coming to the polls and expressing their views by means of their votes?

Mr. CASE of New Jersey. I am very glad to answer that question. There are in the United States certain areas where there should be a much greater vote; and there are also certain areas where that situation exists because the people are prevented from voting by law or by pressure. I do not wish to get unduly partisan or to excite, by referring to irrelevancies, those who participate in the discussion of this issue; but this is not an irrelevancy: I am convinced that if the amendment went into effect, the restrictions by which many persons are not allowed—either by law or by pressure—to vote, would increase, and in that event the participation would be correspondingly smaller. That is one of the reasons why I am opposed to this amendment.

As to the general question of whether it is desirable for us to aim at having 100-percent participation in voting in elections, let me say I think that question is largely irrelevant to our present consideration, if I may say so. Today there is 100-percent participation in voting in Russia, and also in other countries where there are dictatorships.

It seems to me we have accomplished so much by means of the present system, that I hesitate to favor the making of a change. So I believe it does not matter too much to the vital interests of any person which side wins an election. By that, I do not mean to say that I am not strongly partisan in respect to favoring my party at any particular time and wanting to make it as good as I can. But if we had deep divisions among our people, there would be ample participation in the elections. However, such a situation does not now exist. That is one of the very good reasons why we do not have 100-percent participation in elections, although there is 100-percent participation in elections in some countries in Europe and elsewhere.

Mr. DANIEL. Of course, I am not advocating 100-percent participation in elections.

Mr. CASE of New Jersey. I understand.

Mr. DANIEL. And I would not want to have develop in our country the conditions which have brought that about in other countries. But I think it is a shame for nearly half of the citizens of the State of New Jersey, for instance, to be casting their votes for candidates for President and Vice President, and never have their votes counted—in fact, not only never have their votes counted for

the candidates for whom they cast their votes, but actually have their votes lumped in and counted in favor of the candidates against whom they voted.

Mr. CASE of New Jersey. Really, Mr. President, this argument amounts to no more than saying that because a choice has to be made between two candidates, when the candidate who received one more than half of the votes is declared elected, those who voted for the losing candidate are disenfranchised. Such an argument does not make sense.

My people in New Jersey gave me a majority of only approximately 3,500. In other words, almost a majority of the voters in New Jersey did not vote for me. Yet I do not regard them as disenfranchised, and I do not think they regard themselves as disenfranchised. The same is true in this case.

Mr. DANIEL. That is a different matter. We elect our Senators and our State officers by majority vote within the State. But when we come to elect the President of the United States, it seems to me that the vote of all the people should have some bearing and should count more in the case of the total.

Mr. LANGER. Mr. President, will the Senator from Texas yield briefly to me?

Mr. DANIEL. I yield.

Mr. LANGER. I think of a famous national convention held only a short time ago. The Democrats had in the basement of the convention hall, in Chicago, a man who kept yelling into a microphone, "We want Roosevelt! We want Roosevelt!"

And over in Philadelphia, Wendell Willkie had a lot of forged admission cards for the galleries; and the persons who used those forged admission cards entered the galleries and yelled again and again, "We want Willkie!"

What voice did the people have in the selection of the candidates at the convention? It is nonsense to say that the people selected either one of them. When the nominations were made, the people had a choice between the two.

A little while ago, in a convention a lawyer for J. P. Morgan & Co. was finally nominated. How many people in the United States would have selected that gentleman? The people have no voice in the nomination of such candidates. The distinguished Senator knows it. That is not the way business is done. If the Senator does not believe it, let him go back to the convention in Chicago when Lowden and Wood were opposing candidates. Great sums were spent in behalf of the two candidates.

Mr. DOUGLAS. Who was the man finally selected? It was neither one. It was a man who probably could not have obtained the support of 2 percent of the voters had his name been submitted to a popular vote.

Mr. DANIEL. Mr. President, I conclude my presentation by saying that under our amendment, which has been presented in the form of a substitute, we would certainly do away with the independent electors we now have in this country, who are not bound by law to follow the will of the people who vote for them. Even though their names appear under the names of certain candidates for President and Vice President, the electors are not legally bound to cast their votes in the way the people tell them to do.

It is true, as the Senator from Massachusetts has said, that there have been only five occasions, as I recall, in which an elector cast his vote differently from the way the people voted. But had that happened in the case of the Tilden-Hayes contest in 1876, it would have changed the entire election for President of the United States.

It seems to me that this antiquated electoral college system is something we should get rid of. Why should we have a provision in our Constitution which we are sworn to uphold and obey, when none of us is doing so? Today our Constitution provides that the States shall choose their electors, and the electors shall choose a President. That is the form of the Constitution today. The form is not being carried out. Although electors are nominally independent, and have the right to vote any way they wish, in most cases they are simply casting their votes the way the plurality goes in their particular States.

Under the proposed amendment, the independence of those electors would be taken away, and they would be obliged to cast their votes for the candidates to whom they were pledged, under the alternative proposed for any State which wishes to follow the Mundt-Coudert plan.

In the part of our amendment which would apply in States which do not adopt the Mundt-Coudert plan, the vote would be divided, in each State, in proportion to the way it is cast for each candidate. In my opinion, that is the nearest we can ever come in this country to a direct election of President and Vice President. As a practical matter, it is the nearest we can come to having the people of the Nation express themselves as to whom they want for President and Vice President, and find that expression counted in Washington in the electoral vote.

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

Mr. DANIEL. I yield.

Mr. DOUGLAS. Has the Senator from Texas yet proposed his substitute for the original Senate Joint Resolution 31?

Mr. DANIEL. I intend to do so before yielding the floor.

Mr. DOUGLAS. May the Senator from Illinois ask the Senator from Texas questions on the new amendment after he has offered it?

Mr. DANIEL. Yes.

Mr. President, on behalf of 53 other Members of the Senate and myself, I offer the amendment which I send to the desk. It is designated "3-15-56-A." It is an amendment in the nature of a substitute.

The PRESIDING OFFICER. Does the Senator wish to have the amendment read, or merely printed in the RECORD at this point?

Mr. DANIEL. I ask that the amendment be printed in the RECORD at this point, without reading.

There being no objection, the amendmen in the nature of a substitute, offered by Mr. DANIEL (for himself, Mr. KEFAUVER, Mr. MUNDT, Mr. THURMOND, Mr. WILEY, Mr. DIRKSEN, Mr. MCCLELLAN, Mr. JENNER, Mr. IVES, Mr. ANDERSON, Mr. CHAVEZ, Mr. MURRAY, Mr. MANSFIELD, Mr. SPARKMAN, Mr. STENNIS, Mr. HILL, Mr. WILLIAMS, Mr. BYRD, Mr. BUTLER, Mr. WELKER, Mr. KNOWLAND, Mr. GEORGE, Mr. SMITH of New Jersey, Mr. FULBRIGHT, Mr. FLANDERS, Mr. MCCARTHY, Mr. KERR, Mr. GOLDWATER, Mr. THYE, Mr. ERVIN, Mr. CURTIS, Mr. CASE of South Dakota, Mr. SCHOEPPEL, Mr. HOLLAND, Mr. SMATHERS, Mr. BARRETT, Mr. YOUNG, Mr. HICKENLOOPER, Mr. CAPEHART, Mr. FREAR, Mr. DWORSHAK, Mr. HRUSKA, Mr. COTTON, Mr. MARTIN of Iowa, Mr. BIBLE, Mr. POTTER, Mr. BEALL, Mr. SCOTT, Mr. ALLOTT, Mr. BRICKER, Mr. BENNETT, Mr. ROBERTSON, Mr. MORSE, and Mr. WATKINS), which was to strike out all after the enacting clause and insert certain language, was ordered to be printed in the RECORD, as follows:

The the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"ARTICLE —

"SECTION 1. The executive power shall be vested in a President of the United States of America. He shall hold his office during a term of 4 years, and together with the Vice President, chosen for the same term, be elected as provided in this Constitution. No person constitutionally ineligible for the office of President shall be eligible to that of Vice President of the United States.

"The Congress shall determine the time of such election, which shall be the same throughout the United States. Until otherwise determined by the Congress, such election shall be held on the Tuesday next after the first Monday in November of the year preceding the year in which the regular term of the President is to begin. Each State shall be entitled to a number of electoral votes equal to the whole number of Senators and Representatives to which such State may be entitled in the Congress. The electoral votes cast by each State may be cast in the manner provided by section 2 or, if the legislature of such State so provides, in the manner provided by section 3 of this article.

"The voters in each State in any such election shall have the qualifications requisite for persons voting for members of the most numerous branch of the State legislature.

"SEC. 2. Except in any State in which electors are chosen under the provisions of section 3, votes for President and Vice President shall be cast by the people of each State, and the electoral vote to which such State is entitled shall be apportioned among the 3 persons receiving the greatest number of votes of the voters of such State for each office in the same ratio as the number of votes received by each such person bears to the total number of votes received by such 3 persons. In making the apportionment, any fractional portion of an electoral vote to which a person is entitled shall be disregarded if it is less than one one-thousandth.

"Within 45 days after the election, or at such time as the Congress shall direct, the official custodian of the election returns of such State shall prepare, sign, certify, and transmit sealed to the seat of the Government of the United States, directed to the President of the Senate, a list of all persons for whom votes were cast for President and a separate list of all persons for whom votes were cast for Vice President. Upon each

such list there shall be entered the number of votes cast for each person whose name appears thereon, the total number of votes cast for all such persons, and the number of electoral votes of such State to which each such person is entitled.

"SEC. 3. Notwithstanding the provisions of section 2 of this article, the legislature of any State may provide for the election of a number of electors equal to the number of electoral votes to which the State may be entitled in the same manner in which its Senators and Representatives are chosen. Any candidate for elector who before the election has pledged his vote for President or Vice President to a specific person shall, if elected, cast his vote for such person. No Senator or Representative, or person holding an office of trust or profit under the United States, shall be chosen elector.

"Within 45 days after the election, or at such time as the Congress shall direct, the electors so chosen shall meet in their respective States, and vote by ballot as pledged for President and Vice President, at least one of whom shall not be an inhabitant of the same State with themselves. They shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice President; and they shall make distinct lists of all persons voted for as President and of all persons voted for as Vice President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of Government of the United States, directed to the President of the Senate.

"SEC. 4. On the 6th day of January following the election, unless the Congress by law appoints a different day not earlier than the 4th day of January and not later than the 10th day of January, the President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the vote shall then be counted. The person having the greatest number of votes for President shall be the President, and the person having the greatest number of votes for Vice President shall be the Vice President, if such number be a majority of the whole number of electoral votes. If no person has a majority of the whole number of electoral votes for President or Vice President, then from the persons having the three highest numbers of electoral votes for such office the Senate and the House of Representatives sitting in joint session shall choose such officer immediately, by ballot. A quorum for this purpose shall consist of three-fourths of the whole number of the Senators and Representatives, and the person receiving the greatest number of votes shall be chosen.

"SEC. 5. The Congress may by law provide for the case of the death of any of the persons from whom the Senate and the House of Representatives may choose a President or a Vice President whenever the right of choice shall have devolved upon them, and for the case of the death of any person who, except for his death, would have been entitled to receive a majority of the electoral votes for President or for Vice President.

"SEC. 6. The 1st, 2d, and 3d paragraphs of section 1, article II, of the Constitution, the 12th article of amendment to the Constitution, and section 4 of the 20th article of amendment to the Constitution are hereby repealed.

"SEC. 7. This article shall take effect on the 10th day of February following its ratification, but shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the States within 7 years from the date of its submission to the States by the Congress."

Mr. DOUGLAS. Mr. President, will the Senator yield for some questions upon the substitute which is now the pending question?

Mr. DANIEL. I am glad to yield.

Mr. DOUGLAS. Do I correctly understand that the amendment with which the Senator from Texas and 53 other Senators are now proposing to supersede the original Senate Joint Resolution 31 would give State legislatures the choice as to whether they would use, first, the proportional State method which was originally embodied in the Lodge-Gossett proposal, and then later by the Senator from Texas and the Senator from Tennessee [Mr. KEFAUVER], or second, the district unit method, under which each congressional district would vote as a unit for 1 elector and with 2 votes for the State as a whole?

Mr. DANIEL. In effect, that statement is correct. Actually the amendment, as drawn, would provide that the so-called Lodge-Gossett proposal for division of the vote in proportion to the popular vote shall be in effect in every State, except where a State legislature exercised its right to choose the alternative proposed by the Senator from South Dakota [Mr. MUNDT] and Representative COUDERT.

Mr. DOUGLAS. Is the Senator from Texas aware of the fact that in the State legislatures of the country, almost without exception the large cities are grossly underrepresented?

Mr. DANIEL. The Senator from Texas does not know whether or not that is true all over the country, but he does know that it is true in certain sections of the country.

Mr. DOUGLAS. The Senator from Illinois will place in the RECORD at a later time evidence showing the degree to which, in State after State in this Union, large cities are grossly underrepresented in the State legislatures, which will make the choice as to whether or not they will operate under the Lodge-Gossett or the Mundt-Coudert method.

This is true in Rhode Island and Connecticut. It is true in New York, New Jersey, Pennsylvania, Maryland, and Delaware. It is true in Georgia and Florida. It is true, in one house, in my own State of Illinois. It is true in Texas. It is true in Minnesota. It is true in Tennessee. It is true in Arizona. It is true in Nevada. It is true in Michigan, Missouri, Ohio, South Carolina, and Idaho. It is true to some degree in North Dakota. It is true in North Carolina and in Mississippi.

It is true in most States of the Union. What will happen will be that the Senator from Texas and his conferees would turn over to grossly unrepresentative State legislatures the choice of a proportional State system or a district unit system. But they would not be allowed to retain the present State unit system which they have all advocated.

Mr. DANIEL. I would say to the Senator from Illinois that I doubt his prediction is correct. I believe that most of the States would follow the proportional system, because that is the preferred plan under the proposed amendment, and affirmative action of a State legislature would be necessary to adopt the district system. The fact that most of the States which have tried the district system have abandoned it, would lead me to believe that the majority of the States would not follow the alternative set up by the Mundt-Coudert plan. The Senator from South Dakota [Mr. MUNDT] may disagree with me, but the Senator from Texas is giving his opinion. He does not believe that a majority of the States would follow that system.

Mr. DOUGLAS. Mr. President, may I ask a further question of the Senator?

Mr. DANIEL. I yield for a question.

Mr. DOUGLAS. Is it not correct to say that States could shift back and forth, in one election using the proportional State system, and in the next election using the unit-district system?

Mr. DANIEL. They could.

Mr. DOUGLAS. Would there not be a temptation to adopt that system or combination of systems which would be most advantageous to the political parties dominant in various State legislatures, and in that way provide a shifting basis of representation?

Mr. DANIEL. I have never held the suspicion or had the worry of anyone doing anything with the amendment for partisan political purposes which the Senator from Illinois has in mind. I hope the Senator from Illinois knows that in offering the amendment the Senator from Texas sincerely would like to see the people themselves have a more direct voice in deciding who should be elected President.

As the Senator knows, the amendment which I introduced at the beginning would have provided merely for the proportional system, which I believe the Senator from Illinois voted for in 1950.

Mr. DOUGLAS. I voted for it in 1950, when I was a new Member of the Senate and somewhat unwary, and when I believed that if the big States made sacrifices it might induce some reciprocal yielding on the part of other States. Since then the Senator from Illinois has become wiser and more acquainted with the realities. He now understands that there are certain sections of the country which will yield nothing, and which are seeking constantly to diminish the power of the large States and of the large cities and to hold them in bondage. The Senator from Illinois is a wiser man now than he was in 1950. His hair is whiter, but his wisdom is greater.

Mr. DANIEL. Does the Senator from Illinois feel that his large State and his large city have some advantage which he wishes to preserve under our present system?

Mr. DOUGLAS. The Senator from Illinois feels that the big cities of the country are largely in political chains and, as he will develop later, he feels that they are grossly underrepresented in the Senate and are grossly underrepresented in the House and are grossly underrepresented in the various State legislatures of the country.

If we take the entire system of government in the United States, as the Senator from Massachusetts has suggested, the big cities are the most oppressed and the least represented. The

objection of the Senator from Illinois to the amendment which is now being offered is that it would take from the cities the one point of vantage they have and from the big States the one point of vantage they now have.

If the Senator from Texas has a great zeal for reform, why does he not seek to provide universal suffrage in the great State of Texas, or seek to abolish the poll tax, or seek to remove the physical liabilities which are imposed upon a large section of the people there and throughout the South—namely the colored race.

Mr. DANIEL. Mr. President, I ask for the regular order.

The PRESIDING OFFICER. The Senator from Texas has the floor.

Mr. DANIEL. I yielded to the Senator for questions, not for a speech. I even tried to interrupt him in order that things would not get too far. I do not mind yielding for questions, but I do not yield to him for the purpose of berating the Senator from Texas.

Mr. DOUGLAS. I am not berating the Senator from Texas.

Mr. DANIEL. And I do not yield to the Senator from Illinois to intimate that the Senator from Texas may not have tried to do what he could with respect to the poll tax. I supported a constitutional amendment in my State to get rid of the poll tax. There are several things the Senator from Illinois has mentioned which the Senator from Texas might agree with him on.

However, we now have before us a constitutional amendment, I should like to yield to the Senator from Illinois for questions that he may ask concerning the constitutional amendment, or with respect to the remarks I have made.

I know that the Senator from Illinois feels that Chicago has a great advantage under our present electoral system and that perhaps the State of Illinois has a great advantage under the present electoral system under which all the votes cast go whichever way the plurality goes and under which system all the votes go one way if only a few more votes are cast on one side than on the other. In that way a candidate gets all the electoral votes of a State, even though only a few more votes may have been cast for him than for his opponent.

The fact gives the big cities and the State of Illinois an advantage which the Senator from Illinois would like to retain.

I do not blame the Senator for trying to hold on to the advantage which Illinois and Chicago now have as against the rest of the country. However, I am surprised that he should take that attitude in view of the fact that he voted for a similar amendment in 1950. Does the Senator from Illinois wish me to yield to him for a question?

Mr. DOUGLAS. I did not mean to break in on the Senator. I feel very deeply on this subject. I thought the Senator was taking an inconsistent view. What I did is what I and other Senators do on occasion, namely, make a statement as well as ask a question. If I violated the rule, I am sorry.

I should like to ask the Senator this question, however. Does he not realize that the alternative method he proposes, namely, the district unit system, will disenfranchise a large number of people in congressional districts? I say that because congressional districts are not of equal size, nor do all voters have an equal vote. What he is proposing is in the nature of the Georgia county system blown up into a national system. Is that not correct?

Mr. DANIEL. No; the Senator from Texas is not proposing that at all. As a matter of fact, the Senator from Texas proposes exactly what the Senator from Illinois voted for in 1950. I am proposing a compromise which would compose the differences which exist among those who want electoral reforms and who believe the present system is unfair.

In order to do that, we felt it was fair to allow under the new amendment what can be done under the present Constitution, namely, the selection of electors on the basis of two for the Senators, two at large, and the remainder by congressional districts.

Does the Senator realize that the objections being raised by him now to the part of the amendment that we have added as an alternative go to the present Constitution as well? Does the Senator realize that 11 States, including his own State, used the Mundt-Coudert system of electing electors at one time or another in their history?

Mr. DOUGLAS. They used it, but they abandoned that system in favor of the State unit system.

Mr. DANIEL. That is correct. Under the present Constitution, however, any State that wishes to do so may return to the Mundt-Coudert system, under the Constitution. Therefore, I do not think it is any great concession to say that under our present amendment we leave the State with that right.

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

Mr. DANIEL. I yield.

Mr. MUNDT. I point out for the RECORD at this time—and I am sure the Senator from Illinois will agree with this observation, because he has read a great deal of American history—that the reason the State of Illinois and other States left the district system and adopted the unit block system was that as soon as some of the larger States had gone in the direction of the unit block system it made them so disproportionately strong in the electoral college that it virtually forced the other States to abandon the district system.

Mr. DANIEL. I return to the quotation I referred to a moment ago. In a letter of August 23, 1823, Mr. Madison wrote:

> The district mode was mostly, if not exclusively, in view when the Constitution was framed and adopted, and was exchanged for the general ticket and the legislative election as the only expedient for baffling the policy of the particular States which had set the example.

That quotation from Madison bears out what the Senator from South Dakota [Mr. MUNDT] has stated.

Mr. President, I am ready to yield the floor.

Mr. DOUGLAS. Mr. President, I shall make my remarks at a later time. I hope the Senator from Texas will pardon me if I say that I think this amendment is extremely unfortunate in that it would tend to weaken the liberal elements in both the Republican and Democratic Parties. I hope to develop that point later. At the moment, I have no further questions.

Mr. DANIEL. Let me say to the Senator that I am surprised at this statement that any constitutional amendment which would bring about more votes in our general elections could in any way weaken the liberal element in either party. It would seem to me that the liberal elements in both parties would want to see more of the people express themselves at the polls. That has been my attitude all the way through. The Senator from Illinois will not find anything in my record in my State or in this body which would prevent the people of my State from having a right to express themselves in elections, especially in elections for President of the United States.

I understand the Senator from Illinois is worried about some States which might gerrymander their districts and may not set up their congressional districts as they should. In some States which adopt as an alternative the Mundt-Coudert plan it might give the Senator some concern.

But section 4 of article I of the Constitution provides as follows:

> The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

So, it would seem to me that if any of the States misuse this power in electing electors by congressional districts, that is, by gerrymandering their congressional districts, Congress would have the right to do something about it.

Mr. DOUGLAS. Is it not true that this right could only be exercised by Congress in which the big States and the big cities which are themselves underrepresented and gerrymandered? In other words Congress is unlikely to reform itself on this point.

Mr. DANIEL. I do not know. I am unable to give the Senator an answer to that question, because I have never heard the argument made that the big States and big cities are not properly represented in the Congress. I have been a Member of the Senate only a short time, but this is the first time I have heard it argued that the big States and the big cities are not properly represented in the Congress of the United States.

Mr. DOUGLAS. The big States are underrepresented in the Senate and the big cities are underrepresented in the House.

Mr. DANIEL. I have always observed that there are many Representatives from the big cities in the House, and the question of whether the big States are underrepresented in the Senate was settled long ago in the constitutional convention. It was one of the most troublesome questions, and it was settled

by providing that each State shall have two Senators. We have had that system so long that there is nothing we can do about it today.

Mr. DOUGLAS. I do not wish to enter into a long colloquy with the Senator, but this part of no underrepresentation of the big States is the one provision in the Constitution which cannot be amended. What I am protesting against is adding still another disability to the big States and big cities. I hope to develop the fact that we are underrepresented in the House of Representatives and in the State legislatures and are frequently denied even the elementary right to govern our own affairs by home rule so far as cities are concerned. The only way we have is some part in the election of a President. If this is taken away it will operate in a much greater degree and the net result will be as additional underrepresentation of the big States and cities.

Mr. DANIEL. In comment on the Senator's statement, it seems to me that instead of taking away any advantage that a State or a city might have, we are simply equalizing the matter and giving the people of the entire Nation, whether they live in small or in large States, an equal amount of say as individuals in the election of a President and Vice President through the system we have advocated in this substitute amendment.

Mr. President, I yield the floor.

During the delivery of Mr. DANIEL's remarks,

Mr. KENNEDY. Mr. President——

Mr. GORE. Mr. President, will the Senator yield so that I may suggest the absence of a quorum?

Mr. KENNEDY. I yield, with the understanding I do not lose my right to the floor.

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

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

INTRODUCTION

Mr. KENNEDY. Mr. President, Senate Joint Resolution 31, concerning which there has been little, if any, public interest or knowledge, constitutes one of the most far-reaching—and I believe mistaken—schemes ever proposed to alter the American constitutional system. No one knows with any certainty what will happen if our electoral system is totally revamped as proposed by Senate Joint Resolution 31 and the various amendments which will be offered to it. Today, we have a clearly Federal system of electing our President, under which the States act as units. Today, we have the two-party system, under which third parties and splinter parties are effectively discouraged from playing more than a negligible role. Today, we have a system which—in all but one instance throughout our history—has given us Presidents elected by a plurality of the popular vote. I refer to one instance, because the frequently mentioned situation in 1824, involving Andrew Jackson and John Quincy Adams, in which six States did not have popular votes, can be ignored; and the other frequently mentioned case, that of the Hayes-Tilden contest, involved outright corruption, and the decision of the electoral commission was responsible for the election of Hayes; so in the 175 years of our constitutional system, there is really only one valid example in which the present system produced the election of a candidate who did not receive the largest number of votes. And today we have an electoral vote system which gives both large States and small States certain advantages and disadvantages that offset each other.

Now it is proposed that we change all this. What the effects of these various changes will be on the Federal system, the two-party system, the popular plurality system, and the large-State-small-State checks and balances system, no one knows. Nevertheless, it is proposed to exchange this system—under which we have, on the whole, obtained able Presidents capable of meeting the increased demands upon our Executive—for an unknown, untried, but obviously precarious system which was abandoned in this country long ago, which previous Congresses have rejected, and which has been thoroughly discredited in Europe. No State legislature, political party, or major group of citizens has requested this change. Any State legislature which felt such a change to be more democratic or more logical has been free to adopt it for the past century. No statute or constitutional provision prevented the States from doing so. But, with the single exception of Michigan, which quickly abandoned the system proposed by Senate Joint Resolution 31 after a single trial more than half a century ago, not a single State has done so.

Why should we in Congress be in such a hurry to adopt a drastic constitutional amendment which most of the voters do not know we are considering, and which they certainly have not demanded? These are crucial times—and whatever defects may be claimed in the present federalist two-party system, we at least have knowledge of and experience with its operation. We have no knowledge as to whether these proposed revisions would provide adequate machinery to serve a country in the midst of recurring foreign policy crises—or whether they would lead to a breakdown in this machinery, such as those we have witnessed in France and elsewhere, paralyzing the country before it could return to the old system. The world situation does not permit us to take the risk of experimenting with the constitutional system that is fundamental to our strength and leadership, particularly without full knowledge of the effects of such changes.

No urgent necessity for immediate change has been proven. No minority Presidents have been elected in the 20th century; no elections have been thrown into the House of Representatives; no breakdown in the electoral system, or even widespread lack of confidence in it, can be shown. The evils of the present system alleged by the proponents of Senate Joint Resolution 31 are decisive; the benefits they claim for the future are at best speculative, and at worst statements exactly contrary to the results more likely to take place. There is obviously little to gain—but much to lose, by tampering with the Constitution at this time.

It seems to me that Falkland's definition of conservatism is quite appropriate—"When it is not necesary to change, it is necessary not to change."

The substantive arguments advanced by the proponents will be discussed subsequently—but it is revealing to note the political appeal made to various groups. Northern Democrats have been told that the Daniel amendment will assure their party of permanent control of the White House. Southern Democrats were told that the amendment would give them overwhelming control of their party. Liberals were told that the amendment would give them recognition by treating third-party movements more equitably. Conservatives were told that the influence of minority pressure groups in the Northern cities would be eliminated. And Republicans have been told that from the votes that will somehow appear in the South, under the Daniel amendment, or from gerrymandering of electoral districts by Republican-dominated State legislatures, under the Mundt amendment, their party will permanently possess the White House. It is difficult to believe that two-thirds of the Members of the Senate will accept such contradictory predictions.

Mr. President, under the previous agreement I shall yield the floor at this time to the Senator from Texas [Mr. DANIEL], who is the sponsor of the proposed amendment.

Mr. DANIEL. Mr. President, will the Senator yield to me for comment on his remarks?

Mr. KENNEDY. Yes. With the understanding that when the Senator has concluded it will be possible for me to regain the floor, I yield for a question.

Mr. DANIEL. I wish to make it clear that the Senator from Texas has not made all the representations of which the Senator from Massachusetts has spoken, concerning the effect of the proposed amendment.

Mr. KENNEDY. I have read the hearings very carefully. One of the real reasons why I regret that I cannot support the proposed amendment is the fact that the distinguished Senator from Texas has given so much of his time and conscientious effort in behalf of his amendment. It seems to me that his amendment, as he introduced it, and as it was reported to the Senate, was infinitely preferable to the amendments to his amendment, which I believe he was obliged to accept somewhat reluctantly. Therefore I am completely sincere when I say that I appreciate the conscientious work the Senator has done. As he has just said, my discussion of the various arguments with respect to the different sections does not apply to him.

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

Mr. KENNEDY. I yield.

Mr. GORE. I concur in the observation which the distinguished junior Senator from Massachusetts has just made. Before going further, I wish to say that I have listened attentively to the very able and challenging remarks of the distinguished junior Senator from Massachusetts.

Like him, I believe that the amendment recommended by the junior Senator from Texas is preferable to the proposed amendment before the Senate, which combines the recommendation of the junior Senator from Texas and the recommendation of the junior Senator from South Dakota [Mr. MUNDT]. However, I ask the Senator this question: If he had to choose between continuation of the present system, which I regard as undemocratic and filled with potential danger of the usurpation of the will of the people, and accepting the proposed change, which would he prefer? Or does the Senator think we must choose between those alternatives?

Mr. KENNEDY. I will say to the Senator that I am opposed to the Daniel amendment, the Mundt amendment, and the combined Daniel-Mundt amendment. I am opposed to the Humphrey amendment, which provides for direct election. In this case, I am opposed to change. Therefore, though I believe the Daniel amendment to be preferable to the Mundt amendment, I should be compelled to vote against it, even if it were offered separately. However, in the combined form, the evils are compounded, in my opinion; and I believe that the benefits which each might have are completely submerged in this strange union.

Mr. GORE. The Senator certainly has great ability to clarify his position. He has made it explicit. Does not the Senator recognize the apprehensions of a Senator who comes from a State which, as recently as 1948, was partially disfranchised through the action of an elector selected and placed on the ballot by the Democratic Party, but who finally, as a member of the electoral college, cast his ballot, not for the candidate whose electors had carried the State, not for the candidate whose electors had been second in the State, but rather for the candidate whose electors had been third in the State?

Mr. KENNEDY. Of course, the Senator has every right to be especially interested in that situation. Nevertheless, the fact is that of the 12,463 votes cast in the electoral college since 1820, only 5 have been cast contrary to instructions. In 1820 one New Hampshire delegate voted for Adams instead of Monroe. In 1824 three New York delegates voted for Henry Clay's opponent, though they were pledged to him.

Then, in spite of the great provocation existing in the Hayes-Tilden contest, which, as the Senator knows, was decided by one vote, I believe one of the electors from Massachusetts uttered a more or less classic phrase when he said he was chosen by the people not because they had confidence in his judgment, but because they knew what his judgment would be. I believe that in every case since 1824, with the exception of the case which the Senator has described in Tennessee in 1948, every elector has obeyed the instructions of his people.

Abuses are always possible. However, I believe that under our present system we have made quite a good record in a democratic society. Nevertheless, I would support that portion of the amendment of the Senator from Texas which would prevent any repetition of the incident to which there has been reference here today. I believe that portion of the Senator's amendment is most important. If the remaining portion of the Senator's amendment is defeated, I hope that this particular section will be pressed, in order to avoid throwing an election into the House of Representatives, which almost occurred in 1948. There it should be decided upon the basis of Members voting as individuals, and not as State delegations, which might result in the election of a so-called minority President.

Regardless of what happens to the remainder of the Senator's amendment, I hope the Senator will press for action on this particular section.

Mr. GORE. Mr. President, I congratulate the Senator upon the further exposition of his views. In the opinion of the junior Senator from Tennessee the Senator from Massachusetts has just acknowledged that the present constitutional provision is not satisfactory. I join him heartily in expressing that view.

I am not entirely satisfed with the proposed amendment now before the Senate. I believe the Senate will have an opportunity to work its will. The able and distinguished junior Senator from Massachusetts, for whom I have the greatest affection and the highest of esteem, and with whom I enjoy a warm personal friendship, is making a valuable contribution. However, I implore the Senator not to take an adamant position against any change, and not to remain satisfied with the present situation when he has now acknowledged that it is far from satisfactory.

Mr. KENNEDY. I agree; but the Senator should realize that what I am talking about is the method of selecting a President by the House of Representatives. That is a provision in the Constitution which the large States accepted in the Constitutional Convention, for the same reason that they accepted the provision for two Senators from each State—to get the Constitution adopted. However, that is a far cry from the plan proposed by the Senator from Texas [Mr. DANIEL], which would divide the electoral vote of each State proportionately. That is an entirely different subject, on which I must reluctantly disagree with the Senator from Texas, in spite of the very important work he has done on this subject.

Mr. CASE of New Jersey. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield to the Senator from New Jersey.

Mr. CASE of New Jersey. First, I wish to express my appreciation to the Senator from Massachusetts for his very fine statement and analysis of the pending joint resolution. I wish to emphasize the fact that the Senator from Tennessee has made it possible for us to point out that it is not necessary to accept the provision in the joint resolution with regard to counting the electoral vote or even the provision with respect to casting it, in order to eliminate the defect which, I agree with both Senators, ought to be eliminated, namely, the existence of the electoral college and chance that a member of the electoral college may go haywire.

That provision, as well as the provision for counting the votes, in the event that the election should be thrown into the House of Representatives, can be corrected without in any way involving us in the dangers and difficulties and unknowns which the provisions to which I object would lead us.

Mr. KENNEDY. The Senator is absolutely correct. I believe that half of the States have already removed the danger of electoral college delegates not reflecting the views of the States. States can take care of that situation themselves.

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

Mr. KENNEDY. I yield.

Mr. GORE. In reply to the junior Senator from New Jersey, I should like to say that it is not a question of an elector going haywire, as he said, under the present system, because under the present system it is an elector's constitutional right to cast a ballot as he pleases. Legally he has the opportunity to do so. There is apparent the possibility that the electoral votes of an entire State could be cast contrary to the wishes of the people, contrary to the first choice, to the second choice, and even to the third choice of the people of that State.

Mr. CASE of New Jersey. Mr. President, will the Senator yield further?

Mr. KENNEDY. I yield.

Mr. CASE of New Jersey. I must disagree with the statement that an elector, even though there may be no law in his State requiring him to do so, is free to cast his vote as he wishes. He is not free, under our system. He is under the greatest obligation to conform with the——

Mr. GORE. Which is a moral obligation.

Mr. CASE of New Jersey. Yes; a moral obligation, which is the greatest of all. Fortunately, it is not necessary to accept the provisions of the amendment which I regard to be dangerous in the extreme in order to accept other provisions.

Mr. KENNEDY. I am glad that we have been able to isolate that issue, and that people will not feel that they must support the entire amendment on the ground that their only choice is between that and nothing.

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

Mr. KENNEDY. I yield.

Mr. DOUGLAS. Would the Senator from Massachusetts say that the Senator from Tennessee at the moment seems to be straining at a gnat and swallowing a camel? I hope during the course of the debate the proportions of the gnat which he rejects and the proportions of the camel which he accepts may become manifest and bring the Senator from

Tennessee back to his usual clear perception of the issues.

Mr. GORE. I should like to observe that the Senator from Illinois resembles neither. [Laughter.]

Mr. KENNEDY. Mr. President, the Senator from South Dakota [Mr. MUNDT] stated that the district plan is the plan advocated by the Founding Fathers. They did it at a time when they conceived the electoral college to be completely removed from the people and when they had no conception of the rise of large political parties. So the development of the Nation has been different from the way in which they conceived it.

The Senator from Texas stated that certain States had an undue influence in the election of a President. I would say to the Senator that the solid South has 127 electoral votes, based on an average of 5 million popular votes, which is a very strong position in connection with representing nearly 45 million people. Having a vote of one-eighth of the country at large and a fourth of the electoral votes, it would indicate that those States have a disproportionate influence.

In May of last year, Senate Joint Resolution 31 was reported by the Senate Judiciary Committee. This amendment, known as the Daniel-Kefauver—formerly Lodge-Gossett—amendment, provides for a system of proportional voting, whereby the electoral vote for each State is divided among the various candidates in the same proportion as the popular vote cast within that State. Recognizing that the present requirement of an electoral vote majority would be more difficult to achieve, inasmuch as splinter parties would also be receiving electoral votes, Senate Joint Resolution 31 lowered this requirement to 40 percent.

The committee rejected Senate Joint Resolution 3, the so-called Mundt-Coudert proposal, or district system, whereby the electoral vote for each State would be divided in the same manner as that State's Senators and and Representatives were elected, namely, two electoral votes representing the State's two Senate seats being awarded to the candidate who carried the entire State, and the electoral vote representing each congressional district being awarded to the candidate who carried that district.

In March of this year the Senator from Minnesota [Mr. HUMPHREY] proposed still another substitute amendment for Senate Joint Resolution 31, under which each State would retain two electoral votes, to be awarded to the candidate carrying that State, but dividing the remainder of the 531 electoral votes cast for them without regard to State lines. The Senator from North Dakota [Mr. LANGER] and other Senators also introduced an amendment to provide for election of the President by direct popular vote, without regard to State lines.

On March 15, or less than 1 week ago, the sponsors of both Senate Joint Resolution 31 and Senate Joint Resolution 3 joined in offering a new compromise proposal as a substitute for Senate Joint Resolution 31.

This compromise amendment submits both plans to the States for ratification, and permits each State to take its choice. The Senator from Texas [Mr. DANIEL] announced to the press that neither plan would have passed the Senate, inasmuch as the proponents of each opposed the other; so the sponsors combined both plans in an effort to satisfy everyone.

In short, the Congress of the United States is to say to the States, "We cannot agree on any single system for electoral reform, and in fact we do not approve of either one of them; therefore, we are giving you your choice."

There is a constitutional obligation to consider which proposal is best on its merits, and affirmatively to approve or disapprove of each for referral to the several States.

That, in my opinion, is a circumvention of the constitutional amendment procedure as proposed by the founding fathers.

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

Mr. KENNEDY. I yield.

Mr. DANIEL. Will not the Senator agree that today the States have the choice of any method of naming their electors which they might desire to use?

Mr. KENNEDY. After reading the hearings, after listening to the Senators discuss the deficiencies of the Mundt-Coudert plan, and after hearing the Senator from South Dakota discuss the deficiencies of the Daniel-Kefauver plan, suddenly to find them linked together seems to be a strange combination, arrived at only in order to get two-thirds of the vote.

Mr. DANIEL. No. What I asked the Senator was if it was not true that today the States have a choice of any plan they might desire to use in order to name electors.

Mr. KENNEDY. And they have made that choice. Would the Senator from Texas object to this? Would he object to the present plan's being included among the choices to be given to the States?

Mr. DANIEL. Yes, I would. I feel the present plan is outmoded, works many handicaps, and should be abolished.

Mr. KENNEDY. Would the Senator from Texas deny to the States the opportunity, which they are using, to follow the present plan, and to force them to choose between two other plans, both of which could have been put into effect, if it had been desired to do so, but as to which, of course, there was no desire to do so?

Mr. DANIEL. One of them could not have been put into effect in Texas. The Lodge-Gossett plan could not have been put into effect in the present situation.

Mr. KENNEDY. That is true.

Mr. DANIEL. Mr. President, will the Senator yield for one observation concerning his remarks as to the differences between the Senator from South Dakota and the Senator from Texas?

Mr. KENNEDY. I yield.

Mr. DANIEL. True, each of us argued that his own plan would be better; on the other hand, I think it will be found that each of us acknowledged that the plan of either would be better than the method which is in existence today.

Mr. KENNEDY. I remember the Senator discussed Harris County, Texas, which, as I remember, has one-sixth of the population of Texas, even though there are 22 Representatives from Texas. The Senator suggested that the Mundt-Coudert plan would be an invitation to that sort of procedure all over the country.

Mr. DANIEL. That is correct. That is one argument which I made against the Mundt-Coudert plan. Even though that be true, I feel it is a better system than is in existence today.

I have no idea that the State of Texas would ever adopt the alternative offered by the substitute amendment for the Mundt-Coudert plan, because our State has been very much in favor of the Gossett-Lodge plan of the substitute amendment.

Mr. KENNEDY. If I were from Texas, I would be in favor of it, as Representative Gossett was. The Senator has given us the 1948 figures. Under the Senator's proposal, there would have been 15.0 electoral votes for Truman, and 5.6 for Dewey. In other words, there would have been a margin of 9.4.

For the State of Illinois, which the Senator suggested had a disproportionate influence, there would have been 14.0 for Truman and 13.8 for Dewey, making a margin of .2 in the electoral vote balance, while for the State of Texas the margin would have been 9.4.

So it seems to me that there would be taken away all the influence Illinois would have with its population of 8 million or 9 million, while the slightly smaller population of Texas would have had a margin of 9.4 balancing the electoral scales. I think that would have been unfortunate for Illinois. It would have been repeated in New York.

New York is the largest State in the Union. It has only 2 Senators, but it has 43 Representatives. One of New York's great hopes of recapturing its relative loss of influence in the legislative branch is to have an effective influence on the presidency.

In 1948, 28.2 percent of the electoral votes were for Truman, and 21.6 percent were for Dewey, a difference of 6.6, compared with Texas' margin of 9.4 electoral votes.

Mr. DANIEL. The Senator from Massachusetts is using percentages.

Mr. KENNEDY. I am using the distribution of the electoral vote.

Mr. DANIEL. On a percentage basis.

Mr. KENNEDY. Yes.

Mr. DANIEL. If the Senator will read the distribution of electoral votes, he will see that New York has an electoral vote in proportion to its population. The Senator is reading figures pertaining to an election in which the Lodge-Gossett plan was not in effect. If the Lodge-Gossett plan had been in effect, I imagine the figures would have been quite different. More people would have gone out to vote on both sides.

Mr. KENNEDY. I agree with the statement which the Senator made about the Lodge-Gossett plan. I agree that a prediction cannot be made for the future on the basis of what has happened in the past—at least, with certainty. But an indication is given. We know from what has happened in the past that what I have read would have happened. I also know from reading the RECORD that on

at least three occasions under the Lodge-Gossett plan there would have been a President who was a minority candidate in the election. I think on three occasions there would have been a President elected by one party, while the opposite party would have been in control of Congress.

Mr. DANIEL. Does the Senator from Massachusetts realize that under the present system there have been three Presidents elected who received less than a majority of the popular vote?

Mr. KENNEDY. There has been only one occasion, because the Tilden-Hayes election was fraught with corruption. It was won as a result of an electoral commission making a decision that caused Hayes to win the election.

In the 1824 case of Adams, Jackson, and Crawford, there is no indication that the votes that went for Crawford, Adams, and Clay would have gone for Jackson. Jackson was a minority candidate, in any case. So that is not a good example.

Mr. DANIEL. In the record of the hearings, at page 331, there is a listing prepared, I believe, by the Library of Congress of Presidents who received less than a majority of the popular vote.

In 1824, John Q. Adams; in 1876, Rutherford B. Hayes; in 1888, Benjamin Harrison were the Presidents who received less than a plurality of the popular vote from 1824 to 1952.

The fraud which is continually referred to in the Hayes-Tilden case was a fraud that grew up under the present electoral system which is being followed today.

Mr. KENNEDY. Oh, no, the fraud was discovered as a result of the New York Times' refusal to accept the election of Tilden. On the night of the election, the Times sent telegrams to the various States to make certain that they held the line for Hayes; thus it was as the result of Senator Lamar and other influential members of the electoral commission making a deal that Hayes would withdraw Federal troops from the South that they agreed to accept the election of Hayes.

That was the reason for the result; it was not because of an unsatisfactory electoral voting system.

Mr. DANIEL. But the situation arose under the electoral system which is in operation today.

Mr. KENNEDY. That is correct; but it had nothing to do with it. There was no connection between the two. It occurred, of course; but it was not directly connected with it. There was no cause and effect relationship.

Mr. DANIEL. But there would not have been any electoral commission intervening in the matter if the votes had been counted either by congressional districts or in proportion to the popular vote and certified to the President of the Senate as provided in the proposed amendment.

Mr. KENNEDY. I shall quote briefly from a book on the Presidency:

> Had it not been for four journalists, sitting up that night in the New York Times office, that would have been the official result. But these four men changed the course of history. As they watched the returns in the early morning hours, a dispatch came in from Democratic State Chairman Magone: "Please give your estimate of electoral votes secured for Tilden. Answer at once." The four Republican editors guessed that the Democrats were uncertain of the electoral result in the South.
>
> One of the four—John C. Reid, the managing editor of the Times—rushed to the Fifth Avenue hotel where Zachariah Chandler, chairman of the Republican congressional committee, was sleeping in sweet exhaustion, partly as a result of the election, partly from the drinks he had consumed during the night. The two men, one dead sober and the other in not quite the same condition, evolved a plan. Telegrams were sent out to the Republican Party heads in Louisiana, South Carolina, and Florida: "Hayes is elected if we have carried South Carolina, Florida and Louisiana. Can you hold your State? Answer at once."
>
> The second edition of the Times—at 6:30—gave Tilden 184 and Hayes 181 votes (assuming Louisiana and South Carolina for Hayes). Tilden needed 1 more vote for his election, as 185 constituted the majority. But the newspapers stated that Florida with its four votes was doubtful. Therefore, "if the Republicans have carried that State, as they claim, they will have 185 votes—a majority of 1." Thus, the struggle to secure the 1-vote majority began, keeping the country in a state of wild excitement for weeks to come.
>
> The next day the now-sober Chandler announced: "Hayes has 185 electoral votes and is elected." But Hayes was not so confident. He said in an interview in Cincinnati: "I think we are defeated in spite of recent good news. I am of the opinion that the Democrats have carried the country and elected Tilden."

In the 1824 case, the vote was not counted in six States.

Since the Senator from Texas stated there were three cases, I believe we should get this correct. There is no sense in dismissing the past, because the past is a pretty good indication for the future. As I have indicated, there is really only one case in the past in which a minority President was elected.

Offsetting this 1 case are 3 elections in which Senate Joint Resolution 31 would have elected 3 minority Presidents. The proposal before us would have given the country 3 minority Presidents instead of the 3 majority Presidents who took office.

In 1880, under Senate Joint Resolution 31, Hancock would have defeated Garfield in the electoral vote, while losing the popular vote.

In both 1896 and 1900, Bryan would have become President by virtue of the electoral vote under Senate Joint Resolution 31, instead of McKinley, who won the popular vote.

When we talk about what the past has shown, it is easy to ascertain what the results were under the existing procedure. Under this proposal, there would have been 3 cases which would have given a bad result. There would have been 3 cases in which there would have been a President of 1 party at the beginning of his term and a Congress controlled by the other party. I do not think that has happened in any other case in our history.

The two schemes joined together by this shotgun wedding, moreover, are wholly incompatible, the sponsors of each having thoroughly and accurately assailed the merits of the other over the years. The Mundt proposal multiplies the general ticket system; the Daniel proposal abolishes it. The Mundt proposal continues the importance of States as units for electoral purposes; the Daniel proposal reduced it. The Mundt plan keeps the electoral college; the Daniel plan abolishes it. And yet it is now proposed that the Senate, being unable to give its approval to either system, should lump them together and give each State its choice. No surer method of introducing confusion and loss of public confidence in our electoral system could be devised.

It should also be pointed out that two minor but worthwhile changes are included in these amendments: One, the office of presidential elector is either abolished or made specifically nondiscretionary, which would make impossible the never-realized fear of electors defeating the popular will by casting their vote for the losing candidate; and, two, when a presidential election is thrown into the Congress, it would be decided by a majority vote of the Members of the House and Senate in joint meeting, a more democratic method than the present procedure whereby the Members of the House, voting as State units, decide the presidential election.

If the amendment were confined to these two changes, which correct minor but obvious defects, the proposal would not be objectionable; but it should not be necessary to reconstitute our entire electoral system to accomplish these minor changes.

I am very strongly opposed to any change in the Constitution at this time. The present system has served us well. Its advantages are well known. But the consequences of the proposed amendment, however desirable they may appear to be, cannot be foretold.

The Senator from Texas has said there is no use going back over the past figures. They show that in only one case the present system has not provided for the election of the candidate voted for by the majority. But to go back over past history and predict what would have happened if the proposal had been in effect, it is said, does not give a fair picture. The facts indicate it would have a most unfortunate effect.

I am sure the Langer amendment, while purporting to be more democratic, would increase the power of and encourage splinter parties, and I believe it would break down the Federal system under which most States entered the Union, which provides a system of checks and balances to insure that no area or group shall obtain too much power.

The amendment proposed by the Senator from North Dakota would have the very beneficial effect of expanding the electorate and of encouraging people to vote in areas where they do not now vote. That would be a good thing, but I am afraid we would not get two-thirds of the necessary votes to approve such an amendment. In addition, the claim would be made that the States came into the Union with the understanding that electoral votes would be assigned to the States on the basis of their population, and not on the basis of the number of

people voting. Therefore, I would say it would be better to keep the present system, even though there are many advantages to the system proposed by the Senator.

Under the proportional voting system, the likelihood of a President who had a lesser number of popular votes being elected would be greatly decreased.

The Senator from Texas has now returned to the floor. I wanted to point out that under his proposal there would have been three Presidents elected who were minority candidates from the viewpoint of popularity: Bryan twice and Hancock once, as opposed to the one case involving Harrison.

Mr. DANIEL. Of course, the committee seems to feel that there are three cases in which Presidents were elected with less than a plurality of the votes. As to both of those examples, I will say that if there had been in effect a constitutional amendment which would let the voice of the people be heard in the electoral votes when they are counted here in Washington, we might have had a different result.

In my opinion, and in the opinion of the committee, also, it is impossible to try to relate the presently proposed system back to an election 20 or 30 or 50 years ago, and say the same thing would have happened had we had this system. I am convinced we would have had a different vote. We would have had so many more voters participating, if there had been either of the proposed systems in effect, that I just doubt that the comparisons as to what would have happened in the past under the proposed system are valid.

Mr. KENNEDY. I do not think there is any doubt that probably a greater number of people would have voted, but there is no indication that the proportion would have been any different. There is no indication that there is a great reservoir of Republicans in the Southern States, as the Senator has suggested. By examining the primary figures and the presidential figures, and by examining the registration figures, I do not think there is a great reservoir of Republican votes, and that people would come out and vote when they knew their votes were to be counted.

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

Mr. KENNEDY. I yield.

Mr. MUNDT. I associate myself with what the Senator from Texas has said, when he points out that by changing the rules of the game after the game has been completed, there is no way in the world to tell how the game would have been played under different rules, except by replaying the game. I do not think comparisons of figures under the proposed program and applying them to elections which took place 10, 20, or 50 years ago, have any significance whatsoever.

As to registration figures, I have talked with hundreds of northern Republicans who have moved into Dixie and who have told me—and I know they have told me correctly—that when they get down into the South they register as Democrats; but when there is an opportunity, as there was in the 1952 election, and the possibility of sweeping a 1-party State to a 2-party State in the general elections, they vote Republican. But, because of the 1-party system, Republicans in Texas and in South Carolina may register as Democrats. When they move to South Dakota, Democrats register as Republicans to vote in the Republican primaries, but in the elections many of those Democrats vote for the candidates of their choice. So I do not think that comparing primary statistics is very effective.

Mr. KENNEDY. The breakdown for the registration figures for Louisiana are: Republicans, 2,221; Democrats, 999,370. I think Florida and Texas have the best hope for the Republicans of any Southern States. In the general election, there were in Florida, 136,376 Republicans and 1,215,775 Democrats. In the primary elections there were 131,264 Republicans versus 1,197,437 Democrats.

To be honest with the Senator, these amendments would insure that the Republican Party would be a permanent minority party in that section of the country. I do not think there is a larger potential Republican vote there, nor do I think there is a potential Democratic vote in Vermont. In the case of a major overturn, as happened in Maine, they do have an opportunity. But they have never done it over a period of 30 or 40 years.

Mr. MUNDT. Mr. President, will the Senator from Massachusetts agree with me that it is no more significant or meaningful to argue that there is no hope of building a Republican Party in Florida, for example, because the registration there is so overwhelmingly Democratic, than to say that in 1952 a great many more persons in Florida voted Republican than voted Democratic, and therefore Florida must be a Republican State?

Mr. KENNEDY. Will the Senator repeat his question, please?

Mr. MUNDT. Yes. In 1952 a great many more persons in Florida voted Republican than voted Democratic. Therefore, would the Senator from Massachusetts conclude that Florida is a Republican State?

Mr. KENNEDY. No.

Mr. MUNDT. Neither would I.

So my point is that primary elections statistics mean little or nothing in the case of a one-party State. I myself live in what is a one-party State, although perhaps not as much so as in the case of the Southern States. But over a quarter of a century, my State has been largely a one-party State. In many of the counties, a Democratic official has not been elected in a quarter of a century. In many, many cases the voters say, when they reach the polls, "I guess I will vote Republican."

I repeat that the statistics on primary elections mean very little, if anything, in connection with this matter.

Mr. KENNEDY. I may point out that in the State of Maine, when the people were stirred up over the local situation, they elected a Democratic governor in 1954.

Mr. MUNDT. That proves my point.

Mr. KENNEDY. But when we examine the figures for the last 40 or 50 years, in the case of the Southern States, we do not find that there has been a strong reservoir of Republican support there. If that were so, there would have been an increasing Republican vote.

The point is that if this amendment were to go into effect, and if the electoral votes were to be divided proportionately, there would be an incrcase in both the primary and the general vote, but the proportion would remain the same. That is my honest opinion.

Mr. MUNDT. Why does the Senator from Massachusetts believe there is so small a vote in the average fall election in the Southern States—for instance, in the State of Georgia?

Mr. KENNEDY. Because most of the people there are Democrats, and they know that the State will go Democratic.

Mr. MUNDT. Precisely. So if a two-party system were encouraged, there would be greater participation in the voting.

Mr. KENNEDY. Yes; but in my opinion the relationship between the two figures would not thus be changed. I know the Senator from South Dakota feels that there would be a change, because he favors the amendment. But in my opinion, after examining the figures for the primaries and after examining the figures for the registrations, the Republican Party will not gain enough in the South, in proportion to what it will lose in the pivotal States. I do not think the Republican Party can win without carrying those States, because it suffers such a disadvantage in the Southern States. So if the amendment were adopted, the effect would be to neutralize the vote in the pivotal States. Unless there were a great Republican tide in the Southern States, as the Senator from South Dakota anticipates would be the case—although he does not have any statistical evidence to support his view—in my opinion if the amendment went into effect, the Republican Party would be permanently a minority party.

Mr. MUNDT. Let me point out that, as in the case of the Mundt-Coudert alternative, in a one-party State it does not matter what the system is; in a really one-party State, that party gets 100 percent of the votes for the governor, for instance.

Mr. DOUGLAS. Mr. President, will the Senator from Massachusetts yield to me?

Mr. KENNEDY. I yield.

Mr. DOUGLAS. Let me say that it makes a great deal of difference in the States which from time to time swing from one side to the other; it diminishes very much the importance of the votes in those States.

Mr. KENNEDY. The Senator has stated that even in closely contested elections, there is a much smaller vote in the South than there is in the North. In my opinion that is because of the habits and situations in particular areas.

The Senator from New Jersey has given a great deal of consideration to this matter. I think he will agree that there will not be such a tide of Republican votes in the Southern States. The point is that if the Republican Party is to elect a President, it must carry the pivotal States. The proposed change would weaken its position in the pivotal

States, and would not increase in proportion its position in the Southern States—certainly not enough to make up for the loss it would incur in the pivotal States. In my opinion, Mr. President, if the amendment were to go into effect, the Republican Party would never win a presidential election.

Mr. CASE of New Jersey. Mr. President, will the Senator from Massachusetts yield to me?

Mr. KENNEDY. I yield.

Mr. CASE of New Jersey. Let me say that I think the Senator from Massachusetts is quite correct. I think it was most impressive—although in a rather depressing way—to hear the statistics the Senator from Texas read a few minutes ago. It is quite true that the figures show a larger primary vote than a general election vote. But the primary vote of 15 or 20 percent, in the case of some of the Southern States, was amazingly lower than in the case of my State and, I think, in the case of other Northern States generally.

I think the Senator from Massachusetts is utterly correct when he says it would take a very long time, indeed, if we can anticipate that it would ever happen at any time in the future, before voting habits and restrictions on voting and repressive measures—in the South, particularly—would change; and that long before that could happen, the Republican Party's permanent minority status would have been irrevocably established.

Mr. KENNEDY. I thank the Senator from New Jersey.

Mr. POTTER. Mr. President, will the Senator from Massachusetts yield to me?

Mr. KENNEDY. I yield to the Senator from Michigan.

Mr. POTTER. Is it not true that, under the proposed amendment, during a presidential election there would be a tendency or an incentive for the presidential candidates to concentrate on the States where the votes are one-sided—either the Southern States or the New Hampshires and the Vermonts; in other words, on the Republican voters in the New Hampshires and the Vermonts, or on the Democratic voters in the Southern States—and to completely ignore States such as New York and Ohio?

Mr. KENNEDY. Let me say that in the 1952 election, under the proportionate plan the situation would have been just as I have indicated, namely, that the theoretical advantage to be gained by the Republicans in the Southern States would have become a disadvantage in the case of the larger States. In other words, in that case the influence of the larger States would have been minor as compared with the influence of the Southern States; and of course that situation would not have been based on their relative populations.

Mr. CASE of New Jersey. Mr. President, will the Senator from Massachusetts yield further to me?

Mr. KENNEDY. I yield.

Mr. CASE of New Jersey. I was very much struck by the remark of the Senator from Michigan, because it was almost a paraphrase of a statement made a few years ago by Carl Becker, an eminent historian of this country; I believe he is a teacher of history at Cornell University. He pointed out that one of the least understood, but actually one of the greatest, benefits of our Constitution is that it requires both major parties not to concentrate upon an area where they can get more than 51 percent of the votes. Instead, they are forced to appeal to the country as a whole, and not only to attempt to sell their merits, but also to meet the needs of the people throughout the country as a whole, thus keeping both parties national, as opposed to sectional.

Mr. KENNEDY. In regard to the prospects of Republican success, let me say that Dr. Ruth C. Silva, who I believe knows as much about this matter as does anyone, has made a study of the matter, based on a proportionate division of the votes; and she points out, in effect, that such a change would make the election closer in the years when the Republicans lost the Presidency, but it also would endanger the chances of Republican victory in the years when the Republicans won.

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

Mr. KENNEDY. I yield.

Mr. DANIEL. I should like to read into the RECORD what the committee had to say, after much study, about trying to relate the new proposed system back to elections held in the past. I read from page 23 of the committee report:

> It cannot be too strongly emphasized that while it is, of course, easy to apply the amendment retroactively—by adjusting the new rules to the old figures—it is useful to do so only as a means of illustrating how it would have operated mechanically. One cannot assume—as some have, erroneously—that citizens would have voted identically or in the same volume under this new system as they actually did vote under the existing procedure.

The point which the authors of the proposed amendment make, is that if we had an amendment under which the individual voters could have their votes actually show up in the total electoral count, they would come out in greater numbers. We would have a different voting population, and perhaps a different result in some sections, than would be the case as a result of applying the new proposal retroactively to the old case.

Mr. KENNEDY. There might be a different result in the pivotal States, in which there is a big turnout. We know what happened in those States in 1948. Although their voting habits probably would not change, there could conceivably be a more nearly even margin in some of the one-party States. However, we know enough not to risk a very sound system. I can understand why the Senator is reluctant to go back into history. The Senator's system would have resulted in the election of McKinley over Bryan by one-tenth of an electoral vote.

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

Mr. KENNEDY. I yield.

Mr. LANGER. Is it not true that the country would be a great deal better off if the Democrats were to choose their own candidate at a primary? Suppose the Democrats could have held a primary in June, and could have decided as between the senior Senator from Tennessee Mr. [KEFAUVER], Mr. Stevenson, and the Senator from Kentucky [Mr. BARKLEY], who at that time was a candidate; and suppose the Republicans had been able to hold a primary to decide as between Taft and Eisenhower in the last election.

Does not the fallacy of the entire argument of the Senator from South Dakota [Mr. MUNDT], the Senator from Massachusetts, and the Senator from Texas [Mr. DANIEL] lie in the fact that the people do not select the candidates? They are selected by a group of politicians, instead of by the people. Why should there not have been a primary? Why should not Mr. Taft and Mr. Eisenhower have submitted their candidacies by petition, just as is done in the case of a candidate for governor or Senator?

Why should not the people have the opportunity to decide as between Mr. Stevenson, Mr. Barkley, and Mr. Kefauver?

Mr. KENNEDY. I will say to the Senator that in theory his suggestion is good, but I think as a practical matter, it would be a mistake, because I do not think we could ask all the candidates to carry on campaigns over the entire country, in all 48 States, considering all the time and effort which would be required.

In any event, the winner would probably be a minority candidate. There would be 7, 8, or 9 candidates. There would not be a majority candidate. In my opinion the present system, which has produced many great Presidents, is preferable. So I cannot agree with the Senator.

Mr. LANGER. Is it not true that the same argument was made against George Norris when he advocated the direct election of Senators? It was argued that there would be a great many candidates, and a great deal of expense. No one compels a man to run for President. But if he can get a petition signed by 1 percent of the voters, why should he not have the privilege of having his name on the ballot?

Mr. KENNEDY. He can in a great many States; but even in those States where there is a campaign, there is still a very small turnout. The people are not as interested as they should be.

The point is that I do not agree with the Senator that we would get better candidates.

Mr. LANGER. They might not be better candidates, but the people would select them.

Mr. KENNEDY. I think we would do well not to abandon the present system. There is an old saying to the effect that one should not take down a fence until he knows why it was put up. In my case, I would be reluctant to take down a fence which has served us pretty well in the past.

Mr. LANGER. In Illinois, Massachusetts, and Ohio there is no provision for a third candidate. There might be a large group of people who wanted to run a man on a third ticket. They could not do so. They are specially prohibited from doing so.

Mr. KENNEDY. I think the Senator is mistaken. There have been prohibition candidates and Socialist candidates.

Mr. LANGER. They lose their rights in the State of Massachusetts.

Mr. KENNEDY. They had such rights in 1952.

Mr. LANGER. They did not get any votes. They lost their rights in Ohio and Illinois.

Mr. KENNEDY. That is a democratic decision.

Mr. LANGER. I agree with the Senator, provided the people select the candidates, instead of their being selected by politicians meeting in smoke-filled rooms.

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

Mr. KENNEDY. I yield.

Mr. PASTORE. I am not too sure that I am convinced that the pending measure would be an improvement over our present system. I am not wholly satisfied that our present system is the proper one; but if we believe that this is a government of the people, by the people, and for the people, and that the President of the United States is President, not of the States, but of the people of the United States, why should we not adopt the principle that the President of the United States ought to be the popular selection of the people, and that the popular vote of the country should count? Why should not that be the system to adopt, rather than the other system? While it may be argued that such a system would be an improvement over the present system, I doubt very much that it would be. I still think there is a "gimmick" in it. The States could adopt one system or the other, as best suited their case. But why should one State be a pivotal State? Why should a group of States be pivotal States?

Mr. KENNEDY. Under the Senator's plan the pivotal States would be infinitely more important than they are today. Except in the Senate, Rhode Island would cease to be of any real importance.

Mr. PASTORE. What does the Senator mean by "any real importance"? Why should one citizen in Rhode Island resent the fact that a man who is elected President receives 51 percent of the entire vote of the country? Why is it of any importance to Rhode Island, if the man who is elected President is the selection of the majority of the people?

Mr. KENNEDY. Rhode Island is overrepresented in the electoral college today, based upon its population.

Mr. PASTORE. I am not going into that question at all. I want to do away with the electoral college. I want to elect my President on election day. I say that when the people go to the polls the man who receives the greatest number of votes should be elected the President of the people. He is the President of the people of the United States, and not the President of the States. It makes no difference to me how many electoral votes the people of Rhode Island have. What difference does it make? Why do we seem to talk so much about the power of a State? There is reason for the States having equal representation in the Senate.

Mr. KENNEDY. When those States came into the Union, Madison, who, after all, was the guiding force of the Convention, informed the Virginia Convention:

> This Government is not completely consolidated, nor is it entirely Federal. Who are the parties to it? The people—not the people as composing one great body, but the people as composing 13 sovereignties.

That is the conception of the rights of States. The States have certain rights. Therefore I support that system. I must say that I disagree with the proposal of the Senator. In fact, it would not have a chance to get by. It would require a two-thirds vote, and the smaller States would not accept it.

Mr. PASTORE. I have never worried about what gets by and what does not get by. I am concerned with the principle involved.

One Senator made the statement today that the reason why we have our electoral college is that the framers of the plan had the idea that the people of the United States did not have the intelligence to rule. I understand that it was that attitude which gave birth to this idea. I want to do away with the idea, because I think the American people have an abundance of intelligence. They have the right of franchise, and they want to select their President and Vice President. Most of the people in my State, when they go to the polls on election day, think they are voting for President and Vice President. They do not vote for President if they must elect electors or delegates who meet later in the governor's office and have a luncheon at 12 o'clock noon and then cast their ballot for President.

Mr. KENNEDY. Mr. President, is the Senator asking a question?

Mr. PASTORE. Yes; I should like to ask a question, and the question is this. If we believe in the principle and in the concept that this is a government of the people, for the people, and by the people, why do we not elect our President by popular vote?

Mr. KENNEDY. I should like to have the Senator——

Mr. PASTORE. That is my question. That is the question I should like to ask.

Mr. KENNEDY. I should like to call the Senator's attention to the fact that he talked about the concept of the electoral college, which was developed in the American Constitution. That has been done away with in practically all cases, with the exception of one case, during the last 120 years. What he fears has happened in only one case. Does the Senator understand what I have in mind?

Mr. PASTORE. I understand.

Mr. KENNEDY. If the point is how to distribute the vote for each State so far as the people's rights are concerned, I will say that the people now have the right of electing their President.

Mr. PASTORE. Does the Senator mean to tell me that under our present system of counting the votes it is not possible to have the situation in which the candidate who has received the largest number of votes will not be elected President?

Mr. KENNEDY. That has happened in one case only.

Mr. PASTORE. But it can happen. That is not the popular way of electing a President. Does the Senator from Massachusetts believe that that system carries out the concept of government of the people, for the people, and by the people, when the candidate who gets the largest number of votes loses the election? That is not my idea of a popular vote.

Mr. KENNEDY. Would the Senator do away with the 2 electors which his State has by virtue of the fact that it has 2 Senators in the Senate of the United States?

Mr. PASTORE. I would do away with the whole electoral college. I would do away with it completely. I would have the people elect the President of the United States on election day. I would not care where the candidates came from, whether they came from the North, the South, the West, or the East. They are all Americans. We are all one country. I say let us vote for the best man. Let the man that gets the most votes be our President. It is as simple as that. That is my idea of representative government. Everything else beyond that is a gimmick.

Mr. KENNEDY. Let me ask the Senator why he believes it to be fair for Rhode Island to have two Senators and for New York State, which is a much larger State, to have only two Senators?

Mr. PASTORE. That is an entirely different matter. We have the concept of the legislative branch of the Government, founded on the principle that every State shall have equal representation in the Senate of the United States.

Mr. KENNEDY. Mr. President——

Mr. PASTORE. In the State of Rhode Island, in the State senate, we have a representative from every city and town. The two systems should not be confused.

Mr. KENNEDY. At the time that Rhode Island came into the Union it came into the Union with the understanding that it would have an electoral vote for each of its Senators. That is why I am against the plan proposed by the Senator. The State represented by the Senator from Rhode Island—which, by the way, I believe was the 13th State to ratify the Constitution—came into the Union with the understanding that it would have two electoral votes. However, that is not what we are talking about.

Mr. PASTORE. I merely wanted to ask a question of the Senator, and I was hopeful that the Senator would answer it. However, I am still as much in the dark as I was before.

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

Mr. KENNEDY. I yield.

Mr. DOUGLAS. I hope the distinguished Senator from Rhode Island, who was governor of his State, does not intend to defend the system in his State senate under which there is an approximate equality of representation among the communities of the State. I can remember when there were 39 Senators in the State of Rhode Island, and the city of Providence, with half the population of

the State, had one of those 39 seats, and the other communities of the State had the 38 seats, with the result that Providence, Pawtucket, and Woonsocket were grossly underrepresented. If I remember the political history of Rhode Island correctly, the present junior Senator from Rhode Island made quite a campaign against that provision. This is why I do not think the legislators can be depended upon to give justice to the crisis.

Mr. PASTORE. I am afraid that the Senator from Rhode Island is being grossly misunderstood. I do not have to defend anything in order to prove something else. I do not have to defend the system in Rhode Island so far as the composition of the Senate of Rhode Island is concerned. All I am saying is that many people have the belief that when they go to the polls on election day and cast their vote, they are voting for the President and Vice President. Unfortunately, that is not the case. We would do ourselves justice if, instead of voting on the bill that is now pending, we would do something about providing for the popular election of the President and Vice President. Certainly I will have to be convinced about any of the provisions of the pending bill.

Mr. KENNEDY. I am not trying to convince the Senator to accept the present bill, but to vote against it.

Mr. PASTORE. I might do that.

Mr. KENNEDY. The proposal which the Senator is in favor of is not before the Senate. Therefore, it would have to be offered in the form of an amendment.

Mr. LANGER. Mr. President, if the Senator will yield, I should like to submit an amendment now in the nature of a substitute.

Mr. KENNEDY. I yield for that purpose, with the understanding that I do not lose the floor.

Mr. LANGER. I thank the Senator. With that understanding Mr. President, I send to the desk an amendment in the nature of a substitute. It provides for the direct election of President and Vice President by popular vote.

Mr. KENNEDY. May I ask the Senator from North Dakota what his amendment would do with respect to the two electors, one for each Senator, from North Dakota?

Mr. LANGER. I beg the Senator's pardon. I did not hear what he said.

Mr. KENNEDY. The electoral college is composed of one elector for each Member of Congress. What does the amendment submitted by the Senator from North Dakota do with respect to that provision in the Constitution?

Mr. LANGER. It would wipe out the electoral college entirely. It would wipe out conventions and the electoral college. It would let people select their candidates in the June primaries. The people would select their Republican and Democratic candidates in the primaries, and then they would elect the President and Vice President in November by popular vote.

Mr. PASTORE. I am the one who gave the Senator from North Dakota the inspiration to submit his amendment. I wonder whether he will thank me for making a speech for him.

Mr. LANGER. When the time comes for me to speak on the amendment, I shall be glad to have the Senator from Rhode Island speak for it also.

Mr. DOUGLAS. The amendment of the Senator from North Dakota is one in which I also believe, although I am not certain that this is the time to discuss it. I should like to point out, however, that representatives from two relatively small States, North Dakota and Rhode Island, are proposing an amendment which would decrease the power of their respective States under the present system.

Mr. KENNEDY. By 50 percent.

Mr. DOUGLAS. That is somewhat remarkable and to my mind praiseworthy.

Mr. KENNEDY. It is admirable.

Mr. DOUGLAS. It is an indication that in the small States, as well as in the large States, people who are like these two Senators put the interests of the Nation first. I believe the Senator from Rhode Island and the Senator from North Dakota ought to be commended for the position they have taken.

Mr. PASTORE. I do not admit that I am making any sacrifice. I believe that the power of a Rhode Islander lies in the fact that he has the right of franchise to vote for the President of the United States. If more Rhode Islanders want a Republican to be President than a Democrat, and more people in the country agree with him than agree with other people who favor a different candidate, then the more popular candidate should be elected President. I do not believe we are making any sacrifice in that regard. We are not talking about power. When we talk about the right to elect a President, we are talking about carrying out the popular will of the people, and to elect a man who gets the greater number of the votes of the people. At least, we would be able to say that the man who has received the most votes is the man who ought to be the President, whether he is from the South or the North or the East or the West. We are all Americans. We are all one Nation. Our President ought to be chosen by popular votes in an election by all the people.

Mr. KENNEDY. The facts of the matter are that the system of proportional voting will greatly increase the likelihood of a minority President. Inasmuch as electoral votes will still be based upon congressional representation rather than voter turnout, thus increasing disproportionately the weight of small and one-party States, a candidate could win, for example, 21 out of 40 million votes cast in the large States, but that 2 million vote lead would not net him as many electoral votes as his opponent would receive for sweeping the small, one-party States with a lead of considerably less than 2 million popular votes. The simplest example is the hypothetical case of 2 States, each having 24 electoral votes. In State A, 4 million popular votes are cast, with the Republican candidate obtaining three-fourths of the vote. In State B, 2.4 million votes are cast, and the Republican candidate receives one-eighth of the vote. In the 2 States combined, the Republican candidate has a popular vote majority of 3.3 million to 3.1 million to the Democratic candidate. Under the present system, each candidate would get 24 electoral votes, but under the proportional voting system of Senate Joint Resolution 31, the Democratic minority candidate would receive 27 electoral votes, with 21 for the Republican, who had won a popular majority.

ORDER FOR RECESS

Mr. JOHNSON of Texas. Mr. President, will the Senator from Massachusetts yield?

Mr. KENNEDY. I yield.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today it stand in recess until 12 o'clock noon tomorrow.

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

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that if the Senator from Massachusetts does not complete his statement this evening, he may have the floor immediately after the morning hour.

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

Mr. JOHNSON of Texas. Mr. President, we are prepared to stay as long as the Senator from Massachusetts cares to address the Senate, but if he cares to stop at about 6 o'clock, a motion to recess will then be made.

Mr. KENNEDY. Mr. President, I shall be very glad to follow the suggestion of the majority leader.

Mr. JOHNSON of Texas. I thank the Senator for his usual courtesy.

ELECTION OF PRESIDENT AND VICE PRESIDENT

The Senate resumed the consideration of the joint resolution (S. J. Res. 31) proposing an amendment to the Constitution of the United States providing for the election of President and Vice President.

Mr. MUNDT. Mr. President, will the Senator from Massachusetts yield?

Mr. KENNEDY. I yield.

Mr. MUNDT. Before we get too far away from the place in the RECORD where the Senator from New Jersey [Mr. CASE] quoted from Professor Becker, I should like to point out that I agree completely with Dr. Becker's hypothesis that we do not now have optimum conditions in conducting an election. If he were among us he would not have us believe that in the last campaign the Republican and Democratic candidates tried to spread out their campaigns equally across the country. We did not see the candidates speaking in Painted Post, N. Y., or in Texas Flats, Wyo.

Mr. KENNEDY. I will say to the Senator that one-half of the population lives in eight of our States——

Mr. MUNDT. But people will be people wherever they live, and voters will be voters. The fact that they can cast unit votes, whereby they register in one bundle not only the electoral votes of all the people but also the popular votes, represents the three bars in the slot machine

which come up when one hits the jackpot.

Mr. KENNEDY. The State of New York has 45 electoral votes and has many millions of people. What the Senator is proposing is to divide those electoral votes on the basis of the proportion of popular votes secured by the candidates. In the pivotal States we have a 4 percent difference betwen the two parties which would neutralize 12 million people politically.

The State from which the Senator comes is over-represented in the electoral college.

Mr. MUNDT. As we are in the Senate. The Senator from Rhode Island and the Senator from North Dakota have a practical problem in connection with the adoption of a constitutional amendment.

Mr. KENNEDY. I must say that if I were writing the Constitution today without the experience we have had, I think I would probably adopt the system advocated by the Senator from Texas.

Mr. MUNDT. Does the Senator mean that he is moving in our direction?

Mr. KENNEDY. Oh, no. But we have the experience of the past. We see a limited number of persons voting in some of the States. We see how small States are benefited by having the same powers as have large States. We have the benefit of a majority in the House and Senate because Members are elected again and again. So, where we may lose in one way, we gain in another way.

Mr. MUNDT. How does it happen that the State of New York has 45 electoral votes? I think the Senator would agree with me that it is not the fact of the population being so large that would would account for the fact that the winner may receive 26 or 27 electoral votes. The reason why it has 45 electoral votes is because of the electoral college provisions. They count not only the votes that win but the votes of the people who lost, making up the 45 electoral votes.

Mr. KENNEDY. We consider a State a sovereign unit, and therefore we decide the issue in each State.

Mr. MUNDT. It would register the same influence according to population, but it loses the advantage it gets because of the theory which Madison expounded. We have a situation in our democracy where we go to the polling places and count the votes not only of those who voted for the candidate but also those who voted against him.

Mr. KENNEDY. California had 11.9 for Truman and 11.8 for Dewey, counting some 9 million people in 1948. That would give California on balance 0.1 percent.

Mr. MUNDT. It takes something away from the people, but the people of California have the votes counted in the same proportion as they were cast.

Mr. KENNEDY. If we change the balance in one area the whole system is disarranged.

Mr. MUNDT. If we want to elect our Presidents by States, the present system is as effective as any that could be devised. If we believe in electing Presidents by the votes of the people, we come up with the fact that the suggestion the Senator from North Dakota has made would result in election directly by the people. Because of the reasons which have been pointed out, the people would not adopt that system.

Mr. DOUGLAS. Mr. President, will the Senator from Massachusetts yield?

Mr. KENNEDY. I yield.

Mr. DOUGLAS. The Senator from South Dakota has expressed himself as being interested in the people of the pivotal States and is anxious that they should be represented. But, is it not true that in connection with unit representation by districts which he advocates the minority in each of the separate districts would be underrepresented? South Dakota has 2 congressional districts which are grossly unequal in size, and it has 2 Senators. It is undoubtedly true that the minority party would cast over a quarter of the votes. Furthermore, the Second District of South Dakota has, I think, a population of approximately 260,000 or less.

Mr. MUNDT. Approximately.

Mr. DOUGLAS. The first district of South Dakota has a population almost double that number.

Mr. MUNDT. Not quite; approximately.

Mr. DOUGLAS. So there is no equality within South Dakota. Furthermore, the minority will be cooped up in each congressional district, and this will be true throughout the one-party States. I should say that, on the whole, Nebraska is a one-party State. The Democratic minorities in each of the congressional districts would be unrepresented, and the Democratic minority in the State as a whole would be unrepresented.

On the other hand, in the South, the Republican minority in each of the districts would be unrepresented, and also the minority in the State as a whole.

What the Senator from South Dakota is proposing is retaining district gerrymandering for the country as a whole for the election of a President. I am afraid that the State legislatures, being rural dominated, will adopt the Mundt-Coudert method in a very large proportion of the cases, with a net disfranchisement and lack of representation of the cities.

Mr. DANIEL. Mr. President, will the Senator yield, that I may ask a question of the Senator from Illinois?

Mr. KENNEDY. I yield.

Mr. DANIEL. Does not the Senator from Illinois realize that that could be done under the present Constitution; that it was followed by 11 States; and that what we have today, and what we are trying to change today, would permit that very thing to be done?

Mr. DOUGLAS. The point is that the States have abandoned that method. No State that I know of intends to return to it. But the Senator from Texas and the Senator from South Dakota are now proposing that the States must choose between the district system and a State proportional system.

I think an improper set of ideas will be put in the heads of the legislators, since this amendment would come to them with the prestige of having been approved by Congress.

Mr. KENNEDY. In Massachusetts, in 1932, 1936, 1940, 1944, and 1948, years in which the Democrats won the presidential elections by reasonably large margins, more Republican Representatives were elected than were Democratic Representatives. I do not think there was that much crossing of lines. What it means is, of course, that the boundaries of the districts are badly drawn.

We have the classic example about which the Senator from Texas speaks—Harris County, Tex. In my opinion, it would require action by the State to correct such a condition, because, after all, we believe the State can, more or less, do what it wishes, if it decides to do so. But then it would be difficult to draw a district line in order to give balance to a State. I suppose that is what would have to be done in order to permit the Mundt-Coudert plan to reflect the people's desires.

Mr. DOUGLAS. Would the Senator be interested in some comparative figures from the Houston area? The Houston area, which is the Eighth Congressional District, had a population in 1950 of 806,701.

In the 17th District on the other hand, the population in 1950 was approximately 226,000.

So within the State of Texas itself, 1 vote in the 17th District today equals approximately 4 votes in the Houston area.

The Dallas district had a population in 1950 of 615,000; the San Antonio district, 500,000.

We find such gross inequalities within all the States.

Mr. KENNEDY. After all, gerrymandering started in Massachusetts, and is named after one of our great Revolutionary figures.

In Georgia, the Fifth Congressional District, which is the Atlanta area, has a population of 618,00, which is larger than the total population of the Eighth and Ninth Districts.

In committee, the Senator from Texas pointed to the possibility of gerrymandering. I do not see how the States could get around the problem of unequal distribution of population.

Mr. DANIEL. The Senator from Texas does not believe that many States will adopt the Mundt-Coudert plan. I dislike to say that in the presence of the Senator from South Dakota, who believes very much in his own plan. But I do not believe many of the States will adopt it. They have a right to do so now, but they are not using that plan.

Mr. KENNEDY. I should like to reply to the Senator on one point. If the State legislatures can arrange the districts—and good draftsmen can arrange them very satisfactorily—every State will adopt the plan, because it will be possible, with the rural populations, to control the State legislatures. Most of them are Republican, and it will be possible, in my opinion, for the Republicans to do much better at the polls than they are doing today. It will be possible to do that in every State of the country.

I mention this to the Senator from Texas, because I know he is not anxious to have that happen.

Mr. DANIEL. Not at all. As the Senator from Massachusetts knows, if that should happen, it would be accusing someone of doing something——

Mr. KENNEDY. Which they are doing now.

Mr. DANIEL. To gain advantage. If they are doing it now, Congress has the right to correct it under section 4, article I, of the Constitution. The Senator realizes, does he not, that Congress has the power to do that, and that Congress has, in some instances, exercised that power?

Mr. KENNEDY. It is true that in 1872, 1901, and 1911 Congressional Reapportionment Acts attempted to prevent gerrymanders, but to no avail; and in the Reapportionment Act of 1929 all such provisions were dropped. Thus 183 congressional seats today represent districts either under- or over-populated, and a Republican assemblyman was able to boast that a blatant gerrymander that gave five seats for the Republicans in 1952 was responsible for Republican control of the House in the 83d Congress. Many States, satisfied with the effects of ancient gerrymanders, do not even bother to reapportion on the basis of up-to-date census figures.

Mr. DANIEL. The Senator admits, does he not, that Congress could do something about the situation?

Mr. KENNEDY. It would be extremely difficult.

Mr. DANIEL. But Congress has the power; has it not?

Mr. KENNEDY. Consider the city of Boston. How could the question be decided, unless everyone, more or less, was run out? The lines could be drawn geographically, but how would it be decided where the Democrats and the Republicans should be put? There are 4 districts in Boston, 2 Republican and 2 Democratic. The two Democratic districts are 10-to-1 Democratic. The Republican districts are extremely close. I do not see how that situation could be prevented from Washington.

Mr. DANIEL. All I was pointing out was that Congress has the power to prevent it.

Mr. KENNEDY. I think Congress would have difficulty in enforcing it.

Mr. DANIEL. Yes.

Mr. KENNEDY. I am not certain that I would like to have Congress drawing the lines. If the Republicans were in control, they could probably realine the congressional districts so as to change the whole makeup of Congress, as well as affect the Presidency.

I think that would be opening up a potentially dangerous situation, and that is why I prefer the plan of the Senator from Texas to the plan of the Senator from South Dakota.

Mr. DANIEL. We are in agreement on that. The only thing I must say in defense of the alternative plan which is in the substitute, and which could be followed today if any of the States wanted to adopt it, is that under section 4, article I, of the Constitution, it is left to the State legislatures to determine the places and manner of holding elections for Senators and Representatives.

Section 4 goes on to say:

> But the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

So the power is there. If someone or some State misuses its power under the amendment, under the alternative in the Mundt-Coudert plan, there is a remedy for it.

Mr. KENNEDY. I should say that the remedy would be by a Congress which benefited from it.

I notice that the Senator from New Jersey is in the Chamber. In New Jersey 8 urban counties, with four-fifths of the population, have 8 State senators, while 13 rural counties, with one-fifth of the population, have 13 senators. That illustrates the problem of getting State legislatures to draw lines fairly.

Mr. CASE of New Jersey. It is quite true that the State legislatures "overweight the acres," as we say in New Jersey, as against the populous centers.

I know the Senator from Massachusetts does not suggest that there will be a yielding to these temptations, but rather his point is that we already have unbalanced districts, and grossly unbalanced districts, which have proved historical reasons for their existence. These ought not to be made the basic areas for the choosing of electors for President.

Also I wish to make one additional point with regard to the suggestion that Congress may have the constitutional power to correct anything of this sort. To say it has that power is quite naive, when we recognize that Congress has for a long time had the power to reduce the representation in Congress of States where there are restrictions upon the vote, and has never yet felt it was in a position to take action along that line.

Mr. KENNEDY. I am in complete agreement with what the Senator has said. To give another example, let us take the nearby city of Baltimore. Baltimore, with 47 percent of the population of the State, gets 29 percent of the representation. In Connecticut, Hartford, with a population of 126,000, has 2 Representatives. Colebrook, with a population of 527, also has 2 Representatives.

Mr. DOUGLAS. Mr. President, will the Senator from Massachusetts yield?

Mr. KENNEDY. I yield.

Mr. DOUGLAS. The Senator from Massachusetts has pointed out, and the Senator from New Jersey has reinforced the point, that there is already a great temptation for State legislatures, rural-dominated as they are, to lay down congressional district lines which discriminate against the cities and discriminate against that political party which is strongest in the city but weak in the countryside. Would not this temptation be increased if the congressional districts became the units from which the President was elected?

Mr. KENNEDY. Of course, there would be that much more at stake and the temptation would be that much greater.

Mr. DOUGLAS. So if they succumb to temptation now, the temptation would be intensified and they would succumb still more if the Mundt-Coudert amendment were adopted. Is that correct?

Mr. KENNEDY. Yes. The figures which have been given are true of every State of the Union.

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

Mr. KENNEDY. I yield.

Mr. LEHMAN. So far as New York is concerned, the amendment proposed by the Senator from Texas and his associates would work a very serious and unfair advantage. The situation in New York is so arranged politically, and, as a matter of fact, constitutionally, that the great centers are at a tremendous disadvantage as compared to the rural centers, the great centers being Democratic, the rural areas being Republican, with the result that, so far as the legislature is concerned, every county of the State must have at least one representative in the assembly, regardless of size. The result is that a county like Putnam, with a population of only 20,000, has an assemblyman, whereas an assemblyman from New York City represents somewhere between three and four hundred thousand.

Furthermore, the congressional districts are very unequal in size. The upstate congressional districts are, generally speaking, very much smaller in population than are the congressional districts in New York City.

Furthermore, we have gone through a period of gerrymandering, which has placed a great handicap on the city districts, which are Democratic.

In spite of the fact that New York State has elected more Democratic governors and more Democratic Senators than Republicans over the past 25 or 30 years, the New York State Legislature has, in only 1 year in the past 21, been Democratic. That was in 1935, when I was governor. I did not permit gerrymandering. I sometimes regretted it a little bit, because of the fact that the Republicans did not repay me in kind. Since then there has been very, very serious gerrymandering, with the result that, through reapportionment, which requires a vote in the assembly of the legislature, and also requires a vote in the congressional district, the gerrymandering has placed the urban centers of New York State at a very great disadvantage.

I have mentioned the situation only as it affects New York State. I think the same arguments could be advanced with regard to many other States of the Union. I shall not go into that tonight, because I know the hour is late. I hope to have an opportunity to speak on the subject again tomorrow, but, as far as New York State is concerned—and I believe I can speak with some authority about New York State—the situation would be extremely unfair and dangerous to the interests of the people of New York State.

I again wish to emphasize that, in spite of the gerrymandering, in spite of the overwhelming control of the legislature by the Republicans, the people of New York State as a whole have elected far more Democratic governors and Senators in the last 25 or 30 years than Republicans.

Mr. KENNEDY. Mr. President, in conclusion, I would say to the Senator from Texas my feeling would be that the one-party States would use the Mundt-Coudert system particularly to submerge

those aspiring Republican groups which the Senator from South Dakota [Mr. MUNDT] is hopeful will arise in certain States, and the Democratic groups which other Senators are hopeful will arise in Republican States. It would not take much modification to draw the lines to bring that about. The people in the minority parties would continue to be unrepresented. So I think the things which are hoped for will not come about. I thank the Senator from New York for his statement.

MESSAGE FROM THE HOUSE—ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

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

S. 1585. An act to provide for the return to the town of Hartford, Vt., of certain land which was donated by such town to the United States as a site for a veterans' hospital and which is no longer needed for such purposes;

H. R. 585. An act to authorize the conveyance to Lake County, Calif., of the lower Lake Rancheria, and for other purposes;

H. R. 622. An act to provide for the release by the United States of its rights and interests in certain land located in Saginaw County, Mich.;

H. R. 930. An act for the relief of John Daniel Pope;

H. R. 944. An act for the relief of Nicola Teodosio;

H. R. 1014. An act for the relief of Chung Fook Yee Chung;

H. R. 1074. An act for the relief of Mrs. Esther Chan Lee (Eta Lee);

H. R. 1097. An act for the relief of John Meredith McFarlane;

H. R. 1104. An act for the relief of Guenther Kaschner;

H. R. 1137. An act for the relief of Harry John Wilson;

H. R. 1209. An act for the relief of Numeriano Lagmay;

H. R. 1323. An act for the relief of Sister Ramona Maria (Ramona E. Tombo);

H. R. 1492. An act for the relief of Krsevan Spanjol;

H. R. 1544. An act for the relief of Mrs. Moli (Mali) Sobel;

H. R. 1666. An act for the relief of Jose Canencia-Castanedo;

H. R. 1806. An act to amend the act entitled "An act to incorporate the Roosevelt Memorial Association", approved May 31, 1920, as heretofore amended, so as to permit such corporation to consolidate with Women's Theodore Roosevelt Memorial Association, Inc.;

H. R. 1912. An act for the relief of Howard Rieck;

H. R. 1920. An act for the relief of Ane Karlic Vlasich;

H. R. 1923. An act for the relief of Kevin Murphy;

H. R. 1973. An act for the relief of Mrs. Chin-An Wang (nee Alice Chiacheng Sze);

H. R. 2054. An act for the relief of Induk Pahk;

H. R. 2072. An act for the relief of Julian Nowakowski, or William Nowak (Novak);

H. R. 2283. An act for the relief of Wilhelmus Marius Van der Veur;

H. R. 2285. An act for the relief of Marie Lim Tsien;

H. R. 2345. An act for the relief of Jean Henri Buchet;

H. R. 2522. An act for the relief of Isabelle S. Gorrell, Donald E. Gorrell, Mary Owen Gorrell, and Kathryn G. Wright;

H. R. 3037. An act for the relief of Jakob Hass, Rosa Hass, and Mala Hass;

H. R. 3057. An act for the relief of Doctor Bienvenido L. Balingit;

H. R. 3201. An act for the relief of George Mikroulis, his wife, Dora Mikroulis, and his daughter Madonna G. Mikroulis;

H. R. 3265. An act for the relief of Alkista Sfounis;

H. R. 3375. An act for the relief of Dr. James C. S. Lee, his wife, Dora Ting Wei, and their daughter, Vivian Lee;

H. R. 3501. An act for the relief of Nisan Sarkis Giritliyan and Virgin Giritliyan;

H. R. 3557. An act to further amend the act of July 3, 1943 (ch. 189, 57 Stat. 372), relating to the settlement of claims for damage to or loss or destruction of property or personal injury or death caused by military personnel or certain civilian employees of the United States, by removing certain limitations on the payment of such claims and the time within which such claims may be filed;

H. R. 3650. An act to provide for the conveyance to Elief Rue of certain real property situated in Cassia County, Idaho;

H. R. 3723. An act for the relief of Freda H. Sullivan;

H. R. 3845. An act for the relief of Guillermo Padraza;

H. R. 3857. An act for the relief of Constantin David, Paula Marie David, Claire Edmond David, and Arlane Constance David;

H. R. 3869. An act for the relief of Esther Ledea Escobedo;

H. R. 3965. An act for the relief of Max Moskowitz;

H. R. 4181. An act for the relief of P. F. Claveau, as successor to the firm of Rodger G. Ritchie Painting & Decorating Co.;

H. R. 4185. An act for the relief of Zabel Vartanian;

H. R. 4376. An act to exempt from duty the importation of certain handwoven fabrics when used in the making of religious vestments;

H. R. 4391. An act to abolish the Castle Pinckney National Monument, in the State of South Carolina, and for other purposes;

H. R. 4680. An act affirming that title to a certain tract of land in California vested in the State of California on January 21, 1897;

H. R. 4802. An act to authorize the execution of mortgages and deeds of trust on individual Indian trust or restricted land;

H. R. 5280. An act to authorize land exchanges for purposes of Colonial National Historical Park, in the State of Virginia; to authorize the transfer of certain lands of Colonial National Historical Park, in the State of Virginia, to the Commonwealth of Virginia; and for other purposes;

H. R. 5556. An act authorizing a preliminary examination and survey of McGirts Creek, Florida, for flood control;

H. R. 5856. An act to repeal the requirement for heads of departments and agencies to report to the Postmaster General the number of penalty envelopes and wrappers on hand at the close of each fiscal year;

H. R. 5866. An act for the relief of Giovanni Lazarich;

H. R. 6112. An act to authorize the construction of a sewage-disposal system to serve the Yorktown area of the Colonial National Historical Park, Va., and for other purposes;

H. R. 6309. An act to authorize construction of the Mississippi River-gulf outlet;

H. R. 6363. An act for the relief of Edward Barnett;

H. R. 6532. An act for the relief of John William Scholtes;

H. R. 6617. An act for the relief of Boris Kowerda;

H. R. 6618. An act for the relief of Etha Dora Johnson;

H. R. 6772. An act to authorize the Secretary of the Interior to convey certain federally owned land under his jurisdiction to the school district No. 24 of Lake County, Oreg.;

H. R. 6961. An act to designate the lake created by Buford Dam in the State of Georgia as Lake Sidney Lanier;

H. R. 7097. An act to provide for the reconveyance of oil and gas and mineral interests in a portion of the lands acquired for the Demopolis lock and dam project, to the former owners thereof, and for other purposes;

H. R. 7927. An act to extend the time within which the State of Louisiana may make initial payment on the purchase of certain property from the United States;

H. R. 8607. An act to authorize and direct the Secretary of the Interior to convey to David Peters, or to his heirs or assigns, title to land held by the United States in trust for him;

H. J. Res. 194. Joint resolution to designate the General Grant tree (known as the Nation's Christmas tree) in Kings Canyon National Park, Calif., as a national shrine.

H. J. Res. 443. Joint resolution to increase the appropriation authorization for the Woodrow Wilson Centennial Celebration Commission; and

H. J. Res. 517. Joint resolution changing the date for the counting of the electoral votes in 1957.

RECESS

Mr. KENNEDY. Mr. President, in line with my agreement with the majority leader, I now move that the Senate stand in recess until 12 o'clock noon tomorrow. I believe the majority leader stated it would be possible for the Senator from Massachusetts to have the floor again after the morning business.

The motion was agreed to; and (at 6 o'clock and 8 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, until tomorrow, Wednesday, March 21, 1956, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate March 20 (legislative day of March 19), 1956:

DIPLOMATIC AND FOREIGN SERVICE

Sheldon T. Mills, of Oregon, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Afghanistan, vice Angus Ward, resigned.

CIVIL DEFENSE ADMINISTRATION

Lewis E. Berry, Jr., of Michigan, to be Deputy Federal Civil Defense Administrator, vice Mrs. Katherine C. Howard, resigned.

PUBLIC HEALTH SERVICE

The following candidates for personnel action in the Regular Corps of the Public Health Service:

FOR APPOINTMENT, SUBJECT TO QUALIFICATIONS THEREFOR AS PROVIDED BY LAW AND REGULATIONS

To be senior assistant surgeons

John K. Irion	Lesther Winkler
Harold P. Schedl	Samuel G. Southwick
Allen C. Pirkle	Robert H. Parrott
James L. German	Edward F. Wenzleff
Patrick J. Hennelly, Jr.	

To be assistant surgeons

Duane L. Hanson	Munsey S. Wheby
W. King Engel	James C. Wooton
Theodore A. Labow	Alvin Singer

Lowell H. Hansen	Alex Rosen
Donald A. Neher	Herman L. Smith
Leon N. Branton	Hugh S. Pershing

To be assistant dental surgeon

Dale E. Smith

To be nurse officer

Mildred Struve

To be senior assistant nurse officer

Jean C. Casey

To be senior assistant therapists

Josef Hoog	JaNeva L. Porter
Howard A. Haak	John R. De Simio
John F. Burke	Nellie L. Evans

To be assistant therapists

Royce P. Noland	Dean P. Currier
Michael J. Oliva	Lennes A. Talbot, Jr.

To be junior assistant therapists

Arthur J. Nelson, Jr.	John L. Echternach
Dell C. Nelms	James W. Barbero

CONFIRMATION

Executive nomination confirmed by the Senate March 20 (legislative day of March 19), 1956:

UNITED STATES CIRCUIT JUDGE

Stanley N. Barnes, of California, to be United States circuit judge for the ninth circuit.

HOUSE OF REPRESENTATIVES

TUESDAY, MARCH 20, 1956

The House met at 12 o'clock noon.

Dr. Garis T. Long, Grace Baptist Church, Richmond, Va., offered the following prayer:

Oh Thou Eternal God, our Father, the God and Father of our Lord, Jesus Christ, our Saviour, we turn our hearts to Thee in thanksgiving and praise for all of the riches of Thy grace and for Thy many blessings and favors. We thank Thee for this land in which we live, for the rich endowments that Thou hast given unto us, for the ideals of democracy, and for the privilege of freedom that we enjoy as individuals and for all of the opportunities which are ours. We pray Thy rich blessings to abide upon this great land and upon all the nations of the earth.

Grant Thy favors upon the President of the United States, upon those who are associated with him in positions of responsibility, and grant, our Father, Thy special blessing upon this assembly. We thank Thee for these men and women who represent us. Wilt Thou richly endow them with divine wisdom that they may seek to do Thy will. Give unto them discerning minds and understanding hearts. May they know the right, and grant, our Father, that they may have courage to act upon the truth as they know it.

Our Father, we realize that we are mortal men. We are dependent creatures. Thine are the true resources of light. Thine are the material bounties. Thine are the spiritual values. Supply us, we pray, with those things which are needful in our choices and decisions. May we ever be mindful of the fact that righteousness exalteth a nation but sin is a reproach to a people. May we know that Thou dost require of us to do justly, love mercy, and to walk humbly before Thee as our God.

Let Thy blessings be upon the people who are represented by these men and women. Wilt Thou give unto them a tolerant spirit and understanding minds and hearts, and may they always give encouragement to the ones whom they have chosen for positions of responsibility. May the people who are represented here today manifest a spirit of appreciation that we as a nation may be undergirded with strength, with courage, and with a desire to do Thy holy will. Let Thy blessings be upon all of the deliberations here in this Congress and grant, our Father, that we may seek Thy kingdom and may Thy will be done in us, through us, and by us. In Jesus' name and for His sake, we pray. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

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

H. R. 585. An act to authorize the conveyance to Lake County, Calif., of the Lower Lake Rancheria, and for other purposes;

H. R. 622. An act to provide for the release by the United States of its rights and interests in certain land located in Saginaw County, Mich.;

H. R. 930. An act for the relief of John Daniel Popa;

H. R. 944. An act for the relief of Nicola Teodosio;

H. R. 1014. An act for the relief of Chung Fook Yee Chung;

H. R. 1074. An act for the relief of Mrs. Esther Chan Lee (Eta Lee);

H. R. 1097. An act for the relief of John Meredith McFarlane;

H. R. 1104. An act for the relief of Guenther Kaschner;

H. R. 1137. An act for the relief of Harry John Wilson;

H. R. 1209. An act for the relief of Numeriano Lagmay;

H. R. 1323. An act for the relief of Sister Ramona Maria (Ramona E. Tombo);

H. R. 1492. An act for the relief of Krsevan Spanjol;

H. R. 1544. An act for the relief of Mrs. Moli (Mali) Sobel;

H. R. 1666. An act for the relief of Jose Canencia-Castanedo;

H. R. 1806. An act to amend the act entitled "An act to incorporate the Roosevelt Memorial Association," approved May 31, 1920, as heretofore amended, so as to permit such corporation to consolidate with Women's Theodore Roosevelt Memorial Association, Inc.;

H. R. 1912. An act for the relief of Howard Rieck;

H. R. 1920. An act for the relief of Ane Karlic Vlasich;

H. R. 1923. An act for the relief of Kevin Murphy;

H. R. 1973. An act for the relief of Mrs. Chiu-An Wang (nee Alice Chiacheng Sze);

H. R. 2054. An act for the relief of Induk Pahk;

H. R. 2072. An act for the relief of Julian Nowakowski, or William Nowak (Novak);

H. R. 2283. An act for the relief of Wilhelmus Marius Van der Veur;

H. R. 2285. An act for the relief of Marie Lim Tsien;

H. R. 2345. An act for the relief of Jean Henri Buchet;

H. R. 2347. An act for the relief of Heinrich Wolfgang;

H. R. 2522. An act for the relief of Isabelle S. Gorrell, Donald E. Gorrell, Mary Owen Gorrell, and Kathryn G. Wright;

H. R. 3037. An act for the relief of Jakob Hass, Roza Hass, and Mala Hass;

H. R. 3057. An act for the relief of Dr. Bienvenido L. Balingit;

H. R. 3201. An act for the relief of George Mikrouiis, his wife, Dora Mikrouiis, and his daughter, Madonna G. Mikrouiis;

H. R. 3265. An act for the relief of Alrista Sfounis;

H. R. 3375. An act for the relief of Dr. James C. S. Lee, his wife Dora Ting Wei, and their daughter, Vivian Lee;

H. R. 3501. An act for the relief of Nisan Sarkis Giritliyan and Virgin Giritliyan;

H. R. 3557. An act to further amend the act of July 3, 1943 (ch. 189, 57 Stat. 372), relating to the settlement of claims for damage to or loss or destruction of property or personal injury or death caused by military personnel or certain civilian employees of the United States, by removing certain limitations on the payment of such claims and the time within which such claims may be filed;

H. R. 3650. An act to provide for the conveyance to Eilef Rue of certain real property situated in Cassia County, Idaho;

H. R. 3723. An act for the relief of Freda H. Sullivan;

H. R. 3845. An act for the relief of Guillermo Pedraza;

H. R. 3857. An act for the relief of Constantin David, Paula Marie David, Claire Edmonde David, and Ariane Constance David;

H. R. 3869. An act for the relief of Esther Ledea Escobedo;

H. R. 3963. An act for the relief of Ashot Mnatzakanian and Ophelia Mnatzakanian;

H. R. 3965. An act for the relief of Max Moskowitz;

H. R. 4181. An act for the relief of P. F. Claveau, as successor to the firm of Rodger G. Ritchie Painting & Decorating Co.;

H. R. 4185. An act for the relief of Zabel Vartanian;

H. R. 4376. An act to exempt from duty the importation of certain handwoven fabrics when used in the making of religious vestments;

H. R. 4391. An act to abolish the Castle Pinckney National Monument, in the State of South Carolina, and for other purposes;

H. R. 4680. An act affirming that title to a certain tract of land in California vested in the State of California on January 21, 1897;

H. R. 4802. An act to authorize the execution of mortgages and deeds of trust on individual Indian trust or restricted land;

H. R. 5280. An act to authorize land exchanges for purposes of Colonial National Historical Park, in the State of Virginia; to authorize the transfer of certain lands of Colonial National Historical Park, in the State of Virginia, to the Commonwealth of Virginia; and for other purposes;

H. R. 5556. An act authorizing a preliminary examination and survey of McGirts Creek, Fla., for flood control;

H. R. 5856. An act to repeal the requirement for heads of departments and agencies to report to the Postmaster General the number of penalty envelopes and wrappers on hand at the close of each fiscal year;

H. R. 5866. An act for the relief of Giovanni Lazarich;

H. R. 5876. An act to amend the copyright law to permit, in certain classes of works, the deposit of photographs or other identifying reproductions in lieu of copies of published works;

H. R. 6022. An act to provide for the relocation of the Trenton Massacre Canyon Monument presently located near Trenton, Nebr.;

H. R. 6112. An act to authorize the construction of a sewage-disposal system to

serve the Yorktown area of the Colonial National Historical Park, Va., and for other purposes;

H. R. 6309. An act to authorize construction of the Mississippi River-Gulf outlet;

H. R. 6363. An act for the relief of Edward Barnett;

H. R. 6532. An act for the relief of John William Scholtes;

H. R. 6617. An act for the relief of Boris Kowerda;

H. R. 6618. An act for the relief of Etha Dora Johnson;

H. R. 6772. An act to authorize the Secretary of the Interior to convey certain federally owned land under his jurisdiction to the school district No. 24 of Lake County, Oreg.

H. R. 6904. An act to provide for the establishment of the Booker T. Washington National Monument;

H. R. 6961. An act to designate the lake created by Buford Dam in the State of Georgia as "Lake Sidney Lanier";

H. R. 7097. An act to provide for the reconveyance of oil and gas and mineral interests in a portion of the lands acquired for the Demopolis lock and dam project, to the former owners thereof, and for other purposes;

H. R. 7927. An act to extend the time within which the State of Louisiana may make the initial payment on the purchase of certain property from the United States;

H. R. 8607. An act to authorize and direct the Secretary of the Interior to convey to David Peters, or to his heirs or assigns, title to land held by the United States in trust for him;

H. J. Res. 194. Joint resolution to designate the General Grant tree (known as the Nation's Christmas Tree) in Kings Canyon National Park, California, as a national shrine;

H. J. Res. 443. Joint resolution to increase the appropriation authorization for the Woodrow Wilson Centennial Celebration Commission; and

H. J. Res. 517. Joint resolution changing the date for the counting of the electoral votes in 1957.

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

H. R. 1005. An act for the relief of Alice Duckett;

H. R. 1082. An act for the relief of Golda I. Stegner;

H. R. 1495. An act for the relief of Joseph J. Porter;

H. R. 2946. An act for the relief of Eugene Dus;

H. R. 3996. An act to further amend the Military Personnel Claims Act of 1945;

H. R. 4039. An act for the relief of Julian, Dolores, Jaime, Dennis, Roldan, and Julian, Jr., Lizardo; and

H. R. 6268. An act to facilitate the construction of drainage works and other minor items on Federal reclamation and like projects.

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

H. R. 12. An act to amend the Agricultural Act of 1949, as amended, with respect to price supports for basic commodities and milk; and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, and requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ELLENDER, Mr. JOHNSTON of South Carolina, Mr. HOLLAND, Mr. AIKEN, and Mr. YOUNG to be the conferees on the part of the Senate.

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

S. 572. An act for the relief of Mr. and Mrs. Delio A. Loo Murgas;

S. 767. An act for the relief of Andrew Rosner;

S. 850. An act for the relief of Konstantinos Zaferatos;

S. 885. An act for the relief of Alice Elizabeth Marjoribanks;

S. 1111. An act for the relief of Eric A. Cummings;

S. 1122. An act for the relief of Sarah Kleidermacher;

S. 1146. An act to further amend section 20 of the Trading With the Enemy Act, relating to fees of agents, attorneys, and representatives;

S. 1240. An act for the relief of Imre de Cholnoky;

S. 1347. An act for the relief of Jose Arriaga-Marin;

S. 1465. An act for the relief of Audrey Jean Younkers;

S. 1528. An act to authorize enrolled members of the Three Affiliated Tribes of the Fort Berthold Reservation, N. Dak., to acquire trust interests in tribal lands of the reservation, and for other purposes;

S. 1533. An act for the relief of John Nicholas Christodoulias;

S. 1542. An act to authorize an allowance for civilian officers and employees of the Government who are notaries public;

S. 1552. An act for the relief of Mikie Woodard;

S. 1555. An act authorizing the restoration to tribal ownership of certain lands upon the Crow Indian Reservation, Mont., and for other purposes;

S. 1560. An act for the relief of Dr. John Joon Sik Chung;

S. 1619. An act for the relief of Giuseppe Ventura;

S. 1664. An act for the relief of Balbina Borenstein;

S. 1701. An act for the relief of Hildegard Silvonen;

S. 1702. An act to amend section 1721, title 18, United States Code, relating to the sale or pledge of postage stamps;

S. 1733. An act for the relief of Stanislaw Argasinski;

S. 1734. An act for the relief of Johann Antonius Tudhope and Walda Fedor Tudhope;

S. 1762. An act for the relief of Rudolf Fritz Liermann;

S. 1814. An act for the relief of Teresa Lucia Cilli and Guiseppe Corrado Cilli;

S. 1831. An act for the relief of Panteles Kerkos;

S. 1846. An act for the relief of Dr. Howard Seeming Liang; Lai Yen Mark Liang, and Howard Seeming Liang, Jr.;

S. 1871. An act to amend the act entitled "An act to reimburse the Post Office Department for the transmission of official Government-mail matter," approved August 15, 1953 (67 Stat. 614), and for other purposes;

S. 1881. An act for the relief of Vittorio Ventimiglia;

S. 1883. An act for the relief of Pietro Rodolfo Walter Stulin;

S. 1889. An act for the relief of Maria Guadalupe Shockley and her minor daughter, Evangelina Vega Shockley;

S. 1900. An act for the relief of Helen Agnes Blais (Junko Furakawa);

S. 1929. An act for the relief of Regina M. Knight;

S. 1939. An act for the relief of John Shalam and Claude Shalam;

S. 1950. An act for the relief of Dr. Fu-Chuan Chao (also known as Fuk Kun Chiu) and his wife, Chiu Lai Yuk (also known as Lai Yuk Chao);

S. 1953. An act for the relief of Yvonne Mary Florescu (Sister John Baptist);

S. 1970. An act for the relief of Kim Boksoon;

S. 1975. An act for the relief of Jenny Antoinette V. Ingrum;

S. 1987. An act for the relief of Dr. Peter Chou-Yuen Tchen;

S. 2012. An act for the relief of Chong You How (also known as Edward Charles Yee), his wife, Eng Lai Fong, and his child, Chong Yim Keung;

S. 2035. An act for the relief of Nicholas Hernandez-Valencia;

S. 2037. An act for the relief of Adele Knoff and her minor child, Hans Knoff;

S. 2052. An act for the relief of Demetrios K. Georgaras;

S. 2077. An act for the relief of Abdullah Ibrahim Hakim;

S. 2103. An act for the relief of Anke Naber;

S. 2104. An act for the relief of Charlotte Muhlefeldt;

S. 2138. An act for the relief of Dorothy May Ackermann;

S. 2143. An act for the relief of Manda Pauline Petricevic;

S. 2151. An act to provide for the segregation of certain funds of the Fort Berthold Indians on the basis of a membership roll prepared for such purpose;

S. 2155. An act for the relief of Jose Torres;

S. 2156. An act for the relief of Thomas H. Ros;

S. 2201. An act for the relief of Dr. Wei-Chi Liu;

S. 2243. An act for the relief of Mary Boone Lacson;

S. 2249. An act for the relief of Pil Nyi Kwak;

S. 2264. An act for the relief of Yu Heng Gee;

S. 2267. An act to direct the Secretary of the Interior to convey certain public lands in the State of Nevada to the city of Henderson, Nev.;

S. 2284. An act for the relief of Domingo Lim (also known as Lim Eng Kok and Domingo Lim Chay Seng);

S. 2289. An act for the relief of David Hayes;

S. 2304. An act for the relief of Mary Parlich Goldstein;

S. 2327. An act for the relief of Takako Iba;

S. 2345. An act for the relief of Lilu Yuen Chuang;

S. 2349. An act for the relief of Miss Pilar A. Garcia;

S. 2357. An act for the relief of Nenita Santos and Elizabeth Santos;

S. 2358. An act for the relief of Renate Karolina Horky;

S. 2371. An act for the relief of Charles Black, also known as Joseph Clark;

S. 2381. An act for the relief of Dr. Mahmood Sajjadi;

S. 2399. An act for the relief of Hua-Tung Lee (Gordon Lee) and his wife, Chi-Wan Mow Lee (Jane Lee);

S. 2414. An act for the relief of Lina Diaz;

S. 2445. An act for the relief of Knar Carmen Ives;

S. 2495. An act for the relief of Anna Abbene;

S. 2570. An act for the relief of Maximilien Beauvois;

S. 2590. An act for the relief of Paula Edith Reynolds;

S. 2666. An act for the relief of Catherine Towes;

S. 2688. An act for the relief of Giuseppa Boni;

S. 2697. An act for the relief of Kimiko Yamada Clark;

S. 2744. An act for the relief of Harold Manly Stewart;

S. 2755. An act to designate the reservoir above the Monticello Dam in California as Lake Berryessa;

S. 2861. An act to authorize an increase of emergency relief highway funds from $10 million to $30 million for the fiscal year ending June 30, 1956;

S. 3237. An act to provide for continuance of live insurance coverage under the Federal Employees Group Life Insurance Act of 1954, as amended, in the case of employees receiving benefits under the Federal Employees Compensation Act;

S. 3315. An act to amend section 5 of the Civil Service Retirement Act of May 29, 1930, as amended;

S. J. Res. 122. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Member of Congress;

S. J. Res. 123. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Member of Congress;

S. J. Res. 124. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Member of Congress; and

S. Con. Res. 70. Concurrent resolution to extend greetings to the Sudan.

AIRCRAFT CONTROL AND WARNING SYSTEM

Mr. VINSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3452) to amend the act of July 15, 1955, Public Law 161, 84th Congress—Sixty-ninth United States Statutes at Large, page 324—by increasing the appropriation authorization for the Aircraft Control and Warning System.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the act of July 15, 1955, Public Law 161, 84th Congress (69 Stat. 324), is hereby amended as follows:

(1) With respect to various locations under the heading "Outside Continental United States" and subheading "Aircraft Control and Warning System" in section 301 strike out "$98,552,000" and insert in place thereof "$170,552,000.".

(2) In clause (3) of section 502 thereof strike out the amounts "$453,563,000" and "$1,207,902,000" and insert in place thereof "$530,563,000" and "$1,279,902,000" respectively.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

UNWARRANTED CHARGE OF ATTEMPTING TO INFLUENCE JUDICIAL DECISION

Mr. WALTER. Mr. Speaker, I ask unanimous consent to address the House and to revise and extend my remarks.

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

There was no objection.

Mr. WALTER. Mr. Speaker, on several occasions recently there has appeared in the public press an attack on me because of alleged bullying of a judge. It is unfortunate, indeed, that the Committee on Appropriations released testimony adduced before that committee in connection with an appropriation request, before the circuit court handed down a decision in a case now before it for reconsideration. I assure you that in answering the question propounded by the distinguished chairman of that subcommittee I had no intention of attempting to influence the judgment of the court, and I am sure that everybody who knows me knows that I have never attempted either directly or indirectly to influence a decision of any court made against me.

I think it is important in considering the accusation to call your attention to the fact that the man who made this unfounded charge, one of the directors of the ADA, one Edward D. Hollander, was a member of the Washington Book Shop, an organization cited by Attorneys General Francis Biddle and Tom Clark as being a subversive and Communist-front organization and redesignated by the Attorney General pursuant to Executive Order 10450 in 1953 as a subversive and Communist organization. I am very proud of the fact that the attacks made upon me because of criticism leveled against a judge for a decision which was strained, to say the least, come from that source. Attacks of this sort are not leveled against me as an individual but as the chairman of the Committee on Un-American Activities. Recently I learned that a newspaperman was assigned to the task of trying to "get me." Several months ago a female newspaper-writer threatened that "wait until we get through with you." All of this furnishes abundant proof of the wisdom of Congress in appropriating funds with which activities of subversives and their stooges can be watched.

REFUGEE RELIEF ACT OF 1953

Mr. WALTER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. WALTER. Mr. Speaker, the Secretary of State, John Foster Dulles, advised us on March 1, 1956, that an appraisal of the program of operations under the Refugee Relief Act of 1953, as amended, indicates that about 50,000 visas of the 209,000 nonquota visas allocated under that act would remain unused at the termination date of the program which is December 31, 1956.

I see no reason why the visas allocated by the Congress should remain unused, but, at the same time I do not see why we should extend the lifetime of a very expensive administration which is in charge of that program.

I have today introduced a bill which would terminate that expensive operation on the date fixed by the Congress but would permit the use of the entire allocation of visas to those people for whom the Congress intended to provide resettlement opportunities in the United States.

The ethnic groups affected would be the Greeks, natives of the Netherlands, Italians, German expellees and anti-Communist Chinese, as well as war orphans of all nationalities.

The Immigration and Nationality Act, often referred to as the Walter-McCarran Act, would be fully applicable.

The escapees from Communist oppression would benefit under one of the sections of my bill which would restore the full use of annual quotas to natives of countries taken over by Soviet Russia, namely, the Baltic countries, Poland, Czechoslovakia, Rumania, Hungary, and so forth, as well as to Greeks who have an extremely small immigration quota for their use—a quota amounting to only 308 annually.

There is one more feature of my bill which I believe will meet with the approval of the Congress. In view of the progress made by medical science, we can now afford, without injuring our citizens, to admit in the name of enlightened humanitarianism a relatively small number of people afflicted with tuberculosis and to place them in institutions prepared to take care of them. Smaller countries like Sweden, Norway, Switzerland, and the Federal Republic of Germany have similarly contributed to helping the sick and homeless. I believe the United States will do well to join in that humanitarian endeavor, under proper safeguards and controls which are provided for in my proposal. I have been reliably informed that charitable groups have guaranteed to do all of the financing necessary in order to maintain these people until such time as a cure has been effected.

Mr. Speaker, it is my intention to press vigorously for the enactment of this bill before the end of this session of Congress.

POSTAL SERVICE

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

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

There was no objection.

Mr. STAGGERS. Mr. Speaker, complaints from postal workers relative to working conditions and from people in my district relative to postal service have been more numerous in recent months than any time during my term of office.

Recently I have received a number of complaints from postal workers about the difficulty in securing their annual leave. On checking into the matter, I find that the Post Office Department is attempting to operate without adequate funds. In testifying before the Senate Appropriations Committee on the post-office appropriation, Postmaster General Arthur E. Summerfield testified that they would have to come in and request a deficiency appropriation of $20 million to operate for the balance of the fiscal year. I have been informed that up to the present time they have not made such a request, but apparently are doing everything possible to save this amount by restricting the rights and privileges of employees, and by denying service to the public.

I am anxious to see the budget balanced, not for political reasons, but for the welfare of the American taxpayer, but I do not believe the postal employees should be imposed upon by being expected to handle a staggering amount of work without proper assistance, nor do I believe that the American people should be denied their traditionally good postal service.

The population in this country is growing at a tremendous rate. On February 1 the Census Bureau estimated the population at 166.9 million. Since February 1, according to a rough estimate kept by the Census Bureau, the population has increased beyond the 167 million mark.

The Post Office Department has not had sufficient employees to keep pace with the growing volume of mail and with the rapidly expanding population. The decision as to whether or not a deficiency appropriation will be requested is being discussed at a budget level. Rightfully this problem is of such grave import that it should be taken up with the elected representatives of the people and I believe that the Postmaster General is not living up to his proper responsibility in failing to do so.

I want to refer to the remarks made by my able colleague from Florida [Mr. MATTHEWS] on March 15 when he rose on the floor of the House of Representatives and reported that he was receiving daily complaints about the closing of many small post offices. We are experiencing the same difficulty in my district. The Post Office Department has boasted that they have closed 3,000 of these little post offices at a saving of $4 million. This amount is infinitesimal. The fourth-class post office serves as more than a distributor of mail. It has a definite social significance to rural America. It represents the local pride of the rural community in which it is situated, and I do hope that we can do something to stop this mad attempt to eliminate the fourth-class post offices from the American scene.

BILL DIGEST

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

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

There was no objection.

Mr. HAYS of Ohio. Mr. Speaker, I ask for this time to direct the attention of the membership to the improvement by the Legislative Reference Service in producing and publishing the important Digest of Public General Bills. In May of 1955, my colleague from the great State of Ohio [Mr. SCHENCK] informed the House that the Bill Digest had lost its effectiveness as a legislative information publication, because it ran from 30 to 60 days behind current dates. He pointed out that its importance was being completely lost because requests for explanation of legislative proposals were generally in connection with newly introduced bills. It, hence, served no useful purpose for analysis and breakdown of the measures in question.

I am pleased to report that action taken this year by the House Subcommittee on Printing, of which I am chairman, has brought about a noticeable speed-up of operation. Following conversations between members of the subcommittee staff and the director and other officials of the Legislative Reference Service, it was decided that a revised schedule of cumulative issues in February, April, June, and the final copy would also be supplemented by bi-weekly issues.

Although the new schedule is a big improvement over the publishing schedule of the last session, I wish to add that members of the Printing Subcommittee staff are working with Library of Congress officials to further shorten the publishing schedule of the Bill Digest. Meetings have been held with these officials and steps are being taken to acquire a suitable camera, utilizing roll film, for installation in the Library of Congress. This camera could then be advantageously used, not only to make the offset negatives which are required for the printing of the Bill Digest, but would also be used to make negatives of numerous other publications which are issued by the Library of Congress.

If this proposal is put into effect, as I hope it will be, it is my understanding that we can expect a more timely schedule for the issuance of the Bill Digest which has been lacking for a long time.

JANE FROMAN AND GYPSY MARKOFF

Mr. MULTER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

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

There was no objection.

Mr. MULTER. Mr. Speaker, yesterday I introduced a bill (H. R. 10053) to authorize payments to Jane Froman and to Gypsy Markoff, for partial compensation on account of personal injuries they suffered during World War II, as the result of the crash of a seaplane in which they were passengers under Government orders, the destination of which was a military secret and unknown to them, as well as were all the details of their transportation, departure, and so forth.

Jane Froman at the time of the accident was a performer of international prominence. Gypsy Markoff was likewise a recognized entertainer, her profession being that of accordion player. Both were performers of outstanding reputation who volunteered their services, and at the time of the crash they were on their way to entertain our Armed Forces in the European theater of war. The War Department made all transportation arrangements for these performers, and the usual insurance coverage obtainable by passengers in normal air transportation was not available to them because of the military secrecy surrounding the flight.

The entire country has sympathized with Jane Froman in her severe and painful bodily injuries. In the 10 years following the accident Miss Froman has undergone some 30 operations. She has been in and out of hospitals since the accident. Miss Markoff suffered extreme injuries to her right shoulder and left hand, resulting in deformities of the hand with permanent limitation of motion, and a number of other painful injuries.

Miss Froman and Miss Markoff were precluded from obtaining proper relief by reason of the terms of the outmoded Warsaw Convention of 1929, an international treaty that regulates and limits the liability of air carriers engaged in international transportation. Moreover, these claimants had no choice in the matter; they were engaged in a voluntary, patriotic task, the arrangements of which, including transportation, were unknown to them and were beyond their control.

In view of these circumstances, it is the duty of the Congress to take proper action to express to these individuals the gratitude that is in the hearts of our men and women. The amounts claimed represent only their out-of-pocket expenses for hospitalization and medical expenses and their actual loss of earnings. No part of the sums claimed is compensation for their pain and suffering.

I urge early passage of this bill.

AMENDMENT TO THE IMMIGRATION ACT OF IMPORTANCE TO CLERGYMEN

Mr. MULTER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

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

There was no objection.

Mr. MULTER. Mr. Speaker, until about 20 years ago we found that many clergymen and members of religious orders were coming to the United States to help meet the religious needs of our communities. Since World War II this situation has reversed itself, and now the entire world is drawing on our theological schools for its graduates. These men and women are being called upon to serve abroad, and some of them, while otherwise willing to do so, refuse for the reason that they are naturalized citizens and would lose their citizenship by accepting such employment abroad.

In order to eliminate this hardship, yesterday I introduced a bill (H. R. 10039) to amend the Immigration and Nationality Act to permit clergymen, members of religious orders, and representatives of bona fide religious organizations to perform their religious duties abroad, provided that such persons register each year at the appropriate Foreign Service office.

The second part of my bill would restore citizenship status to those persons fulfilling religious assigments abroad at the time of the enactment of the Immigration Act in 1952, who lost their citizenship right for that reason. Such persons would be restored to citizenship by taking the required oaths referred to in section 310 (a) of the Immigration Act.

I hope we can have early hearings on this bill and bring about its early enactment.

CIVIL RIGHTS

Mr. RODINO. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

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

There was no objection.

Mr. RODINO. Mr. Speaker, this is a time of trouble, a time of abundant talk on the subject of civil rights, with some of it violent, all of it earnest. The debate goes on between the men who would guarantee to all Americans the liberties that are theirs by right and the men who would not. There is also strife between those of us who want to secure these rights now and those who counsel prudence and caution, advising us to slow down and hold back in our efforts. The result is confusion and bitterness, and men who should be working shoulder to shoulder for the attainment of full civil rights for all Americans are divided over the means and the time. This is a tragic fact.

These individuals who would have us move slowly and cautiously tell us that having taken one large step down the difficult path we are treading we should now stop and rest a bit. The Supreme Court decision, they say, stands as a declaration to the world and to our citizens of America's basic faith in human equality and of her determination to achieve it for all her citizens. Now, these men of prudence say, give history a chance to work her ways. She and time will bring to flowering the seed planted by the Court, just as nature watches over the growth of the unborn child and brings it forth when it is ready for birth. But, we say, the Emancipation Proclamation is already a century old; the Declaration of Independence and the Bill of Rights almost twice that. And, the babe is still unborn. No, we have suffered the pains of labor too long and too vainly to put our trust solely in the ministrations of history. We have learned that she is almost always neutral in the conflicts of men and, unlike Mother Nature, does not preside over the evolution and growth of the life which flows beneath her gaze. Greater freedom and equality will not automatically be ours tomorrow simply because it is tomorrow and not today. If we are to have the goal we seek we must work for it; fight for it. And we must do it now.

Because I am so fully convinced that this is so, I introduced into the House in January of 1955 H. R. 702, a bill "to protect the right of individuals to be free from discrimination or segregation by reason of race, color, religion, or national origin." It is an omnibus bill, the provisions of which are designed to obtain now, immediately, all civil rights for all persons, and to guarantee to every lawful minority freedom from all forms of discrimination and segregation. As an omnibus bill, it proposes not only to remedy the evil of segregated education, so prominent in the public mind just now, but also those evils which permit lynch mobs to seize the law into their own hands and allow lawless-enforcement officials to close their eyes. The bill contains measures to outlaw lynching, poll taxes; segregation in housing, education, and interstate transportation; and discrimination in employment. It also guarantees to all men the right to a fair trial, to the exercise of the ballot, and to religious toleration.

Furthermore the bill does not single out one section of the country for remedial action to the exclusion of others. The South has its segregated schools, and the North its segregated housing. Nor is only one race or one religion the beneficiary of its provisions. All regions, all peoples, all rights are covered by the actions it proposes. It is an omnibus bill, a bill for all.

Freedom cannot be fragmentized.[1]

The many aspects of civil rights are interrelated, and all are interwoven in the fabric of our American democracy. Integration in the schools is in part dependent upon integration in housing. Democracy is dependent upon both. Full protection from lynching is dependent upon police officers who impartially uphold the observance of the law, and where both are not present there is no liberty. My bill recognizes these facts and recognizes that where men are half-free freedom does not exist. When some of its citizens are exposed to some discriminatory practices, a nation is not free. This is a bill to give us total freedom.

To achieve this total freedom I have further provided for simultaneous action on all fronts of governmental authority; State and Federal, legislative and executive. The judiciary has already discharged its function by renering clear and indisputable the requirements of the Constitution with regard to civil rights. It will continue to play its role by applying the law to specific cases as they are brought before it for review. Now machinery must be set up in the legislative and executive branches to insure a program that will attack the problem in all its many and varied aspects.

To assist the Congress in its deliberations I have called for the creation of a Joint Congressional Committee on Civil Rights, which will conduct a continuous survey of the situation to discover and define the areas of trouble and to recommend legislation to meet the difficulties. The Congress has desperate need of such a committee, now more than ever before. It will provide a center for the action of all who work toward the achievement of equality for all men, and it will help put an end to the dissipation of our energies which springs from a lack of coordination and which so often results in ineffective action. Such a committee will also be a place where those who favor these measures and those who oppose them can discuss and thrash out their differences. While there is, these days, it seems to me, too much talk and far too little action, we must be careful not to totally disparage the value of talk. We will all be happier if ultimately men of goodwill can arrive at understanding.

To insure the swift and complete enforcement of the legislative measures, I have in H. R. 702 proposed the establishment of the post of Assistant Attorney General for Civil Rights in the Department of Justice. This post will elevate civil rights to the place of importance they should hold in the pattern of our law-enforcement policies. I have also proposed the creation of two Commissions. The first of these, a Commission on Fair Employment, is for the purpose of seeing that policies of nondiscrimination are adhered to by all employers and labor organizations. This Commission is to be given full investigatory powers, and a refusal to acknowledge its authority shall be punishable by fine, imprisonment, or both. The second such body is to be a Commission on Civil Rights, composed of five Presidential appointees, who are to make a continuing study of all State and Federal civil-rights policies. The Commission's job will be to expose unlawful and discriminatory actions and to recommend corrective measures. There is today in Western Europe a human rights commission with the power to compel observance of basic civil liberties in six European countries. While I do not propose to give the Commission any sweeping police powers. I do think that the creation of an independent organ, designed to hear complaints of infraction, is needed to insure the effectiveness of all actions taken to eradicate this sore on the national body.

There is not a moment to be lost. In 1947 the President's Committee on Civil Rights gave in its report three reasons why urgent action was necessary. They were moral, economic, and international and were as follows:

1. The United States can no longer countenance these burdens on its conscience, these inroads on its moral fiber.

2. The United States can no longer afford this heavy drain upon its human wealth, its national competence.

3. The United States is not so strong, the triumph of the democratic ideal is not so inevitable, that we can ignore what the world thinks of us and of our record.

Nine years have passed, 9 years that have seen little or no action in the area of civil rights. If the reasons made action imperative then, what must be the situation now? The need for action is more compelling than ever. It is no longer only a moral obligation to give all our citizens full civil rights, but a political necessity if we are to survive in a hostile world. We must prove our worth to other nations; even more important, we must consolidate our internal life to make sure we are strong enough to stand firm in the face of the external threat. This strength is one that can come only from moral fitness, and from a unity of soul and purpose that will be ours only with the full participation of all our citizens in all aspects of our national life. If we are to preserve our heritage we must keep faith with it.

Now, while so many people are concerned with civil rights, is the moment to move ahead, to awaken and reawaken in every American heart the meaning and implication of the democratic ideal.

[1] Philip Graham, publisher of the Washington Post and Times Herald, in an address before the National Civil Liberties Clearing House, Report of the Proceedings of the Seventh Annual Congress, p. 6.

For so long as any individual is deprived of his freedom to vote, his protection under the law, his dignity as a human being, so long as any or all of these things occur, all of us suffer.

Inasmuch as ye have done it unto one of the least of these my brethren, ye have done it unto Me.

On the hearth of civil rights is forged the chain that unites and makes us strong. Let us not be misled or sidetracked, dismayed, or discouraged, or divided in our drive to attain the long-overdue fulfillment of the American dream. If this is a time of trouble, it is also a time of awareness, and because it is a time of awareness it is a time of unparalleled opportunity. The challenge is before us; let us rise and meet it.

COMMITTEE ON VETERANS' AFFAIRS SUBCOMMITTEE

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the subcommittee of the Committee on Veterans' Affairs may sit during general debate tomorrow afternoon.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

SCHOOL-MILK PROGRAM, BRUCELLOSIS ERADICATION, AND VETERANS' HOSPITALS

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

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

There was no objection.

Mr. BYRNES of Wisconsin. Mr. Speaker, in connection with the conference report on the bill H. R. 8320, which will be coming before the House, I wish to state that the issue in that matter is very simple. The question is whether the House is going to take action to extend at this time the school-milk program which expires on June 30, the brucellosis eradication program which expires on June 30, and whether we are going to act to extend the veterans' hospitals and Armed Forces milk program. If we vote down the conference report, it will mean we do intend to extend those programs. If we adopt the conference report, it means those programs are not extended and we will, therefore, be voting against their extension. Mr. Speaker, in yesterday's RECORD at page 5105 I inserted a brief history and discussion of the problem involved in the matter of this conference report. I would call your attention particularly to the parliamentary situation.

The bill in its present form contains Senate amendments extending the various programs referred to. The conference report eliminates the extensions.

If we reject the conference report we will then be in the same situation we were in when the bill was returned to us from the Senate with the amendments and before the bill was sent to conference. A motion will then be in order, and such a motion will be made, to recede and concur in the Senate amendments. In this way we will provide the additional funds needed for the school milk and brucellosis programs for this fiscal year and also provide for a 2-year extension of these programs.

SCHOOL-MILK PROGRAM

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

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

There was no objection.

Mr. ABERNETHY. Mr. Speaker, with all deference to the gentleman who has just spoken, he did not accurately state the issue. What he has said might be the political issue, but it is not the real issue. A great deal of politics has been inserted in this measure by the gentleman and others, which I think is very unfortunate.

The only issue is whether or not the House will carry through on the objective submitted to us in January, that is—are we going to extend through the remainder of this year the school-milk program? That is the issue. That is all there is to it. There is an amount of $10 million involved. The House has already authorized it. The only question is whether or not we are going to carry through on it. If the gentleman from Wisconsin does not want to do that, all he has to do tomorrow is to vote against the conference report and his vote will then be recorded as evidence of his unwillingness to extend the school-milk program through this fiscal year.

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

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

There was no objection.

Mr. LAIRD. Mr. Speaker, I would like to state in answer to the gentleman from Mississippi [Mr. ABERNETHY] that that is not the issue as far as the conference report is concerned. Neither the rejection nor adoption of the conference report tomorrow will have any effect upon the continuation of the school-milk program for the remaining portion of fiscal 1956. The question that is proposed to us in the conference report is purely a question of whether we adopt the Senate amendments or reject the Senate amendments. The conference report recommends rejection of the Senate amendments, which provide for a 2-year extension. There is no controversy over the issue of whether the program will be extended for the present fiscal year, whether the conference report is adopted or rejected. The question before us tomorrow is whether we will vote to extend this important program for the school children of America, 16 million of them, and whether we will go forward with the brucellosis program for an additional 2 years.

I hope the conference report will be rejected and that the House will accept the Senate amendments and go forward with this important, worthwhile school-milk program, and also in the important brucellosis program which is being carried on in each of our States. In this way not only will the emergency funds be provided, but final action will be taken to assure continuation of these programs for the next 2 years.

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

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

There was no objection.

Mr. MULTER. Mr. Speaker, the matter that will be presented to the House by this conference report on H. R. 8320 is simply this: Will you adopt the report and pass the bill as the House passed it, or will you now adopt amendments added to the bill in the other body, and which that body has now rejected. After this bill went to the other body, it added some amendments to the bill. Then the bill went to conference, and in conference the Senate conferees receded and the conference report without those amendments went back to the other body which has already rejected its own amendments by adopting the conference report. Now the report come to us. You have a choice, when this comes before you, to pass the bill precisely as you passed it originally, and precisely in the form in which the other body now agrees to it or you can try to enact into law what that body has rejected.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. MULTER. Yes, I yield, if I have time.

Mr. LAIRD. I think the position is not correctly stated by the gentleman from New York. H. R. 8320 is before the House with the Senate amendments attached. If the House rejects the conference report and accepts the Senate amendments, the bill (H. R. 8320) will go immediately to the White House and can be signed into law, and the 2-year extension will be reality.

Mr. MULTER. That is not the parliamentary situation as I understand it.

Mr. LAIRD. I understand the parliamentary situation is exactly as stated by me.

Mr. MULTER. The other body has adopted the conference report and it now comes to us. We now can send the bill to the White House, precisely as it was when it passed the House originally. All you were asked to do originally was to give this authority for emergency use of $10 million for the school milk program, so it can go on for the balance of this fiscal year. All the other things you now seek to inject into this bill are extraneous to it. They belong in the agricultural bill and should be handled there and not here on this conference report.

PRIVATE CALENDAR

The SPEAKER pro tempore. This is the day for the call of the Private Calendar. The Clerk will call the first bill on the Calendar.

EDWARD F. O'HARE

The Clerk called the resolution (H. Res. 380) for the relief of Edward F. O'Hare.

There being no objection, the Clerk read the resolution, as follows:

Resolved, That the bill (H. R. 8572) entitled "A bill for the relief of Edward F. O'Hare," together with all accompanying papers, is hereby referred to the United States Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code; and said court shall proceed expeditiously with the same in accordance with the provisions of said sections and report to the House, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand, as a claim legal or equitable, against the United States, and the amount, if any, legally or equitably due from the United States to the claimant.

The resolution was agreed to; and a motion to reconsider was laid on the table.

CHAIM GRADE AND INNA HEKKER GRADE

The Clerk called the bill (H. R. 6955) for the relief of Chaim Grade and Inna Hekker Grade.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Chaim Grade and Inna Hekker Grade shall be held and considered to have been lawfully admitted to the United States for permanent residence on September 14, 1948, upon payment of the required visa fees.

With the following committee amendments:

Page 1, line 4, after the word "act", strike out Chaim Grade and."

On page 1, line 6, after the figure "1948", strike out "upon payment of the required visa fees."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Inna Hekker Grade."

A motion to reconsider was laid on the table.

FACILITATING ADMISSION OF CERTAIN ALIENS

The Clerk called the resolution (H. J. Res. 555) to facilitate the admission into the United States of certain aliens.

There being no objection, the Clerk read the resolution, as follows:

Resolved, etc., That, in the administration of the Immigration and Nationality Act, Tokiyo Nakajima, the fiance of Richard L. Brinkley, a citizen of the United States, and her child, shall be eligible for visas as nonimmigrant temporary visitors for a period of 3 months: *Provided,* That the administrative authorities find that the said Tokiyo Nakajima is coming to the United States with a bona fide intention of being married to the said Richard L. Brinkley and that they are found otherwise admissible under the immigration laws. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Tokiyo Nakajima and her child, they shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Tokiyo Nakajima and her child, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Tokiyo Nakajima and her child as the date of the payment by them of the required visa fee.

SEC. 2. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor children, Marko Radic and Irene Radic, shall be held and considered to be the natural-born alien children of Mr. and Mrs. Marko A. Radic, citizens of the United States.

SEC. 3. For the purposes of section 101 (a) (27) (B) of the Immigration and Nationality Act, Stephen Moe Jung shall be held and considered to be a returning resident alien.

With the following committee amendment:

At the end of the joint resolution, add two new sections, as follows:

"SEC. 4. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor children, Kate Fiorovic and Pave Fiorovic, shall be held and considered to be the natural-born alien children of Mrs. Helen Kovacevich, a citizen of the United States.

"SEC. 5. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Toyoji (Suzuki) Whipple, shall be held and considered to be the natural-born alien child of Sgt. Jack Whipple, a citizen of the United States."

The committee amendment was agreed to.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RELIEF OF CERTAIN ALIENS

The Clerk called the bill (S. 963) for the relief of Mr. and Mrs. Andrej (Avram) Gottlieb.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Mr. and Mrs. Andrej (Avram) Gottlieb, 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 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.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That, for the purposes of the Immigration and Nationality Act, Andrej (Avram) Gottlieb, Jenny Gottleib (nee Binder), Toy Lin Chen, Nouritza Terzian, Maria Ioannou Karvelis, Martha Karvelis, Boeleta Karvelis, and Euterpi Karvelis, 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 fees. Upon the granting of permanent residence to each alien as provided for in 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 committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of certain aliens."

A motion to reconsider was laid on the table.

PIETRO MEDURI

The Clerk called the bill (S. 760) for the relief of Pietro Meduri.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Pietro Meduri 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.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVEYANCE OF LAND IN MADISON COUNTY, KY., TO PIONEER NATIONAL MONUMENT ASSOCIATION

The Clerk called the bill (S. 1992) to provide for the conveyance of a certain tract of land in Madison County, Ky., to the Pioneer National Monument Association.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of General Services is authorized and directed to convey, without consideration, to the Pioneer National Monument Association, for designation and use, including disposition to a public agency if deemed appropriate, as a part of an historic site or monument, all right, title, and interest of the United States, except as retained in this act, in and to the following described tract of land consisting of 7⅘ acres, more or less, situated in Madison County, Ky., on the left bank of the Kentucky River and being a part of United States Lock and Dam No. 10 Reservation:

Beginning at the end of a stone wall, said end of stone wall being south 20 degrees 19 minutes east 360 feet from the most westerly corner of Lock and Dam No. 10 Reservation and east of the Old County Road; thence severing said reservation and parallel to the north boundary north 85 degrees 00 minutes east 800 feet, more or less, to a point, said point being on the west boundary line of a 10.53 acre tract formerly owned by Thomas H. Stevens; thence with the old boundary line south 14 degrees 25 minutes east 562 feet, more or less, to a stone; thence south 82 degrees 09 minutes west 144 feet to a point; thence north 78 degrees 57 minutes west 104.42 feet to a point; thence with an old stone wall north 69 degrees 45 minutes west 610 feet, more or less, to an

angle in the stone wall; thence along said stone wall northwesterly 300 feet, more or less, to the point of beginning.

SEC. 2. The deed effecting the conveyance authorized by the first section of this act shall—

(a) reserve to the United States rights of ingress and egress over the road presently existing on the southern boundary of the above described tract of land;

(b) reserve to the United States a perpetual easement for maintenance of a water pipeline on such tract of land;

(c) provide that such tract of land shall be reserved or used for the purpose for which it is conveyed for a period of not less than 25 years, and that in the event said property ceases to remain available or be utilized for such purposes during such period, as may be determined by the Secretary of the Interior, all or any portion thereof, in its then existing condition, shall revert to the United States; and

(d) provide that during any state of war or national emergency and for 6 months thereafter, if the Secretary of Defense determines that such tract of land is useful or necessary for national defense purposes, the United States may, without payment therefor, reenter such tract of land and use all or part of it (including improvements thereon), but upon the termination of such use such tract of land shall revert to the Pioneer National Monument Association or its successor in title, as the case may be.

SEC. 3. In addition to the exceptions, conditions, and reservations provided for in section 2 of this act, the Administrator of General Services shall impose such other exemptions, conditions, and reservations as he determines to be necessary or desirable to safeguard the interests of the United States and to insure that such tract of land will be used for the purpose for which it is conveyed.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WAIVERS FOR CERTAIN ALIENS

The Clerk called the resolution (H. J. Res. 553) waiving certain subsections of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

There being no objection, the Clerk read the resolution, as follows:

Resolved, etc., That, notwithstanding the provision of section 212 (a) (1) of the Immigration and Nationality Act, Alexander A. Nifiodoff may be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act: *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.

SEC. 2. Notwithstanding the provision of section 212 (a) (3) of the Immigration and Nationality Act, Kieran Patrick Kenny may be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act: *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.

SEC. 3. Notwithstanding the provision of section 212 (a) (19) of the Immigration and Nationality Act, Mrs. Emma Green may be admitted to the United States for permanent residence if she 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 had knowledge prior to the enactment of this act.

SEC. 4. Notwithstanding the provisions of section 212 (a) (9), (12), and (19) of the Immigration and Nationality Act, Mrs. Enriqueta Velarde de Boyce may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act: *Provided*, That these exemptions shall apply only to grounds for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this act.

SEC. 5. Notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Mrs. Elizabeth G. B. Hohn may be admitted to the United States for permanent residence if she 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 had knowledge prior to the enactment of this act.

SEC. 6. Notwithstanding the provisions of section 212 (a) (9) and (19) of the Immigration and Nationality Act, Mrs. Gertrud Auguste French may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act: *Provided*, That these exemptions shall apply only to grounds of exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this act.

The resolution was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

RELIEF OF CERTAIN ALIENS

The Clerk called the resolution (H. J. Res. 565) for the relief of certain aliens.

There being no objection, the Clerk read the resolution, as follows:

Resolved, etc., That, for the purposes of the Immigration and Nationality Act Maria Luisa Gallegos, Aavo Lohuaru, Peter Berth, Ming Yu Chen, Michele Constantino Pastore, Oswald E. Kohlruss, Antonie Kohlruss, Evelyn Hedy Kohlruss, and Paul Max Julius Schweitzer, 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 fees. Upon the granting of permanent residence to each alien as provided for in 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.

SEC. 2. For the purposes of the Immigration and Nationality Act, Ulf Krabbe 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, under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *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.

With the following committee amendment:

Page 1, line 5, after "Michele", strike out "Constantino" and insert in lieu thereof the word "Costantino."

The committee amendment was agreed to.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL HOWARD AND GENERAL PARTRIDGE

Mr. VINSON. Mr. Speaker, I ask unanimous consent that the bill (S. 1271, Private Calendar No. 890) to authorize the appointment in a civilian position in the Department of Justice of Brig. Gen. Edwin B. Howard, United States Army, retired, and for other purposes, and the bill (S. 1272, Private Calendar No. 891) to authorize the appointment in a civilian position in the Department of Justice of Maj. Gen. Frank H. Partridge, United States Army, retired, and for other purposes, may be passed over without prejudice, due to the fact that rules have been granted on these bills and will be called up tomorrow morning.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. METCALF. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. METCALF. Mr. Speaker, in addition to presenting Mr. MOLLOHAN'S views today, I wish to record my opposition to the appointments of Maj. Gen. Frank H. Partridge and Brig. Gen. Edwin B. Howard to civilian positions in the Immigration and Naturalization Service.

I believe the Immigration and Naturalization Service is essentially a civilian function, one calling for humane administration by persons trained in the particular service or in similar civilian positions. I believe it should remain a civilian function, administered by civilians.

Already we have a general in the first echelon of the Immigration and Naturalization Service. Already we have a general in the second echelon. Now it is proposed that we put two generals in the third echelon. It seems to me that civilians should show up in here somewhere.

May I make it clear that I am not objecting to these men on a personal basis. I simply believe that this instance is one in which the wisdom of an earlier Congress is demonstrated. I speak of the Congress which enacted the law barring retired officers, except those with combat-connected disability, from Federal civilian employment paying $2,500 or more per year.

Despite this, we have many generals and admirals in civilian government positions right now. I question whether many more are needed at this time. A list I have today shows 38 generals and admirals now in the Federal Government. The list was compiled from departmental listings in the Congressional Directory for 1955. It does not include generals holding positions in the selective service, and the Departments of the

Army, Navy, and Air Force below the Secretary, Under Secretary, or Assistant Secretary level. Other source material includes Who's Who in America, a December 3, 1955, report of the Library of Congress, newspaper articles, and Naval and Military Academy registers.

This is the list:

Eisenhower, Dwight D.: General of the Army (U. S. Army, retired), President of the United States.

Vogel, Herbert D.: Brigadier general (U. S. Army, retired), Chairman, Board of Directors, Tennessee Valley Authority.

Smith, Walter Bedell: General (U. S. Army, retired), Commissioner, National Security Training Commission, formerly Under Secretary of State.

Kinkaid, Thomas C.: Admiral (U. S. Navy, retired), Commissioner, National Security Training Commission; Commissioner, American Battle Monuments Commission.

Adler, Julius Ochs: Major general (U. S. Army Reserve, retired), Chairman, National Security Training Commission.

Delany, Walter S.; Admiral (U. S. Navy, retired), Deputy Director for the Mutual Defense Assistance Control, FOA.

Riley, William E.: Lieutenant general (U. S. Marine Corps, retired), Deputy Director for Management, FOA.

Edgerton, Glen E.: Major general (U. S. Army, retired), President and Chairman, Export-Import Bank of Washington, now retiring.

Seybold, John States: Brigadier general (U. S. Army, retired), appointed Governor of the Panama Canal Zone, 1952.

Nichols, Kenneth D.: Major general (U. S. Army, retired), General Manager of Atomic Energy Commission.

Milton, Hugh M., II: Brigadier general (U. S. Army, retired), Assistant Secretary to the Army (Manpower and Reserve Forces). He has been in the Department of the Army since 1951.

Loper, Herbert B.: Brigadier General (U. S. Army, retired), Assistant to the Secretary of Defense (Atomic Energy).

Berry, Frank B.: Brigadier general (U. S. Army, retired, medical career), Assistant Secretary of Defense (Health and Medical).

McNeil, W. J.: Rear admiral (U. S. Navy, retired), Assistant Secretary of Defense (Comptroller) in the Department of Defense since 1947.

Erskine, G. B.: General (U. S. Marine Corps, retired), Director of Special Operations, Department of Defense.

Babcock, C. Stanton: Brigadier general (U. S. Army, retired), counselor to United States Mission to the United Nations.

Craig, Howard A.: Lieutenant general (U. S. Air Force, retired), Chairman, Inter-American Defense Board.

Willard S. Paul: Lieutenant general (U. S. Army, retired), Assistant to the Director of Defense Mobilization for Plans and Readiness.

Cabell, C. P.: Lieutenant general (U. S. Air Force, retired), Deputy Director of CIA.

Persons, Wilton B.: Major general (U. S. Army, retired), Deputy Assistant to the President.

Strauss, Lewis L.: Rear admiral (U. S. Navy, retired), Chairman, Atomic Energy Commission.

Cutler, Robert: Brigadier general (U. S. Army, retired), Special Assistant to the President for Security Affairs.

Swing, Joseph M.: Lieutenant general (U. S. Army, retired), Chairman, United States Commission of Immigration and Naturalization.

Ageton, A.: Rear admiral (U. S. Navy, retired), Ambassador to Paraguay.

Byroade, Henry A.: Brigadier general (U. S. Army, retired), Ambassador to Egypt.

Clark, Mark: General (U. S. Army, retired), headed Hoover Commission Study of Intelligence Agencies.

Spruance, Raymond A.: Admiral (U. S. Navy, retired), Ambassador to the Philippines.

Boone, Joel T.: Vice admiral (U. S. Navy, retired) (Marine Corps), Chief, Medical Director, Veterans' Administration.

Cook, Everett R.: Brigadier general (U. S. Air Force Reserve, retired), member, Rubber Producing Facilities Disposal Commission.

Davis, Benjamin O.: Brigadier general (U. S. Army, retired), Commissioner, American Battle Monuments Commission.

Doolittle, James H.: Lieutenant general (U. S. Air Force Reserve, retired), member, National Advisory Committee for Aeronautics.

Marshall, George C.: General of the Army (U. S. Army, retired), Chairman, American Battle Monuments Commission.

McNeil, E. C.: Brigadier general (U. S. Army, retired), Special Assistant to the Assistant Secretary of the Army (Manpower and Reserve Forces).

Mudge, Verne D.: Major general (U. S. Army, retired), professional staff, Senate Committee on Armed Services.

North, Thomas: Brigadier general (U. S. Army, retired), Secretary, American Battle Monuments Commisison.

Paul, W. S.: Lieutenant general (U. S. Army, retired), Assistant to the Director for Non-Military Defense, Office of Defense Mobilization.

Spaatz, Carl: General (U. S. Air Force, retired), Commissioner, American Battle Monuments Commission.

Vandegrift, Alexander A.: General (U. S. Marine Corps, retired), Commissioner, American Battle Monuments Commission.

Mr. METCALF. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. MOLLOHAN] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. MOLLOHAN. Mr. Speaker, my many colleagues who are members of the legal profession will appreciate that one who seeks equitable relief must do so with clean hands.

In a very real sense, these bills to exempt two retired generals from the statutory dual position prohibition, are for equitable relief. If the basic legal proposition which I have cited has any validity, it should be invoked to bar passage of this legislation.

One of these bills—for General Partridge—was originally introduced in the 83d Congress. During the 84th Congress, and the two bills now under consideration, were introduced, and in June, 1955, appeared on the consent calendar, at which time they were objected to. On August 1, these bills again appeared on the consent calendar and were, at that time, recommitted. The bills were again reported from the Armed Services Committee on February 8, but on February 29—only 3 weeks ago—the Rules Committee refused a rule on the bills. On March 9, according to an Associated Press wire report, the President personally intervened and requested the minority leader to influence action on the bills. Thereupon, on March 8, a hastily convened Rules Committee overruled its action of February 29, resulting in our consideration of this legislation at this moment.

In view of repeated congressional rejection of this legislation, the question naturally suggests itself: What is the compelling reason for the persistence of the administration, first through the Attorney General, then by the Commissioner of Immigration, and now by the President himself, to secure their passage? I am sure that history will offer few precedents of personal intervention by the Chief Executive to press for the appointment of secondary officials in a Government agency. What is so unique about the qualifications of these two generals that makes their appointment as Assistant Commissioners of Immigration and Naturalization so vital? What is the reason that the executive branch is lavishing all of its attention on two obscure retired generals, who, by no stretch of the imagination, are in such dire economic straits as to be in urgent need of employment?

I have received no answers to any of these questions. If the Chief Executive had centered as much attention on the problems of surplus-labor areas or falling farm prices, or to our lagging guided missile program, I am sure that it would have far more effectively promoted the general welfare and our national defense.

In my capacity as chairman of the Legal and Monetary Affairs Subcommittee of the Government Operations Committee, I have had more than just casual familiarity with the situation involving these two retired generals.

As I indicated previously, the bills would exempt them from the prohibition against holding two Government positions. The first evasion of this statutory prohibition came in 1954 when they were hired by the Immigration Service as consultants. I use the term "evasion," for, although consultants are prohibited from acting in anything but an advisory capacity, under General Swing, these two generals served in regular executive capacities. This was established by an audit of their duties performed, at my request, by the Civil Service Commission. Chairman Young advised me that these generals were, in fact, acting beyond their advisory capacity and that:

> It is clearly evident that operating responsibilities, normally assigned to regular executive positions within the organization, constituted a significant portion of the total responsibilities assigned in each case.

In addition, the Comptroller General found that as so-called consultants, these generals were being paid at a rate in excess of that permitted by law—Public Law 600, title 5, United States Code, chapter 55a.

Let me point out that the two positions which these generals would occupy have now been vacant for almost a year and a half. During about half that time, while Federal laws were being flouted, as I have indicated, Generals Partridge and Howard were presumably performing the duties of these positions, although nominally consultants.

If these bills are passed, the Immigration Service will become a home for retired generals who will then occupy 3 of the top 5 positions of the Service.

General Swing, the Commissioner of Immigration and Naturalization, has stated that he is unable to find any replacements capable of filling these positions. Think of it—a civilian agency of

long standing, charged with execution of our immigration laws, and General Swing cannot find any qualified civilians within or outside of Government to assist in the administration of his agency. This is sheer nonsense.

However, it does shed light on how the present Commissioner thinks and operates. We are not discussing an infantry division. We are talking about the Immigration and Naturalization Service, long established and traditionally civilian. But General Swing apparently has some perverse notions concerning the mission of his agency.

In hearings before my subcommittee, although admitting that immigration during wartime would be nil, General Swing stated that "the land borders of this country are my responsibility" and particularly so in time of war. I have not been advised that the Immigration and Naturalization Service has been made an adjunct of the Armed Forces—or for that matter, that the friendly nations of our borders, Canada and Mexico, are ever likely to plan an attack.

Another curious military development in the service is plan A signed by General Partridge as Special Assistant to the Commissioner, a title customarily reserved for operating and not advisory personnel. Plan A, I am told, calls for the recruitment of some 8,000 volunteer patrol inspectors, the purchase of jeeps, airplanes, trucks, arms, setting up of demolition squads to blow up bridges and roads leading into the country from Canada, and contemplates persuasion to participate in the plan of the State highway patrols and National Guard. How many armies are we supporting? It never has been the function of the Immigration Service to act as an auxiliary of our Armed Forces.

My attempts to obtain more information about plan A have met with the customary rebuff—by the convenient iron curtain which the present administration has lowered between Congress and the executive branch of the Government—that this is classified information.

The militarizing of the Immigration Service suggests a most fundamental problem. It may be an indication that by administrative fiat, and without congressional authority, the functions of the Immigration Service are being diverted from the purposes intended and specified by Congress. If such is the case, Congress is entitled to know about it, and, to date, General Swing has refused to so inform the members of my subcommittee. If it is not the case, then the military talents of two retired generals are of no special value to the Immigration Service.

While responsibility for the execution of the immigration and naturalization laws may entail some tasks which resemble police duties, by no stretch of the imagination do they encompass military duties. And while I do not for one moment wish to deprecate men who have dedicated their lives to the military service, I say to my colleagues that the last place in the world for retired military officers is the Immigration and Naturalization Service.

On four different occasions the House has rejected this legislation. To enact these bills would condone the evasion and flouting of Federal laws by the Service.

I think we should remind the President that in this democracy, although retired generals may be of real value to companies engaged in Government procurement, they have no place in the Immigration Service.

I ask your support in my opposition to these bills.

RELIEF OF CERTAIN ALIENS

The Clerk called the resolution (H. J. Res. 554) for the relief of certain aliens.

There being no objection, the Clerk read the resolution, as follows:

Resolved, etc., That, for the purposes of the Immigration and Nationality Act, Marie Jeanne Lapierre O'Donnell and Maisie K. Bartholomew (nee Fisher) 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 the payment of the required visa fees, under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided*, That suitable and proper bonds or undertakings, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

SEC. 2. For the purposes of the Immigration and Nationality Act, Constancio Loyola Abracia 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: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of that act. 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.

SEC. 3. For the purposes of the Immigration and Nationality Act, Federico Cano-Valera, Angela De Silva De Valera, Jose Federico Valera, Ricardo Valera, Bernardo Regino, Imre de Cholnoky, Abdul Haleem, Magdalena F. Bristol, Sister Jules M. Bernadette, Kan-Nien Chen, Lihwa Y. Chen, and Nancy Chen 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 fees. Upon the granting of permanent residence to each alien as provided for in 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.

SEC. 4. For the purposes of the Immigration and Nationality Act, Maurice Ghnassia, Hilda Anna Stegedirk, and Roswitha Hewerer, 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 fees.

With the following committee amendments:

On page 2, line 9, after the words "visa fee," strike out the colon and insert the following: ", under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose.

On page 2, line 21, after the title "Sister", strike out "Jules M." and substitute in lieu thereof the name "Jewel."

On page 2, line 21, after the name "Kan-Nien Chen,", strike out "Lihwa" and substitute in lieu thereof the name "Li-Hwa."

The committee amendments were agreed to.

Mr. WALTER. Mr. Speaker, I offer a further committee amendment.

The Clerk read as follows:

Amendment offered by Mr. WALTER: Page 2, line 24, strike out the name "Imre de Cholnoky."

The amendment was agreed to.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WAIVING PROVISIONS IN BEHALF OF CERTAIN ALIENS

The Clerk called the resolution (H. J. Res.566) to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

There being no objection, the Clerk read the resolution, as follows:

Resolved, etc., That, notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Mrs. Emmy Rothe Hirsch and Mrs. Betty W. Webster may be admitted to the United States for permanent residence if they are found to be otherwise admissible under the provisions of that act.

SEC. 2. Notwithstanding the provision of section 212 (a) (19) of the Immigration and Nationality Act, Armando Alfaro-Arciniega may be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act.

SEC. 3. Notwithstanding the provisions of section 212 (a) (9) and (19) of the Immigration and Nationality Act, Elvira Villasenor Din may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act.

SEC. 4. Notwithstanding the provisions of section 212 (a) (9) and (28) (C) (iv) of the Immigration and Nationality Act, Gertrud Koch may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act.

SEC. 5. Notwithstanding the provisions of section 212 (a) (9), (17), and (19) of the Immigration and Nationality Act, Juan Nestor Vinbela-Medina may be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act.

SEC. 6. The exemptions provided for in this act shall apply only to grounds for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this act.

With the following committee amendments:

On page 1, line 8, strike out the word "provision" and substitute in lieu thereof the word "provisions."

On page 1, line 9, after "(a)", insert "(17) and."

On page 2, beginning on line 8, after "SEC. 4.", strike out the remainder of line 8, and all of lines 9, 10, 11, and 12, and insert

in lieu thereof the following: "In the administration of the Immigration and Nationality Act, Gertrud Koch, the fiance of Frank J. Kleczewski, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of three months: *Provided*, That the administrative authorities find that the said Gertrud Koch is coming to the United States with a bona fide intention of being married to the said Frank J. Kleczewski and that she is found otherwise admissible under the immigration laws other than the provisions of section 212 (a) (9) and (28) (C) (iv) of the Immigration and Nationality Act. In the event the marriage between the abovenamed persons does not occur within three months after the entry of the said Gertrud Koch, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event the marriage between the abovenamed persons shall occur within 3 months after the entry of the said Gertrud Koch, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Gertrud Koch as of the date of the payment by her of the required visa fee."

The committee amendments were agreed to.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PAUL G. ABERNETHY

The Clerk called the bill (H. R. 8087) for the relief of Paul G. Abernathy.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Commissioned Warrant Officer Paul G. Abernathy (O12440), United States Marine Corps, the sum of $413.39. The payment of such sum shall be in full settlement of all claims of the said Paul G. Abernathy against the United States for refund of expenses incurred in shipping his household effects and transporting his family from Oceanside, Calif., to Culpeper, Va., following his transfer (pursuant to orders dated January 6, 1951) from Camp Pendleton, Calif., to overseas duty. Payment of such expenses (as expenses incident to a transfer from a permanent station) was originally allowed, but the amount thereof was subsequently deducted from his pay on the ground that his earlier transfer from Camp Lejeune, N. C., to Camp Pendleton had been only a temporary change of station and that therefore the payment of such expenses upon his transfer from Camp Pendleton to overseas duty was not authorized: *Provided*, That no part of the amount appropriated in this act in excess of 10 percentum 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.

With the following committee amendments:

Line 6, page 1, strike out "Abernathy" an insert "Abernethy."

Line 8, page 1, strike out "Abernathy" and insert "Abernethy."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Paul G. Abernethy."

A motion to reconsider was laid on the table.

AUTHORIZING ACCEPTANCE OF GIFT FROM ERICSSON MEMORIAL COMMITTEE OF THE UNITED STATES

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent for the immediate consideration of Senate Joint Resolution 93, authorizing the acceptance of a gift from the Ericsson Memorial Committee of the United States.

The Clerk read the title of the Senate joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

Mr. LECOMPTE. Mr. Speaker, reserving the right to object, will the gentleman tell us what this resolution is?

Mr. JONES of Missouri. Mr. Speaker, this is a joint resolution that was approved unanimously by the Committee on House Administration. There is a bronze statue of Leif Ericsson in this country. At this time we are authorizing the Secretary of the Interior to accept the offer of this statue.

There is a committee amendment which eliminates any cost which had been included in the Senate bill. This resolution authorizes the Secretary of the Interior to accept any gift or donation that might carry out the provisions of the authority. There is no money involved.

Mr. LECOMPTE. It is without expense to the taxpayers?

Mr. JONES of Missouri. Without any expense.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There being no objection, the Clerk read the Senate joint resolution, as follows:

Resolved, etc., That the Secretary of the Interior, on behalf of the United States, is hereby authorized to accept the offer of the Ericsson Memorial Committee of the United States of a replica of the heroic bronze statue of Leif Ericsson, the original of said replica having been presented to the people of Iceland by the United States Government as a gesture of good will and friendly relations on the 1,000th anniversary of Althing, the Icelandic parliament.

SEC. 2. The Secretary of the Interior is further authorized and directed to choose upon the recommendation of the National Commission of Fine Arts, and concurred in by the National Park Service, a site on the public grounds of the United States in the District of Columbia; and is further authorized and directed to design and erect an appropriate pedestal upon which to place said statue.

SEC. 3. The Secretary of the Interior is further authorized to accept from any source, public or private, donations of funds to reimburse the United States for amounts expended under the provisions of section 2 of this joint resolution. Any such funds shall be covered into the Treasury of the United States as miscellaneous receipts.

SEC. 4. There is hereby authorized to be appropriated the sum of $65,000 to carry out the provisions of this joint resolution including the transportation and erection of the statute at the place selected.

With the following committee amendment:

Page 2, line 8, after the word "source", strike out the balance of the bill and insert "donations of funds to carry out the provisions of section 2 of this joint resolution."

The committee amendments were agreed to.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING AMERICAN BATTLE MONUMENTS COMMISSION TO PREPARE PLANS AND ESTIMATES FOR ERECTION OF MEMORIAL TO GEN. JOHN J. PERSHING

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent for the immediate consideration of Senate Joint Resolution 95 to authorize the American Battle Monuments Commission to prepare plans and estimates for the erection of a suitable memorial to Gen. John J. Pershing.

The Clerk read the title of the Senate joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri [Mr. JONES]?

Mr. LECOMPTE. Mr. Speaker, reserving the right to object, will the gentleman from Missouri explain this resolution briefly?

Mr. JONES of Missouri. Mr. Speaker, this is a resolution, also unanimously adopted by the Committee on House Administration, authorizing the American Battle Monuments Commission to prepare plans and estimates for the erection of a suitable memorial to Gen. John J. Pershing. It does not specify any site or design. All of that will be left to the Commission to report back to the Congress before any action is taken in connection with the establishment of such a memorial. This only authorizes a study by the American Battle Monuments Commission.

Mr. LECOMPTE. It does not involve the expenditure of any money until they report?

Mr. JONES of Missouri. The only authorization would be that the American Battle Monuments Commission already has authority to expend money under the limitation of any appropriation that might be made to them.

Mr. PHILLIPS. Mr. Speaker, reserving the right to object, I do so only to ask the gentleman if this would not establish a new precedent? I am not saying it is right or wrong. The American Battle Monuments Commission has jurisdiction over monuments, cemeteries, and memorials outside the borders of the United States. I suppose by specific authorization, it could be extended to cover this matter, and I assume that is the intent of the resolution?

Mr. JONES of Missouri. I think it would. However, I do not think there is any intention to set up this memorial outside of the United States. There are several bills which have been introduced——

Mr. PHILLIPS. The gentleman did not understand. The authority presently in the Commission covers monuments outside the United States. This resolution would instruct them to erect a monument inside the United States which, I suggest, is new in the procedure of the Battle Monuments Commission. I presume the intent of the resolution is to give them an authority which is beyond their present authority.

Mr. JONES of Missouri. Frankly, I will have to admit I am not acquainted with that feature. It was not brought up in the discussion. I call the attention of the gentleman from California to the fact that those plans, prior to submission to the Congress, must be submitted to the National Commission of Fine Arts with respect to design and so forth.

Mr. PHILLIPS. Apparently the resolution is asking only or instructing the Battle Monuments Commission to do what it can and to submit recommendations to the Congress for approval. I foresee no particular problem.

Mr. JONES of Missouri. I think that is provided in the resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

Resolved, etc., That the American Battle Monuments Commission, whose former chairman was the late John J. Pershing, General of the Armies of the United States, is authorized and directed to prepare plans and estimates for the erection of a suitable memorial to Gen. John J. Pershing, together with recommendations with respect to site, design, and materials, for submission to the Congress at as early a date as practicable. Such plans shall, prior to submission to the Congress, be approved by the National Commission of Fine Arts with respect to the design and materials to be used.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM AND HOUR OF MEETING TOMORROW

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. ARENDS. Mr. Speaker, I do this for the purpose of asking the minority whip if he can tell us about the change in program for today and the reason we have delayed the consideration of the conference report from the Committee on Agriculture. Can the gentleman tell us what we might expect?

Mr. ALBERT. As the gentleman knows, we had announced yesterday that the conference report on H. R. 8320 would be called up today. However, we have put that over because of the Minnesota primary, and it is our plan to meet at 11 o'clock tomorrow and to take up the conference report on H. R. 8320 at that time.

Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ARENDS. May I further ask the gentleman if by coming in early we can get rid of the conference report and any other business that may come up in order to accommodate the departure for the many Members who are leaving on this trip?

Mr. ALBERT. I think the gentleman has stated the situation correctly.

PROCEDURE ON PRIMARY DAY

Mr. MULTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. MULTER. Mr. Speaker, can the distinguished gentleman from Oklahoma tell us whether or not we can take as a guide for our future activity the fact that on primary days there will be no rollcalls?

The SPEAKER pro tempore. The Chair would state to the gentleman from New York that that is a matter of consultation between the leadership. There are some cases when Members are going to be here, but whenever any are away, the leadership on both sides have always been consulted, and have as complete regard for the interests and the problems of the Members as is humanly possible. I think that expression constitutes the sentiment on both sides, regardless of party.

Mr. MULTER. The entire body is appreciative of that statement.

The SPEAKER pro tempore. I think the gentleman from New York can have confidence in the leadership.

Mr. MULTER. He does have such complete confidence.

COMMITTEE ON THE JUDICIARY

Mr. LANE. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may sit tomorrow during general debate.

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

There was no objection.

CALL OF THE HOUSE

Mr. DAVIS of Wisconsin. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 17]

Barrett	Harrison, Nebr.	Rains
Baumhart	Hillings	Riehlman
Bolling	Holifield	Rivers
Canfield	Holt	Shelley
Cannon	Jensen	Sheppard
Chase	Knutson	Spence
Diggs	Lankford	Taylor
Donovan	Miller, Calif.	Thompson, N. J.
Eberharter	Miller, Nebr.	Tollefson
Engle	Mollohan	Tuck
Fino	Osmers	Weaver
Gambie	Powell	
Grant	Prouty	

The SPEAKER pro tempore. Three hundred and eighty-four Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

SECOND SUPPLEMENTAL APPROPRIATION BILL, 1956

Mr. MAHON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 10004) making supplemental appropriations for the fiscal year ending June 30, 1956, and for other purposes; and pending that motion I ask unanimous consent that general debate be limited to not to exceed 1½ hours, the time to be equally divided between the gentleman from New York [Mr. TABER] and myself.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER pro tempore. The question is on the motion.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 10004, with Mr. WALTER in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. The gentleman from Texas [Mr. MAHON] is recognized for 45 minutes, and the gentleman from New York [Mr. TABER] will be recognized for 45 minutes.

Mr. MAHON. Mr. Chairman, I yield myself 11 minutes.

Mr. Chairman, the bill before us is the second supplemental appropriation bill for the current fiscal year. The total budget requests of the Congress in connection with this measure were $835 million. The Committee on Appropriations rejected budget requests in the sum of $40 million and brings the bill before the House today with an appropriation of $795 million. Most of the items in this measure are wholly noncontroversial, most of them are here because they are required expenditures of the Government by reason of prior enactments of the Congress.

For instance, there is the item of $103 million to liquidate contract authority previously granted for the Federal-aid highway program. There is $195 million in the bill for veterans' compensation and readjustment benefits, all of which, of

course, are fixed by law. There is also in the bill $266 million for Federal employees by reason of the pay-raise legislation enacted last year, so nothing can be done about that. There is $47 million for public-assistance grants fixed by law, $34 million for prescribed school assistance in areas where Federal activities have imposed unusual burdens on the local school system and then there is $27 million in the bill for the program of aiding in polio vaccinations.

Mr. Chairman, the able chairman of the Committee on Appropriations, the gentleman from Missouri [Mr. CANNON] is not able to be present this afternoon so I am acting in his stead in presenting this bill to the House. Actually hearings were held by the various subcommittees of the Committee on Appropriations and various markups were made by the subcommittees. Last Thursday the 50-man Appropriations Committee met and approved the bill before us, H. R. 10004, in its present form. The people who know most about various chapters are those who served on the various panels.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Chairman, I note in the bill as reported in the Department of Defense military functions section there is no provision for additional funds for the Air Force. I am told that this is the first year in a number of years that there has not been a supplemental appropriation bill for the Air Force. Would the gentleman comment on why there is no supplemental appropriation coming up this year for Air Force needs when we are getting a good deal of evidence to the effect there is a serious lag in some particulars in the Air Force program?

Mr. MAHON. The effect of a lag in the Air Force program would mean that funds would not be spent quite as rapidly and would mean there would be less necessity for a supplemental appropriation. I might say that there are some deficiencies in our defense program, but there was no necessity under the circumstances for a special supplemental appropriation for the Air Force in this bill, in my judgment.

Mr. EDMONDSON. Can the gentleman tell me whether or not in his knowledge there will be a supplemental appropriation for the Air Force in this fiscal year?

Mr. MAHON. I have no information that there will be one. In my opinion, there will not be one, yet there is considerable controversy in regard to the 1957 Air Force and military program generally. But I think that controversy will be resolved in the annual supply bill, the $35 billion defense appropriation bill, that will probably be considered by the House in late April or May. Also, I must point out that there will be an additional bill before us for Air Force public works.

Mr. EDMONDSON. There is one further question in regard to the Air Force, and I will close with thanks to the gentleman for his kindness. For some time there has been pending in the Department of Defense a very strong recommendation that a program known as the air technicians plan be placed in operation in the Air Reserve squadrons and wings of this country. This program has been placed in successful operation in the Air National Guard. It has proved to save money and to save personnel and to greatly increase the efficiency of the squadrons and wings where it is in operation. I wonder if the gentleman can shed any light upon the fact that the Department of Defense has not seen fit to implement this program with funds necessary to place it in operation at the outset.

Mr. MAHON. I would say to the gentleman from Oklahoma that in my judgment there is great merit in the suggestion which the gentleman makes. Hearings are now in progress before the Committee on Appropriations, at which time that matter will be thoroughly explored, and I hope some way may be found to bring about the condition which the gentleman from Oklahoma advocates. His suggestions are timely and most helpful.

Mr. EDMONDSON. I thank the gentleman.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Iowa.

Mr. GROSS. Does this bill provide, may I ask the gentleman, for any supergrade employees?

Mr. MAHON. I believe not. I know of none, and as the debate progresses I will make further investigation. But I know of none.

Mr. GROSS. May I ask the gentleman another question?

Mr. MAHON. Yes.

Mr. GROSS. Does the bill provide for increased employment in the Federal Government?

Mr. MAHON. The bill provides for approximately 900 additional civilian employees in the Government, some of whom are temporary employees.

Mr. GROSS. Nine hundred additional employees?

Mr. MAHON. They are broken down in various categories. For example, in the chapter on the Department of Agriculture there is a request for 350 additional employees. That is the Commodity Credit Corporation, which could be better explained by the gentleman from Mississippi [Mr. WHITTEN], later in the debate. In the Commerce Department, 10; general Government matters, 169; Labor Department, none; Public Works, none; Justice Department, 149. The list is here, and I will make it available to the gentleman.

Mr. GROSS. Mr. Chairman, will the gentleman yield further?

Mr. MAHON. I yield.

Mr. GROSS. Does the gentleman think that these new positions are completely justified on the basis of hearings held by the committee?

Mr. MAHON. Well, hearings have been held and the results of those hearings are printed and available to the House. I personally cannot vouch for the validity of each and every increase in personnel, but the Committee on Appropriations through its action has considered these employees necessary and have approved specifically all those included.

Mr. GROSS. I will say to the gentleman that this poses a difficult problem for the Subcommittee on Manpower Utilization of the Committee on Post Office and Civil Service. We are trying to reduce Federal employment, the number of people on the Federal payroll. So that when we run into this kind of a situation, it makes it extremely difficult to accomplish anything.

Mr. MAHON. I will say to the gentleman that I think we all join in the effort to reduce the number of employees of the Federal Government. Last year the Committee on Appropriations made certain reductions that brought about a reduction in personnel. The President, through his Bureau of the Budget, has said that certain additional employees are necessary and after screening those requests there were approved the 900-odd which are proposed here. Not all the employees requested were approved.

Mr. GROSS. I want to call the gentleman's attention to the fact that employment in the Federal Government is now going back up again. I regret to hear that some 900 new employees are provided under this bill.

Mr. MAHON. I think we all regret that fact. I think the gentleman has posed a very important and disturbing question and I shall gladly continue to work with him and others in an effort to get more economy and efficiency in the Government.

Mr. GARY. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Virginia.

Mr. GARY. Is it not a fact that each chapter of this bill has been very carefully considered by the subcommittee that handles the regular appropriation for the specific department and agencies in each chapter?

Mr. MAHON. The gentleman is absolutely correct.

Mr. WHITTEN. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I am glad to yield to the gentleman from Mississippi, the chairman of the subcommittee handling appropriations for the Department of Agriculture.

Mr. WHITTEN. May I say to the gentleman from Iowa [Mr. GROSS] that I thoroughly agree with his concern over increasing governmental employment. However, insofar as the chapter on Agriculture is concerned, the substantial increase in number of employees is based on this situation.

The Commodity Credit Corporation has asked for an increase in its administrative fund. For years we have been trying to get them to offer commodities for sale in world channels, and finally we have got them moving to a considerable degree. Unfortunately, as you begin to move commodities out it requires more handling, more paperwork, and more employees.

In addition to that, in recent years, due to other conditions, the volume of business of the Corporation has required more manpower. We cannot meet the

problem without people to do the work under present conditions. The other increases, which are minor in character, have to do with a program for the remainder of this year for the Farmers' Home Administration, with regard to certain people who cannot qualify under either of the other housing programs. This is loan money.

In addition to that money that was made available last year to meet the drought disaster in some of the Western States, the time for the use of those funds on emergency basis expired the 1st of January. We have renewed the availability of those funds under the regular programs of the Department.

We certainly have not tried to add any permanent employees to the Department, but only to meet these new workloads, which in themselves, I think, are very sound, and for that we did have to have people to do the work.

Mr. DOWDY. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Texas.

Mr. DOWDY. The Committee on Post Office and Civil Service has been getting a good many complaints from postal employees in regard to a suggestion, perhaps from the Department, that they defer taking their annual leave until after the 1st of July. I understand that there is an appropriation in this bill for the Post Office Department. Is it of sufficient amount to relieve that situation? In other words, it seems to me that as long as annual leave is due them, it could be paid for in this fiscal year as well as in the next fiscal year. It would not cost any more. I wonder if that is taken care of in the bill.

Mr. MAHON. To answer the question, I should like to yield to the chairman of the subcommittee for the Post Office Department, the gentleman from Virginia [Mr. GARY].

Mr. GARY. The only item in this bill for the Post Office Department is an appropriation to cover the pay increases which the Congress authorized last year. It is my understanding that the Post Office Department has presented a further request to the Bureau of the Budget for additional funds for the operation of the Department for the current fiscal year, but that request has not yet reached the Congress.

Mr. DOWDY. I thank the gentleman.

Mr. TABER. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, this bill calls for a total of $795 million. The big items involved are the Veterans' Administration, old-age pension, the vaccine for polio, and the increased-pay items.

The other items are all in themselves small with the exception of the Commerce Department, where we have a large item for ship subsidy and another quite substantial item involving about $100 million for Federal aid to highways.

As to the items that are included in the bill, I do not care to address myself to them at this time. The only thing I care to say at this time is that there is included in the bill nothing whatever with reference to the Tennessee Valley Authority. There was a budget estimate for it, which I should oppose if it were in the bill, for the starting of a steam plant at John Sevier, involving $3,500,000.

The majority report tells the Tennessee Valley Authority to use the money received out of their operating revenues for the construction of this steam plant at John Sevier, which will cost in the neighborhood of $28 million. That steam plant is being talked about because of a deal that was made to supply the Reynolds Metals Corporation with 235,000 kilowatts of power, and which drew the Reynolds Metals Corporation away from a coal mine that they are supposed to own, and right beside which they intended to build an aluminum plant costing in the neighborhood of 300 million on the basis of their statement.

This particular plant at John Sevier would produce, according to what they told us, 180,000 kilowatts. All last summer they were cutting down on the users of power for aluminum because they did not have enough, yet they have reached out to take in more.

As everybody knows who has studied the question, the Tennessee Valley Authority is being operated on a basis that does not produce revenue enough to pay the operating expenses, property depreciation, or interest upon the money invested, plus the allotment for taxes of a proper amount. When the whole situation was explored in 1948, there was this provision placed in the appropriation bill which was passed by the House and agreed to by the other body:

> None of the power revenues of the Tennessee Valley Authority shall be used for the construction of new power-producing projects except for replacement purposes unless and until approved by act of Congress.

Later on, on July 14, 1954, one of the leading advocates of the TVA and Member of the other body made this statement:

> The TVA cannot start one single new power facility; it cannot put one dollar of its income or any other funds into any new power facility except by and with the advice and direction of Congress.

This particular authorization or direction to the TVA, which is in the majority report, to use its revenues to build this additional power unit in the John Sevier setup is not in an act of Congress. In my opinion, and I think in the opinion of any good lawyer, the direction is an absolute nullity. It gives us no opportunity to raise the question here on the floor and simply is an attempt to bypass the Congress and its control over the operations of the Government and the spending of the people's money. Frankly, I do not approve of that. But the situation is this. The only thing there is is in the majority report signed by the majority of the committee, and it is impossible under the rules of the House to amend a committee report on the floor of this body. Nor is it possible to provide any legislative amendment to an appropriation bill which would be of any value here.

Mr. Chairman, with that statement I feel I should yield the floor.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. GROSS. I call the gentleman's attention to an appropriation provision on page 16 of the bill—for an additional amount for construction of $3 million to remain available until expended. As I understand it, this is for a Jefferson Memorial in St. Louis; is that correct?

Mr. TABER. Yes.

Mr. GROSS. Does not this authorization fly in the face of Public Law 361, approved May 17, 1954, which provides that no authorization is to be made until the receipts of the Government for the preceding fiscal year have exceeded the expenditures of the Government for such year, as determined by the Director of the Bureau of the Budget, or the budget submitted to the Congress by the President under the Budget Accounting Act of 1921 reveals that "the estimated receipts of the Government for the fiscal year, for which such budget is submitted, are in excess of the estimated expenditures of the Government for such fiscal year"?

Mr. TABER. The proper procedure on that would be when that point is reached to make a point of order, and it would be up to those who feel that it is properly in the bill to justify their position. The burden would be on them to justify their position.

Mr. GROSS. But there is some question in the gentleman's mind as to the validity of this authorization.

Mr. TABER. I do not think the validity would be established until after the budget had been balanced.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. TABER. I yield myself 2 additional minutes, and I now yield to the gentleman from Michigan [Mr. RABAUT].

Mr. RABAUT. I thank the gentleman.

Now, talking about the Reynolds plant, I refer to page 669 of the hearings. The interrogator is none other than the gentleman from New York [Mr. TABER]. He says:

> Well, now, what you are really asking for in this particular plant is to put it on—is to put yourself in a position where you can take care of this Reynolds metal outfit; is that not it? That is really what you are asking for, is it not?

That is what Mr. TABER said.

Mr. Wessenauer making reply said:

> No, sir. The request was made before the Reynolds load came in and has to do with all the various load developments which will take place in the next 2 years.

That was the answer.

Mr. TABER. But it came right along at that time, and right after it.

I now yield to the gentleman from New York [Mr. OSTERTAG].

Mr. OSTERTAG. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. OSTERTAG. Mr. Chairman, the question of further expansion of the New Deal's pet socialistic experiment is again before the Congress. Norman Thomas,

the Socialist presidential candidate, aptly described it in these words:

The TVA is the only genuinely socialistic act (in the New Deal)—a flower in the midst of weeds.

Let us take a look at the record and see how this socialistic flower has grown in the twenty-odd years since it was brought forth as H. R. 5081:

A bill to provide for the common defense; to aid interstate commerce for navigation; to provide flood control; to promote the general welfare by creating the Tennessee Valley Authority; to operate the Muscle Shoals properities; and to encourage agricultural, industrial, and economic development; to the Committee on Military Affairs.

Perhaps it would be better to characterize it as a growth from little acorn to giant oak at the taxpayers' expense.

The bill (H. R. 5081) was introduced in the House on April 20, 1933, by Mr. HILL, of Alabama, and even though no direct mention was made of power in the stated purpose of the act there could have been little question in anyone's mind but that it was primarily a power bill being enacted by a subservient rubberstamp Congress with the thought that it would be the forerunner of other valley authorities throughout the Nation.

In the debate on the bill—CONGRESSIONAL RECORD, page 2178, 73d Congress, 1st session—Mr. Byrns had this to say:

Our great leader in the White House has had the vision to see what it will mean to the great section of my own State in the development of the great Tennessee River Valley Basin and he has stated that in his opinion, it is simply the forerunner of similar developments which will take place throughout the country. * * * It means also, that if the investment is to be operated by the Government, it will present a yardstick by which the utility commissions of this country will know, in exact figures, just what it costs to produce power and thereby fix the rate to the great consuming public accordingly.

As to its purpose and cost, Mr. HILL, the author of the bill had this to say—CONGRESSIONAL RECORD, pages 2186–2188, 73d Congress, 1st session:

The Authority is given the power to build dams on the Tennessee River, and the act expressly lays down the policy that the Authority, in the construction of the dams, shall build joint power and navigation dams so that the power may in large measure take care of the cost of navigation.

The dream is that the operations of this bill will not only bring industrial development through cheap power but that, first and foremost, it will carry cheap power to the domestic consumer and more particularly to the farmer out on his farm, and provisions to insure that are in the bill.

If every dam that can be built on the river should be built, the estimate of the engineers made back in 1928 would give you a total cost of only $209 million. It was thought at that time, even though we were then in the midst of a boom, that $209 million was an excessive estimate. * * * Therefore the Authority today could build every dam for less than $15 million.

Now there we have the little acorn, ostensibly a national defense, navigation and flood-control project which would have incidental or surplus power to sell. At least that was their main contention at that time. Of course, many of those who voted for it could not have realized how big this little acorn was to grow; watered by the never-ending request for more and more of the taxpayers' dollars.

Illustrative of how the bill was pushed through the subservient House, just 11 days after its introduction and after brief hearings, the bill was being debated on the floor of the House. It was brought out under a special rule providing for only 6 hours of general debate with the further proviso that "only amendments can be offered by authority of the committee having charge of the measure, and for that restriction we have no apologies to make. It is the purpose of the Committee on Rules, as far as we can, to provide restrictions whereby members of this Committee on Military Affairs, working in harmony with the administration, shall keep absolute control of this measure on the floor of the House."

In connection with the contention by Mr. Mapes that the TVA project would ultimately cost over $1 billion, I repeat what Mr. HILL, the author of the bill in the House, had to say:

If every dam that can be built on the river should be built, the estimate of the engineers made back in 1928 would give you a total cost of only $209 million. It was thought at that time, even though we were then in the midst of a boom, that $209 million was an excessive estimate. * * * Therefore the Authority today could build every dam for less than $150 million.

So we see the original TVA "acorn" was a program for the development of the Tennessee Valley that was claimed to be primarily for navigation and flood control with incidental power development and an assurance by the author of the bill that all the dams that can be built on the river could be built for less than $150 million.

THE GROWTH OF THE GIANT OAK AT TAXPAYERS' EXPENSE

The great delusion was not long in coming. At the 1934 hearings of the House Appropriations Subcommittee on Additional Appropriations for Emergency Purposes, prolonged attempts were made to elicit a definite answer as to what the total TVA project was going to cost. Dr. A. E. Morgan, the TVA Chairman, after much questioning, finally indicated that the project would cost about $310 million with $200 million for the dams and powerplants, $100 million for purchase or construction of transmission lines, and $10 million for fertilizer works. The little acorn was beginning to send out roots to tap the taxpayers; not for $150 million as Mr. HILL, the author, contended, but more than double that amount.

Two years later Dr. A. E. Morgan in testifying at the House hearings on the first deficiency appropriation bill, 1936—page 134—said the total cost of the TVA program would be $438 million. In 3 years the little acorn had swelled nearly 3 times the original size proclaimed by the author, Mr. HILL, to the House in pressing for the passage of the TVA act.

In these same 1936 deficiency bill hearings, Mr. Taylor asked Mr. Lilienthal—page 280:

Mr. TAYLOR. Do you have any limitation on the time when you will stop this dam-construction business? * * * You have some termination in sight, have you not, or you really anticipate stopping somewhere?

Mr. LILIENTHAL. The testimony of the chairman the other day, and the report which will be filed on a unified development in a few days, gives the plan for the recommended development. Under that plan the last dam recommended will be completed in the fiscal year of 1943.

Mr. TAYLOR. We would like to be able to tell the House that there will be a stop somewhere.

But there was no stopping the growth of this socialistic acorn planted among the New Deal weeds. It was beginning to sprout now and send out roots for more and more of the taxpayers' dollars to sustain its continuing expansion.

This pattern of growth continued, nurtured by the sunshine of the golden dollars and watered by the sweat of the taxpayers of the Nation. This little acorn has become an ever-spreading oak with an expected cost of projects now completed or under construction of over $2 billion.

So today we find a TVA that has cost more than 13 times the amount its author told the House the TVA projects would cost.

We also find that through the years the original fable of incidental or surplus electric power production and sale has given way so that today the primary objective of a Federal power empire contemplated by its original sponsors stands out clear. I refer in part to the League for Industrial Democracy and the Public Ownership League who over the years worked with and through Senators Norris, Dill, and other public-power advocates with the objective of a national superpower system for the entire country.

When the TVA acorn was first planted and during the early years when it needed watering by the sweat from the taxpayers' brow, TVA was hailed far and wide as an honest and fair yardstick for the measurement of electric rates throughout the country. Its spokesmen also claimed that these TVA yardstick rates were going to provide for all operating expenses, taxes on power investment equivalent to local, State, and National taxes paid by private utilities, interest on the power investment at 3½ percent, depreciation at 3 percent of the power investment, and in addition would provide a net revenue for amortization of the entire TVA project cost over a 50-year period after the development of a market for the power. I refer you to pages 1947 and 1948 of the hearings on public utility holding companies before the House Committee on Interstate and Foreign Commerce, 74th Congress, 1st session; and pages 277–283 of House Appropriation Committee hearings on the first deficiency bill for 1936.

A look at the record shows how miserably TVA has failed to come up to the fair and honest yardstick criteria it had set and how it has failed by tremendous sums of providing sufficient revenue to cover the items its spokesmen claimed would be provided for.

TVA testified to the House Appropriations Committee in 1934 that given a 5-year development period, TVA then could amortize the project cost in 25

years. Eliminating the first 5 years we find that the 1939–54 total power revenue is reported by TVA to be $821,900,000. The reported operating expenses, exclusive of depreciation and in-lieu-of-tax payments, totals $375,700,000. Three and one-half percent interest on the average power investment each year amounts to $250 million, depreciation at 3 percent equals $214 million, and tax equivalent to average rate paid on plant investment by private utilities contiguous to the TVA area would take $373 million, and amortization on a sinking fund basis would add $93 million; or a total revenue requirement of $1,305,700,000. This is a shortage of $484,800,000 in revenue needed to meet the TVA yardstick criteria. This contrasts to a TVA reported net income of $253,914,000; a total difference of $738,714,000.

Other costs that the taxpayers of the Nation have to provide for are interest on TVA construction work in progress—$55 million—and interest on the costs allocated to other than power—$138 million. Also, due to the fact that TVA has not been providing for interest and other items currently, a compound interest cost of $80 million is encountered. These three items total an additional $273 million.

The above analysis has been predicated on the premise that TVA cost allocations to power are reasonable and proper; however there appears to be considerable evidence that these allocations should be revised upward.

Crocodile tears are being shed by TVA proponents about not letting TVA use its own money to expand its steam plants so that it can continue to draw industry into the area on the basis of low subsidized electric rates.

The fact that the Congress has been bamboozled into not insisting that TVA meet its own rate criteria testified to before committees of Congress and has not required TVA to return to the Federal Treasury the interest costs to the Nation's taxpayers and a national tax equivalent based on the average percent of Federal tax paid by private utilities on their electric plant, is no reason for leting TVA try to fool the Congress and the public into thinking TVA has been a paying proposition.

Is there any reason under the sun why the TVA region should not pay through their rates their fair share of taxes for operating the Federal Government, why they should not pay interest on the funds that were provided by the Nation's taxpayers who have to pay such costs, and why they should not make the repayment of the cost of the projects as TVA said it would do?

With respect to the provision for taking care of future growth of electric power requirements in the TVA region, one of the first things should be a renunciation by TVA of the captive clause put in all contracts so that any and all customers, if they so desire, might be able to construct or otherwise provide for all or part of their future requirements. Also that the dictation of TVA as to what the retail rates shall be and how each municipality or cooperative shall run its own affairs should be eliminated.

Perhaps a majority of the people of the TVA region, if they were made aware of how miserable TVA has failed to meet the yardstick criteria TVA itself set up, and how they have not progressed at the rate the TVA ballyhoo has led them to believe, might want to take over and do for themselves in the American way.

As the editorial of the Tupelo (Miss.) Journal said on July 12, 1953:

> The time has come for TVA to back up and admit that the fastest growth in the South actually has taken place outside the TVA area and we who live within its borders are still as a whole about the poorest people in America.

If the people in the TVA region could be made to realize how much better many other sections of the country have fared without the paternalistic care of the TVA octopus, perhaps they then would like to trade TVA off for a chance to be on their own. Maybe the subsidized low electric rates have come pretty high in other costs. Perhaps more than 1 farmer in 4 could have running water if they had not been under the social planning of the "Great White Father" for lo these twenty-odd years. Perhaps the shade from this giant oak has retarded as much as it has helped the growth on the land under its spreading branches. Perhaps its roots have sapped the will and initiative of its people to do for themselves. Anyway, TVA is a far cry from the tiny acorn it grew from twenty-odd years ago.

Mr. BUDGE. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. BUDGE. I noticed a press account some 10 days ago to the effect that this same aluminum company, to which the gentleman has referred, had entered into a contract with a private utility in the Ohio Valley, to purchase power from that private utility at 4 mills. Can the TVA compete with that price?

Mr. TABER. Frankly, I am not competent to answer that. I would doubt very much if they could, if they charged the costs that should go into the project.

The CHAIRMAN. The time of the gentleman from New York [Mr. TABER] has again expired.

Mr. TABER. Mr. Chairman, I yield such time as he may desire to the gentleman from New Jersey [Mr. HAND].

Mr. HAND. Mr. Chairman, I regret the partisan tone of the majority report. This is a bad precedent to set for the committee, which normally proceeds with remarkable harmony despite its differences.

The subcommittee report as written contains a number of misstatements of facts and erroneously indicates or infers that the minority members hold certain views with respect to the TVA and its operations.

The report states that the minority opposes the TVA using its own money to meet its power needs. The minority does oppose the use of TVA power revenues for the expansion of TVA power producing facilities without specific legislative authorization of the Congress. We also take exception to the implication that the TVA power revenues belong to TVA. Under the TVA Act, as amended, and the Government Corporation Act and limitations relating to TVA, the power revenues in excess of the amount needed for operating expense are to be returned to the Treasury or used for capital additions only upon specific authorization of the Congress. In other words these net revenues belong to all the people and their use should be controlled by the Congress and not by a majority of a board of three men.

The report goes on to say the only conclusion to be reached is that the minority is simply opposed to the people of the TVA region having power to meet increasing needs. This is specious reasoning as the minority report is crystal clear that we are not opposed to the TVA region having all the power they want and need, but we think the time long past for the region to provide for its own needs without being subsidized by the taxpayers of the Nation. We believe that other sections of the country are tired of providing subsidized power for TVA to use to draw industry from elsewhere into the area. The Reynolds Metals action in contracting for more TVA power after having publicly announced plans to construct its own steam powerplant to furnish electric power for a new aluminum plant in the Ohio River Valley in northwestern Kentucky is TVA's latest activity along this line.

The report states that extraneous matters were raised during the hearings that were not pertinent to the problems of the committee. It is apparent that reference is made to the effort to place on the record the repeated failures of TVA to live up to the statements it made to the Congress and to the world since its inception, and to its failure to live up to statements it made to the United States Court of Appeals in trying to justify a constitutional right to go into the power business, and to the failure to set rates that would provide for all operating expenses, depreciation, interest at 3½ percent, local, State and Federal taxes equivalent to the rate paid by private utilities and to provide for amortization of the entire TVA investment as its directors testified it would do. We hold to this truth, that all these matters are not extraneous but are of utmost concern when TVA and its proponents come to the Congress for taxpayers' funds for the continued expansion of a $2 billion development that its original sponsor in the House said would not cost more than $150 million.

We are told that the authorization by Congress for TVA to buy out certain private utilities in 1940, made TVA the sole source of power supply for the area it serves. It is inconceivable that any rational person could read such an intent into the law. The report appears to imply that TVA has not expanded the area it serves since 1940. Actually TVA reports show that the TVA service was expanded in 1941, 1942, 1943, 1944, 1945, 1947, 1948, 1949, and in 1952.

The report says that there are only two methods of financing available to TVA at the present time. It does not point out however that there are several ways for the TVA area to provide for its own future growth in electric power requirements. Large industrial concerns such as Reynolds, Alcoa and others can construct their own powerplants as many of them have done in the past in

other areas of the Nation. The major distributors are of a size to justify construction of their own powerplants as Memphis is doing. Also TVA could release all the distributors from bondage and permit them to purchase power from adjacent utilities or to construct their own powerplants if they so desired.

A justified change in distributors electric rates to discourage future growth in house heating load now approaching 1 million kilowatts—or more than five times the power TVA furnished AEC for the production of materials for the first atomic bomb—is another method of relieving the demand for more TVA power. TVA revenue for this house heating power is considerably less than cost and justifies such a rate change.

The committee report implies that a lower court action on a case and Congressional approval of funds for steam plant construction by TVA settles the question as to the constitutionality of the construction of steam plants by the Federal Government. I am sure the lawyers on the committee know full well that until the matter is ruled upon on its merits by the Supreme Court of the land, the question of constitutionality has not been settled.

The committee report talks about TVA's statutory authority to use power proceeds for the construction of new power generating units. We have not questioned the use of such funds for new generating units but rather the authority to use such funds for that purpose without specific approval by the Congress. We disagree with the inference that Congress has not questioned the right of TVA to use such funds for constructing new generating units without specific congressional approval. Even some of TVA's own proponents in the other body have specifically stated as recently as 1954 that TVA cannot spend $1 of such power revenues for such purpose without congressional approval.

The funds specifically authorized by Congress for TVA steam-plant construction in the past more than provides for all vital defense installations in the TVA area. To suggest that the denial of funds to construct additional units to provide for future growth in TVA area loads such as house heating, new loads enticed from other areas, et cetera, will result in denial of power to defense installations is without foundation. Of greater moment and concern to national defense is the hydrostorage operation and coal reserve policy of TVA that left 3 million kilowatts of steam-plant capacity with only 12 to 16 days' supply of coal on hand when the normal industry reserve runs from 90 to 120 days supply. This negligence warrants careful investigation.

The report also speaks of the administration making interest-free loans to private utilities—in the form of tax amortization—totaling over $2 billion. There has been so much misrepresentation on this score that I think it time to "look at the record."

The latest record shows that a total of only $1,333,000,000 of tax-amortization certificates were issued by this administration under the law passed by a Democratic-controlled administration and Congress in 1950; whereas $1,566,000,000 of these tax-amortization certificates were actually issued by the previous administration.

Public power advocates attempt to compare these tax-amortization certificates to the taxpayer's funds furnished to the TVA. This is specious reasoning. The ultimate gain to the utility is practically nil. In fact in relation to a normal construction program it is considerably more costly. These rapid tax-amortization certificates provide for a small reduction in Federal taxes for each of 5 years and an increase in such taxes for the following 15 years. Contrasted to this, TVA and other public power systems pay no Federal tax.

There is not a Member who signed the minority report who wants to destroy the existing TVA system. Neither do we want to subsidize them with Federal funds, and tax-free operations, enabling them to continue competition for industries from the very areas which pay those subsidies.

Mr. MAHON. Mr. Chairman, I yield 5 minutes to the gentleman from Mississippi [Mr. WHITTEN].

Mr. WHITTEN. Mr. Chairman, of course, I differ entirely with my friend from New York [Mr. TABER] in what the facts are in this case. The record shows that the Reynolds plant, to which he refers, is an expansion of operations which they have had since 1940 in Alabama. It further shows the rate charged the Reynolds Metals Co. is one-fourth of 1 mill per kilowatt-hour higher than other companies are paying for current from a private utility.

I would like to show the facts with regard to aluminum production in the TVA area.

The Tennessee Valley's aluminum production—including Reynolds' recently announced expansion, to which the minority statement refers—is a gradually diminishing share of the national total.

Before TVA was created the largest aluminum plant in the country was in the Tennessee Valley. The Aluminum Company of America built it there a generation ago to use the waterpower it was developing on the Little Tennessee River.

In 1939, before Alcoa's first competitor built its first aluminum plant, 42 percent of United States aluminum capacity was in the Tennessee Valley. Last year the figure was 28 percent. After the aluminum plants now under construction and recently announced, including Reynolds, are built, about 25 percent of United States aluminum capacity will be in the TVA area.

NEW PRODUCTION (THROUGH 1957) AS REPORTED IN THE PRESS

Oregon: 54,000 tons, Harvey Aluminum Co.

Montana: 60,000 tons, Anaconda Aluminum Co.

Texas: 75,000 tons, Alcoa.

Ohio Valley: 60,000 tons, Olin Mathieson Chemical Co.; 220,000 tons, Kaiser Aluminum Co.; 120,000 tons, Alcoa (per Wall Street Journal, March 15, 1956).

Tennessee Valley: 120,000 tons, Reynolds.

The Tennessee Valley's share of added capacity is about 17 percent. The other new production listed above are plants at new locations, whereas Reynolds is an expansion of an existing plant. The Reynolds plant has been located in Alabama since 1940.

The power rate was not the principal concern in Reynolds' consideration. The company informed TVA that comparable rates could be had elsewhere and that they could achieve lower costs if they constructed their own powerplant. Reynolds chose not to construct their own plant largely because of time schedules. Presumably they have plans for later development of their properties near the Ohio River. There are, of course, important advantages in expanding at an existing location.

In connection with power rates, it should be noted regarding the location of Kaiser Aluminum Co. in the Ohio Valley that—as published in the Electrical World of December 12, 1955, page 88—an A. G. & E. spokesman said the final cost of power to Kaiser would be about 4 mills per kilowatt-hour. TVA's rate to Reynolds will be about 4¼ mills per kilowatt-hour, according to testimony in the hearings before the committee.

Olin Mathieson Chemical Co. in entering the aluminum industry was aware of possible locations in the TVA area. They chose to locate in the Ohio Valley, presumably at a comparable or lower power cost.

The power costs for Reynolds' plant in Arkansas and for Alcoa's plant in Texas have both been reported to compare favorably with rates that the TVA area offers. It is abundantly clear that other areas now can and do offer power to large power-consuming industries at costs which are about the same as TVA rates.

The chief consideration is not power rates, but availability of a power supply. If any region is to continue to advance, electric power must be available to meet new needs.

But, my prime purpose is to point out to the Congress the language which the gentleman from New York [Mr. TABER] would indicate prohibited what is sought here. In the first place, what the TVA has announced to the Congress that it plans to do under the law is to put new units in existing projects to meet constantly growing needs in the area that they have heretofore served and where they are the only source of supply to which people can look.

As presented to the committee, three steam units at existing projects were in the program submitted by the President, with initial appropriation recommended for one. Two other units at existing projects were recommended by TVA. All would use coal.

It so happens that I was on the committee when the language quoted by the gentleman from New York [Mr. TABER] was written and I wrote the final draft of the language as it appears in the act. I would like to read it to you:

> None of the power revenues of the Tennessee Valley Authority shall be used for the construction of new power producing projects (except for replacement purposes) unless and until approved by act of the Congress.

At that time nobody said they wanted to stop the TVA from building additional units to existing projects to meet the load in an area where the TVA was

the only utility; no one on either side ever contended that they wanted to do that. We carefully wrote language saying that TVA could not enter upon the construction of a new big dam without coming to Congress for authority to build it; but we very carefully provided language which in effect said that even though they could not use their own funds to do that, yet if some disastrous flood should wash out one of these big installations, or an atomic bomb or something else of that nature, TVA could use its own money even to replace such a major project; but in the absence of something like that we said that where new projects were concerned the TVA would have to come to Congress for approval. Insofar as TVA's adding units to existing plants and all the other things that are essential to it, they were not prohibited and you will find no word by anyone even hinting that such member wanted to prevent new units at existing projects. All questions were directed toward making sure that such additional units at existing projects were not prohibited by the language quoted. All members joined in satisfying those who raised such questions that such was not the intent.

I would like to present in detail the other side of what the minority sets out in its report.

The minority argues that the word "projects" as used in the Government Corporations Appropriation Act, 1948, extends not only to new plants, but also to new units at existing plants, despite the agreement to the contrary expressed during the debate on this section of the bill by Representative Ploeser, who was in charge of the debate on behalf of the subcommittee which wrote it. In seeking to explain away Representative Ploeser's statement at the time, the minority now attempts to find in his words a meaning which is not there.

The legislative situation at the time Mr. Ploeser made his remarks did not leave any question as to what those remarks meant. The House Committee on Appropriations had reported out the Government corporations appropriation bill, with the following language, which was included without change in the bill as passed:

None of the power revenues of the Tennessee Valley Authority shall be used for the construction of new power producing projects (except for replacement purposes) unless and until approved by act of Congress.

The pertinent portion of the debate on this provision appears in the CONGRESSIONAL RECORD, volume 93, part 5, pages 6827–6828.

During the debate, Mr. KEFAUVER suggested that an amendment might be desirable to make entirely clear that this language, while requiring that TVA obtain congressional approval only "before beginning any new dam or constructing any new steam plant," would not require such approval as a condition for, in Mr. KEFAUVER's words, TVA's "buying a generator, which would be a new generator, and placing it in some of the stalls they already have where they can use additional generators." Mr. GORE, a minority member of the subcommittee which wrote the language, assured Mr. KEFAUVER that no amendment was necessary because the language as drafted by the subcommittee was intended to extend, and would extend, only to new plants and not to generators at existing plants. Congressman GORE stated in this connection:

As the bill was first drafted, the word "project" was "facility." I persuaded the subcommittee to change the word "facility" to "project" for the specific reason that a facility might be interpreted to be a much smaller installation, not only a generator but a small part of a generator. By the word "project," I think it is clear that the committee intends, and I believe it to be legislative intent that it applies only to new multipurpose dams, or a hydroelectric dam or a major steam plant. It is not the intent, as I understand the committee, nor is it the intent of the language nor the portent of that language, that it would be restrictive of the smaller items such as generators, substations, transmission facilities, and other such operative facilities.

Mr. Ploeser then joined Mr. GORE in assuring Mr. KEFAUVER that no amendment was necessary to accomplish what he had in mind, and expressed complete agreement with what Mr. GORE had said. Mr. Ploeser's statement was as follows:

Mr. PLOESER. I see no reason for any such amendment. I think the gentleman from Tennessee [Mr. GORE] has expressed the committee's intent. The language is rather explicit, "Except for replacement purposes" means maintenance or replacement of facilities that are necessary, or the replacement of machinery which has already been arranged for, not projects. I see no need for the amendment.

That everyone at the time recognized Mr. Ploeser's statement as one of agreement with the position taken by Mr. GORE is clearly demonstrated by the fact that on the strength of his statement Mr. KEFAUVER dropped the question of an amendment.

The minority now says, in effect, that the third sentence in Mr. Ploeser's statement is unclear and is consistent with the position for which they now contend. This sentence is unclear. But the sentence immediately preceding—"I think the gentleman from Tennessee [Mr. GORE] has expressed the committee's intent"—is perfectly clear, and the last sentence, assuring Mr. KEFAUVER that his amendment was not needed, is equally so. Mr. Ploeser cannot have intended clearly to state one thing at the beginning and again at the end of his brief statement and something different in a sentence sandwiched in between.

Further, during the subcommittee hearings on the Government Corporations Appropriation Act for 1949, Congresseman Ploeser himself confirmed what he had said a year before. In the course of these hearings, he expressly agreed with my statement on the meaning of the word "project" while at the same time raising a question as to the meaning of other language in the 1948 act relating to amortization payments. The colloquy was as follows:

Mr. WHITTEN. Well, I mean this committee wrote the language, this committee had clearly in mind, according to my own recollection what they intended.

A project meant a new dam, a steam plant, or a new operation, and they did not have in mind a facility, as we then understood it. That is, the placing of a turbine or a generator, or the replacement of one in a going dam, or going power-producing projects or units.

* * * * *

Mr. PLOESER. I think I can agree with what Mr. WHITTEN has said as to the intent of the committee on the term "project," in last year's appropriation bill, but we find that intents are not always understood alike [with reference to the requirements of the 1948 act concerning amortization payments]. (Hearings before the subcommittee of the House Committee on Appropriations, 80th Cong., 2d sess. (1948), p. 596.)

The President has agreed that there is a power shortage in that area; the Bureau of the Budget has agreed there is a power shortage in that area. Mr. Vogel, the President's appointee, says that you need an increase in power production in that area and all three have agreed that TVA must take action toward meeting the need.

Again I say, all that is involved today is the adding of units to existing projects. I respectfully submit that the language which was quoted, which I have read, was written with that intent, and if you read it you can clearly see that that is what it does say. You should not consider extraneous statements or take portions out of context, as various Members have done, but if you will read the whole statement and the whole discussion you will find that nobody even contended that they could not use their revenues to meet this need.

I would like to say further that I most respectfully differ with my colleague the gentleman from New York in the matter of returns from TVA. They return 4 percent of the total invested. They return the full amount of money invested in power projects to the Government. Over the 40-year period the money paid out in dividends and paid into the Government will amount to the entire cost of these projects and they will still belong to the Government.

I respectfully submit that the greatest increase in aluminum production in this country has been outside of the TVA area. As I have pointed out the amount of aluminum produced in the TVA area has gone down from 42 percent of the national total to about 25 percent during the period he talks about.

Mr. COOPER. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from Tennessee.

Mr. COOPER. Is it not true that the statements contained in the committee report reflect the exact truth and the true facts?

Mr. WHITTEN. It is; and I would say also that it is the opinion of the committee and it is my opinion that the right has always existed, and I may say, has been used. The committee explained that it was not making the appropriation recommended by the President because TVA's revenue funds could be used for that purpose.

Mr. Chairman, so much misleading information has been given about industrial growth in the TVA region that I feel compelled to present the facts of the case in detail. First, the industrial growth of the TVA area has not been

and is not being, achieved at the expense of other regions of the United States. Established industries are not migrating to the TVA power service area from other parts of the country enticed by low power rates. Such charges are made repeatedly in an effort to arouse hostility to TVA in those areas where industrial growth has been of long duration, but which are now affected by competition with other regions of the United States. No evidence has ever been cited to prove the claim that industries are moving to the TVA power service area. The only responsible data are contributed by TVA itself. In 1953 TVA surveyed its area and discovered that in the preceding 12 years only a dozen small enterprises, employing in all less than 700 persons, had moved to the TVA area from other locations. None was a large power user, and none had moved from New England, the area most frequently suggested as the loser to the TVA area. At the same time and as part of the same picture of normal industrial mobility certain industries were found to have moved away from the Tennessee Valley to establish their operations in other regions. Last year another check was made and out of 244 new industries in the Tennessee Valley, only one was found to represent a relocation. This plant makes bicycles, and the cost of power is a minor concern to its management. The industrial growth of the TVA area consists of new industries, additions to our national productive capacity.

Second. Actually there would be no reason to expect large-scale movement of industry to any area just because savings in power costs might be achieved, for, while the availability of power is essential to all industries, the cost of power is an important factor to only a few in considering plant locations. One of these is aluminum. Power costs are important to that industry, and in 1939, 42 percent of the aluminum capacity of the United States was located in the Tennessee Valley. It was located there prior to TVA, and hydro sites had been developed by Alcoa to power its operations. By last year with the expansion of aluminum production the proportion had been reduced. Only 28 percent of the total national capacity for aluminum was located in the TVA area. When announced aluminum production plans are completed, about 25 percent of the United States aluminum capacity will be located in this area, surely not a disproportionate share, and no evidence of an enticement policy by TVA.

What has happened is that, as expanded production has required the aluminum industry to move to the use of steam power, other progressive power systems have learned from TVA's example and have found ways, including use of tax amortization certificates, to make power available at lowered cost. In Texas, in West Virginia, up and down the Ohio Valley, aluminum plants are springing up based on a reported 4-mill power rate from privately owned plants.

Third. The TVA power policies have not harmed—in fact they have directly benefited—the industries of other areas and the people who depend on those industries for their livelihood. TVA's power rates to the homes and farms of the area have stimulated a rise in electricity use of the average domestic consumer from 600 kilowatt-hours in 1933 to 5,240 kilowatt-hours in 1955. That increase, together with the use of electricity by the industries located in the valley, has required the addition of generating capacity at a faster rate than most power systems have considered necessary. This has helped rather than harmed industrial growth of other areas, for the purchase by TVA and its distributors of electrical equipment, and the purchase of electrical appliances by TVA power consumers, has meant employment, wages paid and profit earned, in other sections of the country.

In the decade since World War II it is estimated that TVA's power distributors and the consumers they serve have spent about $2.5 billion for equipment and appliances, most of it outside the region. Such expenditures will continue. The Electrical World of December 26, 1955 (p. 57), for example, published an REA estimate of farm purchases of electrical equipment. It indicates that between 1956 and 1960 such purchases in the State of Tennessee are expected to exceed those for every State in the Union except California.

The purchases of TVA itself, as distinguished from its distributors and consumers, outside the Tennessee Valley total almost a billion dollars for the years 1934–55. The investment made by TVA is located in the region it serves, of course, and power consumers of the area will pay back the Government's power investment, but the money spent by this Government agency is not all spent inside the region. Many of its orders for steel, for generators and turbines, for complicated equipment, are filled outside the region.

Fourth. In addition to the considerations mentioned above, clearly industrial growth in the TVA area contributes to national prosperity and strength. Industrial growth means jobs in the TVA area. It means a rising standard of living, and therefore jobs in other regions as better markets for all types of production develop. This interrelation of regional prosperity is not confined to the conspicuous example of appliance use cited above. It includes grain, and oil, and automobiles. Industrial growth has not only increased commerce between regions, it has enabled the people living in the area to bear a larger share of the support of the whole Federal establishment. In 1934, the 7 States which lie in part in the Tennessee Valley provided only 3.4 percent of the total individual income tax collections; in 1954 the proportion was more than 6 percent. Over the years 1933–54, the seven Tennessee Valley States have contributed $7.5 billion more in individual income taxes than they would have contributed if the proportion had remained at the 3.4 percent level of 1933.

This interrelation of regional welfare has been recognized by responsible spokesmen of the more highly industrialized States. For example statements made by official of two Eastern States at the National Forum on Planning and Development Problems and Techniques, held in Denver, Colo., June 7–10, 1955, can be cited. Mr. Edward T. Dickinson, formerly a research assistant to the chairman of the board of United States Steel and now of the New York State Department of Commerce, said this:

> We would like to consider New York State a seedbed for industry and when an industry grows, say in New York City, and has not the space, we think it is a good thing that they move out to areas where they have plant space in which to work. We would hope that a good many would move upstate into our own territory or they'd move to Staten Island, which is going to be opening up and will be a vast new industrial community for smaller plants, but if they move to a new vicinity or community of the South, we think it is a good and healthy thing because whatever growth we have in the United States cannot help but improve the economy of New York because we have centered there so many companies that do supply industrial materials and services—and services I cannot emphasize too much—to the total economy of this country. So we are anxious to help all the States grow industrially; it is to our own self-interest. (Proceedings 10th Annual Convention Association of State Planning and Development Agencies, Washington, D. C., p. 41.)

Mr. Joseph E. McLean, commissioner of conservation and economic development, New Jersey, said:

> Yet who can seriously doubt the rewards of TVA have spread far beyond the communities of the Tennessee Valley? The higher income of the people of the Tennessee Valley has created a vast new market for the industries of the other regions.
>
> The last point is especially important to us in the East. Our industry is highly specialized. Our workers have been trained to produce a long line of complex goods, such as chemicals, air-conditioning units, machine tools, airplane engines, etc. Any development in other regions that raises income levels and expands the market for these products inevitably benefits us and benefits us directly.
>
> All of this leads me to suggest that we must place increasing emphasis on the national interest and seek to minimize interregional and interstate rivalries in considering proposals for the development of natural resources in the United States. (Ibid., pp. 45–46.)

Fifth. Industrial growth is being experienced in all sections of the country (the percentage of growth will of course be higher in areas where industrial development was delayed for many years). The May 1955 "Monthly Review" of the Federal Reserve Bank of Boston reported:

> Manufacturers plan to spend $200 million for new plant and equipment in Massachusetts in 1955. This is 20 percent more than they spent last year. Capital expenditures in the hardgoods industries are expected to rise almost three times as much as in the nondurable-goods industries.

CONCLUSION

The case is clear, and the statement of the minority commenting on the proposed supplemental appropriation to add to TVA's generating capacity is not based on an examination of the facts of record. The statement contends that low industrial power rates are enticing industries to locate in the Tennessee Valley. They imply that this is unfair,

that citizens in areas thus disadvantaged are required to furnish the capital needed for TVA expansion. They claim that TVA power operations are subsidized, and imply that Congress never intended TVA to furnish power for industries. Every assumption and statement is incorrect, and in fact none of them is relevant to the problem under discussion.

It is true that the President recommended an appropriation of $3,500,000 to commence construction of an additional unit at the existing John Sevier steam plant. The committee as well as the minority disapproved the item, but for different reasons. The committee points out that no appropriation is required, that TVA can proceed to finance this and other units out of its earnings. Under this plan TVA will enhance the value of the Government's investment, increase its earnings, without the appropriation of additional funds to be provided by the taxpayer.

With respect to the other points the truth is that while power rates in the TVA area are generally at a lower level than the level of rates charged by private companies, the sharp difference lies in the rates charged by TVA's distributors for electricity service to the homes and farms of the Tennessee Valley. This has made the TVA power service area the best market in the country for the sale of electric appliances, manufactured almost entirely outside the region. It has been a boon to other areas. With respect to the importance of power rates as a factor in plant location, the fact is that power costs are decisive in plant location for only a few industries, and the record shows that in the case of the particular industry—aluminum—selected for comment in the minority statement, the enticement of low rates has not been offered by TVA, but by private power companies over the past 15 years. Power costs were not the controlling factor in the announced expansion plans of the Reynolds Metals Co. which began its aluminum production in the Tennessee Valley in 1940.

The TVA power system is not subsidized. Its earnings cover all costs of operation, including depreciation, and provide in addition a return on the Government's investment which has averaged 4 percent over the years. During the same period the cost of money to the Government has averaged about 2 percent.

The TVA Act clearly contemplated the industrial development of the area, a development basic to its economic growth, and from the beginning there has been steam generating capacity on the TVA system. With the approval of the Congress TVA has purchased and has constructed steam plants, and that power has been available from the beginning to use in the development of the economy of the area for the benefit of the people and the nation. The minority statement is incorrect.

Those who would discourage industrial growth in the TVA area similar to what is going on elsewhere forget that the privately owned plants which are large power users are vital to national defense. Any action to prevent expansion of the production of the chemical and metallurgical industries located in the Tennessee Valley would put a ceiling on our national resources for defense.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. WHITTEN. Mr. Chairman, I yield 5 minutes to the gentleman from Tennessee [Mr. EVINS].

Mr. EVINS. Mr. Chairman, I thank my colleague the gentleman from Mississippi [Mr. WHITTEN] for yielding me this time.

I certainly am in agreement with the statement which he has made, and I most respectfully disagree with the statement of my colleague the gentleman from New York [Mr. TABER] who preceded the gentleman from Mississippi [Mr. WHITTEN].

The major consideration—and I do not think it is controverted by the minority—is that there is no dispute about the need for additional capacity to meet the power requirements of the area; there is no dispute in this matter about the need for additional power as indicated by Chairman Vogel, of the TVA Board, who was appointed by the President. Following General Vogel's confirmation, he took a new survey and a new look at TVA's power needs. It was determined that some six new starts would possibly be required.

The full Board unanimously recommended to the Bureau of the Budget four new starts be authorized. This was a unanimous action. Following this report to the Bureau of the Budget, we know that the Bureau did not recommend any new starts last year, but did recommend the Dixon-Yates plan substitute power for TVA area and defense needs. This scheme was fought out and defeated. The President withdrew or canceled the contract. Thus, no new starts were authorized and no additional power supplied the area. There can be no dispute or controversy that additional power is needed and will increasingly be required in the area. The President himself has recognized this fact by recommending a supplemental item for beginning construction of the Sevier plant.

Since the committee has disallowed this $3½ million, the majority in its wisdom has properly stated in the report that the TVA can use some of its corporate funds to begin construction of this new project that is needed by TVA, needed by the people, and needed for national defense. The gentleman from New York [Mr. TABER] has endeavored to say that TVA does not have such authority. It has been historic in the operation of TVA that the Board can use its corporate funds for certain facilities, for additional units at existing plants where they are required. To build a new system—a new start—they would have to get congressional approval. Like in the case of the proposed Fulton plant last year. Congressional approval has not been required for adding units or facilities at existing plants. The law gives them that authority.

The gentleman from New York [Mr. TABER] quoted from the Government Corporations Act. I should like to quote from the TVA Act, which says, in effect, that commencing on July 1, 1936, the TVA power proceeds shall be turned into the Federal Treasury, save and except such part of such proceeds as in the opinion of the Board shall be necessary for the construction of and in the conducting of its business of generating, transmitting, and distributing public energy. In other words, the act itself empowers the authority, gives the right, to use certain of its corporate funds. Here is the language of the act itself:

> Commencing July 1, 1936, the proceeds for each fiscal year derived by the Board from the sale of power or any other products manufactured by the Corporation, and from any other activities of the Corporation, including the disposition of any real or personal property, shall be paid into the Treasury of the United States at the end of each calendar year, save and except such part of such proceeds as in the opinion of the Board shall be necessary for the Corporation in conducting its business in generating, transmitting, and distributing electric energy (16 U. S. C. 831y).

In addition to the act giving authority to do that, there have been several instances in which this specific authority has been used for completing units—for instance, Kentucky unit No. 5 and certain of the Douglas Dam units and other facilities.

I should like to point out that in addition to this authority, custom and usage has established TVA's practice in this field. Also, the congressional intent has been spelled out on this floor more than once. The history of the debates will show the congressional intent was that they were so empowered. In addition, I might point out that the Federal Power Commission uses the word "projects" in a broad sense. There have been many interpretations of the use of the term "projects" by the Federal Power Commission and in other Federal legislation such as the Bonneville Act, the Reclamation Bureau and others in which there are very similar usage of the term implied here.

So I think there is no doubt but that the position taken by the gentleman from New York is in error and that TVA does have power to use its corporate funds for existing facilities. I certainly think the record should be made clear on that point.

Mr. BAKER. Mr. Chairman, will the gentleman yield?

Mr. EVINS. I yield to the gentleman from Tennessee.

Mr. BAKER. All I would like to comment on is with reference to the legislative situation as it is. With the language in the report and no amendment to be offered, does not the gentleman feel we from the TVA region should be satisfied at least for the moment?

Mr. EVINS. I must agree with the gentleman that any crippling amendment should not be offered; if offered, it should be rejected.

Considering all the realities of the situation, the Appropriations Committee disallowed the $3,500,000 for John Sevier steam plant and recommended that the TVA follow its normal business procedure and use its accumulated corporate funds, as it has in the past, to finance the beginning of this unit.

In its report, the committee agreed that no new arguments or novel considerations have been raised in connection with this proposal and it reaffirmed the belief that TVA should use its revenues to the extent that they are available in order to meet the power requirements of the service area.

This agency now has corporate funds in excess of $58 million. Certainly a portion of these funds should be used for the beginning of this project without further delay. The power revenues of the TVA should not be drained off and this great agency weakened by those who would deny it any means of support.

TVA is now repaying into the Treasury the total cost of the investment in its power system. Over a 40-year period, the agency will repay $348 million. For the coming fiscal year the TVA Board of Directors proposed repaying $35 million toward the debt. This payment would have been in line with the requirements of Congress as set out in 1948. However, TVA recently was confronted with the unprecedented demand that it repay $75 million into the Treasury during 1957. This payment would put TVA 21 years ahead of the legal requirement, or, in other words, bring its total repayment schedule up to the amount that Congress required TVA to have repaid by 1978.

Now there is no other explanation or excuse for this unprecedented demand on TVA's funds than to conclude that the present administration, for reasons not announced, is attempting to weaken TVA—tearing from this agency the corporate funds which are necessary for sound operation.

Some have termed the demand a milking action. Perhaps it is. But regardless of what we call it, the effort is designed to weaken and eventually destroy TVA. This most certainly is not a part of the continued expansion and maximum efficiency operation that administration leaders promised before the 1952 elections.

In this new and latest attempt to destroy TVA, the administration has at least brought one fact to light. That is that even with the arbitrary demand for the $75 million repayment, it is a striking tribute to the financial success of this agency and proof that TVA can pay its own way.

By June 30, TVA will have repaid $186,500,000 back into the Treasury, and the additional demand repayment by the administration of $75 million would bring the total paid to $261,500,000 on this investment.

Now the question of TVA's statutory authority to use power proceeds for the construction of new generating units was raised by certain members of the committee—traditional foes of TVA. This question, I should add, is not new and has been understood and approved by Congress for many years and in many instances.

There is absolutely no question of congressional intent or the legality of this method of financing additions to existing TVA facilities. This was brought out fully in a recent opinion prepared by Joseph C. Swidler, chief counsel for TVA, which, in brief, concluded that the legislative history of the act, the congressional intent, court decisions and the statutes entitle TVA to expend its corporate funds for individual generating units at existing projects and facilities.

The TVA Act, approved in 1933, stated that the agency should pay into the Treasury each year money derived from the sale of power or other products, except, and I quote, "such proceeds as in the opinion of the Board of Directors shall be necessary for the corporation, in conducting its business in generating, transmitting, and distributing electric energy."

While TVA has always come to Congress with requests for funds to begin construction of new projects, such as dams and steam plants, it has often used its own corporate funds to complete construction of units already started.

Such a practice was followed in completion of the Watts Bar steam plant, the Apalachia, and Ocoee No. 3. In the same manner TVA has used its power revenue to begin installation of new generating units at existing projects, exactly like the recommendation now before the Congress for the John Sevier plant. Corporate funds were used to begin construction of Kentucky unit No. 5, Fort Loudoun units 3 and 4, Wheeler units 5 and 6, Douglas unit No. 3, and certain units at Wilson Dam.

It is argued that the Government Corporations Act of 1948 curtailed or limited TVA's authority to use its corporate funds in the manner employed in the past. This argument apparently hinges on the wording of the 1948 act which says, and I quote:

> None of the power revenues of the Tennessee Valley Authority shall be used for the construction of new power-producing projects except for replacement purposes, unless and until approved by Congress.

But, in close examination of the hearings on this reuse-of-funds proposal, as well as the CONGRESSIONAL RECORD during debate, it was clearly brought out and understood by members of the committee that the language used in the 1948 act was not intended to alter the use of TVA's revenue in this connection. It was clearly demonstrated during 1948 and again in debate during 1949 that the term "project" was specifically stated to mean complete dams or steam plants, and not individual generating units. The Federal Power Act likewise uses the term "project" in a broad sense and it is defined there to mean complete units and this definition has been upheld by the Courts.

Mr. Swindler states in his opinion, which upholds the right of TVA to use its corporate funds for this purpose, that, and again I quote:

> If Congress, in the Government Corporations Appropriation Act of 1948, had wished to prohibit use of TVA's revenues for construction of individual generating units, as distinguished from new dams and steam plants, the term "new power-producing projects" would have represented a singularly inappropriate description of the prohibition. There is nothing in the legislative history to indicate that the term was used in other than its normal sense; on the contrary, the legislative history shows explicitly that it was used in this sense.

We have had a span of many years' use when the Congress realized and understood what the term "project" meant and Congress was also well aware, and approved, of how TVA was using its corporate funds. It is only in the last few years that the enemies of TVA, notwithstanding their outward apparent show of friendship for TVA, have tried to cripple and thwart TVA at every turn, by throwing the weight of every imaginable road block in the path of TVA's progress. These include the denial of needed appropriations for TVA, the cutting drastically of its budgets, proposing restrictive and limiting self-financing proposals, Dixon-Yates, and all the rest, and now the denial of use of TVA's power revenues for facilities essential to monitor its operations.

This latest proposal is contrary both to law, congressional intent, court interpretation as well as usage, practice, and custom. This latest crippling effort should be resoundly defeated.

Mr. TABER. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. PHILLIPS].

Mr. PHILLIPS. Mr. Chairman, I address myself to chapter 8, which is the chapter presently under general discussion. I presume the Members of the House, Mr. Chairman, have read the majority report which appears on page 32 of the report accompanying this bill, and I ask them also to read carefully the minority report which begins on page 50 of the same report, which is House Report No. 1897.

Mr. Chairman, when this bill was under consideration, the committee denied the TVA request for $3,500,000 to provide for a start on construction of the fourth electric generating unit at the John Sevier steam plant. The committee report states at one point that the committee believes TVA should use its revenues, to the extent they are available, to add units at existing plants. At another point, the committee recommends that TVA use power revenues to construct new generating units. The committee, however, did not give a specific direction to TVA to use its power revenues to construct new generating units. Had the committee given such a specific direction, it would undoubtedly have been declared null and void as contrary to the legislative restriction on such use without specific legislative approval by the Congress.

The committee report would seem to imply that Congress has accepted the interpretation, handed down September 10, 1955, by TVA's own attorney, that TVA has statutory authority to use power proceeds for the construction of new generating units without further legislative approval. Opinions expressed in previous Congresses, by TVA proponents among others, do not support such a contention, as the following examples show:

> All the net earnings, all the proceeds, all the properties are subject to the disposition of the United States Congress. (CONGRESSIONAL RECORD, vol. 100, pt. 8, p. 10490.)
>
> The Congress upon each occasion, in its appropriation bills, has had the disposal of the net earnings. (CONGRESSIONAL RECORD, vol. 100, pt. 8, p. 10490.)
>
> All the earnings of TVA are within the disposition of the Congress each year. (CONGRESSIONAL RECORD, vol. 100, pt. 8, p. 10490.)

The TVA cannot start one single new power facility, it cannot put $1 of its income or any other funds into any new power facility, except by and with the advice and direction of Congress. (CONGRESSIONAL RECORD, vol. 100, pt. 8, p. 10490.)

Congress has control of every dollar which comes into the TVA, and Congress can decide how much shall be used for plant improvement, and what amount shall go into the Treasury. (CONGRESSIONAL RECORD, vol. 100, pt. 8, p. 10494.)

The legislative history of the amendment to section 26 of the TVA Act leaves no doubt that Congress intended that TVA should have no authority to use power revenues for constructing new generating units without the specific approval of the Congress.

Section 26 of the original TVA Act reads as follows:

SEC. 26. The net proceeds derived by the Board from the sale of power and any of the products manufactured by the corporation, after deducting the cost of operation, maintenance, depreciation, amortization, and an amount deemed by the Board as necessary to withhold as operating capital, or devoted by the Board to new construction, shall be paid into the Treasury of the United States at the end of each calendar year. (TVA Act of 1933.)

The section, in this original form, did give the TVA Board the authority to use net revenues for new construction. This section was amended in 1935.

In 1935, after extended hearings before the Military Affairs Committee, H. R. 8623 was passed by the House and among other things, amended section 26 of the TVA Act as follows:

SEC. 26. Commencing July 1, 1936, the proceeds for each fiscal year derived by the Board from the sale of power and of the products manufactured by the corporation, and from any other activities of the corporation, including disposition of any real or personal property, shall not be expended by the Board except in consequence of annual appropriation thereof by the Congress, and the appropriation of such proceeds is authorized to meet the cost of operation, maintenance, depreciation, amortization, interest on bonds, and operating capital or for improvements, betterments, or the acquisition of facilities necessary to carry out the purposes of this act: *Provided*, That nothing in this section shall be construed to prevent the use by the Board, after June 30, 1936, of proceeds accruing prior to July 1, 1936, for payment of obligations lawfully incurred prior to such latter date.

This amendment, while it authorized TVA to use its revenues for the construction of new facilities and other purposes, at the same time required annual approval of such use by the Committee on Appropriations and the Congress.

The Senate in 1935 proposed to amend section 26 of the TVA Act to read as follows:

SEC. 26. The net proceeds for each fiscal year derived by the Board from the sale of power and any of the products manufactured by the corporation, and from any other activities of the corporation, including disposition of real or personal property, after deducting the cost of operation, maintenance, depreciation, amortization, interest on bonds, and an amount derived by the Board as necessary to withhold as operating capital or to be devoted by the Board to new construction, improvements, betterments, or the acquisition of facilities to carry out the purposes of this act, shall be paid into the Treasury of the United States at the end of each calendar year.

This proposal, like section 26 of the original act, would have permitted TVA to use its revenues to construct new generating facilities or other capital additions without any further approval of the Congress.

However, when the committee on Conference submitted a conference report, that report contained the following wording for the proposed amendment of section 26:

SEC. 26. Commencing July 1, 1936, the proceeds for each fiscal year derived by the Board from the sale of power or any other products manufactured by the Corporation, and from any other activities of the Corporation including the disposition of any real or personal property, shall be paid into the Treasury of the United States at the end of each calendar year, save and except such part of such proceeds as in the opinion of the Board shall be necessary for the Corporation in the operation of dams and reservoirs, in conducting its business in generating, transmitting, and distributing electric energy and in manufacturing, selling, and distributing fertilizer and fertilizer ingredients. A continuing fund of $1 million is also expected from the requirements of this section and may be withheld by the Board to defray emergency expenses and to insure continuous operation: *Provided*, That nothing in this section shall be construed to prevent the use by the Board, after June 30, 1936, of proceeds accruing prior to July 1, 1936, for the payment of obligations lawfully incurred prior to such latter date.

This amendment was approved by both Houses and is the present section 26 of the TVA act as amended. It confirms the feeling that Congress did not intend TVA to spend its money for capital improvements without specific legislative approval.

The Statement of the Managers on the part of the House had this to say about section 10 of the conference action which amended section 26 of the original act:

Section 10 is modified by preserving the principle of congressional control through appropriations over the activities of the Board. But an exception was made as to funds necessary to carry on the business of generating and distributing electricity and of manufacturing and selling fertilizers. It is manifest that long-term contracts could not be made if the power of the Tennessee Valley Authority to carry out those contracts is dependent upon appropriations by Congress. Furthermore, we have provided that a fund of $1 million may be constantly kept on hand by the Corporation to meet emergencies, such as breaks or threatened breaks in dams or destruction of any of the property by the forces of nature, so that said $1 million may be constantly available to make repairs, or to prevent damage, and thus to insure continuance of operations in the manufacture and distribution of electric energy and fertilizers.

It is increasingly evident that the House desired to have Congress assume complete control of TVA's activity through the annual appropriation process, but agreed to liberalize the amended act to the extent of letting TVA use its revenues for the normal business of operating its existing power and fertilizer facilities. There is nothing in the language, nor in the debate, to indicate that Congress thought it was approving the use of TVA revenues for the construction of new generating units, or plants, nor of new fertilizer plants, without specific approval of the Congress. It is difficult to see how anyone can read into the language "in conducting its business in generating, transmitting, and distributing electric energy and in manufacturing, selling and distributing fertilizer and fertilizer ingredients" any intent to cover TVA's business of "constructing new hydroelectric or new steam-electric generating plants or units."

Reading section 26 of the TVA Act, as amended, together with the 1948 congressional limitation on the use of TVA revenues, which says:

None of the power revenues of the Tennessee Valley Authority shall be used for the construction of new power producing projects (except for replacement purposes) unless and until approved by act of Congress. (Government Corporations Act, 1948.)

Clearly shows that Congress was only giving authority to use power revenues for replacement purposes, and was reiterating that TVA must obtain specific legislative authority from the Congress for the construction of new generating units.

I think the intent of Congress is often expressed not only by what a Member says, but by the previous actions and opinions of that Member. In August 1935, when this question was up on the floor, the Member from New Jersey, Mr. McLean, had something to say which I shall quote in a moment.

In view of the statement on the floor of the House by Mr. McLean in August 1935, it is inconceivable that section 26 of the TVA Act, as amended, can be interpreted to confer on TVA the authority to construct additional generating capacity at will without the specific authority of the Congress. Mr. McLean had this to say—CONGRESSIONAL RECORD, 1935, at page 13998:

Mr. Speaker, I signed this conference report and I advise its adoption. * * *

Let it not be understood that, in taking this position I do, I have not in any way changed my attitude towards the philosophy of the Tennessee Valley project. I still believe it is fraught with danger and to a very considerable extent is an unfair burden upon taxpayers in districts not affected by the expenditures being made, and that entirely too much money is being spent in the Tennessee Valley without regard to the constantly increasing national debt and its ultimate payment by generations yet unborn. As a member of the committee of conference it was my duty to endeavor to reconcile the differences in proposed legislation between the Senate and the House of Representatives, and I believe that out of the controversy surrounding proposed legislation effecting the Tennessee Valley Authority there is now before the House a piece of legislation which will meet many of the criticisms, restrain many of the unwise activities, and clarify many misunderstandings. What is of greater importance than anything else is the fact that the direc-

tors brought upon themselves much of the criticism that has been advanced against them, should have a better understanding of their obligations to the Government of the United States and to the Congress; and I believe that in the future we shall see more orderly procedure so far as that agency is concerned.

One of my principal complaints in this controversy was the fact that the directors of the Tennessee Valley Authority had entirely disregarded the Congress. There were indications that they held it in contempt. They made no report as to their plans, purposes or ultimate objectives as they were required to do by the act in order that Congress might guide and control the nature, sequence, and extent of the development. There now can be no doubt in this regard, for we have specifically provided in the pending bill that on or before the 1st of April of next year there shall be such a report by this governmental agency to the Congress which created it and whose agent it is.

* * * * *

Mr. Speaker, I feel, in spite of the turmoil, the vexations, and the criminations and recriminations that have gone on while this bill was pending, that we now have a better understanding between the Congress and its creature, the Tennessee Valley Authority. The directors of the Authority should have a better understanding of the obligations which they owe to the Government and Congress in the discharge of their duties, and although, as I have said, I cannot bring myself to favor the objectives intended to be brought about by the Tennessee Valley Authority, I feel that if we must have a new law, we have written a much better piece of legislation than was first proposed by the Authority itself, and much good should come as a result of the adoption of this report.

Here was a man opposed to the TVA concept. Can anyone contend that he would have made the above statements had he believed TVA was being given almost unlimited authority to expand its generating facilities without further review by, and approval of the Congress? I think not.

According to the TVA method of accounting, which leaves out any payment to the Treasury for the interest cost to the taxpayers, or for Federal tax equivalent, which TVA officials claimed TVA rates provided for; the net annual power revenue now approaches $60 million. To permit a board of three men to use such an amount each year to expand socialized power facilities at will is unthinkable, particularly when TVA is using this subsidized electric power to draw industry from other sections of the country by their low power rates.

Mr. PHILLIPS. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. BOW] may extend his remarks at this point in the RECORD.

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

There was no objection.

USE OF TVA SUBSIDIZED POWER TO ENTICE INDUSTRY INTO THE TENNESSEE VALLEY

Mr. BOW. Mr. Chairman, we have heard arguments pro and con, on whether TVA entices industry to the TVA area through its subsidized low electric rates. There can be no doubt, however, about the effort of the TVA distributors and the Tennessee Industrial and Agricultural Development Commission to lure industry from other sections of the country.

The Tennessee Valley Yearbook, 1955, a colorful brochure printed in Chattanooga, Tenn., carries a number of advertisements extolling cheap power as an incentive for industry to locate in the Tennessee Valley. At the same time the Yearbook—page 37—says the valley should quit luring industry from the outside in these words:

We must organize new industries—quit luring them from outside—such gain is permanent—other communities need all they can keep. Let's be just. New plant-branches O. K.

The Nashville Electric Power Board advertisement on page 62 says:

Life in Nashville is higher and brighter because of cheap, convenient electric power.

We earnestly advise any industry considering the establishment of a new southern factory branch, plant, or distribution warehouse to come to Nashville where you will receive the "finest electric service in the entire Nation."

In Nashville we say "Electricity—biggest bargain in your budget."

Chattanooga, on page 8 of the Yearbook, says:

Power, low-cost power, and plenty of it. * * *

* * * The widespread use of this low-cost TVA electricity makes the Board the largest single distributor of power produced by the Tennessee Valley Authority.

Then goes on to say:

TVA is a sound national investment. Not only does it prevent millions of dollars in flood damages annually but all appropriations for electric power development are repaid to the National Government with a 6-percent interest payment.

This advertisement demonstrates the attempt to sell the Tennessee Valley from a low-cost power standpoint while it at the same time is trying to make the Nation believe TVA is repaying the Government investment in the power development with interest at 6 percent. The record shows, of course, that this is not true. TVA has paid a small amount of interest at low rates on an early bond issue which represents less than 4 percent of the present total TVA project cost. TVA revenue has not been sufficient to pay operating expenses, pay interest cost on power investment, and make repayment of the investment. Nor have they paid or provided for taxes equivalent to the local, State, and Federal tax rates paid by private utilities.

The Tennessee Industrial and Agricultural Development Commission uses the following bait as one of its reasons why northern or other manufacturers should move to the TVA area:

ABUNDANT LOW-COST POWER

Low-cost electric power is sold at standard rates throughout the State. Most of Tennessee is supplied with electricity from the vast TVA system of dams and steam plants, the largest integrated power system in the United States. Over the next 2 years, some 2½ billion kilowatts will be available in the TVA region for industrial development. Generally, TVA power rates are 30 percent to 45 percent below the national average. For example, certain industrial consumers in Tennessee pay only 6.03 mills per kilowatt-hour on a monthly consumption of 400,000 kilowatt-hours—1,000 kilowatt demand. A recent study for a small northern manufacturer revealed that his annual power bill of $16,128 could be reduced to approximately $8,000 in Tennessee.

I wonder how much longer the long-suffering taxpayers in Ohio and other sections of the country are going to put up with the increasing demands for more funds to expand this socialistic power empire? I am sure my people think the time has come for the TVA area to stand on its own feet and pay its proper share of Federal taxes and interest costs.

Mr. MAHON. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan [Mr. RABAUT].

Mr. RABAUT. Mr. Chairman, in the interest of brevity I shall not take the time to read the two statements I hold in my hand but shall insert them at this point. They are as follows:

USE OF REVENUES FOR GENERATING UNITS AT EXISTING PROJECTS

The minority report seeks to cast doubt on an opinion written by TVA's General Counsel, Mr. Joseph C. Swidler, concluding that TVA has statutory authority to expend power proceeds for new generating units at existing plants. The section of the minority report dealing with this point begins by quoting out of context a statement in Mr. Swidler's opinion that section 26 of the Tennessee Valley Authority Act "standing alone, is broad enough to authorize use of proceeds for construction of any type of power installations, including steam plants and single-purpose power dams as well as individual generating units and transmission facilities." The minority report implies that the words "standing alone" deprive the statement of meaning because other subsequent legislation, specifically the Government Corporation Control Act and the Government Corporations Appropriation Act, 1948, have changed the situation. In fact, the words "standing alone" appear on page 1 of the opinion, and the remaining 8 pages are devoted to showing that no subsequent legislation has changed the situation.

So far as the Government Corporation Control Act is concerned, section 104 of that statute, which governs congressional action on agency budget programs, includes an express provision that such section "shall not be construed as affecting the provisions of section 26 of the Tennessee Valley Authority Act, as amended."

With respect to the Government Corporations Appropriation Act, 1948, the pertinent statutory limitation is that TVA power revenues shall not be used for construction of new power producing projects unless first approved by Congress. When the bill was debated on the floor of the House during the 80th Congress, the meaning of this language was agreed upon by spokesmen for the majority and minority members of the House Appropriations Subcommittee which drafted it. Representative Ploeser, chairman of the subcommittee, expressly concurred in the interpretation of the then Representative GORE, as follows:

"By the word 'project,' I think it is clear that the committee intends, and I believe it to be the legislative intent that it applies only to new multi-purpose dams, or a hydroelectric dam or a major steam plant. It is not the intent, as I understand the committee, nor is it the intent of the language nor the portent of that language, that it would

be restrictive of the smaller items such as generators, substations, transmission facilities, and other such operative facilities." (CONGRESSIONAL RECORD, vol. 93, pt. 5, p. 6828.

The minority report also states that doubts concerning TVA's statutory authority to expend revenue were expressed by Senators friendly to TVA during a 1955 appropriations debate. Examination of the debate shows that there was considerable discussion whether TVA should use revenue to construct additional units, but no direct challenge to the statement of Senator HILL, one of the authors of the original TVA Act, that—

"The Tennessee Valley Authority has 1 of 2 ways in which it can install units. One is by coming to Congress and getting an appropriation, which means getting funds out of the Treasury of the United States. The other way is by husbanding and wisely using its revenues from sale of power, its proceeds, so as to enhance the Government's property by installing additional units." (CONGRESSIONAL RECORD, vol. 101, pt. 8, p. 10401.)

Senator HILL's statement accords completely with the interpretation agreed upon by Mr. Ploeser and Mr. GORE at the time the Government corporations appropriation bill for 1948 was debated in the House.

The minority report also states that TVA has not begun any new units out of revenues without prior congressional approval since the Government Corporations Appropriation Act, 1948, was enacted. If this were true, it would have no bearing on whether TVA has statutory authority to follow this course. But it is not true. The fact is that TVA financed construction of Wheeler Dam units 7 and 8 out of revenues and without prior congressional approval within a period of months after the bill was enacted; that it revealed this fact during the hearings on the Government corporations appropriation bill for 1949; and that majority and minority members discussed the matter during the 1949 hearings and again agreed that the limitation adopted the prior year applied only to new plants and not to units—hearings before the Subcommittee on Government Corporations of the House Committee on Appropriations, 80th Congress, 2d session, 1948, page 596.

CONSTITUTIONALITY OF TVA STEAM PLANTS

When the TVA Act was passed in 1933, it included a provision—section 7 (a)—which transferred to TVA 2 steam plants previously constructed by the Corps of Engineers at Sheffield and Muscle Shoals, Ala. Section 15, which was also included in the original act, expressly authorized TVA to issue $50 million of bonds to finance, among other things, construction of steam plants. In 1939, Congress amended the act by adopting section 15c, which authorized TVA to purchase generating and transmission properties from private utility companies in its area. The hearings on this legislation made clear that these properties included several steam generating plants. Further, TVA's manager of power testified expressly that TVA intended to operate these plants, and that, since acquisition of the private utility properties would make TVA the sole supplier in the area, TVA would be required in the future to build new steam plants—hearings before subcommittee of House Committee on Military Affairs on S. 1796, 76th Congress, 1st session, pages 19–21, 111–112. In 1940, Congress appropriated funds for construction of a steam plant by TVA at Watts Bar.

No serious question was raised in Congress as to the constitutionality of any of these legislative actions. The constitutional issue was first raised in 1948 and 1949 by opponents of an appropriation requested by TVA for the Johnsonville steam plant. Early in 1949 Congress approved an appropriation for this plant. Since then Congress has appropriated funds for six other TVA steam plants at Colbert, Gallatin, John Sevier, Kingston, Shawnee and Widows Creek. The steam generating unit now challenged is to be installed at one of these plants, John Sevier, which has already been specifically approved by Congress.

The matter has already been judicially tested and sustained by a three-judge Federal court in *Rainbow Realty Co.* v. *Tennessee Valley Authority* (124 F. Supp. 436 (M. D. Tenn. 1954)). In that case, the respondent challenged TVA's authority to condemn a right-of-way for a transmission line near Nashville, Tenn., on the ground that the line would be used to transmit power generated predominantly at TVA steam plants, which it claimed TVA lacked constitutional authority to construct or operate. In the course of its opinion rejecting respondent's contention, the court stated that—

"The extent to which electric power from steam plants commingled with power from hydroelectric plants may be supplied by TVA is a question for legislative determination and not for determination by the courts" (p. 441).

Further, may I mention that the majority report in connection with the Tennessee Valley Authority is not found only on page 32, it is on pages 32, 33, and 34.

As to the directive which the gentleman from California [Mr. PHILLIPS] said was missing, I quote the following language from the majority report:

The committee * * * believes that the Agency should follow normal business procedure, using its revenues to the extent necessary. The requested $3,500,000 has therefore been disallowed.

Again:

The committee shares the desire of the administration to reduce appropriations wherever possible and therefore recommends use of its power revenues so as not to require new appropriations.

Finally, at the bottom of page 34 appears this language:

The committee reaffirms its judgment, and believes that TVA should use its revenues to the extent they are available to add units at existing plants to meet the power requirements of its service area.

Not projects, units; "units at existing plants."

If a man builds a home and says, "I am not going to plaster the upstairs part of this house," and finds afterward that his family has come along and he needs the additional rooms and plasters those rooms, that is exactly what they are doing here at this John Sevier plant. They are using a place that has been prepared and are setting in the generator. That is all there is to it. That is the answer to these questions.

Mr. COOPER. Mr. Chairman, will the gentleman yield?

Mr. RABAUT. I yield to the gentleman from Tennessee.

Mr. COOPER. Does not the gentleman from Michigan feel certain that the very clear and convincing statement made by the gentleman from Mississippi, who is a member of the committee, and wrote the language to which reference has here been made, as well as the remarks of the gentleman from Michigan and the gentleman from Tennessee [Mr. EVINS] and others of the majority speaking, and the majority report here, clearly show the intent of the Congress to be just as stated in the majority report?

Mr. RABAUT. The gentleman is absolutely right.

Mr. Chairman, I am including at this point the entire majority report in connection with the Tennessee Valley Authority:

TENNESSEE VALLEY AUTHORITY

The supplemental estimate considered by the Committee was for $3,500,000 to finance construction work during the current fiscal year on a needed generating unit at the John Sevier steam plant. The budget recommendations for this supplemental estimate and for the fiscal year 1957 contemplate that completion of the unit at the John Sevier Plant and construction of additional units at the Johnsonville steam plant will be financed with revenue bonds under legislation which is now pending in committee in the two Houses. The committee finds that the Tennessee Valley Authority's power revenues have provided it with sufficient funds for the construction of such additional units as TVA now requires, and believes that the Agency should follow normal business procedure, using its revenues to the extent necessary. The requested $3,500,000 has therefore been disallowed.

A minority of the committee opposes the TVA using its own money to meet its power needs and in addition voted against the President's recommendation to appropriate money for this purpose. The only conclusion to be reached is that the minority is simply opposed to the people of the TVA region having power to meet increasing needs.

Extraneous matters were raised during consideration of this estimate which, while not pertinent to the problem before our committee, do require some comment to keep the record straight.

Briefly, the President of the United States, in his annual budget message to the Congress, expressed his approval of the commencement of construction of certain generating units to be added to existing plants on the TVA system. He recommended that $3,500,000 be appropriated to begin construction immediately of a unit at the John Sevier plant in Eastern Tennessee and proposed that the balance of the costs of this unit, and all the costs of the additional units be met by proceeds from the sale of revenue bonds. Much of the space and a good deal of the heat in the hearings appears to be directed at the President's suggestion that TVA finance additions to its power system by the issuance of revenue bonds. This is a controversy between certain minority members of the committee and the President of the United States. No position is taken on the merits of revenue bond legislation since that is a matter for the appropriate legislative committees of the Congress.

The realities of the situation are clear. In 1940, following authorization by the Congress of the purchase of the properties of certain private power companies TVA became the sole source of power supply for its service area. Now, over 1,300,000 customers buy their electricity from the 150 distributors which purchase power at wholesale from TVA. The farms, the homes, and industries of this great area rely on TVA to meet their increasing needs for energy. Great installations for our national defense are located in the region. There is no dispute about the need for additional capacity to meet their

power requirements. The question is how new capacity shall be financed. At the time the President made his recommendation it might have been reasonable to anticipate early action on the so-called bond amendments to the TVA Act, and therefore to expect bond proceeds to be available to meet the costs of generating units in the next fiscal year. At the present time, however, it is obvious that even if passage of the legislation were accomplished with a celerity unprecedented in congressional history, the long and complicated process of bond issuance could not be expected to provide funds in time to meet the need.

The committee considered this situation, and recognizing that only two methods of financing are available to TVA at the present time—the appropriation of funds by Congress, or the use by TVA of its revenues for the purposes authorized by law, the latter method is recommended. The committee shares the desire of the administration to reduce appropriations wherever possible and therefore recommends use of its power revenues so as not to require new appropriations.

A minority of the committee, on the other hand, gives no consideration to this answer. Instead, it resorts to familiar attacks on TVA, and in effect proposes to break up and destroy this great power system, repealing the TVA Act by indirection, and as a consequence leaving the people of this one area without power required to maintain its standard of living or provide for the economic growth of the present geographic area served by TVA. In the opinion of the committee it is unthinkable that the Congress would deliberately schedule a power shortage in 1957 and 1958 in any area of the Nation, and when we consider that more than half of TVA's power output in now being used by AEC, the Air Force wind tunnel center at Tullahoma, Tenn., the guided missile project at Redstone Arsenal, Alabama, and other vital defense installations, we realize that a breakdown of TVA power supply would be a national disaster.

The question of the constitutionality of the TVA steam plants has been raised repeatedly in debate on TVA appropriations over the past 10 years, and Congress, overruling such contention, has approved 8 large steam plants. The question has come before the courts in one case, and in that case a 3-judge Federal court sustained the constitutionality of the TVA steam plants. (*See Rainbow Realty Company* v. *TVA* (F. Supp. 436 (1954)).) Likewise the question of TVA's statutory authority to use power proceeds for the construction of new power generating units is not novel. The TVA Act has been so interpreted from the beginning, and Congress has known and accepted this interpretation, and has indeed welcomed the reduction in the amount of appropriation which would otherwise have been requested. Over the years 10 generating units in existing projects have been begun with earnings from the power system and all but 2 have been completed out of earnings. Two of these units at Wheeler Dam were begun after the addition of the language in the 1948 Appropriation Act so frequently referred to. A reading of the full congressional debate at the time this provision was enacted, quoted in the opinion of TVA's general counsel in the hearings can leave no doubt that Congress did not intend to restrict the use of revenues for new units at existing projects, such as are involved here, but only to limit the commencement of construction of new projects out of earnings.

The committee would point out that the Administration has recognized the national importance of adequate generating capacity on privately owned power systems to the extent of providing (through the tax amortization device) over two billion dollars of interest-free loans to the private utilities for the construction of new capacity. Certainly the need for power in this area, where the percentage of national defense loads is higher than in any other area of the country, is just as urgent and the responsibility of the government is greater.

Common business sense supports the committee's recommendation. We believe it is more sound to use money at hand rather than make new appropriations. The power units which are involved are all in existing plants, and much of the investment in general facilities required for their operation, such as rail connections, coalyards, and coal handling equipment, and smokestacks, has already been made in connection with the installation of earlier units. The new generating capacity can therefore be installed at low unit cost. It constitutes economical additions to the TVA system which is owned by the United States to provide power urgently needed. It will preserve and enhance the investment which the Federal Government has already made.

No new arguments or novel considerations have been raised in consideration of the estimate before the committee. The committee reaffirms its judgment, and believes that TVA should use its revenues to the extent they are available to add units at existing plants to meet the power requirements of its service area.

Mr. TABER. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. PHILLIPS].

Mr. PHILLIPS. Mr. Chairman, for the information of the Members, I am including at this point the minority views on the Tennessee Valley Authority matter:

MINORITY VIEWS

The members of the Subcommittee on Public Works who sign this minority report disagree with the action and vote of the majority on the request of the Tennessee Valley Authority for funds with which to build an additional generating unit at the John Sevier plant.

There were four possible answers to that request:

(1) To agree and to appropriate $3,500,000 in new money to start construction on this unit. It must be understood this was only the request of the moment. The total needed is $28 million.

The idea of voting new money to TVA was refused by the subcommittee. The Congress in the past few years has refused more than once to appropriate new money for steamplants or additional units to existing steamplants.

It should be noted that there is still grave doubt in the minds of able lawyers and of Members of the Congress whether there was actually any constitutional authority for the TVA to build steamplants at any time. Since this is a technical legal question, not to be discussed in this minority report, it should definitely be considered by the Congress with the thought of giving authority to take the question to the Supreme Court of the United States. Certainly no more money should be voted to the TVA to build steamplants or additional units until the question is resolved.

(2) To take the money from its own funds without further approval by the Congress and build the additional unit, or any other structures in the future. This was the recommendation of the subcommittee's majority. We disagree. It is the line of reasoning expressed in the opinion rendered to the TVA Directors on September 10, 1955, by the TVA Counsel, Joseph C. Swidler, which, in our opinion, controverts itself. Counsel says, for example:

"This language [meaning section 26 of the TVA Act of 1933, as amended], standing alone, is broad enough to authorize use of proceeds for construction of any type of power installations, including steamplants and single-purpose power dams, as well as individual generating units and transmission facilities."

The catch words are, of course, "standing alone." The point is that section 26 of the TVA Act does not "stand alone." It must be read not only with the remainder of the act, but also with all other congressional actions (particularly those subsequent to its passage) or limitations thereto.

The citations given by Mr. Swidler, to support his opinion, refer, without exception, to the use of power proceeds by TVA prior to the passage of limitations on such use. We refer particularly to section 104 of the Government Corporations Control Act, which was passed in 1945 and to which a limitation was added in 1948, reading as follows:

"None of the power revenues of the Tennessee Valley Authority shall be used for the construction of new power-producing projects (except for replacement purposes) unless and until approved by act of Congress."

Nothing could be clearer, to us, as to the intent of the Congress. However, counsel for TVA offers this interesting interpretation (says Mr. Swidler):

"In thus prohibiting the use of revenues for construction of 'new power-producing projects' without prior Congressional approval, Congress clearly intended that the prohibition should apply only to new steam plants and single-purpose power dams, and not to generating units in existing plants or to transmission facilities."

We challenge the use of the word "clearly." To us, the language is a definite prohibition, and if it is to be reinterpreted for the benefit of the TVA, this should not be by TVA's own counsel alone, but either by the Congress or the courts, or perhaps by both, as we have indicated above.

This opinion and interpretation have already been challenged in the Congress, in part by Members sympathetic to the Tennessee Valley Authority. We suggest the reading of the CONGRESSIONAL RECORD, volume 101, part 8, pages 10400 and 10402; also of the RECORD, volume 100, part 8, pages 10490 and 10494; and of the RECORD, volume 101, part 10, page 12889.

It would be well, in view of the present request for new money, and the ensuing discussion, for all Members of Congress to reread the testimony of the then TVA Directors in 1935, in which the witnesses testified to the intent of TVA policy and their own opinions as to TVA's obligations. For example, Mr. David Lilienthal testified, regarding the way TVA would set the power rates:

"These rates are based on certain principles, and the first principle is that the consumers of electricity must pay all the operating cost of furnishing that electricity, without any contribution whatever from taxpayers.

"Second, that consumers of electricity, the people who pay the rates, shall pay taxes, through the rates, which, of course, is the way all utility operations pay taxes equivalent to the national average of taxes, local, State, and Federal, paid by private-owned utilities. Municipalities which purchase power from the Tennessee Valley Authority plant at the Wilson Dam and resell it in turn, at retail to their citizens also pay taxes, as required by their contract with the Authority, and those taxes are also equivalent to the

amount a private utility would pay, a private utility in that community.

"Third, depreciation and amortization are provided for, both by TVA and by the municipalities. As to TVA, the rates charged include a margin to offset depreciation from year to year, so that in the course of years there is a reserve adequate to rebuild the plant as a new plant; and there is also a surplus which, if Congress so desires, can be used to pay back into the Treasury not only the present value of this depreciated wartime property, but also every penny of the original investment put into the property in order to defend this country against its enemies.

"Fourth: Interest is charged."

Dr. A. E. Morgan, the first TVA chairman, expressed his opinion of TVA power operations and rates in these words:

"They must be fair, with no special arbitrary advantage; they must pay taxes, just as private utility companies must do, and every other reasonable charge if they are to provide us with a fair comparison."

He refers of course to the "yardstick" theory, so often advanced by TVA and its supporters. We hardly need add that any resemblance of present TVA policies, including the current request for an appropriation to build the John Sevier unit, to the original testimonies on the basis of which the TVA Act was passed, is entirely coincidental.

(3) To permit the TVA to issue its own revenue bonds, to cover the $28 million it estimates it needs for this unit. Whatever icing may be spread over this proposal, it means essentially that these bonds, directly or indirectly, now or in the future, will be obligations of the United States Government, just as surely as if we had approved the original request for new money and then gone out and secured that money by borrowing it (with interest) or by taxing the people of the 48 States for it. This has been so often refused in recent years by the Congress that to propose it now, somewhat disguised, seems to us to be completely out of order.

Whether or not the TVA shall be permitted to set itself up as an independent agency, or utility, furnishing power in a designated area, paying local, State, and equivalent Federal taxes and interest, underwriting its operations from its own income, adjusting its rates to meet its needs under such incorporation, borrowing money to expand or place its facilities, is a matter now before the proper legislative committees in this Congress. Certainly, if the TVA is to be given the right to its independence and to operate as any power utility operates, then it might properly have the authority to issue bonds. In that case, however, they would not be bonds of the United States, adding to our already topheavy national debt; they would be bonds of a utility corporation, not of the autocratic power empire envisioned in the opinion of the TVA counsel and other TVA proponents. Such bonds would be sold to the public as the bonds of any power utility are marketed. This is a reasonable suggestion; any idea that we should permit the TVA, an agency of our United States Government, to issue revenue bonds which would become contingent obligations of the United States, is unthinkable.

If the TVA desires independence, let it separate its power functions from its other functions, if necessary, and then issue bonds for its entire power construction debt in the past. It would, by such a bond issue, with repayments determined, and on which it would pay interest, assume the financial responsibility for all money already advanced by the Treasury (or in other words by the taxpayers, the great majority of whom in no way benefit from this expenditure); pay normal interest thereon, and secure complete independence, with the pride and integrity which accompanies independence.

The responsibility to recommend that such authority be given the TVA lies with a legislative committee, not with the Committee on Appropriations.

(4) The proper choice, in our opinion, is to follow the course already adopted by Memphis, the first of the captive municipalities to take itself out from under TVA bondage. This statement is made advisedly; under TVA contracts, no other power may be bought in its area, nor can a distributor provide power from its own or any other source, without TVA permission. Even the rates charged its customers, by the distributors of TVA power, may be set only with the approval of the TVA. Memphis has proved that this choice is feasible; it should be followed by other distributors in the TVA area.

The request of the TVA, for money to build an additional unit at the John Sevier plant, should simply be denied.

It must be understood that this in no way denies TVA any power for legitimate uses. The United States has first call on its power for its needs. TVA can, in case of emergency, secure power from the surrounding utilities, all of which are now tied in with the TVA grid. The TVA has bought such power in the past.

Actually, the immediate request is for a unit which would produce approximately 180,000 kilowatts of power. One private industry in Tennessee alone is currently asking for 235,000 kilowatts, for expansion, yet this industry, by name, announced through the press 3 months ago, that it intended and was fully prepared to build a plant for itself to supply the needed power. It was "enticed" (to quote the newspaper reports) to change its plans and expand in the TVA area, with the Federal Government expected to pay for the plant for added power.

Certainly, whatever else may be argued about the intent of Congress in 1933, there must be unanimous agreement that Congress never contemplated an authorization to entice industries into the TVA area, by offering power, sold at subsidized rates, and produced in steam plants. TVA itself, in the answer filed in the 18 company suit, January 8, 1937, implied it had no such authority and denied any such intent.

None of the requested additional power, therefore is to be used for national defense, nor for the needs of the Federal Government; this is an effort to draw industries into the TVA area, at the expense of the taxpayers of the other States where local, State, and Federal taxes are paid on power revenues.

We believe the request should be denied by the Congress.

GLENN R. DAVIS.
BEN F. JENSEN.
JOHN PHILLIPS.
T. MILLET HAND.
JOHN TABER.

Mr. TABER. Mr. Chairman, I yield such time as he may require to the gentleman from Wisconsin [Mr. DAVIS].

Mr. DAVIS of Wisconsin. Mr. Chairman, those of us who take exception to the use of $3½ million of TVA revenues to initiate construction of a new steam-generating plant are placed in a most frustrating position. There is no language in the bill which we can seek to delete, or to which we can seek to add a limitation. The use of the $3½ million is authorized by the language of the majority committee report, which is not subject to amendment, under the rules of the House, on the floor.

We believe that TVA, as a creature of Congress, should be limited to the use of authority specifically granted by Congress.

This Government venture is simply not carrying its fair financial load, with the result that power users in other parts of the country are being unfairly discriminated against, and the public generally is carrying and extra tax burden.

Even now, the TVA area is greatly expanding its powerloads by the enticement of industry through promises of cheap power.

One wonders how long the people in other areas of the country are going to allow TVA to entice industry to the valley through subsidized low electric rates all the while TVA officials deny luring industry into the area, the Reynolds case being the latest of the series.

Representative WOLVERTON—page 818 of the joint committee investigation of TVA in 1938—asked Mr. Lilienthal:

As a matter of fact, do you seek to promote business for TVA by bringing other industries to the valley?

To which Mr. Lilienthal replied:

No; we do not.

Later at the same hearing—page 1163—Mr. Blandford said:

But the answer is positively "No," that the Authority does not engage in solicitation of industries from other parts of the country.

How Mr. Lilienthal and Mr. Blandford justified such statements is difficult to understand when Mr. Lilienthal 4 years earlier had this to say at Chattanooga on April 21, 1934:

I am very definitely of the opinion that it is the Authority's duty to encourage and stimulate the growth of large-scale industry in the Tennessee Valley area. We are making provision for one of the largest hydroelectric developments in the world, with a potential of 3 million horsepower available. We are expending, and expect to expend, millions upon millions of dollars in construction activities, all looking toward the development of more and more power. Although we are bending every effort to greatly increase the use of electricity in the home and on the farm, it is obvious that only a large-scale industrial expansion will absorb the great pool of power which is thus being created. As we lay our plans for developing this cheap power in great quantities, it seems to me to be mandatory that we also lay plans for utilizing it in an industrial expansion program.

And at Birmingham, Ala., on October 31, 1934, he said:

But industries don't set themselves up in a region automatically. There must be some organizing force, with technical and research facilities. We believe it is appropriate that some of this technical and research work should be undertaken by the Tennessee Valley Authority as an agency of all the people. (From p. 419, House Military Affairs Committee hearings on TVA, 1935.)

Perhaps TVA itself is not directly engaged in open and aboveboard publicity and advertising for new industrial expansion in the Tennessee Valley area. But just where does enticing begin? If TVA because of its subsidized Federal tax and interest-free power can and does offer rates lower than an investor-owned utility can meet—who has to provide for interest and Federal taxes—what is that but an enticement?

Again, are not the captive TVA distributors of TVA power in effect agents of TVA and therefore a responsibility of TVA? These distributors actively advertise and promote industrial expan-

sion in the areas they serve with low-cost power as one of their main attractions. The Tennessee Industrial and Agricultural Development Commission located in Nashville, Tenn., has currently under way an advertising campaign to entice manufacturers to move to Tennessee. The following item is one of the reasons set forth in their brochure on the subject:

ABUNDANT LOW-COST POWER

Low-cost electric power is sold at standard rates throughout the State. Most of Tennessee is supplied with electricity from the vast TVA system of dams and steam plants, the largest integrated power system in the United States. Over the next 2 years, some 2½ billion kilowatts will be available in the TVA region for industrial development. Generally, TVA power rates are 30 to 45 percent below the national average. For example, certain industrial consumers in Tennessee pay only 6.03 mills per kilowatt-hour on a monthly consumption of 400,000 kilowatt-hours—1,000-kilowatt demand. A recent study for a small northern manufacturer revealed that his annual power bill of $16,128 could be reduced to approximately $8,000 in Tennessee.

Of course the copywriter was a little optimistic in thinking the rest of the country is going to provide 2½ billion kilowatts of power for industrial expansion in the TVA area in the next 2 years. Nevertheless the general idea is there that the TVA source of power is unlimited and northern manufacturers are invited to move to the TVA area.

Now comes the Reynolds Metals Co.'s recent announcement that the TVA has contracted to supply up to 225,000 kilowatts for a new aluminum plant at Listerhill, Ala., adjacent to which the Ford Co. will build a foundry. This at a time when TVA was curtailing power to existing aluminum electrochemical plants.

Yet on August 3, 1955, the press reported that Reynolds had announced the planned expansion would be made in northwestern Kentucky and that the company would construct its own 300,000-kilowatt steam plant near company-owned coal deposits to provide the needed power.

According to reliable reports Reynolds also was considering locating the new aluminum plant in northeastern Ohio or western West Virginia. Information obtained from the investor-owned utility serving the West Virginia site discloses that that company had proposed furnishing the Reynolds power requirements at a rate under 4½ mills per kilowatt-hour. Adding a Federal tax—equivalent to the rate paid by private utilities—to the TVA rate to Reynolds would result in the TVA rate being nearly 10 percent above the rate offered by the investor-owned utility. The tax subsidy amounts to about $1 billion annually.

One wonders what will be the reaction of the businessmen, labor, and the Members of Congress from the districts that Reynolds was considering as potential locations before TVA made its low subsidized rate proposal, a proposal made with the knowledge that TVA could not serve the load from existing plants.

I do not see how any Member of Congress, regardless of the section of the country he represents, or regardless of party, can condone the evasion of the law by TVA. In commiting funds for an additional steam generating unit at the John Sevier plant after the Senate refused to approve the use of power revenues for the purpose, TVA has figuratively thumbed its nose at Congress. This deliberate affront to Congress cannot be tolerated.

Mr. MAHON. Mr. Chairman, I yield to the gentleman from Alabama [Mr. JONES] such time as he may require.

Mr. JONES of Alabama. Mr. Chairman, the issue we face today is one of congressional responsibility toward an agency of Congress' own creation, the Tennessee Valley Authority.

It seems to me that the Committee on Appropriations has provided opportunity for particularly painless exercise of that responsibility. We are confronted with no question of appropriations for TVA, no question of a new dam or steam plant, no question of geographical expansion. It is simply a matter of providing for the necessary new generating capacity for TVA, and doing so without appropriating a nickel from the Federal Treasury.

If I correctly remember the debates on TVA that I have taken part in during my 10 years in this House, the loudest complaints always have come over the matter of appropriating funds for the TVA power system. If those who have consistently opposed TVA appropriations as a burden on the American taxpayer are now proposing to shut off this alternative source of funds—a source of funds used in all normal business procedure and not affecting the level of Federal expenditures, except to reduce that level—then we must ask if they actually wish to have the congressional responsibility carried out or are merely looking for another way to destroy TVA.

This bill carries no money for TVA. In fact, it eliminates the $3.5 million requested for TVA in the budget estimate.

The committee report affirms TVA's right and authority to use its own power revenues, to the extent available, to add power-generating units at existing plants in order to meet the power requirements of its service area.

In this respect the Committee on Appropriations is simply permitting TVA the same growth that every other utility system in the country in enjoying. It recognizes that industrial development and economic growth in the Tennessee Valley should not be treated any differently than industrial development and economic growth in the other regions of the United States. The committee recognizes that TVA, as a publicly owned development, is a sound national investment, and that this investment will be preserved and enhanced with additional capacity available to provide urgently needed power.

Use of TVA power revenues to begin construction of this additional generating capacity will not impair the pay-back of appropriated funds as required of TVA under the Government Corporations Appropriation Act of 1948. TVA is 46 percent ahead of the repayment schedule established in that act. The subcommittee hearings brought out the fact that through June 30, 1955, TVA had made payments totaling $127.5 million. Equal annual payments through the same period would have required only $87.6 million. The minimum repayment schedule would have required a repayment of only $28 million by that time.

By the end of the current fiscal year TVA will have repaid $186.5 million, which is $155 million more than is required and over $70 million more than might normally be expected. By the end of this fiscal year—in about 3 months from now—TVA will have paid back more money than the average schedule requires through 1958.

The $3.5 million requested for TVA, which was eliminated by the Committee on Appropriations, would have been used to start construction of an additional unit at an already existing plant. The committee simply concluded that TVA has sufficient funds out of its power revenues to do such work, and reaffirmed TVA's authority to do so.

I suggest that my colleagues not be confused by efforts to raise questions about the legality or constitutionality of TVA steam plants. There have been vague suggestions that we ought to have a court test of the constitutionality of TVA steam plants. The fact is that the court test has already been had; a three-judge Federal court in the Rainbow Realty case sustained the constitutionality of TVA steam plants 2 years ago. I might say that in that respect the court agrees with the Congress, which over the years has approved eight large steam plants.

Nor should any of us be confused by the questioning of TVA's right to use power revenues for this purpose. As the committee report states:

The question of TVA's statutory authority to use power proceeds for the construction of new power generating units is not novel. The TVA Act has been so interpreted from the beginning, and Congress has known and accepted this interpretation, and has indeed welcomed the reduction in the amount of appropriation which would otherwise have been requested. Over the years 10 generating units in existing projects have been begun with earnings from the power system and all but 2 have been completed out of earnings. Two of these units at Wheeler Dam were begun after the addition of the language in the 1948 Appropriation Act so frequently referred to. A reading of the full congressional debate at the time this provision was enacted, quoted in the opinion of TVA's General Counsel in the hearings, can leave no doubt that Congress did not intend to restrict the use of revenues for new units at existing projects, such as are involved here, but only to limit the commencement of construction of new projects out of earnings.

The minority views printed in the committee report contain an allegation to which I address myself at this point. The minority claims that this new generating capacity would not be needed if TVA had not enticed a private industry in Tennessee to expand its aluminum producing facilities in the TVA area. I assume the minority is referring to the Reynolds Metals Co.—which, incidentally, is in Alabama, not Tennessee—since Reynolds was the subject of discussion in the subcommittee hearings as revealed in the printed record.

The facts in the Reynolds matter are these: Reynolds Metals Co. has been producing aluminum in the Tennessee Valley since 1941. It has contributed much to the strength of our national defense and to the economic progress of the Tennessee Valley, and it in turn has prospered. Last year Reynolds announced a proposed expansion of its aluminum production program. In connection with this, TVA was approached by Reynolds in November of 1955. Reynolds tentatively planned to locate a new aluminum plant near Henderson, Ky., which is situated on the Ohio River, and to build its own powerplant. Its discussion with TVA at that time was on the question whether the proposed Reynolds powerplant could be interconnected with the TVA system.

Soon after this initial discussion, Reynolds informed TVA that it had changed its plans, that it had decided to purchase its electricity instead of construct its own powerplant. Among proposed sites Reynolds discussed were 3 in Kentucky—2 within the TVA power service area and 1 at Henderson, outside the TVA power service area. TVA could not, of course, make a proposal for supplying power to the Henderson site since it is outside TVA's service area. With respect to the other 2, TVA informed Reynolds it would make a proposal once Reynolds decided which of the sites it favored.

That was the situation when, in January of this year, Reynolds came back to TVA and notified the Authority that it had again changed its plans. Because of the sizable economies involved, it had decided to expand its 15-year-old facilities in Colbert County, Alabama, rather than locate a new plant elsewhere.

Reynolds' requirements at its new plant are 235,000 kilowatts, which TVA proposes to furnish at approximately 4.25 mills per kilowatt-hour.

These facts disprove the claim that TVA enticed the new Reynolds plant into the TVA area and away from the Ohio Valley.

The Ohio Valley is doing remarkably well industrially, and particularly well in the matter of new aluminum production. Of course, those of us who believe in progress for all in an expanding national economy are happy to hear of this.

Last December the Kaiser Aluminum & Chemical Corp., announced plans to build a $120 million aluminum reduction plant at Ravenswood, W. Va., on the Ohio River. Within the following month the Olin Mathieson Chemical Corp. announced plans to build an aluminum plant on the Ohio near Clarington, Ohio, also at a cost of $120 million. So here is $240 million worth of aluminum production facilities going into the great Ohio Valley.

These two companies, according to the New York Times of February 26, 1956, have contracted for power supply with the Ohio Power Co., a subsidiary of American Gas & Electric, of which Mr. Philip Sporn is president. According to the Times this power will be made available "at about 4 mills a kilowatt-hour."

It is extremely interesting to note that just since last November Ohio Power Co. has received $56.8 million worth of accelerated tax amortization certificates for new power-generating capacity at two locations only a few miles from the sites of the new aluminum plants. According to the Federal Power Commission these tax amortizations are equivalent to interest-free loans, which in this particular case total $25 million. The total benefit to the Ohio Power Co. over a 33⅓-year period amounts to $85 million.

It could be said, therefore, that expansion of the aluminum industry in the Ohio Valley is being accomplished by means of an $85 million subsidy from the American taxpayer to the Ohio Power Co.

TVA, of course, cannot participate in this subsidy program of the Office of Defense Mobilization. It cannot avoid meeting its financial obligations to the Treasury, nor does it care to. On the contrary, it is meeting its obligations 46 percent ahead of schedule, as I have shown. Moreover, when capacity expansion is handled through use of power revenues, there is a double benefit: First, the investment is enhanced; and, second, additional investor funds are unnecessary.

The new Reynolds load is representative of the increasing power demand in the Tennessee Valley occasioned by industrial development and economic growth. TVA must take account of this increasing demand in planning its future. It must have the power on the line when it is needed. Whether the increased demand comes in one 235,000-kilowatt chunk such as the Reynolds load, or in chunks of 10, 15, or 20 smaller loads, the demand is there and TVA must meet it.

Surely the Congress is not going to put a ceiling on economic growth in the Tennessee Valley any more than it would put a ceiling on any other region of the country.

Surely the Congress is not going to tell American industry it cannot locate in the Tennessee Valley.

Surely the Congress will act responsibly, and accept this opportunity to support an agency of its own creation and without a cent of appropriation being necessary.

Mr. MAHON. Mr. Chairman, I yield 8 minutes to the gentleman from Pennsylvania [Mr. FLOOD].

Mr. FLOOD. Mr. Chairman, I take this time in order to point out to the committee how to balance the budget. Last year, this House and this Congress refused the request of the President and of the Department of Defense to cut the United States Marine Corps 15,000 men. At that time the Secretary of Defense withdrew a battalion of Marines from the Sixth Fleet in the Mediterranean to save dollars and in the name of economy. Today that battalion went back on transports to join the Sixth Fleet. Now, the Congress of the United States rejected the demand that the Marine Corps be cut. The Secretary of Defense, however, 10 minutes after the Congress adjourned sine die issued a statement that regardless of what the Congress said he was going to cut the Marine Corps 15,000 men—and, Mr. Chairman, he cut it—15,000 men; period.

This year, when he appeared before the appropriation defense subcommittee, I brought up this problem. I asked him: "Did you consult the President about this?" He said, "No." I asked him: "Did you inquire of the Attorney General as to your constitutional rights under the circumstances?" He said, "No."

I asked him, "Did you bother to consult the General Counsel for the Department of Defense?" He said, "No."

I asked him, "Did you find it worthwhile or did you think you had occasion to consult anybody before you vetoed an act of Congress?" He said to me that he did not think it was necessary.

Well, Mr. Chairman, the Office of Secretary of Defense is a Frankenstein created by the Congress, and that is just retribution for our conduct.

Now let me tell you what happened. Here is the way the budget was out of balance by over $10 million the day it was announced as balanced, because now, Mr. Chairman, let me read to you the request in this supplemental bill:

DEPARTMENT OF DEFENSE—MILITARY FUNCTIONS

Office of the Secretary of Defense: "Salaries and expenses," $769,000.

Where is he going to get it? A budget request? Oh, no.

To be derived by transfer from the appropriation "Military personnel, United States Marine Corps."

That is the way to balance the budget. What further?

"Office of Public Affairs," Department of Defense, $27,500.

A request for a budget grant? Oh, no.

To be derived by transfer from the appropriation "Military personnel, Marine Corps."

What else?

Interservice activities: "Court of Military Appeals," $41,400."

A budget request for money? Oh, no.

To be derived by transfer from the appropriation "Military personnel, Marine Corps."

What else?

Department of the Navy: "Servicewide supply and finance," $7,400,000.

A request for money? Oh, no.

To be derived by transfer from the appropriation "Military personnel, Marine Corps."

"Servicewide operations," $2,180,000.

A request for money? Oh, no. Here is the way to balance the budget:

To be derived by transfer from the appropriation "Military personnel, Marine Corps."

Now, Mr. Chairman, if and when the situation arises that you reach that high estate of Secretary of Defense and it is incumbent upon you, for whatever reasons you have in mind, to balance the budget and to take advantage of whatever way you see wise in that great achievement, may I suggest you follow the established practice of the Department of Defense. Do not ask for money; transfer appropriations given by Congress to the United States Marine Corps.

Mr. DAVIS of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. I yield.

Mr. DAVIS of Wisconsin. I welcome the gentleman to the ranks of those who have been concerned and who have shown by our actions our desire to balance the budget, but the only thing lacking in his remarks is the fact that there is not one grain of sincerity in it.

Mr. FLOOD. I do not understand what the gentleman has in mind, because he has never established to me that he has practiced that standard.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. FLOOD] has expired.

Mr. TABER. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. JENSEN].

Mr. JENSEN. Mr. Chairman, I rise to voice objection to the committee report telling the TVA that it believes TVA should use its power revenues to the extent necessary for the construction of new generating units and recommending that TVA so use its revenues.

TVA does not have the legal authority to use its power revenues for constructing new generating units without coming to Congress for specific legislative approval. The Appropriation Committee therefore does not have the authority to tell TVA to use its power revenues for such purposes, hence, in effect, the committee action is null and void because a law cannot be amended by just saying so in a committee report.

Under section 26 of the original TVA Act, TVA did have the authority to use its power revenues to construct new generating units without coming to Congress for specific approval for such use. However there appears to have been some feeling in Congress in 1935 that the authority given to TVA was being misused. In 1935 after extended hearings the House passed H. R. 8623, a bill to amend the TVA Act.

Section 26 of this House bill would have required annual appropriation by the Congress of any TVA power revenues to be used by TVA for operation or for construction of power facilities.

The Senate version of amendments for the TVA Act left section 26 in substantially the original form in that it permitted use of TVA power revenues for new construction without specific approval of the Congress.

Mr. Chairman, I was chairman of the Government Corporations Subcommittee of Appropriations in 1947 when that committee wrote into the appropriation bill certain limitations on TVA and how and where it could spend its revenues. I am sure that every Member of this Congress recognizes and feels his responsibility to the highest degree, but on occasion in the desire to have one's way too often some things are forgotten that should be remembered. So I wish at this time to read an amendment to the basic TVA Act which was made law in 1947 and is still the law of the land. Here is the language. It is very simple and understandable, and regardless of what anyone says, nothing can be read into this language except exactly what it says and exactly what it means. It reads as follows:

None of the power revenues of the Tennessee Valley Authority shall be used for the construction of new power-producing projects (except for replacement purposes) unless and until approved by act of Congress.

Mr. Chairman, anyone can understand that language, and I do not care how they want to twist it around to fit their own wishes, that language speaks for itself.

I remember well when that language was written into the bill, the committee decided the thing to do was to see to it that the TVA came to the Congress of the United States whenever they wanted authority to spend any revenues unless for replacements, and the language says that and nothing but that. Now certainly a complete new power unit is not replacement for anything, by any stretch of the imagination.

We are the lawmakers of the United States of America. If we, the lawmakers, refuse to stand up and defend and uphold the laws that we ourselves make, then America will soon be in a terrible bad fix.

Mr. TABER. Mr. Chairman, will the gentleman yield for a question at that point?

Mr. JENSEN. I yield to the gentleman from New York.

Mr. TABER. Did the gentleman ever hear before of a committee report being an act of Congress?

Mr. JENSEN. I certainly never have, and I sincerely hope this attempt to do so will be the last of that kind of business.

The legislative history of the present section 26 of the TVA act as amended and of the 1948 limitation on the expenditure of TVA power revenues makes it clear that TVA has the authority to use its power revenues for the construction of replacement power facilities but does not have the authority to use power revenues for the construction of new power producing facilities without the specific legislative approval of the Congress. One of TVA's own proponents in Congress expressed this interpretation in these words:

The TVA cannot start one single new power facility; it cannot put $1 of its income or any other funds into any new power facilty, except by and with the advice and direction of Congress. (CONGRESSIONAL RECORD, vol. 100, pt. 8, p. 10490.)

We often hear TVA and its proponents state or infer that if it had not been for TVA the atom bomb might not have been developed or the aluminum for the plane that dropped the first bomb might not have been produced. Actually, the Oak Ridge plant of AEC could have been placed at many locations in the country where power was available. Also AEC constructed their own steam plant of 260,000-kilowatt capacity. TVA furnished a peak supply to AEC of 98,200 kilowatts in fiscal year 1944 and 273,800 kilowatts in 1945. The maximum was less than one-half of 1 percent of the total generating capacity of the utility industry, and just a little over one-fourth of the TVA capacity now being used for house heating in the TVA area. With regard to aluminum production, in 1939 the TVA area had 50 percent of the Nation's aluminum productive capacity, served in major part by the aluminum company's own powerplants. By 1943 the TVA area was down to 19 percent of the Nation's productive capacity for aluminum. With TVA power supplying only part of 19 percent of aluminum capacity one wonders how TVA can claim preeminence in aluminum production.

Last year we heard testimony about what a wonderful record TVA had with its steam plants. It seems strange that the Federal Power Commission records would not list any TVA steam electric generating plant among the first 18 most efficient steam electric plants in the country. Of course, this is in keeping with the usual TVA propaganda.

At the hearing on the TVA request for $3,500,000 to start construction of a new unit at the John Sevier steam plant I disclosed that TVA back in 1937 was trying to persuade the United States circuit court of appeals that it had a constitutional right to go into the power business by contending that such power operations only were incidental to navigation and flood control. The TVA statement to the court said that "The defendant Tennessee Valley Authority has disposed of and will dispose of only such electric energy as is generated from waterpower inevitably created by the operation of the said dams for navigation and flood control, and which is not needed for governmental purposes and which would otherwise be wasted"; and made other statements as to TVA authority and intent.

Of course we all know that TVA has not honored all their solemn statements made to the high United States court. The record since then leaves little alternative than to believe there was a deliberate attempt to deceive the court as to TVA's intentions. The record shows that 2 years earlier the TVA legal staff in preparing for the lawsuits then besetting TVA had a conference with the engineers on the question of what should and should not be said in engineering reports with reference to the power situation and the economic aspects of any water-control program which the Tennessee Valley Authority develops.

TVA officials had gone over a copy of the preliminary report on the proposed development of the Hiwassee River, indicating in pencil numerous deletions, changes, and qualifications which should be made in this report to avoid any implications of questionable or unconstitutional activities, with the thought in mind that a copy of one of these reports might be subpenaed, or by other means get into the hands of the opponents of the Tennessee Valley Authority; and that this report, even as written, with considerable care to avoid such questions, raises many doubts as to the planning of our approach in the whole matter of planning.

Among the suggestions reported to have been made by the TVA Legal Division were the following:

Tone down system power studies and avoid intimating that Tennessee Valley Authority has any power program * * *.

Put all recommendations on a hypothetical basis and draw no conclusion as to whether they should be developed by the Tennessee Valley Authority or by other agencies. Make no specific recommendation for the development of a stream or a project, but rather

carry the idea all the way through the report that it is just a possible scheme, without recommendation that it is the one to be considered.

Avoid any allocation of costs specifically to navigation, flood control, and power. No attempt should be made to allocate these costs in order to calculate the cost of generating power, but in event something must be said on this subject, to make the assumption that the dams, locks, reservoirs, and all appurtenances should arbitrarily be charged against navigation and flood control, and only the cost of power structures and generating equipment should be charged against power.

You may ask what this has to do with the present question on the TVA request for funds to continue the expansion of its power empire. It is to give Congress and the people just a small part of the long record of misrepresentation and subterfuge on the part of TVA in its expansion from the small navigation and flood-control development with incidental power that Congress was told would not cost more than $150 million, into the present $2 billion electric power empire.

Are we to set idly by while members of the same TVA legal staff, who told the TVA engineers not to admit that TVA had a power program, advise the TVA directors to figuratively thumb their noses at the Congress by spending the power revenues to construct new generating units without the approval of Congress, after Congress had specifically refused to approve such use.

It is too bad that Congress and the people of the Nation cannot have the whole record of TVA from its inception to the present. Reading the TVA annual reports and the almost limitless TVA publicity releases one would think TVA a haven of virtue and accomplishment. However the record gives quite a different story:

Flood control by permanently flooding out hundreds of thousands of acres of the most production lands of the Tennessee River Valley.

Pioneering of rural electrification by lagging behind the national average for more than 16 years, 3 out of 4 farms without running water, and farm use of electric energy below the national average even with the subsidized low power rate.

Distributors of TVA power operating in the red and with per customer average power use below the national average even under the subsidized low power rates.

Economic development that has not kept pace with economic and industrial development of other section of the South.

Unparalleled unified operation of a whole river basin which left several TVA reservoirs almost dry and which could not have happened under proper operation for navigation and flood control. The press has carried numerous stories and pictures of dry lakes.

A coal purchase policy that resulted in coal reserves for over 3 million kilowatts of TVA steam generating plant capacity being down to 12 to 16 days' supply. This has been characterized as criminal negligence. Normal utility practice is to carry 90 to 120 days' supply of coal on hand.

These and other records of TVA operations and results do not justify nor substantiate the many TVA claims of accomplishment.

It seems that the time long has passed to require the TVA to meet some of the many claims it has made in the past. TVA said its power rates were to be a yardstick, and would provide for interest at 3½ percent on the power investment, local, State, and Federal taxes equivalent to the rate paid by taxpaying utilities, depreciation, all operating expenses, and would amortize all the TVA investment.

Is there any valid reason why the TVA area should not pay their fair share of Federal taxes; why they should not pay the interest cost to the taxpayers on the funds advanced to TVA; why they should not provide for all, not just a part of the legitimate costs of doing business just like other utilities? Is there any valid reason why the area in which this Federal electric power empire can operate should not be prescribed? I think not and I am sure a majority of our people also think not.

TVA has relegated Congress to a back seat when it comes to control over the spending of taxpayers' money for power expansion.

On July 1, 1955, the Senate Appropriations Committee, by a decisive vote of 13 to 10, told TVA that it could not use its power proceeds for expansion purposes without congressional approval before the fact.

In spite of this clear directive, TVA has gone ahead and obligated Federal funds by issuing letters of intent covering the acquisition of major equipment for a fourth generating unit at its John Sevier plant. In clear defiance of Congress, it has stated openly that it believes it has the authority to expend its power revenues for this purpose without prior approval by Congress.

The history of the John Sevier steam plant is a case in point. On September 13, 1955, without coming to Congress for approval, TVA issued letters of intent covering the acquisition of major equipment for this plant. Some 5 months later, on February 8, 1956, Congress was notified of TVA's independent action when the Budget Bureau submitted its request for supplemental appropriations for fiscal 1956. Included among these requests was one from TVA for an initial appropriation of $3.5 million to start construction work on a $28 million addition to the John Sevier plant.

TVA has thus put Congress in a box. If Congress now denies TVA's request, the Government, under the letters of intent TVA has issued, is liable for a major share of whatever costs have accrued in the 6-month period since these letters were issued. On the other hand, if Congress goes along with TVA's use of power revenues in this instance, it gives its tacit approval to the "act-first-get-permission-later" theory under which TVA has operated. In short, TVA has already made up Congress' mind that money shall be spent at John Sevier.

This current action by TVA reveals a shocking disregard for congressional authority. It indicates that Congress must tighten its control over TVA.

Clearly, the time has come to make certain that TVA's future actions are dependent upon the will of the Congress, rather than making congressional action dependent upon a condition of TVA liking and then submit it to the Congress, requesting the Congress to approve questionable actions on the part of the TVA.

HOW TO SELL SOMETHING YOU HAVEN'T GOT

Without question, the TVA area needs more power. Like every other section of the country, power demands in the area served by the Tennessee Valley Authority have grown by leaps and bounds in the past decade.

But, unlike other areas, Tennessee is compounding its power-shortage problems by stressing the ready availability of cheap electricity in its current, aggressive promotion campaign designed to attract new industry to the State.

For example, the New York Times for January 22, 1956, carried an advertisement of the Tennessee Industrial and Agricultural Commission with the bold type headline "Industrial Power as Low as 6.03 Mills Per Kilowatt-Hour." And a booklet put out by the Commission boasts:

> Over the next 2 years some 2½ billion kilowatts will be available in the TVA region for industrial development. Generally, TVA power rates are 30 percent to 45 percent below the national average. * * * A recent study for a small northern manufacturer revealed that his annual power bill of $16,128 could be reduced to approximately $8,000 in Tennessee.

Thus we have the curious picture of an area, already caught in the pinch of a power shortage, yet actively engaged in luring still more large-scale users of power to the area. In effect, Tennessee is selling something it has not got—worse, is getting away with it.

The point is, of course, that if industry reacts favorably and locates in Tennessee, the resultant greatly aggravated power shortage can then be used as justification for increased Federal expenditures for the construction of additional powerplants. When these are built, the power they produce can be used as the basis for luring still more industry. This, in turn, will create new shortages which will be used as the excuse for building more generating plants. Once set in motion, this cycle can be repeated over and over again from now on at your expense Mr. Taxpayer.

These tactics might be condoned—and even admired as an excellent example of "gamesmanship"—were it not for one vital fact. And that fact is that TVA has no responsibility under law for serving industrial customers. Its only function, under the authority granted it by Congress, is to make its surplus power available to its preferred customers—the municipalities, REA cooperative and federal agencies in the TVA area. Industrial firms are not "preference customers"—in spite of the fact that they buy their power from TVA at a rate 20 percent less than that paid by the preference customers who are supposed to have first claim to TVA power.

Last year, for example—according to TVA's annual report for fiscal 1955—slightly more than 6 billion kilowatt-hours of TVA electricity was sold to these private industrial firms. This amounts to 14 percent of TVA's total power production for the period. In view of the admitted power shortage in the area, it seems fair to wonder why TVA has not taken the obvious step of canceling its contracts with these nonpreference customers and letting them supply their own power needs either by purchase from companies outside the TVA area or by construction of their own powerplants. This simple—and justifiable—step would amount to increasing TVA's present power capacity by 14 percent without expending another cent of taxpayers' money for a new plant or an additional generator.

In short, in this instance, TVA might well heed the word of the late Senator George W. Norris—the father of TVA—who once said:

> My own idea would be (that) before we would permit electricity to be used by Mr. Ford to make automobiles, it ought to be given to the people to light their homes, to cook their meals, to run their washing machines, at the lowest possible price. That comes nearer to giving it to everybody, because if you give it to one man to manufacture with, and he is in competition with a man who does not have that power, all he does is to just cut under the other fellow enough to sell his product, and he makes a big profit himself.[1]

If TVA could only bring itself to follow this advice—if it could only bear the thought of limiting its responsibilities to those outlined in existing legislation—it could do much to solve its own problems. For, as we have seen, the power shortage of the TVA area is largely self imposed: first, by the insistence of TVA on discharging a utility responsibility to nonpreference industrial firms; second, by the activity of Tennessee in using the lure of cheap power to draw even more nonpreference, large-scale users into the area from other sections of the country.

Instead of taking the obvious and logical steps, TVA has stubbornly refused to consider any other solution to the area's power shortage problem except that of continued expansion at the continued expense of the United States taxpayer.

Mr. MAHON. Mr. Chairman, I yield 4 minutes to the gentleman from West Virginia [Mr. BAILEY].

Mr. TABER. Mr. Chairman, I yield 3 minutes to the gentleman from West Virginia [Mr. BAILEY].

Mr. BAILEY. Mr. Chairman, I would like to express my thanks to the gentlemen on the majority and minority sides for their liberal offer of time. I can assure you I will not consume the full 7 minutes which have been allotted me.

Mr. Chairman, I have asked for this time in order to alert my colleagues in the House to a situation that is unusual indeed in this legislation. I refer to the item there where you are proposing to appropriate $3½ million to the Atomic Energy Commission and then by provision in your committee report attempt to authorize the Atomic Energy Commission to use its surplus earnings in the construction of added facilities to produce power in the Tennessee Valley. Let me say that this is a dangerous procedure; it is a very, very grave departure from the ordinary legislative procedures to attempt to do that and not put it definitely into legislation of some kind or to increase that item in the appropriation bill to the amount necessary to build this steam plant that the Tennessee Valley Authority is asking the privilege to build.

Let us see what is back of all of this. West Virginia, as you will recall, is the largest bituminous coal-producing State in the Union. We are vitally interested. We are interested, of course, in the construction of a steam plant, but let me say to you that this authority as I read it in the report does not confine itself to the construction of steam-plant facilities, it is not confined to this one project. It is giving authority to the Tennessee Valley Authority to build any type of structure it wants to build. It could even tap the Big Inch pipeline which runs from Texas to the East, pipe gas over there and produce electricity with this cheap gas from Texas. They could build additional hydroelectric plants out of their earnings.

As I remember it, they turned back last year unused about $72 million of their earnings into the Treasury of the United States. If you are going to give them authority, let us confine it to this one particular project and not give them blanket authority to proceed to build any type of structure they want to build with no limit on time in which they might do this. They might continue for years. Unless the Congress took direct action they might continue for years to use every cent of that $70 million a year earnings for plant expansion. It ought to be confined to the one particular plant in question that is involved in the appropriation of $3½ million which everybody knows will not be sufficient to build this facility.

West Virginia, as I said before, is interested, its coal operators are interested, the coal miners of West Virginia are interested. Let me tell you just what is going on. The State of West Virginia lost a tremendously big plant of the Reynolds Metals Co. within the past 10 days or 2 weeks. Why? That plant is going to Alabama. The argument was that they could get electric power from the Tennessee Valley Authority cheaper than they could get it in West Virginia. Papers were all drawn up to locate that plant in West Virginia, but all of a sudden, by reason of a lower bid for power from the Tennessee Valley Authority, West Virginia lost this tremendous plant which would have consumed 2 million tons of coal annually.

We are, therefore, vitally interested. We want to build some steam plants because it furnishes a market for coal, but we do not want to give blanket authority to build any other type.

I am speaking for the 30 or 31 congressional districts that have a tremendous amount of coal production and are vitally interested in this legislation. We want no part of it. We will either vote to recommit your bill or vote against it on final passage unless that point in the committee report can be clarified, confirming it to this one particular project.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. BAILEY. I yield to the gentleman from Alabama.

Mr. JONES of Alabama. Does the gentleman know that the Kaiser Aluminum Co. is going to build a plant at Ravenswood, W. Va.?

Mr. BAILEY. Certainly I know it, a $200 million or $216 million plant. One is practically completed, and they are building an additional one. Yes.

Mr. JONES of Alabama. The gentleman from West Virginia stated, as I understood him to say, that the reason Reynolds gave for going to Muscle Shoals was the differential in power rates.

Mr. BAILEY. That is exactly right.

Mr. JONES of Alabama. On what authority does the gentleman tell the Committee that that was the deciding factor?

Mr. BAILEY. On the authority of the Appalachian Power Co., of West Virginia, who had the contract ready for the signature of the Reynolds Co., and they backed down at the last minute and said they were going to Alabama.

Mr. JONES of Alabama. The gentleman means the same company that obtained a tax amortization for $36.6 million to construct its plant and given an interest-free loan in the amount of $16 million to build the plant?

Mr. BAILEY. I do not know the details. I assume the gentleman is talking about the Appalachian Power Co.

Mr. JONES of Alabama. Yes.

Mr. BAILEY. That may be true. I am not discussing that angle of it at all.

Mr. RABAUT. Mr. Chairman, will the gentleman yield?

Mr. BAILEY. I yield to the gentleman from Michigan.

Mr. RABAUT. There is nothing involved here except the fourth unit at the John Sevier plant. The gentleman wanted to know if it was confined to this one thing. Yes, the budget estimate is confined to the one unit. There are three units in there, and this is the fourth unit at this plant.

Mr. BAILEY. Does the wording of the committee report tie it down to that? That is the point I am raising, exactly. It does not.

Mr. RABAUT. That is all that is in the estimate; just dealing with this one subject.

Mr. BAILEY. Then, the gentleman is telling me that you are not giving blanket authority to the TVA to use those funds in the future for other expansions? I would like to have that question answered.

Mr. RABAUT. The TVA is not to do what the gentleman is talking about. The President endorsed three new units to existing projects and recommended appropriations to initiate one unit immediately. The committee believes that if funds are available for units at existing projects, such funds should be used instead of Congress making appropriations. I might say that all units will use coal.

[1] Muscle Shoals, hearings before Senate Agriculture and Forestry Committee, 67th Congress, 2d sess., on S. 3420, p. 525.

Mr. TABER. Mr. Chairman, I yield 10 minutes to the gentleman from Oregon [Mr. ELLSWORTH].

Mr. ELLSWORTH. Mr. Chairman, I would like to direct the attention of the committee to the section of the bill having to do with the Bureau of Land Management and especially to the section of the report on page 22. I believe that the committee inadvertently struck some funds out of the budget request which should be included in this bill. I am going to submit some facts to the committee with the thought in mind that if the chairman of the subcommittee and the members can agree with me, perhaps an amendment might be accepted or offered by the committee on the floor.

The paragraph in the report under the heading "Bureau of Land Management" states, under the subheading "Construction," that:

> The budget estimate of $2 million for accelerating the access road program in the Oregon and California land grant area has been disallowed.

Now, let me explain to the committee that in the States of Oregon and Washington is produced more than half of all of the lumber and wood products used in the United States. About half of it comes from the State of Oregon.

Again, about half of that comes from the O. and C. area which is owned by the United States Government. About 70 percent of all the raw material for the production of these products comes from land owned by the Federal Government so that any money appropriated here for the Bureau of Land Management or for the Forest Service, tending to accelerate, to manage properly and efficiently this land of the United States which produces revenue in the form of money from the sale of timber—any appropriation made for that purpose is not an expenditure; it is merely an amount of money used in management. In other words, the money is returned 10 for 1.

With reference to the $2 million for access roads, a rather unusual situation exists; and I believe the subcommittee may have overlooked it. That is, the $2 million which the budget requested to be appropriated is actually money which belongs to the counties in the O. and C. land-grant area. The counties in the State of Oregon in which this access road program is located, in which the O. and C. lands are located, are willing to have the Government's property increased in value by the creation of access roads through the use of $2 million which otherwise would be paid to the counties. The Congress in this case would be merely taking $2 million of county revenue and turning it over to the Bureau of Public Roads for the construction of access roads, $2 million which otherwise would go to the counties.

When the regular appropriation bill for the fiscal year 1957 was before the committee, the committee very wisely agreed to increase the appropriation for the acceleration of timber sales in the area. The bill as passed by the House included money for access roads, $4 million of the kind that I have just mentioned; money that belonged to the counties actually, but was put in the bill for the purpose of building access roads that I have mentioned.

Mr. Chairman, we are short of timber in this area which furnishes half of the lumber and other wood products of the United States. Most of the timber cut comes from Government land. If we continue to be short of timber, you know what will happen under the law of supply and demand. The price of lumber and other wood products inevitably must go up. There is being created in this instance a condition of scarcity by failing to provide money necessary to properly manage the lands which furnish the raw materials for the wood products, thereby cutting down the supply of those products and increasing the price to the consumer all over the United States.

When the committee accelerated the program for the fiscal year 1957, that was a very good move, very sound. But the fiscal year 1957 begins July 1, 1956. The lumber and logging business is a seasonal business. The months of May and June are exceedingly important in the harvesting of the forest crop owned by the United States. So the Bureau of the Budget and the Department of the Interior very reasonably came to the committee and said, "Let us step the program up according to the season. Let us have some money in a supplemental bill to get this entire program going and not only for all of fiscal 1957 but beginning in May of 1956."

So I am appealing to the Committee to understand these facts, and to do precisely in a supplemental bill what was done, what was approved by the House in the regular bill, and move the entire acceleration of the timber harvest, on the O. and C. lands in particular, up for the 2 months of May and June.

What I have said also applies to the item for the Forest Service wherein $200,000 was cut.

Mr. KIRWAN. Mr. Chairman, will the gentleman yield?

Mr. ELLSWORTH. I yield to the gentleman from Ohio.

Mr. KIRWAN. Mr. Chairman, when the committee came in with the regular bill it said that the bill provided more money than at any time in the history of this Nation for timber and for every other purpose in the bill. The sustained yield is 780 million feet, and the gentleman wants to put the cut up above that. Sooner or later, that is going to come back down and will be disastrous to the industry.

Mr. ELLSWORTH. It should be understood that the amount we harvest in the national forests and on the O. and C. land is definitely limited by what we call the allowable cut. What the Department of the Interior seeks to do, and the Forest Service, is to harvest from those lands up to the allowable cut. If we do less than that, then the timber less than the allowable cut is wasted.

Mr. KIRWAN. I think the allowable cut is 780 million feet, and is being overrun while getting out damaged timber. You want to put it up higher.

Mr. ELLSWORTH. We want to put it up to the point which will be permitted on the basis of a proper inventory.

Mr. KIRWAN. It is probably beyond that now because of salvage.

Mr. ELLSWORTH. I do not have that figure. Does the gentleman refer to fiscal 1957, or the present date?

Mr. KIRWAN. At the present date and up to fiscal 1957, you want to put it up to 840 million board-feet. You will be coming in here in another year hollering, "Just look what we did."

Mr. ELLSWORTH. If the 840 is allowed on the basis of an up-to-date inventory that is the proper figure.

Mr. KIRWAN. Seven hundred and eighty is the sustained yield. If you go up to the other one you are going out of bounds. Then you are going to come back here in a couple of years and say we made a mistake. More money was given in the Interior Department bill for 1957 than at any other time. Had we given them $50 million they would be in for a supplement and put 394 men to work and get a running start on next year. If the committee was with them and gave them $50 million, they would say, "All right, come on with more money."

Mr. ELLSWORTH. After all, that is a perfectly logical and reasonable situation in the States of Oregon and Washington for the reason, that until quite recently the wood products industries were harvesting from lands owned by themselves under private ownership. That timber is virtually gone. Now the industry depends about 70 percent upon harvesting the crop of the national forests and O. and C. and the cut of Federal timber is increasing.

Mr. KIRWAN. That is what I said. When we doubled it for this next year we raised it $2,400,000 for access roads in there. We went out of bounds in giving you the money. Now you want to come along and get a running start at it.

Mr. ELLSWORTH. Natuarally we want to accelerate the operation to the sustained yield capacity of the land.

Mr. KIRWAN. You are up to that operation now. You want to go up beyond that.

Mr. ELLSWORTH. May I direct the gentleman's attention particularly to the $2-million item, which I am sure he understands is money that actually belongs to the counties.

Mr. KIRWAN. I understand that. It will go back to the counties.

Mr. ELLSWORTH. Yes. They are very close to the situation. They understand exactly, much better than we do, what the situation is. They have said to the Department, to the Bureau of the Budget, and I guess to the committee, "We want you to take this money which is ours and which will go into our treasuries, and we would like to have you spend it on these roads because we need the employment, we need to keep the industry going." That is all we have asked.

Mr. KIRWAN. The appropriation for 1957 has been acted upon by the House. The net effect of allowing the supplemental funds would be to create a balance in the amounts provided for 1957 which would remain unobligated at the end of that fiscal year or be applied to construction program items of lower priority. Neither is considered necessary at this time.

Mr. ELLSWORTH. I disagree with the statement in the report. When the gentleman refers to roads of less priority, I think that is reaching out for a phrase because these roads are planned and they are all on approximately the same priority.

I do urge that you give this matter some further consideration and agree to put in the $2 million.

Mr. MAHON. Mr. Chairman, I have no further requests for time.

Mr. TABER. I have no further requests for time, Mr. Chairman.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

CHAPTER I

DEPARTMENT OF AGRICULTURE

Agricultural Research Service

Salaries and Expenses

For additional amounts for "Salaries and expenses," as follows:

"Research," $1,217,530;

"Plant and animal disease and pest control," $1,527,780, of which $500,000 shall be apportioned for use pursuant to section 3679 of the Revised Statutes, as amended, for the control of outbreaks of insects and plant diseases under the joint resolution approved May 9, 1938 (7 U. S. C. 148–148e), and the Act of August 13, 1954, (7 U. S. C. 148), to the extent necessary to meet emergency conditions; and

"Meat inspection," $1,043,690.

Mr. MACK of Washington. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise to concur in the statements just made by my friend and colleague the gentleman from Oregon [Mr. ELLSWORTH].

The Forest Service asked the committee for an additional $500,000 to process the sale of additional federally owned timber. The Budget Bureau approved this request. The Eisenhower administration wants Congress to approve this $500,000 for additional Forest Service timber sale processing.

Despite this the committee in this bill has cut the $500,000 amount requested to increase timber sales to $200,000. This reduction of $300,000 in the amount of money available to process more Federal forest timber for sale, in my opinion, was unwise and not good business.

When a piece of Federal timber is to be sold, an up-to-date cruise of the timber to be sold must be made. Then, the timber must be advertised for sale. After that, when the timber is cut by the successful bidder, Forest Service log scalers must scale the logs to make sure the Government receives from the logger all the money to which the Government is entitled. The doing of these things is called the processing. The cost of this processing timber for sale, experience reveals, averages $1 a thousand board feet.

The Government, however, receives an average of $13 a thousand board feet for the timber it sells. That is what the Government averaged, last year, on the sale of about 6½ billion feet of its Forest Service timber.

On the basis of these figures, whenever the Forest Service spends $1 to process a thousand board feet of timber for sale the Federal Government obtains $13 from the buyer for that thousand board feet of timber. Thus, on the $1 invested in processing timber for sale the Federal Government makes a gross profit of $12.

The Federal Government gives 25 percent or $3 of that $12 to the county government in the county where the timber was cut and the remaining $9 goes into the Federal Treasury. Thus, the Federal Government when it spends $1 to process the sale of 1,000 feet of timber makes a net profit of $9. When one can make a profit of $9 on each dollar spent, then spending is a good investment and not spending $1 to make $9 is folly.

If the committee had granted in this bill the full $500,000 of additional timber processing funds requested by the Eisenhower administration, the Forest Service could sell an additional 500 million feet of timber. The Government would receive, at $13 a thousand board feet, $6,500,000 for that additional timber of which about $1,500,000 would go to the counties and almost $5 million into the Federal Treasury.

The committee by cutting this appropriation to $200,000 prevents the sale of an additional 300 million feet of timber that can and should be sold. The committee saves $300,000 but loses the additional $3,900,000 that this additional timber would bring were it sold.

This is a case where the Federal Government should spend money to make money. To pinch dollars and hold back the sale of timber that ought to be sold is unbusinesslike and a folly.

The Forest Service officials in testimony before your committee on this bill stressed that the Federal Government has much burned and blowdown timber in its forest reserves and that most of this additional $500,000, if granted, would be employed to salvage blowdown and burned timber. Blowdown and fire-damaged timber deteriorates rapidly. The longer the Government delays in getting such timber out of the woods the greater the deterioration and the larger the Federal loss in potential revenues.

The Federal Government, today, owns and has under the jurisdiction of the Forest Service more than 400 million acres of commercial timberland. This commercial timberland if in one block would be 50 percent larger than the combined area of all 6 New England States. On these acres of Forest Service commercial timberland are growing 700 billion feet of timber. This timber, at $13 a thousand board-feet, which was last year's average price, has a present value of $9 billion.

Under the laws that govern the United States Forest Service operations, all this timber must be logged on a sustained-yield basis. By sustained yield we mean that whenever or wherever a tree is cut on Federal forest land a young tree must be planted to take its place.

The Forest Service can, its experts estimate, cut 9½ billion feet of timber each year from Federal forest commercial timberlands and by planting new trees to replace the old can have a perpetual Federal forest of 700 or more billion feet where 9½ billion feet always can be harvested annually.

Last year instead of cutting 9½ billion feet the Forest Service allowed the harvesting of about 6 billion feet and received $71 million for that timber. This fiscal year, which ends July 1, the Forest Service estimates the cut will be about 7¼ billion feet and return an estimated $101 million to the Federal Treasury. The additional cutting provides the Federal Government about $30 million in additional revenue.

The more timber the Forest Service sells the more money the Forest Service must spend to process timber sales. Keep in mind, however, that for each $1 spent for processing timber sales $13 in timber revenues are obtained.

The timber of which I have been speaking is all in the Federal forests and none of it in national parks. The timber in national parks under the law cannot be sold or cut.

The United States Forest Service is the only agency of the Government which shows a profit. The post office and all other Federal agencies always lose money. The Forest Service, alone, operates with a profit. This profit helps decrease the amount of money that must be raised by taxes.

The Forest Service should, as rapidly as feasible, expand timber cutting up to the allowable annual sustained yield of our commercial forest lands which is estimated now at 9½ billion feet. This is almost 3 billion feet a year more than now is being cut. When the cut from national forests is increased to this 9½ billion feet a year as it someday should and will be, Federal timber revenues will be increased by $50 million a year for every year thereafter. In 20 years this will mean increased revenues from timber of a billion dollars.

There are great stands of Federal timber which are overripe and deteriorating. Unless harvested in time, the old trees die and decay. If sold before decay sets in the Government obtains better prices for its trees and at the same time profits by planting young growing trees to replace old ones that no longer are growing.

The $9 billion commercial forest our Government now owns if efficiently managed can provide the Nation with a perpetual crop of wood and in doing so can be a constant year-after-year source of increased employment for workers and of larger revenue to the Federal Treasury.

In forest management we must spend money to make money.

We earnestly trust that before this appropriation bill reaches final passage that the committee will reconsider its position on the $500,000 requested by the Eisenhower administration for additional sale timber processing funds and provide the full $500,000 amount requested instead of reducing this figure to $200,000 as has been done in this bill.

The CHAIRMAN. The time of the gentleman has expired.

The Clerk read as follows:

National Park Service

Construction

For an additional amount for "Construction," $3 million, to remain available until expended.

Mr. GROSS. Mr. Chairman, I raise a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. GROSS. Mr. Chairman, I make a point of order against the language on lines 9, 10, 11, and 12, page 16, that it constitutes legislation on an appropriation bill; further, that it does not comply with Public Law 361, 83d Congress, approved May 17, 1954. In those respects the money to be appropriated here is subject to certain restrictions under the law.

I read subsection (b):

The authorization for the appropriation contained in subsection (a) shall not be effective until such time as, (1) the receipts of the Government for the preceding fiscal year have exceeded the expenditures of the Government for such year, as determined by the Director of the Bureau of the Budget; or, (2) the Budget submitted to the Congress by the President under the Budget and Accounting Act of 1921 reveals that the estimated receipts of the Government for the fiscal year for which such budget is submitted are in excess of the estimated expenditures of the Government for such fiscal year.

I maintain that the appropriation herein set forth does not comply with this act.

The CHAIRMAN. Does the gentleman from Texas [Mr. MAHON] desire to be heard on the point of order?

Mr. MAHON. Mr. Chairman, the point of order is not well taken, because the provision is authorized by law. Public Law 361, approved May 17, 1954, provides that when a balanced budget is submitted, then this project will be in order. The President has submitted a balanced budget, estimating that the 1956 budget will be balanced plus $200 million, and the 1957 budget will be balanced plus $400 million.

I agree this is a very unusual provision, but it does seem that the language complained of is not subject to a point of order for the reasons pointed out.

The CHAIRMAN. Will the gentleman from Texas point out to the Chair where in Public Law 361 there is authorization for the language at the end of the paragraph: "To remain available until expended"?

What authority is there in the act for that language?

Mr. MAHON. In my judgment, Mr. Chairman, there is no authority in the act for those words.

The CHAIRMAN. Then the Chair is ready to rule.

Mr. KARSTEN. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. Can the gentleman supply to the Chair what the Chair sought from the gentleman from Texas?

Mr. KARSTEN. The Chair seeks to establish the basis for including the words "to remain available until expended." That is common for all appropriations, I should think.

The CHAIRMAN. I am afraid I shall have to disagree with the gentleman.

Mr. KARSTEN. May I be heard further on the point of order?

The CHAIRMAN. Yes; the Chair will hear the gentleman briefly. That information would certainly enable the Chair to reach a decision.

Mr. KARSTEN. The point of order, as I understand, is made that the budgetary requirements have not been met. Is that the basis of the point of order?

Mr. GROSS. And also——

The CHAIRMAN. Let us get the record straight. The complaint was that the language "to remain available until expended" was subject to a point of order. That was the objection, among other things, raised by the gentleman from Iowa.

Mr. GROSS. That is right.

Mr. KARSTEN. In my opinion, Mr. Chairman, I feel that the language of authorization is broad enough to include those words; and I would like to address myself to the major point raised by the gentleman from Iowa, if the Chair will indulge me for just a moment.

The CHAIRMAN. The Chair looked very carefully for this language and the Chair repeats what he said before, that he does not agree with the gentleman. The Chair does not find anything in (b) of section 4 of Public Law 361 that would lead anybody to that conclusion.

Mr. KARSTEN. Will the Chair hear me further on the point of order?

The CHAIRMAN. Yes; briefly.

Mr. KARSTEN. Anticipating that this question would be raised, on January 31 I contacted the Director of the Bureau of the Budget and talked with him. I cited the two appropriations that were contained in this act. He was familiar with this law. He told me that in his opinion the second condition had been met and that no legal prohibition existed for the appropriation of these funds.

I have here in my hand a letter from the Assistant Director of the Bureau of the Budget which I will be glad to read if the Chair wishes.

The CHAIRMAN. The Chair does not care to hear it, because we have not reached the time when we accept a letter from some bureaucrat as to what the law is.

When it is explained as it is to me, the Chair is ready to rule.

The gentleman from Iowa makes the point of order that the language contained on page 16 which reads: "For an additional amount for construction, $3 million, to remain available until expended," is subject to a point of order because there is no authorization which justifies the committee placing that language in the bill.

The Chair sustains the point of order.

Mr. MAHON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MAHON: On page 16, line 9, insert the following:

"National Park Service: Construction: For an additional amount for construction $3 million."

Mr. GROSS. Mr. Chairman, I renew my point of order.

The CHAIRMAN. Will the gentleman state the point of order?

Mr. GROSS. Mr. Chairman, I make the point of order that the wording of the amendment does not comply with Public Law 361 of the 83d Congress, 2d session, chapter 204, approved May 17, 1954.

The CHAIRMAN. The Chair is ready to rule.

It is a matter of public knowledge that the budget submitted by the President is a balanced budget; therefore, the Chair feels that subsection 2 (b) of section 4, Public Law 361, has been complied with.

The point of order is overruled.

Mr. MAHON. Mr. Chairman, this portion of the bill has been studied carefully and approved by the subcommittee and the full Committee on Appropriations has also approved this item. I have no desire to further argue the point.

Mr. GROSS. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Texas [Mr. MAHON].

Mr. Chairman, I do not know that anyone in this House today can tell before the end of this session whether we will or will not have a balanced budget. It seems to me, if my memory serves me correctly, that the balanced budget which we have heard about as coming from the White House is contingent upon whether, among other things but chiefly upon whether, this Congress passes a postal rate increase bill to increase postal rates.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Texas.

Mr. MAHON. I think it is clearly possible that we will not have a balanced budget, but that is not the yardstick which is being used. The President submitted in his budget document to the Congress a balanced budget. The provision of the law is that "if the budget submitted to the Congress by the President under the Budget and Accounting Act of 1921 reveals that the estimated receipts of the Government for the fiscal year for which such budget is submitted is in excess of the estimated expenditures of the Government for such fiscal year," therefore it is not a question of whether or not the budget will ultimately be balanced but whether or not the President submits a balanced budget. The President did, as is public knowledge, submit a balanced budget.

Mr. KARSTEN. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Missouri.

Mr. KARSTEN. Mr. Chairman, I took this up with the Budget Bureau and they quoted some figures which I shall state to the gentleman from Iowa:

"Answering your specific question, the budget for the fiscal year 1957 shows estimated budget receipts of $66.3 billion and estimated expenditures of $65.9 billion;" which would indicate that provision of the law has been met.

Mr. GROSS. I take it from the arguments on the part of both gentlemen that this law could well be set aside, as apparently it will be in this case, simply by someone—the President of the United States—estimating that we are going to have a balanced budget, not whether in truth and in fact we will have a balanced budget. We might just as well never enact this kind of legislation if it has no

more meaning than what the gentlemen have stated.

Mr. ROONEY. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from New York.

Mr. ROONEY. I am sure that the gentleman understands this request for $3 million was made by President Eisenhower, who as President of the United States is certifying that there will be a balanced budget.

Mr. GROSS. Let me say to the gentleman from New York that I am not concerned with who made the request for the $3 million.

Mr. DAVIS of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Wisconsin.

Mr. DAVIS of Wisconsin. It seems to me that the ruling of the Chair is eminently correct. Any budget submitted by the President must be based on the estimated income and outgo. If that were not true, and if that could not be the ruling of the Chair based on those estimates, then any time the Chair ruled on the application of this law he would do so in peril because it may turn out at the end of the fiscal year that we had a balanced budget.

Mr. GROSS. Let me say to the gentleman that I do not question the ruling of the Chair. I do say that clearly it was the intent of the Congress that this money not be appropriated unless the budget was assuredly in balance. Does the gentleman not agree with me on that point?

Mr. CURTIS of Missouri. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Missouri.

Mr. CURTIS of Missouri. I would not agree with the gentleman. As a matter of fact, I ask the Members of this House how many times has some group come in and submitted themselves to such a limitation? The spirit is complied with. We did not want to come in until it looked like the budget was going to be balanced. The budget is proposed to be balanced, and now we have come in and the administration has agreed and the committee has agreed that this is a worthy request.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Texas.

Mr. MAHON. Does the gentleman not feel that no President, particularly the present President, would submit to the Congress a balanced budget other than in good faith? I think if we do not accept good faith, if we cannot accept sincerity and honesty in fiscal matters from the Chief Executive, whoever he may be, the gentleman's point is well taken. But, as long as the budget is submitted in good faith, there should be little room for serious abuses.

Mr. GROSS. Will the gentleman say, as he stands here today, that this House is going to pass a postal rate increase bill that will balance the budget? Is he standing here today saying that?

Mr. MAHON. I very much fear that the budget will not be balanced, but I do believe that the President submitted in good faith a balanced budget. Of course, there were several contingencies such as passing certain tax legislation, rates, et cetera.

Mr. GROSS. I am opposed to this expenditure for the purposes stated in Public Law 361. Here is what the taxpayers of the country will contribute to this project in St. Louis: $1,875,000 for the relocation of railroad tracks and other railroad facilities; $1,125,000 for grading and filling along the Mississippi River waterfront; $500,000 for landscaping; $900,000 for paving, utilities, and so forth, and $600,000 for restoration of what is known as Old Courthouse. That is a total of $5 million so we can look forward to further heavy expenditures of taxpayer money in behalf of the civic improvement of St. Louis.

Members of the House may well ask themselves how many millions of dollars the Federal Government is spending toward the relocation of railroad tracks and otherwise financing civic improvements in the cities and towns of their districts.

This bill also contains funds for the start of construction of a new State Department building in Washington to cost many millions of dollars. Yet with all this projected spending, including a big increase in the foreign handout program, there is talk here today of a balanced budget. Let us not deceive ourselves—either Congress must call a halt to some of this spending or write off completely any thought of balanced budgets in the future.

I am opposed to this bill and will so vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. MAHON].

The question was taken; and on a division (demanded by Mr. GROSS) there were—ayes 59, noes 26.

So the amendment was agreed to.

The Clerk read as follows:

Department of the Army—Civil Functions

Rivers and Harbors and Flood Control

Operation and maintenance, general

For an additional amount for "Operation and maintenance, general," to remain available until expended, $15,350,000, of which $15,000,000 shall be available for carrying out the provisions of the act of June 28, 1955 (Public Law 99).

Mr. HOFFMAN of Michigan. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN of Michigan:

On page 19, line 20, strike out "$15,350,000" and insert in lieu thereof "$15,375,000."

And on line 22, before the period, insert the following: ", and of which not more than $25,000 shall be available for the dredging of the Kalamazoo River where it flows into Lake Michigan."

Mr. RABAUT. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield to the gentleman from Michigan.

Mr. RABAUT. Is that $25,000?

Mr. HOFFMAN of Michigan. That is all it is.

Mr. RABAUT. I have no objection to it, Mr. Chairman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. HOFFMAN].

The amendment was agreed to.

Mr. MAHON. Mr. Chairman, I ask unanimous consent that the remainder of the bill be considered as read and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MAHON. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore having resumed the chair, Mr. WALTER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 10004) making supplemental appropriations for the fiscal year ending June 30, 1956, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. MAHON. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The previous question was ordered.

The SPEAKER pro tempore. Is a separate vote demanded on any amendment? If not, the Chair will put them en bloc.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on passage of the bill.

Mr. BAILEY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

The SPEAKER pro tempore. The question is on passage of the bill.

The question was taken; and the Speaker pro tempore announced that the "ayes" appeared to have it.

Mr. DAVIS of Wisconsin. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that further proceedings on the pending bill (H. R. 10004) be postponed until tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

GENERAL LEAVE TO EXTEND

Mr. MAHON. Mr. Speaker, I ask unanimous consent that all Members

speaking on the bill H. R. 10004 be permitted to revise and extend their remarks and to include brief excerpts.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

DISTRICT OF COLUMBIA REVENUE ACT OF 1956

Mr. SMITH of Virginia. Mr. Speaker, I call up House Resolution 428 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 9770) to provide revenue for the District of Columbia, and for other purposes, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill, and shall continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the District of Columbia, the bill shall be considered as having been read for amendment. No amendment shall be in order to said bill except amendments offered by direction of the Committee on the District of Columbia, and said amendments shall be in order, any rule of the House to the contrary notwithstanding. Amendments offered by direction of the Committee on the District of Columbia may be offered to any section of the bill at the conclusion of the general debate, but said amendments shall not be subject to amendment. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion, except one motion to recommit.

Mr. SMITH of Virginia. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. BROWN], and yield myself such time as I may consume.

Mr. Speaker, this resolution provides for the consideration of the revenue bill for the District of Columbia. It is a tax bill. The rule that is here offered to the House is the usual rule on tax bills. It is a closed rule, and provides for 2 hours of general debate.

Mr. Speaker, I have no requests for time.

Mr. BROWN of Ohio. Mr. Speaker, the gentleman from Virginia has stated the purpose of this resolution, which would make in order the consideration of the bill H. R. 9770, with 2 hours of general debate, under a so-called closed rule, which is usually granted for the consideration of tax bills.

I have no requests for time, Mr. Speaker.

Mr. SMITH of Virginia. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to, and a motion to reconsider was laid on the table.

REPUBLIC OF PAKISTAN

Mr. RICHARDS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the concurrent resolution (H. Con. Res. 223) to extend greetings to Pakistan.

The Clerk read the title of the concurrent resolution.

The Clerk read the concurrent resolution, as follows:

Whereas it is the policy of the Government of the United States to encourage the orderly development of free, democratic institutions among our friends and allies, and

Whereas the people of the United States and the people of Pakistan have established friendly ties; and

Whereas the Government of the United States and the Government of Pakistan have jointly collaborated in collective defense efforts to preserve the peace; and

Whereas the Pakistan Constituent Assembly has recently approved a constitution establishing Pakistan as a Republic on March 23, 1956: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring) That the Congress of the United States extend its most cordial greetings and warmest congratulations to the new Pakistan National Assembly and to the people of Pakistan on the occasion of Pakistan's establishment as a Republic, and reaffirm the friendship of the United States for the people of Pakistan.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

Mr. GROSS. Reserving the right to object, Mr. Speaker, I should like to know something about this resolution.

Mr. RICHARDS. This is a simple resolution congratulating and felicitating the people of Pakistan upon the establishment of the Republic by the Constituent Assembly and the ratification of the adoption of the constitution of Pakistan which will take place on March 23 next.

This is the kind of resolution that I believe the Congress and the American people would like. When in the course of human events around this earth a people have established their independence and declared themselves a democracy as a self-governing country, it has always been the custom of the United States to felicitate and congratulate the new nation when it comes into being. That is all the resolution does.

Pakistan became a sovereign nation when the British withdrew from India in 1947. Until the adoption of a constitution in February of this year, Pakistan has been governed under a provisional constitution based upon the British-promulgated Government of India Act of 1935. The democratic processes followed under the provisional constitution have been enlarged and incorporated in the new constitution. Provision is made for a unicameral legislature, elected by popular vote. Individual liberty, equality before the law, and freedom of worship are guaranteed. Fundamental rights are enforced by an independent judiciary.

The people of the United States and the people of Pakistan have established friendly ties and their Government has joined with us in collective efforts to preserve the peace.

It is indeed fitting that when the Republic of Pakistan is formally established under its constitution on March 23 that we extend the congratulations and greetings of the United States Congress, on behalf of the American people, to the new Pakistan National Assembly, to President Iskander Mirza and to the valiant and courageous people of that great country. With this thought and purpose in mind, the Committee on Foreign Affairs this morning unanimously voted to report House Concurrent Resolution 223, to extend greetings to Pakistan. I urge its immediate adoption by the House.

Mr. GROSS. This does not provide for the United States buying some more rice, of which we have a tremendous surplus in this country, from Burma to give to Pakistan?

Mr. RICHARDS. It does not provide for buying or selling anything or giving anything away.

Mr. GROSS. I am glad there is one bill from the Committee on Foreign Affairs that does not provide for giving something away. I congratulate the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

Mr. VORYS. Reserving the right to object, Mr. Speaker, and I shall not object, I congratulate the gentleman from South Carolina on bringing to the floor this concurrent resolution, which our administration is eager to have passed promptly, because the new Republic is to go into effect, as I understand, on Friday, March 23. Mr. Speaker, I wish to join with our chairman [Mr. RICHARDS] in urging unanimous approval of this resolution congratulating the people of Pakistan upon their becoming a Republic next Friday, March 23. This resolution was recommended by the administration and was unanimously approved by our committee.

I doubt if all of us realize the tremendous task in political science that faced the leaders of Pakistan in creating a representative government for a country separated physically into two divisions a thousand miles apart. I believe these statesmen built wisely and well, from the information I have obtained. They have built strength into their institutions and have guaranteed freedom not only for their Republic but for its individual citizens.

I remember vividly our meeting with General Mirza, who is the first President of Pakistan, when Mr. RICHARDS and I were in Karachi over a year ago. I was impressed then with his strong, magnetic personality, his broad vision, his practical commonsense, his devotion to the cause of the free world. He is a stouthearted leader of a stouthearted people. This new Republic stands guard in a strategic place on the frontiers of the free world. We can rejoice in her new-found freedom, confident that in safeguarding her own liberty she will be helping to protect ours.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The concurrent resolution was agreed to, and a motion to reconsider was laid on the table.

TAFT-HARTLEY LAW

Mr. DINGELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. DINGELL. Mr. Speaker, I have today introduced a bill to repeal section 14 (b) of the Taft-Hartley law. That is the provision which permits States to enact the so-called right-to-work laws.

That provision has been called immoral by labor leaders, by churchmen, and by other citizens, who think deeper than the mere title of the laws passed by the States under the authority given in that section.

As said by Rabbi Israel Goldstein, president of the American Jewish Congress:

> The term "right to work" in these statutes is a fraud and a misnomer to conceal their true purpose; * * * these statutes do not guarantee anyone the right to work but represent merely an attempt to capitalize on the hopes raised by a guaranteed right to work in order to restrict or outlaw completely all forms of union security arrangements worked out in collective bargaining by labor and management.

I wholeheartedly agree with Rabbi Goldstein's very carefully expressed thought. It is my feeling that the right to work embodied by such a law is only the right to work at the complete mercy of employers free from the protection which the unions offer.

Despite high-sounding phrases to the contrary, the real purpose of that section of the law is to hamper and cripple the unions in their dealings with the employees. The right to work laws aim at the return to the days when workers used to seek employment on the employers' terms; where the worker never had the right to raise any question as to wages, or conditions of employment. These so-called right to work laws recognize that the "right of the worker to bargain in majestic and poverty-stricken aloofness for the wages of his service is a right of which he cannot be deprived," as was said in a famous early opinion in our Supreme Court.

The proponents of the Taft-Hartley law overlooked the fact that not only does a union have the duty to represent employees who are members but who are nonunionized, as well as it represents its own members, but that it does do so. They also overlooked, in their shortsightedness, the fact that the great prosperity which we in America now enjoy has existed only since the workingman achieved a position of relative economic well being. They also lose sight of the direct and overwhelming causal effect which the unions by their activity on his behalf have had on giving to the worker and the little man this high standard of living.

In the language of a distinguished member of the Catholic clergy, Father William J. Kelley, O. M. I., L. L. D., who for more than 10 years chairman of the New York State Labor Relations Board, and is now assigned to teaching at the Oblate Scholasticate at Catholic University, in Washington, D. C.:

> Similarly, I am in company with such scholars as Rev. William J. Smith, S. J., Rev. Benjamin Masse, S. J., and Rev. Louis Twomey, S. J. Also, Rev. Dr. John Cronin and Msgr. George Higgins. I am also in the company of the editors of the St. Louis Register, official organ of the Archdiocese of St. Louis, whose language is:
>
> "The avowed purpose of the right-to-work bill in Missouri is to protect the worker from paying dues against his will as a condition of employment.
>
> "The actual purpose is to hamstring unions.
>
> "The real aim of this campaign, although it pretends to be interested in protecting the individual worker, is to destroy unions by making them ineffective."
>
> Based on this analysis of the law and principal arguments of the proponents, I hold that these right-to-work laws take away from man a necessary means to achieve and protect his God-given right of association.
>
> 1. Right-to-work laws are immoral according to Catholic social teaching.
>
> 2. No man or woman of good will should contribute money to proponents of this legislation to defray "the educational campaign expenses." To contribute financial aid would be morally wrong.
>
> 3. All good men and women, Protestants, Jews, and Catholics, should seek by every just means to get such right-to-work laws repealed and should oppose them whenever they are proposed.
>
> 4. Men of good will should not be a party to or cooperate with the proponents of right-to-work laws.
>
> 5. The right-to-work bills don't guarantee the individual any right at all. They provide him with an opportunity to work alone, to work at less than union wages.
>
> 6. The right-to-work laws recall the American plan or open-shop plan of 1920–24, which led to low wages, strikes, industrial unrest.
>
> 7. The right-to-work laws may well be an invitation to disaster of the general welfare.
>
> Leo XIII points out the preeminent position of legislators:
>
> "Some there must be who dedicate themselves to the work of the commonwealth, who make the laws, who administer justice, whose advice and authority govern the Nation in time of peace and defend it in war. Such men clearly occupy the foremost place in the State and should be held in the foremost estimation, for their work touches most nearly and effectively the general interest of the community."
>
> I appeal to the legislators of the 17 States to repeal the right-to-work bills now in existence.
>
> I can find no more powerful way to conclude these conclusions than by the following quotation of Pope Pius XII:
>
> "Neither collective bargaining nor arbitration, nor all the directives of the most progressive legislation will be able to provide a lasting labor peace unless there is also a constant effort to infuse the principles of spiritual and moral life into the framework of industrial relations."

Further there is no statistical proof that these laws have benefited employers, raised income, or increased job opportunity. Quite the contrary, statistics show that areas, like my own State of Michigan, where we have no such law, enjoy such great opportunity for employment and high wages that there is a constant flow of migrants to those areas from most of the States which have right-to-work laws. Despite this our Michigan corporations are enjoying record earnings and profits.

In conclusion, I want to emphasize that both the union shop and the closed shop are perfectly legitimate forms of organized labor. As so aptly stated by the executive committee of the Federated Churches of Christ in America, in the statement The Church Looks at Industrial Relations, 1949:

> Where either the closed or the union shop emerges with proper safeguards as the result of collective bargaining, we believe the agreement arrived at on this point should be approved and supported by church people.

It is clear that laws which strike at this perfectly proper result of collective bargaining are aimed at only one thing, the destruction of the unions and the return of America to the poverty and privation enjoyed by our working classes before workers banded together in unions to better the conditions of their employment.

For this reason I urge early and favorable consideration of my bill.

DISTRICT OF COLUMBIA REVENUE ACT OF 1956

Mr. McMILLAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 9770) to provide revenue for the District of Columbia, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 9770, with Mr. CHATHAM in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. McMILLAN. Mr. Chairman, I yield to the gentleman from Virginia [Mr. SMITH], the chairman of the subcommittee handling this bill, such time as he may care to use.

Mr. SMITH of Virginia. Mr. Chairman, this is a revenue bill, a tax bill for the District of Columbia. Certain things happened last year which threw the budget of the District of Columbia out of balance to the extent of some $10 million. After the budget had been arranged last year, the Congress made certain obligations on the District of Columbia that threw it out of balance to the extent of $10 million. There was a salary raise all the way around for civil-service employees. That was followed by action of Congress in voting an increase for all employees of the District of Columbia, which came to about $10 million. The District of Columbia Committee then had to find the revenue to meet the action of Congress. We considered this bill in a joint subcommittee of the Senate and House, and the bill which you have before you now is the unanimous conclusion and has the unanimous support of both the House and Senate subcommittees, and is reported unanimously by the District of Columbia Committee.

There was some objection in the committee to this item or that item, but

when it came to a vote it was voted out of committee unanimously.

I would like to say that the joint subcommittee has been working on this bill since the first part of the session in January. We held extended hearings on the proposals that were submitted to us by the District Commissioners, and we advertised public hearings, and we heard everybody who had anything to say about the bill—citizens and officials of the District of Columbia—at great length. There were many suggestions as to how this $10 million could be raised. Some were adopted and some were rejected. By and large, what we did about this deficit that was created by the increase in salaries voted by the Congress, we put in the bill an authorization for $2 million additional by the Federal Government, which is 20 percent of it, and the remaining 80 percent, or $8 million, was imposed on the taxpayers of the District of Columbia.

Briefly this is what the bill provides: Under existing law the income tax for the District of Columbia carries an exemption of $4,000 a year. We reduced that exemption to $2,000 a year, which is more in conformity with similar income tax laws in the various States of the Union. That is calculated to raise $3,400,000.

Then there was an item here that has been escaping taxation, which is called "rental of personal property," which is expected to yield $150,000 a year. It is an item that has escaped taxation heretofore. That is, where a person makes a business of renting personal property—machinery, and articles of various and sundry kinds. That is made subject to the District sales tax.

Then the exemption on meals was reduced from 50 cents to 14 cents, under the sales tax law. A tax of 15 cents a gallon was imposed upon what is called "table wine." I understand they are light, nonintoxicating wines.

We imposed a tax of $25 per annum on professional personnel. That is, lawyers, doctors, and so forth. We find that that was a practice prevalent throughout the States—a license tax for the practice of a profession. It is small, but it yields a considerable amount of money. The tax imposed under this bill is $25 a year, and yields $175,000.

Then we increased the tax on liquors from $1 to $1.25 per gallon, an increase of $980,000 per annum.

We increased the tax on beer from $1.25 to $1.50 per barrel, which will raise $132,000.

The District of Columbia Commissioners will raise the real estate tax as they are directed to do under the law by 10 cents per hundred, and that will raise $1,800,000.

The total of these increases brings us approximately the amount the budget is in default, that is, $9,812,000. We think some of these items have been perhaps underestimated, but $9,812,000 was coming pretty close to the $10 million desired.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from Iowa.

Mr. GROSS. Calling the gentleman's attention to the increased tax on liquor and the sale of liquor in the District of Columbia, did the committee give serious consideration to providing for monopoly sale of liquor in the District, that is, to establish District stores for the sale of package liquor?

Mr. SMITH of Virginia. Yes; the committee set aside a specific time to hear the proposal which was submitted by the gentleman from Alabama [Mr. ANDREWS].

Frankly, I have always favored that method myself. In this instance the general opinion—and I could not find too much fault with it—was that to make the change now after we have gotten into it would cause such disruption here that it probably would not be a desirable thing to do. As a matter of fact, when this present law was passed I offered a substitute for it to set up State liquor stores. I was defeated. There was very little sentiment for the change anyway.

Mr. Chairman, I yield back such time as I may not have consumed.

Mr. O'HARA of Minnesota. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, as the gentleman from Virginia has stated to the committee, this measure comes before you with the unanimous report from the Joint Fiscal Affairs Committee of the Senate and House and also was reported without objection from the District Committee.

In the first place I would like to compliment my good friend, the gentleman from Virginia, as chairman of the Joint Fiscal Affairs Subcommittee of the House and Senate for the very patient, careful, and long consideration which was given to the problem of raising approximately $10 million needed to take up the deficit in the financing of the District of Columbia. We had long hearings and we had more lengthy executive consideration by the subcommittee acting on the proposal.

It was not a pleasant duty to add to the taxes of the residents of the District of Columbia, as we were forced to do. I think the committee has done as good a job as it was humanly possible to do under the circumstances in spreading this taxation as equitably as could be—not pleasantly at all because it is no pleasure for Members of Congress to have to increase taxes, nor is it pleasant to try to figure out where it may be raised with the least difficulty—but I do say that the committee worked earnestly, worked hard in trying to raise the necessary funds to meet this problem. As one individual who has served for some time on the District of Columbia Committee I hope that it will not be necessary for some years to come that we will be asked to raise additional funds. The bill as written and as submitted to the committee today is as fairly considered, as equitably and as justly spread over the tax-raising possibilities that are left in the District as it could be.

I sincerely hope it may be passed with the least possible argument over this, that, or the other provision. It is almost impossible to say that any member of the subcommittee was completely pleased with every item in the bill. As I say, it was a matter of give and take and working out the best possible legislation that could be worked out.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. O'HARA of Minnesota. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. AUCHINCLOSS].

Mr. AUCHINCLOSS. Mr. Chairman, I take this time, first, to compliment with great sincerity the leadership of this subcommittee of which I am a member. The gentleman from Virginia [Mr. SMITH] was untiring in his efforts and was most courteous in every way. We had long hearings on this matter and went into every detail.

To increase taxes is not a pleasant job, but this unpleasant job was done thoroughly and with every consideration under the leadership of the gentleman from Virginia [Mr. SMITH].

I may say that I raised a question about a bond issue for the District of Columbia to meet some of the capital expenditures which are included in this measure. Studies are still being made of such a proposal and I hope that perhaps a little later the committee may have an opportunity to consider suggestions covering such a bond issue which I hope may bring some relief to the taxpayers.

Mr. McMILLAN. Mr. Chairman, I yield 10 minutes to the gentleman from Minnesota [Mr. WIER].

Mr. WIER. Mr. Chairman, I can hardly sit here and let this bill go by without some comment on what I think are unfair and apparent weaknesses, not particularly in the bill but on the whole question of arriving at fair and equitable taxes for all of the citizens of the District of Columbia. I have no desire to be critical of the committee or of any member of the committee. I recently became a member of this committee and I have much to learn, but in my 8 years as a Member of this House I have observed and I have heard many of the problems that have come up in connection with District rules and regulations, and tax legislation.

This bill was worked out, as has been previously stated, by a subcommittee of the House and a subcommittee of the Senate. My understanding is that they spent many hours trying to arrive at an equitable bill. To most of us on the committee I think we had about an hour a few days ago to hear the report of the subcommittee of the House on what their findings were with the Senate committee, and that report became this bill.

Now, it is true that I, along with others, raised some question about this bill. We raised some question about the procedure, about where the tax increases fell, and in behalf of the thousands and thousands of Government employees here and particularly those in the low-income brackets, below the 5th and 6th grades of civil service, I felt that their problems ought to be given some recognition in the light of what this bill does.

Washington, unfortunately, has no industry to tax. My city has large and substantial industry and payroll. The District of Columbia tax revenue is made up in the main for tax purposes of wages and real property. Washington is a city

of nearly a million people. It is a wide and expansive community, and I am sure that with all of the services that members of the District Committee have on other important committees, the time is not available for the job necessary on the District Committee of doing that which probably would bring about a better form of government here. The real estate and the commercial interests in this community have the board of trade who speak and represent the views of those people very well, but there is a great mass of wage earners and Government employees that have no one to speak for them. They do not even have an organization to make known their problems.

Now, this is what I find as a matter of importance to me, at least, and I am sure to those millions of low-paid, low-income group workers. I point my finger particularly at the lack of keeping up the real and true valuation of private and commercial property in the District, and, of course, I look at what real and commercial property is doing in bringing up this tax bill to the amount necessary or somewhere near the amount necessary. So, I look around to see what has been done in making possible an equitable part of the tax increase on the commercial and real property of this community, and I find that the real estate assessment on real estate and commercial property from 1934 to 1937 was $1.50 per $100; from 1938 to 1947 the tax rate was $1.75 per $100; and from 1948 to 1949, it was $2 per $100. Then from 1950 to 1954 it was $2.15 per 100, and from 1955 to the present time, 1956, it is $2.20. Now, the committee recommends in this bill, on the basis of a promise from the Commissioners, an increase from $2.20 to $2.30 per $100. Now, that is a very reasonable rate of taxation or assessment on valuation as compared to the city that I come from on a $10,000 home that I figured out. We pay considerably more than that on a $10,000 home in the city of Minneapolis. For 1957 the Commissioners have announced their intention to increase this rate to $2.30. But, how are they going to increase it? That brings up the question of the present real and true values of all residential and commercial property in the District as compared to the many other communities of this Nation who have cited the tax figures of their communities on a $10,000 home. Of course, everyone knows that in the main there has been a continuing increase in the value of all real property in the District, and I do not think that can be disputed, beginning with about 1945 or 1946. But, when we check this item of revaluation of District property, we find that there has not been a complete or a broad reassessment of real property under a single program, but there has been some reassessment of areas only as personnel and time permitted the Assessor in the past 10 years.

In 1951 the District assessor had only 5 assistant assessors, in this large community, with its broad, and expansive area, to carry out his work. During 1954, 1955, and 1956 some additional personnel were permitted the assessor to begin a complete reassessment of all residential and commercial real property. This survey is now scheduled to be completed in time for the new assessment to become effective by July 1, 1959. That is a long time from now, so far as the government and other workers of this community are concerned who will have to wait for an equitable adjustment of taxes.

In the meantime, the burden of taxes for the operation of the District government has been from year to year since 1950 slowly but surely shifted from those best able to pay to those less able to pay, beginning with the sales tax in 1952; and in the bill before us today we have a most unfair and unjustified share of the tax burden placed on the salaried employees and wage earners of the District. Look at the increase in the sales tax imposed on the poor, hungry individual who may want to buy a cup of coffee or a hamburger, for 15 cents. That individual now has imposed on him a sales tax of 1 cent on, say, a 15-cent purchase of a cup of coffee and a doughnut.

But here is what aroused my interest most. That was the cut of the exemption on the personal income tax from $4,000 for the single individual to $1,000, or $2,000 for the married couple. That is the figure as I read the bill as it pertains to the personal income tax. Certainly that is a blow to the thousands of low-income Government employees and other wage earners in the District.

Let us take a look at the part that the Federal Government plays in the affairs of the District, so far as the maintenance of the District government is concerned. The Federal Government has had no policy on a fair and equitable payment on the property that it represents in the District, nor has it had any understanding with the District as to what that share should be each year for the maintenance of the functions of the District government. I have been here when the Congress was economy-minded and I have seen the amount of money allowed the District by the Federal Government for its needs cut to $15 million, $16 million, or $17 million, here in the House. In the Senate I have seen that raised, for instance, a couple of years ago, to $18 million. So that even with the Congress, there is no determination of what we ought to pay for the maintenance and operation of this government in lieu of taxes, each year. It ought to be a given amount, and on the basis of what Federal property represents as against private property.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. McMILLAN. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I am certain that you and every Member of the House fully realize that this is a very unpleasant duty placed upon the members of the House District Committee. We members of this committee dislike as much as anyone else increasing the taxes on people who reside here in Washington. However, since Congress has increased the salaries of the 18,000 employees here in the District of Columbia, it is absolutely necessary that we secure additional funds from some source to take care of these salary increases. I believe the subcommittee that held hearings for 2 months on H. R. 9770 now under consideration came very near complying with the requests made by the District Commissioners.

I personally am opposed to this type of taxation at the present time. I felt at the time the Commissioners requested additional funds, that we should levy an additional penny to the present 2-cent sales tax which would have raised sufficient funds to take care of all the salary increases in the District of Columbia without any of the taxes mentioned in H. R. 9770. I favored adding 1 penny to the present sales tax as several thousands of the people who move to the District of Columbia and are filling up our schools with their children do not pay any taxes other than a sales tax. I am certain the people who utilize our schools and are protected by police and firemen in the District of Columbia are perfectly willing to pay a 3-cent sales tax so that they would know they are doing something to pay for the services they are receiving from the District government.

However, the Commissioners opposed this type of legislation and thought that the people who are already burdened with taxes should have additional taxes imposed upon them. We have now taxed liquor to the extent that we are encouraging the bootlegger to import unstamped whisky into the District. We all know that one of the main reasons the District of Columbia has collected so many millions in revenue from the liquor and beer source of taxes is the fact that it was sold cheaper in the District of Columbia than in almost any State in the United States. I am of the opinion that the District of Columbia will not collect anywhere near the amount from this source after the additional tax is placed on liquor and beer.

I desperately fought the additional tax that was placed on cigarettes during the past few years which has proven without a doubt the District is receiving much less revenue from the sale of cigarettes than they were before the additional tax was levied here in the District of Columbia. At the present time a carton of regular cigarettes with taxes cost approximately $2.15 per carton in the District of Columbia, and just across the river in Virginia you can buy the same carton of cigarettes for $1.75. The same comparison can be given the sale of gasoline, as the District officials insisted on placing an additional tax of a penny per gallon on gasoline last year, and now have approximately the same tax that they have in Virginia and Maryland, which gives the average motorist in Virginia and Maryland, who is employed in Washington, no incentive to purchase his gasoline in the District.

I have called these facts to the attention of the District Commissioners on several occasions; however, as usual, my recommendations fell on deaf ears; for instance, I strenuously objected last year to the Commissioners and the Public Utility Commission's insistence and recommendation to cancel the Capital Transit Co.'s franchise here in the District of Columbia without having a definite purchaser to take over the mass transportation here in the District.

I certainly do not agree with the majority of the tax recommendations in H. R. 9770; however, in my opinion, it is the best the subcommittee on fiscal affairs of my committee could recommend using the District Commissioners' recommendations as a yardstick. I, of course, have learned during the 18 years I have been a member of the House District Committee, that the Congress of the United States is blamed and criticized for everything that happens in the District of Columbia when we have no jurisdiction whatsoever in administering any of the affairs.

We are now strenuously criticized if we do not abide by the recommendations of the District Commissioners, who are the President's appointees, on every piece of legislation that comes before the District committee for consideration. I certainly feel that it is useless for the Members of Congress to spend their time attending District committee meetings if they are compelled to enact only legislation recommended by the District Commissioners. Mr. Chairman, since the Congress is partially responsible for the deficiency in funds to take care of salary increases in the District of Columbia, I hope that this bill passes without delay.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. McMILLAN. I yield.

Mrs. ROGERS of Massachusetts. The gentleman has implied that no one has thanked the committee for what they have done. I for one would be very glad to thank the committee for its hard work. I know it is a thankless job. I doubt that it helps the Members at home.

Mr. McMILLAN. I do not know of anyone who could possibly get any help at home politically on any work he did in connection with the District of Columbia, except that I think the people are proud of their Capital, and appreciate the work of their Representatives in keeping the Capital a decent place in which to live.

Mrs. ROGERS of Massachusetts. I know they are. They want to have their Capital the best in the world. There is a group in the gallery called the Golden Age group from my own city of Lowell, Mass., and I presume they are interested in the city of Washington and their Government.

Mr. McMILLAN. That is correct. I thank the gentlewoman.

Mr. O'HARA of Minnesota. Mr. Chairman, I have no further requests for time.

Mr. McMILLAN. Mr. Chairman, I yield such time as he may require to the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Chairman, I ask that the Clerk now report the committee amendments as contained in the bill. There are seven of them. Amendments 1 to 6 and No. 9 are technical amendments correcting or changing certain minor details. Then there is one substantive item on page 34, line 7, which exempts registered nurses or practical nurses from having to obtain what is known as the annual revenue license to which I referred earlier in my remarks.

The CHAIRMAN. Under the rule, the bill is considered as having been read for amendment. No amendments are in order to the bill except amendments offered by direction of the Committee on the District of Columbia.

The Clerk will report the first committee amendment.

The Clerk read as follows:

Page 1, line 4, strike out "1956." " and insert in lieu thereof "1956"."

The committee amendment was agreed to.

The Clerk read as follows:

Page 1, line 11, strike out "(c)."

The committee amendment was agreed to.

The Clerk read as follows:

Page 15, line 1, insert a comma after "1954."

The committee amendment was agreed to.

The Clerk read as follows:

Page 15, line 8, insert a comma after "1954."

The committee amendment was agreed to.

The Clerk read as follows:

Page 25, line 10, strike out "by" and insert in lieu thereof "between."

The committee amendment was agreed to.

The Clerk read as follows:

Page 33, line 18, strike out "XII" and insert in lieu thereof "XIII."

The committee amendment was agreed to.

The Clerk read as follows:

Page 34, line 7, insert after "profession" a comma and the following: "other than that of registered nurse or practical nurse."

The committee amendment was agreed to.

The Clerk read as follows:

Page 34, line 19, insert after "profession" a comma and the following: "other than that of registered nurse or practical nurse."

The committee amendment was agreed to.

The Clerk read as follows:

Page 37, line 8, strike out "(2)" and insert in lieu thereof "(2)."

The committee amendment was agreed to.

The CHAIRMAN. Are there any further committee amendments?

Mr. McMILLAN. Mr. Chairman, there are no further amendments.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore having resumed the chair, Mr. CHATHAM, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 9770) to provide revenue for the District of Columbia, and for other purposes, pursuant to House Resolution 428, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The bill was passed, and a motion to reconsider was laid on the table.

BUREAU OF INDIAN AFFAIRS

Mr. CHUDOFF. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. CHUDOFF. Mr. Speaker, on Wednesday, February 29, 1956, the junior Senator from Arizona inserted in the CONGRESSIONAL RECORD on page 3541 a purported analysis of giveaway charges made against the administration. The Public Works and Resources Subcommittee of the House Committee on Government Operations has held hearings on the Al Sarena timber mining matter, and on various irregularities arising in connection with federally generated power and with powerlines. I will not say more about these at the present time other than they will be considered thoroughly in committee reports which should be forthcoming very soon. A review of the records will, I am sure, completely refute the Senator's attempt to gloss over or defend the Interior Department officials' actions on these matters.

Today I wish merely to discuss two items which reveal the inaccurate nature of the defense which someone evidently prevailed upon the Senator to put in the RECORD.

The Senator's analysis includes the following:

Charge: The Bureau of Indian Affairs showed impropriety in awarding a food contract to an unpaid Bureau consultant.

Among the so-called facts to refute the charge, the analysis states:

The short-term contract, which was limited to less than 1 percent of the Bureau's feeding operations, was awarded not to an "unpaid consultant" but to an experienced food service organization which had an excellent reputation for satisfactory performance on contracts for this general type.

Now it just so happens that on May 4, 1955, I asked the Comptroller General to look into this matter. Here is what the Comptroller General, in a letter of May 17, 1955, reported to me:

The Bureau contacted Colonel Cleaves, an expert in the food servicing business who had made a survey of the situation at the Cherokee Indian Reservation without compensation. Upon completion of the survey, he advised the Bureau that a private firm under contract could do the feeding more efficiently and economically than the Bureau. At the request of the Bureau, Colonel Cleaves agreed to accept a contract for feeding the children. * * * The contract was entered into by negotiation on December 20, 1954, and provided for the furnishing of the meals during the period from January 17 to June 30, 1955.

The Comptroller General was disturbed by this arrangement, but he decided that it did not furnish him with legal grounds for invalidating the contract. He said:

Ordinarily, of course, it would not appear to be in the interest of the Government to negotiate a contract with an individual in a case where the decision of the Government to enter into the contract is based on a gratuitous survey made by that individual. In the absence of evidence of bad faith, however, we do not believe that the contract may be considered legally objectionable solely for this reason.

It should be noted that holding the contract was not "legally objectionable," is a far cry, under these circumstances, from clearing it of charges of impropriety. I shall insert the complete letter at the close of this statement.

The Senator's analysis contains the following charge:

Charge: The Bureau of Indian Affairs negotiated a "rigged" contract to rent automobiles instead of buying them and then abandoned the plan because of a threatened congressional investigation.

The so-called facts, supplied by the Senator's analysis include the following:

Facts: The Bureau did rent 39 automobiles from a rental firm, after careful investigation of the company's rental plan and the plans of other national rental agencies. * * * The charge that the contract was "rigged" is entirely without foundation. * * * The contract was not abandoned because of a threatened investigation, but was cancelled by action of the Comptroller General of the United States on the ground that it was entered into without competitive bidding.

These so-called facts do not disclose what actually occurred. This whole matter is considered in a committee report. Briefly, however, this is what happened.

On March 30, 1955, at my request, the staff director of the subcommittee asked the Comptroller General to review the Bureau's automobile rental contract. It appeared that the alleged careful investigation of the plans of other national agencies had consisted of telephoning the Washington, D. C., rental offices of the concerns and ascertaining their standard charges. The inadequacy of this telephonic check, as a substitute for competitive bidding, is so obvious as not to require comment. Consequently the Comptroller General, on April 27, 1955, declared the contract void.

Subsequently, on June 2, 1955, the Indian Bureau issued invitations to bid on automobile leases. The automobiles described in the invitations coincided exactly with the descriptions in the purchase orders issued for automobiles delivered and used under the voided contract even including special equipment. The invitation, however, provided that the automobiles could have 15,000 miles use on them. Bids were to be opened on June 17, 1955, and the cars all had to be delivered by July 1, 1955, 5 to Cherokee, N. C., and 34 to Albuquesque, N. Mex. Five of the automobiles delivered under the voided contract were actually at Cherokee and 34 were at Albuquerque.

This time a potential bidder protested the invitation and brought it to the subcommittee's attention. As a result, the subcommittee scheduled hearings and the Interior Department was compelled to ask the Comptroller General to review the situation.

On June 24, 1955, the Comptroller General ruled as follows:

It is recognized that it is the duty and responsibility of the administrative offices to draw specifications which will meet their requirements and that if an emergency exists, purchases may even be made without advertising. However, it has been consistently held that specifications should be so drawn as to allow all interested bidders an opportunity to meet the actual needs of the Government. In the instant case, a maximum of 14 days was allowed for the delivery of the vehicles with the required accessories, even if award were made on the day of the opening.

Although due to the invalidation of the prior lease agreement, vehicles are being obtained on a temporary basis pending the execution of a valid lease, it is our opinion that such fact did not warrant such stringent limitation of the time allowed prospective bidders to make delivery. That the limitation imposed was too unrealistic to meet the requirements of open competitton is substantiated by the fact that the abstract of bids received in response to the invitations shows that 4 of the 5 firms who submitted bids were unable to meet the delivery requirement. The 1 firm which offered to meet the delivery requirement offered to make delivery within 9 days at Albuquerque, N. Mex., and within 5 days at Cherokee, N. C., after receipt of formal purchase order. Thus, with respect to Albuquerque, even that bid could not now be accepted so as to require the bidder to deliver by July 1, 1955.

Under the circumstances, we conclude that the time limitation provided in the invitations for delivery was insufficient to allow the free and open competition required by section 3709, Revised Statutes, and that, therefore, no award should be made under either invitation.

Sincerely yours,

FRANK H. WEITZEL,
Assistant Comptroller General of the United States.

I might add that the subcommittee learned that the delivered price of the cars under the leasing arrangement would average about $400 per car more than the price for which the Government could purchase the cars delivered. Furthermore, under the rental agreements, the Government paid 4½ percent interest on the unamortized balance, while the Government can borrow money for similar periods at only 2 percent.

Following the hearings and the second ruling of the Comptroller General, the Bureau abandoned its efforts to rent automobiles.

These are the facts in the two matters. I merely ask that they be compared with the purported analysis appearing on page 3544 of the CONGRESSIONAL RECORD for February 29, 1955.

The letter from the Comptroller General on the Cleaves food contract follows:

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, May 17, 1955.

HON. EARL CHUDOFF,
Chairman, Public Works and Resources Subcommittee of the Committee on Government Operations, House of Representatives.

DEAR MR. CHAIRMAN: Your letter of May 4, 1955, transmitted a copy of a contract entered into between the Bureau of Indian Affairs and the Cleaves Food Service Corp., Maryland. You request our views as to whether there is any legal objection to the contract or to the manner in which it was entered into.

Before commenting on the contract, we should like to discuss briefly the background of the contract. It appears that the Bureau of Indian Affairs believed that its methods of serving lunches to the schoolchildren on Indian reservations were uneconomical and that information on how to correct the situation could be obtained from a private firm on the food-services line. The Bureau contacted Colonel Cleaves, an expert in the food-servicing business, who made a survey of the situation at the Cherokee Indian Reservation without compensation. Upon completion of the survey, he advised the Bureau that a private firm under contract could do the feeding job more efficiently and economically than the Bureau. At the request of the Bureau, Colonel Cleaves agreed to accept a contract for feeding the children. The Bureau then asked for and received the necessary clearance from the Administrator of General Services to negotiate the contract for such services without competitive bidding. The contract was negotiated as a "pilot" contract to furnish the Bureau the data needed to determine whether it would be advisable to contract for food service and to furnish necessary data for securing competitive bids for future contracts. The contract was entered into by negotiation on December 20, 1954, and provided for the furnishing of the meals during the period from January 17 to June 30, 1955. It has been informally ascertained from the Bureau's property and supply officer that the contract will be terminated June 30, 1955, and that competitive bids will be invited thereafter for furnishing the services.

Regarding the propriety of the manner in which the contract was entered into, it may be stated that the Bureau of Indian Affairs has no general authority to negotiate contracts without competitive bidding. The Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended, however, empowers the Administrator of General Services to delegate to the head of an agency authority to make contracts for supplies or services pursuant to the provisions of that act whenever the Administrator determines such delegation is advantageous to the Government in terms of economy, efficiency, or national security. In a letter dated December 1, 1954, the Administrator of General Services delegated to the Secretary of the Interior the authority to negotiate, without advertising, under section 302 (c) (9) of that act, contracts for feeding services required to carry out Indian education program responsibilities of the Bureau of Indian Affairs. The contract was negotiated under such delegated authority and, in our opinion, there is no legal objection to the manner in which this particular contract was entered into. Ordinarily, of course, it would not appear to be in the interest of the Government to negotiate a contract with an individual in a case where the decision of the Government to enter into the contract is based on a gratuitous survey made by that individual. In the absence of evidence of bad faith, however, we do not believe that the contract may be considered legally objectionable solely for this reason. It is also our opinion that there is no legal objection to the terms of the contract.

Commentlag generally, we note that paragraphs (b) (2) and (4) of section 3 of the contract require that the food shall be served in adequate quantities to meet the needs of growing children and that copies of a monthly menu shall be submitted by the operator to the Bureau for approval a week in advance of serving. Although it is recognized that menus and portion sizes are details of food service management it is believed that the

contract could have been stated more specifically in that regard by providing some general criteria as to what the lunch must consist of and the size of the portions required to be furnished. Without any criteria in those respects there is a possibility of disagreement between the parties as to just what must be furnished to comply with the terms of the contract.

Sincerely yours,

JOSEPH CAMPBELL,
Comptroller General of the United States.

H. R. 2569, A BILL TO RAISE INCOME TAX EXEMPTIONS

Mr. CHELF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. CHELF. Mr. Speaker, on January 20, 1955, I introduced H. R. 2569 which seeks to raise the yearly income tax exemption of a dependent from $600 to $1,000 and, in the case where dependent children are in a bona fide business school, college or a university, up to $1,800. It is when a child is in school or college that dad has to really sweat it out in order to make ends meet.

This bill was introduced by me because I sincerely believe that it will give much needed relief to our farmers, veterans, small-business men, white collar employees and the laboring men and women of the country. In other words, it will definitely raise the income of the little fellow in that he will have more Saturday night rattling change after present high cost living expenses and taxes have been met.

It may be argued by those who see fit to oppose my bill that it might cost the Treasury, in the loss of income taxes, nearly $1 billion per year, and that such would keep the budget in the red. However, I contend that, although the Government might possibly lose this sum of money in the form of income taxes from our little fellow; nevertheless, the Treasury will receive a similar amount or even a larger amount of money through the medium of excise taxes and other tax sources. In other words, my plan would only shift the burden of taxation from income tax to the excise tax, insofar as the small wage earner is concerned.

The individual who now earns less than $4,500 per year must, through necessity, spend the bulk of it just in order to exist or live. By allowing him this income tax exemption under H. R. 2569 we would leave him more defrosted cash on payday, hence, more money to spend. As a result, he would drive his automobile more frequently, buy more gasoline, oil, tires, and tubes. Each time he would make a purchase of any of these items, he would pay a Federal excise tax. Likewise, he would be in a position to buy more tobacco, furs, and jewelry. He would buy more food and clothes which would help tremendously to reduce our surplus stocks of food, fiber, and other commodities now stored in surplus supply and which depress our present farm prices. Mr. John Q. would make more long distance calls, send more telegrams, go to more movies, see more ball games and actually be in a position to take little Mrs. John Q. out to dinner or to a reasonably priced dance now and then. All of this would swell the excise taxes to such an extent that nothing actually would be lost through the medium of the raise in the income tax exemption. Fact is, I honestly believe that the Treasury would collect more taxes by the enactment of my bill.

It is my belief that by giving this proposed income-tax relief to Mr. and Mrs. John Q.—the forgotten public—our entire economic structure will be strengthened because it will enable the little fellow to pay his debts and to be able to spend more—all of which will put more money in circulation, create more buying power, and, in the final analysis, return more Federal revenue into the Treasury through excise taxes in lieu of income taxes. As I have said, it also will help to reduce our vast stocks of surplus food and other commodities.

Under the old tax code—prior to January 1, 1954—a conscientious, energetic, industrious boy or girl who actually wanted to help Dad with his financial responsibilities by seeking a job during the summer months, unfortunately, could not do so because the father was required to impress upon the child not to earn wages in excess of $600 a year. If this was done Dad lost his $600 exemption. By the old tax regulation we denied a fine young boy or girl the opportunity to help to make his own way. At the same time we were denying that boy or girl an opportunity to develop a sense of balance and responsibility. This helped to create in the mind of the teen-ager a disrespect for our tax laws. What is worse, if possible, the old tax code helped to retard and even to destroy the development of character and individual initiative and ambition in our young men and women of America. I am, therefore, delighted that a youngster—at least under 19 years of age—can now help his dad without the father losing that particular $600 dependent's exemption. This improvement came about less than 3 weeks before the original introduction of my bill on January 18, 1954—then numbered H. R. 7283. This change was definitely a progressive step. My legislation would be also.

Since enactment of Federal aid to education has been stymied due to its highly controversial amendments in some form or another, I would suggest that we enact H. R. 2569. My thinking may be a bit old-fashioned, but I believe with all my heart that a partial solution to our national education problem could be brought about by simply allowing—by sufficient tax exemptions—the individual family to educate their own children. Let me get the record straight, I have always been and am now for a fair and reasonable Federal aid to education bill. However, since it does not seem possible, at this time at least, to enact such legislation, I sincerely feel that the enactment of H. R. 2569 would help materially to relieve to a great extent the present financial burden that exists with respect to education. Although I favor some equitable form of Federal aid to education; nevertheless, I believe that it would be democracy at its finest for the people's Government to give back to the people, to the individual family unit—if you please—a tax cut so that the breadwinner of the household might educate his own child in his own way and in his own time. If this were done it would help education while the Congress endeavored to work out a fair and a complete program of Federal aid.

I sincerely trust that the great Ways and Means Committee of the House of Representatives will make a study of this problem with the hope that some immediate form of tax relief will be given to our small farmers, veterans, little-business men, white collar employees, and all of our laboring men and women.

If we would only try to help balance the budget of John Q. Public—he would balance our Federal budget with the result that our Armed Forces would not suffer and, therefore, our very freedom would not be endangered by the advance of communism throughout the world.

The fair thing to do as I see it—is to give my bill, H. R. 2569, a chance. If it is good it ought to be retained as law. If it fails—it ought to be repealed. There is much to be gained—nothing to be lost, and all of the time we will at least be trying to help our little people in our democracy. As long as we do that—we shall never have to really fear communism gaining any ground in America.

THE LATEST KREMLIN TACTIC IN THE COLD WAR

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

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

There was no objection.

Mr. FEIGHAN. Mr. Speaker, we have read in the press a great deal during the past few days about the latest Kremlin tactic in the cold war which calls for blaming Stalin for all the failures of communism as a system. Khrushchev and Bulganin cannot disassociate themselves from the cruelties of Stalin. We made a mistake by meeting with the Russians as equals at Geneva and thereby giving the appearance of humanizing them. The only difference between Stalin and Khrushchev is that Khrushchev has been trained to smile. Let us have a look at the record of this man, Khrushchev, who now calls his former boss, Stalin, the great murderer.

While everyone who knows anything at all about the history of communism understands that Stalin was the biggest murderer in all history, the important thing for us to remember is that those who today are running the Communist terror machine, cannot disassociate themselves from the brutal reign of Stalin. They are part of the most cruel tyranny in the history of all mankind.

It is a fact of history that the present rulers of the Kremlin were in fact, the hatchet men of Stalin. The unclean hands of every one of them drip with the

blood of martyrs who died because of the historical tyranny of the Russians and in the cause of their own individual liberty and freedom. It will be recalled that at the Nurnberg trials, the Russians insisted that the Nazi officials, military and civilian, who carried out the orders of Hitler, were equally guilty and should be punished accordingly. The Russians held that the Nazis were voluntary and willing hatchet men for Hitler.

The men who now rule the Kremlin as members of the Communist Party have been in the past, not only willing and devoted servants of Stalin, but indeed they have carried out his orders with the gusto of gleeful vengeance.

Time does not permit me to enumerate all the sordid facts concerning the crimes of Khrushchev himself, whose evil works earned for him the iniquitous title of "Hangman of the Ukraine." The same applies in equal or lesser degree to the black and diabolical record of every member of the Communist Party central committee, because, like any criminal conspiracy, they earn their way to recognition by demonstrating a ruthless, unswerving, and heartless devotion to the leader of the mob.

It would be both unwarranted and foolhardy for us to believe that Khrushchev's blaming Stalin for all the shortcomings and evils of communism is a sign that the criminal regime is prepared to alter its nafarious ways. If we were to make such a blunder, we would be doing exactly what the tactical plan of the Communist peaceful coexistence campaign calls for. We would be the helpless victims of a gigantic international con game. We would, in fact, be the simple minded victims of the biggest shell game in all of history.

Mr. Speaker, it is my opinion that before the con men in the Kremlin get through with their latest act, we are certain to see a considerable number of staged performances like that reportedly taking place in the enslaved Georgian nation today. Here we see the Russian propaganda machine attempting to convince the people of the world that the Georgian people had a respect and a regard for the tyrant Stalin. Anyone who has the slightest understanding of the historical struggles of the Georgian nation against the Russians, will immediately smell an oversmoked Russian salmon.

It will be recalled that the Russian Communists, in accordance with the long established Russian precedent, have set up large colonies of Russians in all of the non-Russian nations of the Soviet Union, including the Georgian nation. The Georgians have long been beset and exploited by the large Russian colony which has been built up in Tiflis, the capital city of the Georgian nation. Accordingly, if, as reported, there have been riots in Georgia protesting the exposure of the true character of Stalin, we can be reasonably certain that such protests and demonstrations have been carried out by the Russian exploiters who were sent to Georgia to colonize, terrorize, and control that enslaved nation. And since the news reports of this morning indicate similar disturbances in Armenia, and Azerbaijan, this same set of facts I have cited here, beyond any doubt, apply equally to them.

In any case, I believe it is important for us to keep our sense of values straight as we analyze the torturous twists and turns in the Communist campaign of peaceful coexistence. Until the Russian Communists have demonstrated a capacity to act like human beings, our own enlightened self interest demands that we appraise them on the basis of the record. That record should leave no doubt in the mind of anyone who will take the time to read it that you can no more change the character of a Russian commissar than you can change the spots on a leopard.

There appeared in the press a dispatch from London highly pertinent to the remarks I have just made. Eddy Gilmore, a reporter of the Associated Press points up that it is impossible to regard the Georgians as admirers of the despot Stalin, and that we had best remember that the fiery spirit for national independence of the Georgians has not been conquered by the Russians.

By unanimous consent, I include the article to which I have reference:

GEORGIANS ARE REPORTED WIDELY DETESTING STALIN

(By Eddy Gilmore)

(Eddy Gilmore, while Associated Press bureau chief in Moscow, spent several weeks in the Soviet Republic of Georgia in 1953.)

LONDON, March 18.—"A photograph of Stalin's birthplace?" asked a surprised storekeeper in Gori, the late dictator's Georgian hometown. "Now who would want that?"

Inside the Stalin shrine (erected by him) in Gori is a showcase holding what is supposed to be Stalin's school report cards. They depict him as perfect in every subject.

"Perfect?" scoffed a Georgian under his breath. "Why one of my grandfathers was his teacher. It took Stalin 6 years to get through 4 grades and he never could learn arithmetic."

Halfway up Mount David, where Stalin's mother Catherine, is buried, a grounds keeper pointed to her grave and sighed.

"Look at it," he said, "It's falling to pieces. He never visited it. He never cared. God of mine, what a man to have for a son."

He crossed himself.

The Georgian people may riot against communism, Russian domination or their hard way of life, but hardly over the shattered myth of their late oppressor.

The 4 million inhabitants of the Soviet Republic passionately love their mountain homeland, resent Russians, and generally detested Stalin.

It is easy to believe that Georgians may have used Nikita Khrushchev's reported attack as an excuse to rebel, but to anyone who has spent time in Georgia, widespread national love for Stalin just doesn't seem logical.

STOCK PRICES AND BUSINESS FAILURES AT POSTWAR HIGH

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 15 minutes.

Mr. PATMAN. Mr. Speaker, the morning papers carry some wonderful news. They report that the stock market rode up to a new historic peak last week. Every day now we receive news stories announcing that one great corporation after another has set a new high in its profits. This is truly a golden age for the giant corporations.

Some of the newspapers have noted that this wonderful news about new highs in stock prices and new highs in corporate profits is not altogether cheering and reassuring to the farmers. I think I would be correct in reporting that this wondrous news is not altogether cheering and reassuring to small business. Unless there is something peculiar about the small-business people who are writing to me, and writing to your Small Business Committee, the typical attitude of the small-business man, I might say, is that the front-page prosperity about which he is reading leaves something to be desired. To put the matter bluntly, I think we could say that small-business people are downright unappreciative of the new records being set in stock prices and big-business profits.

One of the troublesome aspects of the current business prosperity is that while last week witnessed an all-time high in stock prices, the week also witnessed a postwar high in business failures. Dun & Bradstreet reports that there were 300 business failures last week. For all practical purposes we can say that all of these 300 failures were small-business failures. These 300 business failures last week compare to 226 business failures in the corresponding week of 1955, a period when business had not yet recovered. Moreover, these 300 failures which took place last week compare with 243 failures which occurred in the corresponding week of 1954, when there was a business recession. In other words, over the last 2 years we have had a very peculiar kind of business prosperity: the greater the number of business failures, the greater big-business profits and the higher rose stock prices.

This is an interesting and highly unusual phenomena. But, as I say, it has a certain beauty which small business people cannot altogether appreciate.

Business failures this year, up through last week, numbered 2,848. Total business failures in the corresponding period of last year numbered 2,508. And business failures through the first 2½ months of 1954 numbered 2,472.

And despite all the efforts at educating the small-business people to the value of this kind of prosperity, I find that these small-business people are a little backward in absorbing this kind of education.

A DIPOMATIC OFFENSIVE

I believe that in view of the peculiar circumstances of the time, it might be well for the House to start a diplomatic offensive toward small business. My proposal is that the two major parties undertake such an offensive, and that we make a bipartisan effort aimed at saving some of the small business firms. For this purpose moreover, it is my proposal that we give small business what it wants most of all.

Small business wants more than anything else antitrust laws which are at least reasonable and moderate in protecting small business against destruction by sheer abuse of big business power. First and foremost, small-business people want a restoration of the antitrust law which protected them from destruction

through price discrimination. Price discrimination is the most widespread, the most deadly, and the most unfair monopolistic practice with which small business has to cope.

A successful diplomatic offensive toward small business will have to contain more than mere speeches. It will have to contain more than waving the flag or waving the high-sounding phrases of the Sherman Act. Small-business people have grown weary of flag waving, and they have grown skeptical of the efficacy of waving the Sherman Act. In other words, if our diplomatic offensive is successful it will have to contain something specific and definite to cope with the abuse of power by which small business is being destroyed.

H. R. 11 WOULD STOP MANY SMALL BUSINESS FAILURES

For the purposes of this diplomatic offensive I propose that we bring up H. R. 11 and pass it. H. R. 11 was introduced on the first day of the last session of this Congress, and it was introduced with approximately 50 cosponsors. This bill would close the loophole which the Supreme Court knocked into the Robinson-Patman Act in an opinion misinterpreting that act in the Standard Oil of Indiana case. The bill would simply restore to small business the protection against price discrimination which Congress sought to give small business in 1936. Practically all small-business firms in the United States are aware of this loophole, they are suffering and going out of business as a result of this loophole, and they are aware that Congress now holds the future of small business in the palm of its hand. In short, small-business firms all over the United States are waiting and watching to see whether there are as many as 218 Members of the House who will sign the discharge petition to bring up and consider the bill which small business wants passed.

I am sure that at least 218 Members of the House would like to consider H. R. 11, hear it debated, and then vote on it. I am sure that there are at least 218 Members of the House who feel that we are not so busy at this period but what we could afford 2 hours for debating a bill which is vital to the continued existence of small business. The petition to bring up H. R. 11 is petition No. 3 on the Clerk's desk.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House following the legislative program and any special orders heretofore entered was granted to Mr. PATMAN, for 15 minutes, on today and tomorrow; to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

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

Mr. RODINO in two instances.

Mr. CHUDOFF, following the legislative business of the day, and to include extraneous matter.

Mr. OSTERTAG and to include extraneous matter.

Mr. HOSMER and to include extraneous matter.

Mr. PHILLIPS to revise and extend his remarks on the supplemental appropriation bill and to include extraneous matter.

Mr. TABER (at the request of Mr. PHILLIPS) to revise and extend his remarks on the supplemental appropriation bill and to include extraneous matter.

Mr. MULTER and to include extraneous matter.

Mr. MCCORMACK (at the request of Mr. ALBERT) and to include an article entitled "The Majority Leader of the House of Representatives," notwithstanding the fact it exceeds the limit and is estimated by the Public Printer to cost $374.

Mr. THOMAS.

Mr. HINSHAW.

Mr. BENNETT of Florida and to include extraneous matter.

Mr. EVINS.

Mr. BUDGE and to include extraneous matter.

Mr. ANFUSO (at the request of Mr. ALBERT) in two instances and to include extraneous matter.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DIGGS (at the request of Mr. MACHROWICZ), for the balance of the week, on account of official business.

Mr. CANFIELD (at the request of Mr. WOLVERTON), for March 21 and 22, on account of official business.

Mr. KRUEGER (at the request of Mr. ARENDS), for Wednesday and the balance of the week, on account of official business.

Mr. DOYLE, for the remainder of the week, on account of official business.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

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

H. R. 585. An act to authorize the conveyance to Lake County, Calif., of the Lower Lake Rancheria, and for other purposes;

H. R. 622. An act to provide for the release by the United States of its rights and interests in certain land located in Saginaw County, Mich.;

H. R. 930. An act for the relief of John Daniel Pope;

H. R. 944. An act for the relief of Nicola Teodosio;

H. R. 1014. An act for the relief of Chung Fook Yee Chung;

H. R. 1074. An act for the relief of Mrs. Esther Chan Lee (Eta Lee).

H. R. 1097. An act for the relief of John Meredith McFarlane;

H. R. 1104. An act for the relief of Guenther Kaschner;

H. R. 1137. An act for the relief of Harry John Wilson;

H. R. 1209. An act for the relief of Numeriano Lagmay;

H. R. 1323. An act for the relief of Sister Ramona Maria (Ramona E. Tombo);

H. R. 1492. An act for the relief of Krsevan Spanjol;

H. R. 1544. An act for the relief of Mrs. Moli (Mali) Sobel;

H. R. 1666. An act for the relief of Jose Canencia-Castanedo;

H. R. 1806. An act to amend the act entitled "An act to incorporate the Roosevelt Memorial Association," approved May 31, 1920, as heretofore amended, so as to permit such corporation to consolidate with Women's Theodore Roosevelt Memorial Association, Inc.;

H. R. 1912. An act for the relief of Howard Rieck;

H. R. 1920. An act for the relief of Ane Karlic Vlasich;

H. R. 1923. An act for the relief of Kevin Murphy;

H. R. 1973. An act for the relief of Mrs. Chin-An Wang (nee Alice Chiacheng Sze);

H. R. 2054. An act for the relief of Induk Pahk;

H. R. 2072. An act for the relief of Julian Nowakowski, or William Nowak (Novak);

H. R. 2283. An act for the relief of Wilhelmus Marius Van der Veur;

H. R. 2285. An act for the relief of Marie Lim Tsien;

H. R. 2345. An act for the relief of Jean Henri Buchet;

H. R. 2522. An act for the relief of Isabelle S. Gorrell, Donald E. Gorrell, Mary Owen Gorrell, and Kathryn G. Wright;

H. R. 3037. An act for the relief of Jakob Hass, Rosa Hass, and Mala Hass;

H. R. 3057. An act for the relief of Doctor Beinvenido L. Balingit;

H. R. 3201. An act for the relief of George Mikroulis, his wife, Dora Mikroulis, and his daughter, Madonna G. Mikroulis;

H. R. 3265. An act for the relief of Alkista Sfounis;

H. R. 3375. An act for the relief of Dr. James C. S. Lee, his wife, Dora Ting Wei, and their daughter, Vivian Lee;

H. R. 3501. An act for the relief of Nisan Sarkis Giritliyan and Virgin Giritliyan;

H. R. 3557. An act to further amend the act of July 3, 1943 (ch. 189, 57 Stat. 372), relating to the settlement of claims for damage to or loss or destruction of property or personal injury or death caused by military personnel or certain civilian employees of the United States, by removing certain limitations on the payment of such claims and the time within which such claims may be filed;

H. R. 3650. An act to provide for the conveyance to Elief Rue of certain real property situated in Cassia County, Idaho;

H. R. 3723. An act for the relief of Freda H. Sullivan;

H. R. 3845. An act for the relief of Guillermo Pedraza;

H. R. 3857. An act for the relief of Constantin David, Paula Marie David, Claire Edmonde David, and Arlane Constance David;

H. R. 3869. An act for the relief of Esther Ledea Escobedo;

H. R. 3965. An act for the relief of Max Moskowitz;

H. R. 4181. An act for the relief of P. F. Claveau, as successor to the firm of Rodger G. Ritchie Painting & Decorating Co.

H. R. 4185. An act for the relief of Zabel Vartanian;

H. R. 4376. An act to exempt from duty the importation of certain handwoven fabrics when used in the making of religious vestments;

H. R. 4391. An act to abolish the Castle Pinckney National Monument, in the State of South Carolina, and for other purposes;

H. R. 4630. An act affirming that title to a certain tract of land in California vested in the State of California on January 21, 1897.

H. R. 4602. An act to authorize the execution of mortgages and deeds of trust on individual Indian trust or restricted land;

H. R. 5280. An act to authorize land exchanges for purposes of Colonial National Historical Park, in the State of Virginia; to authorize the transfer of certain lands of Colonial National Historical Park, in the State of Virginia, to the Commonwealth of Virginia; and for other purposes;

H. R. 5556. An act authorizing a preliminary examination and survey of McGirts Creek, Fla., for flood control;

H. R. 5856. An act to repeal the requirement for heads of departments and agencies to report to the Postmaster General the number of penalty envelopes and wrappers on hand at the close of each fiscal year;

H. R. 5866. An act for the relief of Giovanni Lazarich;

H. R. 6112. An act to authorize the construction of a sewage-disposal system to serve the Yorktown area of the Colonial National Historical Park, Va., and for other purposes;

H. R. 6309. An act to authorize construction of the Mississippi River-Gulf outlet;

H. R. 6363. An act for the relief of Edward Barnett;

H. R. 6532. An act for the relief of John William Scholtes;

H. R. 6617. An act for the relief of Boris Kowerda;

H. R. 6618. An act for the relief of Etha Dora Johnson;

H.R. 6772. An act to authorize the Secretary of the Interior to convey certain federally owned land under his jurisdiction to the school district No. 24 of Lake County, Oreg.;

H. R. 6961. An act to designate the lake created by Buford Dam in the State of Georgia as "Lake Sidney Lanier";

H. R. 7097. An act to provide for the reconveyance of oil and gas and mineral interests in a portion of the lands acquired for the Demopolis lock and dam project, to the former owners thereof, and for other purposes;

H. R. 7927. An act to extend the time within which the State of Louisiana may make initial payment on the purchase of certain property from the United States;

H. R. 8607. An act to authorize and direct the Secretary of the Interior to convey to David Peters, or to his heirs or assigns, title to land held by the United States in trust for him;

H. J. Res. 194. Joint resolution to designate the General Grant tree (known as the Nation's Christmas tree) in Kings Canyon National Park, Calif., as a national shrine;

H. J. Res. 443. Joint resolution to increase the appropriation authorization for the Woodrow Wilson Centennial Celebration Commission; and

H. J. Res. 517. Joint resolution changing the date for the counting of the electoral votes in 1957.

SENATE ENROLLED BILL SIGNED

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

S. 1585. An act to provide for the return to the town of Hartford, Vt., of certain land which was donated by such town to the United States as a site for a veterans hospital and which is no longer needed for such purposes.

SENATE BILLS, JOINT RESOLUTIONS, AND CONCURRENT RESOLUTION REFERRED

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

S. 572. An act for the relief of Mr. and Mrs. Delio A. Loo Murgas; to the Committee on the Judiciary.

S. 767. An act for the relief of Andrew Rosner; to the Committee on the Judiciary.

S. 850. An act for the relief of Konstantinos Zaferatos; to the Committee on the Judiciary.

S. 885. An act for the relief of Alice Elizabeth Marjoribanks; to the Committee on the Judiciary.

S. 1111. An act for the relief of Eric A. Cummings; to the Committee on the Judiciary.

S. 1122. An act for the relief of Sarah Kleidermacher; to the Committee on the Judiciary.

S. 1146. An act to further amend section 20 of the Trading with the Enemy Act, relating to fees of agents, attorneys, and representatives; to the Committee on Interstate and Foreign Commerce.

S. 1240. An act for the relief of Imre de Cholnoky; to the Committee on the Judiciary.

S. 1347. An act for the relief of Jose Arriaga-Marin; to the Committee on the Judiciary.

S. 1465. An act for the relief of Audrey Jean Younkers; to the Committee on the Judiciary.

S. 1528. An act to authorize enrolled members of the Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota, to acquire trust interests in tribal lands of the reservation, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 1533. An act for the relief of John Nicholas Christodoulias; to the Committee on the Judiciary.

S. 1542. An act to authorize an allowance for civilian officers and employees of the Government who are notaries public, to the Committee on Post Office and Civil Service.

S. 1552. An act for the relief of Mikie Woodard; to the Committee on the Judiciary.

S. 1555. An act authorizing the restoration to tribal ownership of certain lands upon the Crow Indian Reservation, Montana, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 1560. An act for the relief of Dr. John Joon Sik Chung; to the Committee on the Judiciary.

S. 1619. An act for the relief of Giuseppe Ventura; to the Committee on the Judiciary.

S. 1664. An act for the relief of Balbina Borenstein; to the Committee on the Judiciary.

S. 1701. An act for the relief of Hildegard Silvonen; to the Committee on the Judiciary.

S. 1733. An act for the relief of Stanislaw Argasinski; to the Committee on the Judiciary.

S. 1734. An act for the relief of Johann Antonius Tudhope and Walda Fedor Tudhope; to the Committee on the Judiciary.

S. 1762. An act for the relief of Rudolf Fritz Liermann; to the Committee on the Judiciary.

S. 1814. An act for the relief of Teresa Lucia Cilli and Guiseppe Corrado Cilli; to the Committee on the Judiciary.

S. 1831. An act for the relief of Panteles Kerkos; to the Committee on the Judiciary.

S. 1846. An act for the relief of Dr. Howard Seeming Liang; Lai Yen Mark Liang, and Howard Seeming Liang, Jr.; to the Committee on the Judiciary.

S. 1871. An act to amend the act entitled "An act to reimburse the Post Office Department for transmission of official Government-mail matter," approved August 15, 1953 (67 Stat. 614), and for other purposes; to the Committee on Post Office and Civil Service.

S. 1881. An act for the relief of Vittorio Ventimiglia; to the Committee on the Judiciary.

S. 1883. An act for the relief of Pietro Rodolfo Walter Stulin; to the Committee on the Judiciary.

S. 1889. An act for the relief of Maria Guadalupe Shockley and her minor daughter, Evangelina Vega Shockley; to the Committee on the Judiciary.

S. 1900. An act for the relief of Helen Agnes Blais (Junko Furakawa); to the Committee on the Judiciary.

S. 1929. An act for the relief of Regina M. Knight; to the Committee on the Judiciary.

S. 1939. An act for the relief of John Shalam and Claude Shalam; to the Committee on the Judiciary.

S. 1950. An act for the relief of Dr. Fu-Chuan Chao (also known as Fuk Kun Chiu) and his wife, Chiu Lai Yuk (also known as Lai Yuk Chao); to the Committee on the Judiciary.

S. 1953. An act for the relief of Yvonne Mary Florescu (Sister John Baptist); to the Committee on the Judiciary.

S. 1970. An act for the relief of Kim Boksoon; to the Committee on the Judiciary.

S. 1975. An act for the relief of Jenny Antoinette V. Ingrum; to the Committee on the Judiciary.

S. 1987. An act for the relief of Dr. Peter Chou-Yuen Tchen; to the Committee on the Judiciary.

S. 2012. An act for the relief of Chong You How (also known as Edward Charles Yee), his wife, Eng Lai Fong, and his child, Chong Yim Keung; to the Committee on the Judiciary.

S. 2035. An act for the relief of Nicholas Hernandez-Valencia; to the Committee on the Judiciary.

S. 2037. An act for the relief of Adele Knoff and her minor child, Hans Knoff; to the Committee on the Judiciary.

S. 2052. An act for the relief of Demetrios K. Georgaras; to the Committee on the Judiciary.

S. 2077. An act for the relief of Abdullah Ibrahim Hakim; to the Committee on the Judiciary.

S. 2103. An act for the relief of Anke Naber; to the Committee on the Judiciary.

S. 2104. An act for the relief of Charlotte Muhlefeldt; to the Committee on the Judiciary.

S. 2138. An act for the relief of Dorothy May Ackermann; to the Committee on the Judiciary.

S. 2143. An act for the relief of Manda Pauline Petricevic; to the Committee on the Judiciary.

S. 2151. An act to provide for the segregation of certain funds of the Fort Berthold Indians on the basis of a membership roll prepared for such purposes; to the Committee on Interior and Insular Affairs.

S. 2155. An act for the relief of Jose Torres; to the Committee on the Judiciary.

S. 2156. An act for the relief of Thomas H. Ros; to the Committee on the Judiciary.

S. 2201. An act for the relief of Dr. Wei-Chi Liu; to the Committee on the Judiciary.

S. 2243. An act for the relief of Mary Boone Lacson; to the Committee on the Judiciary.

S. 2249. An act for the relief of Pil Nyi Kwak; to the Committee on the Judiciary.

S. 2264. An act for the relief of Yu Heng Gee; to the Committee on the Judiciary.

S. 2267. An act to direct the Secretary of the Interior to convey certain public lands in the State of Nevada to the city of Henderson, Nev.; to the Committee on Interior and Insular Affairs.

S. 2284. An act for the relief of Domingo Lim (also known as Lim Eng Kok and Domingo Lim Chay Seng); to the Committee on the Judiciary.

S. 2289. An act for the relief of David Hayes; to the Committee on the Judiciary.

S. 2304. An act for the relief of Mary Parlich Goldstein; to the Committee on the Judiciary.

S. 2327. An act for the relief of Takako Iba; to the Committee on the Judiciary.

S. 2345. An act for the relief of Lilu Yuen Chuang; to the Committee on the Judiciary.

S. 2349. An act for the relief of Miss Pilar A. Garcia; to the Committee on the Judiciary.

S. 2357. An act for the relief of Nenita Santos and Elizabeth Santos; to the Committee on the Judiciary.

S. 2358. An act for the relief of Renate Karolina Horky; to the Committee on the Judiciary.

S. 2371. An act for the relief of Charles Black, also known as Joseph Clark; to the Committee on the Judiciary.

S. 2381. An act for the relief of Dr. Mahmood Sajjadi; to the Committee on the Judiciary.

S. 2399. An act for the relief of Hua-Tung Lee (Gordon Lee) and his wife, Chi-Wan Mow Lee (Jane Lee); to the Committee on the Judiciary.

S. 2414. An act for the relief of Lina Diaz; to the Committee on the Judiciary.

S. 2445. An act for the relief of Knar Carmen Ives; to the Committee on the Judiciary.

S. 2495. An act for the relief of Anna Abbene; to the Committee on the Judiciary.

S. 2570. An act for the relief of Maximilien Beauvois; to the Committee on the Judiciary.

S. 2590. An act for the relief of Paula Edith Reynolds; to the Committee on the Judiciary.

S. 2666. An act for the relief of Catherine Toews; Committee on the Judiciary.

S. 2686. An act for the relief of Giuseppa Boni; Committee on the Judiciary.

S. 2697. An act for the relief of Kimileo Yamada Clark; Committee on the Judiciary.

S. 2744. An act for the relief of Harold Manly Stewart; Committee on the Judiciary.

S. 2755. An act to designate the reservoir above the Monticello Dam in California as Lake Berryessa; Committee on Interior and Insular Affairs.

S. 2861. An act to authorize an increase of emergency relief highway funds from $10 million to $30 million for the fiscal year ending June 30, 1956; Committee on Public Works.

S. 3237. An act to provide for continuance of live insurance coverage under the Federal Employees Group Life Insurance Act of 1954, as amended, in the case of employees receiving benefits under the Federal Employees Compensation Act; Committee on Post Office and Civil Service.

S. 3315. An act to amend section 5 of the Civil Service Retirement Act of May 29, 1930, as amended; Committee on Post Office and Civil Service.

S. J. Res. 122. Joint resolution providing for the filling of a vacancy in the Board of Regents in the Smithsonian Institution, of the class other than Member of Congress; Committee on House Administration.

S. J. Res. 123. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Member of Congress; Committee on House Administration.

S. J. Res. 124. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Member of Congress; Committee on House Administration.

S. Con. Res. 70. Concurrent resolution to extend greetings to the Sudan; Committee on Foreign Affairs.

JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on March 19, 1956, present to the President, for his approval, a joint resolution of the House of the following title:

H. J. Res. 582. Joint resolution making an additional appropriation for the Department of Labor for the fiscal year 1956, and for other purposes.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 3 o'clock and 56 minutes p. m.) the House, pursuant to its previous order, adjourned until tomorrow, Wednesday, March 21, 1956, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

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

1644. A communication from the President of the United States, transmitting proposed appropriations for the fiscal year 1957 in the amount of $4,859,975,000 for mutual security (H. Doc. No. 360); to the Committee on Appropriations and ordered to be printed.

1645. A letter from the Administrator, General Services Administration, relative to local phone charges to Congressmen, and suggesting that the language of appropriations in the legislative appropriation bill for 1957 be changed so as to authorize payment for these services by the respective disbursing officers, as is the case with long-distance charges, pursuant to section 210 (f) of the Federal Property and Administrative Services Act of 1949; to the Committee on Appropriations.

1646. A letter from the Assistant Secretary of Defense (Supply and Logistics), transmitting a report on military prime contracts with business firms for work in the United States for the period from July 1, 1955, through January 31, 1956, pursuant to Public Law 268, 84th Congress; to the Committee on Banking and Currency.

1647. A letter from the executive secretary, American Chemical Society, transmitting the annual report of the American Chemical Society for the calendar year 1955, pursuant to Public Law 358, 75th Congress; to the Committee on the Judiciary.

1648. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation entitled "A bill to authorize the establishment of 8 positions for specially qualified scientific and professional personnel in the Department of Commerce with rates of compensation at rates not to exceed the maximum rate payable, pursuant to Public Law 313, 80th Congress; to the Committee on Post Office and Civil Service.

1649. A letter from the Acting Secretary of State, transmitting a draft of proposed legislation entitled "A bill to carry out the International Convention To Facilitate the Importation of Commercial Samples and Advertising Matter"; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. JONES of Missouri: Committee on House Administration. Senate Joint Resolution 93. Joint resolution authorizing the acceptance of a gift from the Ericsson Memorial Committee of the United States; without amendment (Rept. No. 1900). Ordered to be printed.

Mr. JONES of Missouri: Committee on House Administration. Senate Joint Resolution 95. Joint resolution to authorize the American Battle Monuments Commission to prepare plans and estimates for the erection of a suitable memorial to Gen. John J. Pershing; without amendment (Rept. No. 1901). Ordered to be printed.

Mr. KILDAY: Committee on Armed Services. H. R. 7611. A bill to establish a date of rank for pay purposes for certain Naval Reserve officers promoted to the grades of lieutenant and lieutenant commander; without amendment (Rept. No. 1902). Referred to the Committee of the Whole House on the State of the Union.

Mr. KILDAY: Committee on Armed Services. H. R. 8390. A bill to amend the act entitled "An act to recognize the high public service rendered by Maj. Walter Reed and those associated with him in the discovery of the cause and means of transmission of yellow fever"; without amendment (Rept. No. 1903). Referred to the Committee of the Whole House on the State of the Union.

Mr. KILDAY: Committee on Armed Services. H. R. 8477. A bill to amend title II of the Women's Armed Services Integration Act of 1948, by providing flexibility in the distribution of women officers in the grades of commander and lieutenant commander, and for other purposes; without amendment (Rept. No. 1904). Referred to the Committee of the Whole House on the State of the Union.

Mr. KILDAY: Committee on Armed Services. H. R. 8904. A bill to amend certain laws relating to the grade of certain personnel of the Army, Navy, Air Force, and Marine Corps upon retirement; without amendment (Rept. No. 1905). Referred to the Committee of the Whole House on the State of the Union.

Mr. KILDAY: Committee on Armed Services. H. R. 2005. A bill to further amend the provisions of the acts authorizing payment of 6 months' death gratuity to widow, child, or dependent relative of persons in the Armed Forces; with amendment (Rept. No. 1906). Referred to the Committee of the Whole House on the State of the Union.

Mr. KILDAY: Committee on Armed Services. S. 1834. An act to authorize certain retired commissioned officers of the Coast Guard to use the commissioned grade authorized them by the law under which they retired, in the computation of their retired pay under the provisions of the Career Compensation Act of 1949, as amended; without amendment (Rept. No. 1907). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOPER: Committee on Ways and Means. House Joint Resolution 464. Joint resolution to permit articles imported from foreign countries for the purpose of exhibition at the Washington State Fifth International Trade Fair, Seattle, Wash., to be admitted without payment of tariff, and for other purposes; without amendment (Rept. No. 1922). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOPER: Committee on Ways and Means. H. R. 8334. A bill to permit the importation free of duty of racing shells to be used in connection with preparations for the 1956 Olympic games; without amendment (Rept. No. 1923). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOPER: Committee on Ways and Means. H. R. 8942. A bill to permit articles imported from foreign countries for the purpose of exhibition at the International Theatre Equipment Trade Show, New York, N. Y., to be admitted without payment of tariff, and for other purposes; without amendment (Rept. No. 1924). Referred to the Committee of the Whole House on the State of the Union.

Mr. REED of New York: Committee on Ways and Means. H. R. 8959. A bill to permit articles imported from foreign countries for the purpose of exhibition at the International Photographic Exposition, to be held at Washington, D. C., to be admitted without payment of tariff, and for other purposes; with amendment (Rept. No. 1925). Referred to the Committee of the Whole House on the State of the Union.

Mr. EBERHARTER: Committee on Ways and Means. H. R. 7678. A bill to permit articles imported from foreign countries for the purpose of exhibition at the 11th Annual Instrument-Automation (International) Conference and Exhibit, New York, N. Y., to be admitted without payment of tariff, and for other purposes; without amendment (Rept. No. 1926). Referred to the Committee of the Whole House on the State of the Union.

Mr. RICHARDS: Committee on Foreign Affairs. House Concurrent Resolution 223. Concurrent resolution to extend greetings to Pakistan; without amendment (Rept. No. 1927). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

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

Mr. BOYLE: Committee on the Judiciary. H. R. 909. A bill for the relief of Charles O. Ferry and other employees of the Alaska Road Commission; with amendment. (Rept. No. 1908). Referred to the Committee of the Whole House.

Mr. BURDICK: Committee on the Judiciary. H. R. 1096. A bill for the relief of Nathan Phillips; without amendment (Rept. No. 1909). Referred to the Committee of the Whole House.

Mr. MILLER of New York: Committee on the Judiciary. H. R. 1476. A bill for the relief of the Spicer Ice & Coal Co.; without amendment (Rept. No. 1910). Referred to the Committee of the Whole House.

Mr. MILLER of New York: Committee on the Judiciary. H. R. 2524. A bill for the relief of Oather S. Hall; without amendment (Rept. No. 1911). Referred to the Committee of the Whole House.

Mr. MILLER of New York: Committee on the Judiciary. H. R. 4851. A bill for the relief of the Kelmoor Fox and Fur Farm; with amendment (Rept. No. 1912). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 5382. A bill for the relief of W. R. Zanes & Company of Louisiana, Inc.; with amendment (Rept. No. 1913). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 5453. A bill for the relief of the estate of Robert Bradford Bickerstaff; without amendment (Rept. No. 1914). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 5813. A bill for the relief of W. R. Zanes & Company of Louisiana, Inc.; with amendment (Rept. No. 1915). Referred to the Committee of the Whole House.

Mr. BOYLE: Committee on the Judiciary. H. R. 6313. A bill for the relief of Vincent N. Caldes; with amendment (Rept. No. 1916). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. House Concurrent Resolution 221. Concurrent resolution favoring the granting of the status of permanent residence to certain aliens; with amendment (Rept. No. 1917). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 31. An act for the relief of Shih Ming Wang; with amendment (Rept. No. 1918). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. Senate Concurrent Resolution 47. Concurrent resolution withdrawing suspension of deportation of Benito Quintana Sears; without amendment (Rept. No. 1919). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 83. An act for the relief of Ottile Hitzlberger Lachelt; with amendment (Rept. No. 1920). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1255. An act for the relief of Brigitta Poberetski; with amendment (Rept. No. 1921). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. ALBERT:

H. R. 10055. A bill to modify the authorized project for construction of the Millwood Reservoir on the Little River in Arkansas to include the construction of the Pine Creek, Lukfata, Sherwood (Narrows) and Broken Bow Reservoirs; to the Committee on Public Works.

By Mr. ANFUSO:

H. R. 10056. A bill to amend the Railroad Retirement Act of 1937 to provide increases in benefits, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BARRETT:

H. R. 10057. A bill designating September 13 in each year as Barry Day, and declaring such day to be a legal public holiday; to the Committee on the Judiciary.

By Mr. CELLER:

H. R. 10058. A bill to amend the Railroad Retirement Act of 1937 to provide increases in benefits, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DAVIS of Georgia:

H. R. 10059. A bill to revise the Civil Service Retirement Act; to the Committee on Post Office and Civil Service.

H. R. 10060. A bill to amend the District of Columbia Police and Firemen's Salary Act of 1953, as amended; to the Committee on the District of Columbia.

By Mr. DEMPSEY:

H. R. 10061. A bill to provide for transfer of title of certain lands to the Carlsbad Irrigation District, New Mexico; to the Committee on Interior and Insular Affairs.

By Mr. ELLIOTT:

H. R. 10062. A bill to amend the Railroad Retirement Act of 1937 to provide increases in benefits, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FASCELL:

H. R. 10063. A bill to exempt from tax admissions to certain cultural and trade centers; to the Committee on Ways and Means.

By Mr. FLOOD:

H. R. 10064. A bill to amend title II of the Social Security Act to reduce retirement age 65 to 60 in the case of men and from 65 to 55 in the case of women, and to provide that any fully insured individual who becomes permanently and totally disabled shall be deemed to have reached retirement age; to the Committee on Ways and Means.

By Mr. GRAY:

H. R. 10065. A bill to amend the Internal Revenue Code of 1954 to impose an import tax on natural gas; to the Committee on Ways and Means.

By Mrs. GREEN of Oregon:

H. R. 10066. A bill to authorize the appropriation of funds for carrying out provisions of section 23 of the Federal Highway Act, to enable the Secretary of Agriculture to construct and maintain timber access roads, to permit maximum economy in harvesting national forest timber, and for other purposes; to the Committee on Public Works.

By Mr. GROSS:

H. R. 10067. A bill to amend the Railroad Retirement Act of 1937 to provide increases in benefits, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HAGEN:

H. R. 10068. A bill relating to the quality requirements for, and the inspection, certification, and labeling of Irish potatoes; to the Committee on Agriculture.

By Mr. BARTLETT:

H. R. 10069. A bill to provide medical care for certain persons engaged on board a vessel in the care, preservation, or navigation of such vessel; to the Committee on Interstate and Foreign Commerce.

By Mr. HAYWORTH:

H. R. 10070. A bill to prohibit discrimination on account of sex in the payment of wages by employers engaged in commerce or in operation of industries affecting commerce, and to provide procedures for assisting employees in collecting wages lost by reason of any such discrimination; to the Committee on Education and Labor.

By Mr. HINSHAW:

H. R. 10071. A bill to promote the self-sufficieney of the local service air carriers and to contribute to the national defense by providing for Federal participation in the design, development, testing, tooling, and construction costs of prototype transport aircraft suitable to the needs of local service airlines, and adaptable to auxiliary military service, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HOLTZMAN:

H. R. 10072. A bill to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States; to the Committee on the Judiciary.

By Mr. MADDEN:

H. R. 10073. A bill to revise the Civil Service Retirement Act; to the Committee on Post Office and Civil Service.

By Mr. MAGNUSON:

H. R. 10074. A bill to amend the Federal-Aid Highway Act of 1944 to provide for an addition to the national system of interstate highways; to the Committee on Public Works.

By Mr. MILLS:

H. R. 10075. A bill to provide for the conveyance of certain real property of the United States to the town of Bald Knob, Ark.; to the Committee on Government Operations.

By Mr. MOULDER:

H. R. 10076. A bill to amend title I of the Social Security Act to increase the amount of Federal funds payable thereunder to States which have approved plans for old-age assistance and which maintain their expenditures for such assistance at or above the 1955 level; to the Committee on Ways and Means.

H. R. 10077. A bill to amend the Labor Management Relations Act, 1947, and for other purposes; to the Committee on Education and Labor.

H. R. 10078. A bill to amend the Davis-Bacon Act, and for other purposes; to the Committee on Education and Labor.

By Mr. PILLION:
H. R. 10079. A bill to amend the National Labor Relations Act to provide that foremen shall in certain cases be considered as employees for purposes of that act; to the Committee on Education and Labor.

By Mr. REUSS:
H. R. 10080. A bill to provide for payment by the Secretary of the Treasury of the unpaid balance due on defaulted joint stock land bank bonds under the supervision and direction of the Farm Credit Administration; to the Committee on the Judiciary.

By Mr. RHODES of Pennsylvania:
H. R. 10081. A bill to establish corporate income-tax rates of 22 percent normal tax and 33 percent surtax; to the Committee on Ways and Means.

By Mr. RICHARDS (by request):
H. R. 10082. A bill to amend further the Mutual Security Act of 1954, as amended, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ROBERTS:
H. R. 10083. A bill to protect producers and consumers against misbranding and false advertising of the fiber content of textile fiber products, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. RODINO:
H. R. 10084. A bill granting the consent and approval of Congress to the Middle Atlantic Interstate forest-fire protection compact; to the Committee on Agriculture.

By Mr. SIMPSON of Pennsylvania:
H. R. 10085. A bill to remove inequities in the allowances for interest on overpayments attributable to final determinations on applications for relief under section 722 of the Internal Revenue Code of 1939 for taxable years beginning after December 31, 1941; to the Committee on Ways and Means.

By Mr. UDALL:
H. R. 10086. A bill to provide vocational training for adult Indians; to the Committee on Interior and Insular Affairs.

By Mr. WALTER:
H. R. 10087. A bill to terminate operations under the Refugee Relief Act of 1953, as amended; and to provide relief to certain orphans and immigrants qualifying under the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. ROGERS of Texas:
H. J. Res. 588. Joint resolution proposing an amendment to the Constitution with respect to the power of the States to conserve and regulate the exploration, production, and distribution of their petroleum products, water, sulfur and all other minerals and natural resources; to the Committee on the Judiciary.

By Mr. UDALL:
H. J. Res. 589. Joint resolution to establish a joint congressional committee to be known as the Joint Committee on United States International Exchange of Persons Programs; to the Committee on Rules.

By Mr. MERROW:
H. Con. Res. 224. Concurrent resolution expressing the sense of the Congress that ways and means be explored and found to insure applicability of principle of self-determination of peoples in the case of the population of Cyprus; to the Committee on Foreign Affairs.

MEMORIALS

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

By the SPEAKER: Memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to the consideration of House Resolution No. 16, a resolution urging Federal action to support the civil rights decision of the Supreme Court of the United States; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. ANFUSO:
H. R. 10088. A bill for the relief of Rupert Waltl; to the Committee on the Judiciary.

By Mr. AVERY:
H. R. 10089. A bill for the relief of Mr. and Mrs. David Tsun-Ngang Liu; to the Committee on the Judiciary.

By Mr. CRETELLA:
H. R. 10090. A bill for the relief of Antonino Giordano; to the Committee on the Judiciary.

By Mr. GRANAHAN:
H. R. 10091. A bill for the relief of Ying Lun Ma; to the Committee on the Judiciary.

By Mr. LANE:
H. R. 10092. A bill for the relief of the former shareholders of the Goshen Veneer Co., an Indiana corporation; to the Committee on the Judiciary.

By Mr. LANKFORD:
H. R. 10093. A bill for the relief of Mr. and Mrs. Gordon C. Brown, Sr. (in behalf of the minor child, Robert Gordon Brown); to the Committee on the Judiciary.

By Mr. McDONOUGH:
H. R. 10094. A bill for the relief of King-Kay Kwong; to the Committee on the Judiciary.

By Mrs. ROGERS of Massachusetts (by request):
H. R. 10095. A bill for the relief of Mrs. Cora V. March; to the Committee on the Judiciary.

By Mr. STAGGERS:
H. R. 10096. A bill for the relief of Constantinos F. Agoris; to the Committee on the Judiciary.

By Mr. TUMULTY:
H. R. 10097. A bill for the relief of Wing Lok So; to the Committee on the Judiciary.

By Mr. WHARTON:
H. R. 10098. A bill for the relief of Hur Mei Wong; to the Committee on the Judiciary.

By Mr. WALTER:
H. J. Res. 590. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens; to the Committee on the Judiciary.

H. J. Res. 591. Joint resolution to facilitate the admission into the United States of certain aliens; to the Committee on the Judiciary.

H. J. Res. 592. Joint resolution for the relief of certain aliens; to the Committee on the Judiciary.

By Mr. HAYWORTH:
H. Res. 438. Resolution providing that the bill, H. R. 6893, and all accompanying papers shall be referred to the United States Court of Claims; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

702. By Mr. BUSH: Petition of J. G. Winters and other veterans of Lycoming County, Pa., urging the immediate enactment of a separate and liberal pension program for veterans of World War I and their widows and orphans; to the Committee on Veterans' Affairs.

703. By Mr. GROSS: Petition of 18 members of the American Legion Auxiliary at Hampton, Iowa, urging that favorable consideration be given H. R. 7886, to liberalize veterans' pensions for non-service-connected permanent and total disability; to the Committee on Veterans' Affairs.

704. Also, petition of 45 residents of Marshalltown, Iowa, and vicinity urging immediate enactment of a separate and liberal pension program for veterans of World War I and their widows and orphans; to the Committee on Veterans' Affairs.

705. Also, petition of 45 residents of Waterloo, Iowa, and vicinity urging immediate enactment of a separate and liberal pension program for veterans of World War I and their widows and orphans; to the Committee on Veterans' Affairs.

706. By Mrs. KEE: Petition of W. C. Williams of Hinton, W. Va., and 46 other residents of Summers County, W. Va., urging immediate enactment of a separate and liberal pension program for veterans of World War I and their widows and orphans; to the Committee on Veterans' Affairs.

707. Also, petition of Lawrence Boyd, of Alderson, W. Va., and 45 other residents of Monroe County, W. Va., urging immediate enactment of a separate and liberal pension program for veterans of World War I and their widows and orphans; to the Committee on Veterans' Affairs.

708. Also, petition of Tom Bailey, of Iaeger, W. Va., and 44 other residents of McDowell County, W. Va., urging immediate enactment of a separate and liberal pension program for veterans of World War I and their widows and orphans; to the Committee on Veterans' Affairs.

709. Also, petition of Tony Crane, of Renick, W. Va., and 43 other residents of Greenbrier County, W. Va., urging immediate enactment of a separate and liberal pension program for veterans of World War I and their widows and orphans; to the Committee on Veterans' Affairs.

710. Also, petition of Elmer Morrison, of Renick, W. Va., and 45 other residents of Greenbrier County, W. Va., urging immediate enactment of a separate and liberal pension program for veterans of World War I and their widows and orphans; to the Committee on Veterans' Affairs.

711. Also, petition of Walter Hambrick, of Renick, W. Va., and 45 other residents of Greenbrier County, W. Va., urging immediate enactment of a separate and liberal pension program for veterans of World War I and their widows and orphans; to the Committee on Veterans' Affairs.

712. Also, petition of George E. Wilson, Jr., of Peterstown, W. Va., and 78 other residents of Monroe County, W. Va., urging immediate enactment of a separate and liberal pension program for veterans of World War I and their widows and orphans; to the Committee on Veterans' Affairs.

713. By Mr. LECOMPTE: Petition of VFW post of Decatur, Iowa, urging enactment of a separate and liberal pension program for veterans of World War I and their widows and orphans; to the Committee on Veterans' Affairs.

714. Also, petition of veterans of Hedrick, Iowa, urging enactment of a separate and liberal pension program for veterans of World War I and their widows and orphans; to the Committee on Veterans' Affairs.

715. By Mr. MORGAN: Petition of Mrs. Lillian Henderson, Charlerol, Pa., and members of Charleroi Council No. 162 Daughters of America, in support of the McCarran-Walter Act in its present form; to the Committee on the Judiciary.

716. By Mr. NORBLAD: Petition of E. J. Dietz and 53 other citizens of the State of Oregon urging immediate enactment of a separate and liberal pension program for veterans of World War I and their widows and orphans; to the Committee on Veterans' Affairs.

717. Also, petition of Willard M. Montgomery and 45 other citizens of the State of Oregon urging immediate enactment of a separate and liberal pension program for veterans of World War I and their widows and orphans; to the Committee on Veterans' Affairs.

718. Also, petition of Mr. Edward L. Smoke and 21 other citizens of the State of Oregon urging immediate enactment of a separate and liberal pension program for veterans of World War I and their widows and orphans; to the Committee on Veterans' Affairs.

719. Also, petition of Melton F. Smith and 44 other citizens of the State of Oregon urging immediate enactment of a separate and liberal pension program for veterans of World War I and their widows and orphans; to the Committee on Veterans' Affairs.

720. Also, petition of George H. Price and 44 other citizens of the State of Oregon urging immediate enactment of a separate and liberal pension program for veterans of World War I and their widows and orphans; to the Committee on Veterans' Affairs.

721. Also, petition of R. J. Baldwin and 295 other citizens of the State of Oregon urging immediate enactment of a separate and liberal pension program for veterans of World War I and their widows and orphans; to the Committee on Veterans' Affairs.

722. By Mr. WOLCOTT: Petition of Mrs. Rena Hobson, president, VFW Ladies Auxiliary 3130, Center Line, Mich. and 40 veteran employees of the Rockwell Steel and Axel plant, Detroit, Mich. for separate pension program for World War I veterans; to the Committee on Veterans' Affairs.

723. Also, petition of Guy Stocks, Brown City, Mich., and 60 friends and neighbors of Brown City, Mich., regarding a pension for World War I veterans; to the Committee on Veterans' Affairs.

724. By Mr. VORYS: Petition of 45 residents of Columbus, Ohio, urging immediate enactment of a separate and liberal pension program for veterans of World War I and their widows and orphans; to the Committee on Veterans' Affairs.

725. Also, petition of 44 residents of Ohio and West Virginia, urging immediate enactment of a separate and liberal pension program for veterans of World War I and their widows and orphans; to the Committee on Veterans' Affairs.

726. By the SPEAKER: Petition of the grand knight, St. Martin's Council, No. 2489, Knights of Columbus, Amityville, Long Island, N. Y., petitioning consideration of their resolution with reference to expressing their support of the principles of the proposed Bricker amendment to our Federal Constitution; to the Committee on the Judiciary.

727. Also, petition of Richard N. Gonzalez, Folsom State Prison, Represa, Calif., relative to the case of Richard N. Gonzalez, Crime No. 132107, *The People of the State of California, plaintiff, v. Richard N. Gonzalez, defendant, Folsom State Prison, Represa, Calif.*; to the Committee on the Judiciary.

728. Also, petition of the president, Woodville Chamber of Commerce, Woodville, Calif., urging the immediate appropriation of the initial funds necessary for the commencement of construction of Success Dam, etc.; to the Committee on Public Works.

EXTENSIONS OF REMARKS

Surplus of Farm Commodities

EXTENSION OF REMARKS
OF
HON. HAMER H. BUDGE
OF IDAHO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 20, 1956

Mr. BUDGE. Mr. Speaker, on March 18, 1956, Gov. Orville Freeman, of Minnesota, stated on a national television program that there was "no farm surplus whatever" up to the time the Eisenhower administration went into office—that there was in fact a shortage of farm goods.

The following information was today furnished me by the Department of Agriculture:

In January of 1953, when this administration took over, the Commodity Credit Corporation had investments in price-supported commodities totaling $2,905,000,000. This included 469 million bushels of corn and 499 million bushels of wheat.

In addition, former Secretary Brannan had announced the elimination of production controls for the 1953 crop. Thus it was impossible for this administration to bring production under control until the end of the 1953 marketing year. By that time, the Commodity Credit Corporation investment had reached $6,005,000,000.

Further, there was a law on the books which made necessary the continuation of price supports at an incentive level for the 1954 crops, further adding to our surplus.

To summarize, this administration inherited a $3 billion surplus.

In addition, we inherited administrative actions of the previous Secretary which boosted the surplus to $6 billion.

Beyond that, we inherited a law under which the surplus reached $7 billion.

Latest available figures show a Commodity Credit Corporation investment of $8,690,000,000.

The present administration has faithfully invoked acreage controls and marketing quotas in an effort to bring production into line.

By the end of this fiscal year, this administration will have disposed of surplus stocks with a total value of approximately $6,500,000,000.

Thirty-eighth Anniversary of Byelorussian Independence Proclamation

EXTENSION OF REMARKS
OF
HON. VICTOR L. ANFUSO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 20, 1956

Mr. ANFUSO. Mr. Speaker, March 25 marks the 38th anniversary of the proclamation of the independence of Byelorussia, sometimes known also as White Ruthenia. This is another one of the captive nations swallowed up by Communist Russia in 1921. Like the others of Eastern Europe, the people of this nation and their kin now living in this country and elsewhere are observing this anniversary with a feeling of sadness.

Nevertheless, it is good to observe such occasions because they serve as a moral encouragement to the people of Byelorussia and their kinsmen to continue their struggle for national independence, for justice and democracy. The people of Byelorussia cannot celebrate this anniversary. They are behind the Iron Curtain where freedom is not tolerated and democracy has been perverted in its meaning and purpose. They can only hope for a better day in the future, free from the yoke of Communist oppression.

On this eventful anniversary, I am happy to join with all freedom-loving people in commemorating this day and in sending our greetings and our prayers for the liberation of the White Ruthenian nation. We join in the fervent wish that delivery of the White Ruthenian nation from her oppressors will not be long delayed.

TVA Repayments Into the Treasury

EXTENSION OF REMARKS
OF
HON. JOE L. EVINS
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 20, 1956

Mr. EVINS. Mr. Speaker, the TVA is required by law to pay back into the Federal Treasury the entire Federal investment in its power operations. TVA is far in advance of its scheduled annual repayments into the Treasury. Through 1955 a total of $127,500,000 has been repaid by TVA into the Federal Treasury. This year, through 1956, a total of $186,500,000 will have been repaid into the Federal Treasury. The following table of repayments show accurately the annual revenues paid by TVA into the Federal Treasury:

Payments made by TVA into the U. S. Treasury as repayment of investment in its power program

Fiscal year	Payment	Total payment
1948	$10,500,000	$10,500,000
1949	5,500,000	16,000,000
1950	5,500,000	21,500,000
1951	9,000,000	30,500,000
1952	12,000,000	42,500,000
1953	15,000,000	57,500,000
1954	20,000,000	77,500,000
1955	50,000,000	127,500,000
1956 (estimated)	59,000,000	186,500,000

Results of Poll on National Issues in the 39th Congressional District of New York

EXTENSION OF REMARKS
OF
HON. HAROLD C. OSTERTAG
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 20, 1956

Mr. OSTERTAG. Mr. Speaker, during the month of February, I conducted a poll among the voters of the 39th Congressional District of New York on several of the major issues now before our country. The poll covered every third voter in the district who registered in the 1954 elections, regardless of party affiliation. Some 41,000 ballots were delivered to residents of the district, and of that total 5,569 were marked and returned, or approximately 13 percent.

The questions, 20 in number, covered major domestic and international issues before the country today, and included 2 of major interest to the voters in this Presidential election year: Who is your first choice for President? and who is your next choice?

On the first question, a resounding 87 percent of those who signified a choice designated President Eisenhower. On the second question, more than 36 percent of those who voted designated Vice President Nixon. Both men far outran their nearest rivals. The runner-up to President Eisenhower was Gov. Adlai Stevenson, and the runner-up to Vice President Nixon was Chief Justice Warren.

Since not everyone voted on every issue, 2 sets of percentage calculations were made on the returns: 1 based on the total number of votes cast and 1 based on the total vote on each individual question. The following tabulation is based on the latter set of calculations:

	Percentages	
	Yes	No
1. Do you favor the President's soil-bank proposals, to improve our farm economy?	77.43	22.57
2. If there is a revenue surplus this year, should it be used (1) to reduce the national debt (70.74); or (2) to further reduce taxes? (29.26).		
3. Should the Taft-Hartley Act be (1) revised (36.94); (2) repealed (7.96); (3) let alone? (55.10).		
4. Should our immigration laws be further relaxed?	22.37	77.63
5. Do you favor Federal aid for school construction?	64.58	35.42
If so, should it be available to all school districts (26.16); or only to those where there is proven financial need? (73.84).		
Should it be made available to school systems maintaining segregated schools?	32.0	68.0
6. Should hydroelectric power at Niagara be developed by (1) the Federal Government (12.28); (2) the New York State government (11.92); (3) private enterprise? (75.80).		
7. Do you favor further development of power by Government agencies, where private enterprise is prepared to do the job?	16.74	83.26
8. Should the postal service be self-supporting?	82.29	17.71
9. On the premise that further substantial expansion of social security will involve increases in social-security taxes, over and above those already scheduled, do you favor:		
Elimination of the earnings ceiling, now set at $1,200 annually?	64.57	35.43
Lowering the age of eligibility from 65 to 62?	68.26	31.74
Extension of benefits to the disabled at age 50?	84.64	15.36
10. Should the Attorney General have power, on court order, to tap wires in suspected kidnaping and national security cases?	85.91	14.09
11. Should the Constitution be amended to provide that treaties and executive agreements which abridge or nullify constitutional rights are of no force and effect?	72.56	27.44
12. Do you favor the revision of the electoral college to make the electoral vote more nearly reflect the popular vote?	89.33	10.67
13. Should foreign aid be continued?	61.54	38.46
14. If so, should it be stabilized on a long-range basis?	50.35	49.65
15. Should the United States extend recognition to Red China?	12.15	87.85
16. If Red China is admitted to the United Nations, should the United States withdraw?	23.03	76.97
17. Do you favor more cultural and commercial ties with Russia?	38.1	61.9
18. Do you favor the establishment in our National Government of a Department of Peace?	55.71	44.29
19. Who is your first choice for President in 1956? Eisenhower (87.49).		
20. Who is your next choice? Nixon (36.07).		

On question 19, Who is your first choice for President?, a total of 4,668 voted, and 4,084 designated Eisenhower. The runnerup was Adlai Stevenson, with 197 votes, and 36 others were also-rans. On the question of next choice, only 3,532 voted, and 1,274 designated Nixon, with Chief Justice Warren next in line with 811 votes. Altogether there were 65 individuals named for second choice.

Cancer Month

EXTENSION OF REMARKS
OF
HON. PETER W. RODINO, JR.
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 20, 1956

Mr. RODINO. Mr. Speaker, the disease that is the Nation's second largest killer is cancer. It causes 1 out of every 7 deaths of this country. It will strike 2 out of 3 families. If present death rates continue 24 million Americans now living will die of this dread disease. These are hard facts and cruel facts, I know, but they are facts that will come true unless we continue and make ever stronger our fight against this vicious killer.

The organization that is leading the fight against this killer is the American Cancer Society. Made up of units like our own Essex County chapter, the American Cancer Society is the only voluntary national health agency engaged in a program of cancer education, research, and service. The society, then, presents a three-pronged attack against cancer.

The first line of attack in this campaign against cancer is by education. Through films, speakers, exhibits, panel discussions, mobile education units, forums and literature our local Essex County chapter is carrying out a year-round program to give us as much information as possible regarding the nature and prevention of cancer. The seven danger signs must become known and watched for by everyone. The importance of immediate and prompt treatment at the first sign or suspicion of cancer must be stressed. Oftentimes cancer, in its earliest stages, cannot be detected by the average person, yet can be diagnosed by a physician. Therefore, the society emphasizes the importance of a yearly physical examination.

But education is not confined to laymen alone. Members of the medical profession also benefit from our contributions. Technical publications and a film library are made available to them by our local chapter. In addition, the national organization provides many more technical aids. For instance, doctors may attend clinics where they are informed of the latest developments in cancer detection, surgery, and X-ray and radium treatment.

The second line of attack is through research. Perhaps your dollars for the 1956 campaign will finance the research project that will unlock the key to the ultimate control of cancer. The fight for the discovery of the causes of cancer and a practical cure to this killer must continue. Our contributions will help 1,000 scientists and 3,000 laboratory technicians and assistants in this fight for the control of cancer. Today the only approved means of curing cancer are X-ray, radium, and surgery. This is not enough. There are still types of cancer for which almost nothing can be done. These scientists and technicians, supported by our dollars, must continue to do their utmost to find the answers to the cure of this dread disease.

The third line of attack is by service to those already suffering from cancer. Dressings and medication are made available through our local chapter. Articles contributing to the comfort of the patient can also be borrowed. Transportation is provided to and from clinics and even nursing care, including treatment and administration of drugs are provided.

The American Cancer Crusade is a voluntary organization. It can succeed only if we support this campaign with the same generousness, the same unselfishness, that the American people always support a worthwhile cause. This is the American way—the democratic way. I am sure that all of us will open our hearts and give generously. The quota for the Essex County Chapter of the American Cancer Society is $199,200. This must be reached for the unit to continue its activities.

Let us each resolve to keep the red sword, the symbol of the American Cancer Society, ever raised—ever ready to strike back at one of our worst enemies. We must succeed in this campaign in order to give hope to those already afflicted and to those who will become afflicted. Remember that now 1 out of 3 of these cases of cancer can be cured if treated promptly. Let us give our dollars to the cancer crusade with the hope that during the coming year an even

greater number will be cured—that during the following years cancer will be eliminated completely. Let us make this crusade a success.

The American Bar Association

EXTENSION OF REMARKS
OF
HON. ABRAHAM J. MULTER
OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1956

Mr. MULTER. Mr. Speaker, on March 15, I inserted in the CONGRESSIONAL RECORD my remarks under the heading "The American Bar Association Fails the American People." On March 17, I received a letter from one of the vice chairmen of the membership campaign committee of the American Bar Association which in all fairness to the association should be added to the RECORD since the letter does say, in so many words, that Negroes are now admitted to membership in the American Bar Association. The letter of March 15 reads as follows:

MY DEAR MR. MULTER: There has been forwarded to me for reply your letter of February 28 to Mr. Travers E. Devlin, of Caverly, Dimond, Dwyer & Lawler.

The question on the application form to which you refer no longer has any bearing on the eligibility of any individual for membership in the American Bar Association. Prior to undertaking this campaign, the New York City committee asked for and received a firm assurance from the association that no individual would be barred from membership on the basis of race. Fulfillment of this assurance is attested to by the participation of several Negroes in the current campaign and the enlistment of many more to membership during the last few weeks.

You may be assured that Mr. Seymour and I, and as far as I know, all of the members of the New York committee, agree with you that the race question should be removed from the association's application and have been actively endeavoring to have it removed. We agree with you in principle—we have only differed in our belief that we stood a better chance of effecting its removal as members than as outsiders. I personally believe that the association has a fine record of accomplishment even though I have disagreed with it on particular questions, including this one.

I do wish you would reconsider and rejoin the association.

Sincerely yours,

LYMAN M. TONDEL, JR.

I answered Mr. Tondel on March 19 as follows:

DEAR MR. TONDEL: Receipt is acknowledged with thanks of yours of March 15 in answer to mine of February 28 addressed to Mr. Travers E. Devlin.

I am pleased to have your assurances that Negroes are now being admitted to membership and are being allowed to participate fully in the activities of the American Bar Association. Until the reference to race is removed from the association's application form, however, I will continue to believe that those in control of the association are opposed to the principle upon which you and I agree.

Can you tell me how many Negro lawyers have been admitted to the American Bar Association within the last year, who reside and practice in any State south of the Mason-Dixon line? Also, has a single Negro been admitted to membership who resides or practices in the District of Columbia?

Sincerely yours,

ABRAHAM J. MULTER.

When that letter is answered, the reply also will be placed in the RECORD.

Blast at Blasting Radio-TV Commercials

EXTENSION OF REMARKS
OF
HON. CRAIG HOSMER
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1956

Mr. HOSMER. Mr. Speaker, on March 5 I complained to the Federal Communications Commission that radio and TV broadcasters are imposing extra volume on listeners during commercials as follows:

CHAIRMAN, FEDERAL COMMUNICATIONS COMMISSION,
Washington, D. C.

DEAR MR. CHAIRMAN: It occurs to me that there is an area in which your organization might perform a service to the American people either by tightening up its regulations or enforcing those now on the books. This concerns the irritating and obnoxious practice of radio and television stations, both local and network, permitting the sound volume to increase during the presentation of commercials.

Everyone has experienced many times the adjustment of his set to an agreeable sound level during the entertainment portion of a program only to be blasted unmercifully by the noise of the commercial.

It is understood that present regulations maintained by you require stations to maintain as high a volume output without distortion as possible at all times. Possibly stations are deliberately preparing their commercials in such a manner as to be particularly distortion-free and thus permit the increase of modulation in a feigned compliance with the Commission's regulations.

At any rate, I believe that you will agree that whatever needs to be done, should be done to protect the American people from the imposition upon them of these excessively loud commercials.

I would appreciate your advising me in connection with the above and as to any steps which you may take to remedy the situation.

Thank you for your courtesy.

Very truly yours,

CRAIG HOSMER,
Member of Congress,
18th District, California.

Mr. Speaker, I have waited 2 weeks for a reply or an acknowledgement from the FCC, but as yet none has come. Approximately March 15 a number of newspapers printed a very short item regarding my complaint. There was an immediate and decisive public response. The following are extracts from typical letters I have already received from all over the country:

We are behind you 100 percent on your stand concerning the irritating and obnoxious practice of turning up volume during commercials on TV. (Mr. and Mrs. J. W. Wallace, Wichita, Kans.)

We thank you again and again and hope you can get results for us. (Mrs. Evelyn Binns, Hollywood, Calif.)

Thank you for your protest against the noisy TV spielers. (Miss Nellie C. Sprague, Los Angeles, Calif.)

Congratulations! Keep up the good work. Try to correct a very annoying practice. (Mr. Joseph Kane, El Cajon, Calif.)

Bully for you—keep at 'em. One of my pet peeves. (Mr. Walt Haring, Rocky River, Ohio.)

When I read your article in my home paper urging the Federal Communications Commission to stop radio and TV stations from turning up the sound volume during the commercials, I said, "Amen to that." Maybe if you would call for write-ins, we would get results. (Mrs. H. J. Baber, Waxahachu, Tex.)

I certainly want to thank you. My interpretation of the real meaning of your effort is to stop that unmerciful blasting noise of the commercial advertisers. I pray that you may be able to help the listeners of the radio and television audience. (Mr. Clinton W. Fancher, Hamburg, N. J.)

If it will be of any information and benefit to you, permit me to say that I canvassed the office yesterday and I find that each and every one that I talked to have also shared my view as well as yours, and they are very anxious that something be done to remedy this very irritating situation. (Mr. W. F. Durbin, New Albany, Ind.)

I am delighted to see that someone is interested in stopping a practice which has annoyed me and interfered with my pleasure from radio programs for a long time. (Dr. Charles L. Clay, M. D., Auburndale, Mass.)

You are so right and more power to you. It is high time that someone took the bull by the horns, my hat is off to you. (Mr. Edward Sander, Sr., St. Louis, Mo.)

Hurrah for your stand! (Mrs. E. W. Loenig, Lincoln, Nebr.)

Your action toward noisy commercials is well taken. There is no reason why the listening public should be blasted out of the house when the commercials come on and the volume is doubled. (Mr. R. R. Goodson, Malibu, Calif.)

It's about time something was done about it. Nothing is more annoying than to have the set properly tuned for enjoyable listening and viewing, and then have the quiet of the living room shattered by some loud, noisy, and uninteresting commercial. As far as I'm concerned more sales are lost on my family due to this bad practice than any other reason I can think of. Certainly hope you are successful in your complaint to the Commission. (Mr. Elmer E. Donald, St. Louis, Mo.)

We are truly grateful to you for advancing a protest against noisy television commercials. We have written to every known authority, but have had no result. (Mrs. Elinor Oliver, Beverly Hills, Calif.)

Thank the Lord someone has seen fit to take up the cudgel against the loud, blaring, blatant commercials forced on television viewers. Your efforts are certainly appreciated by this writer, and I certainly hope you will be able to force some action to be taken in this respect. (Mr. Franz A. Hirt, Atlanta, Ga.)

Millions of Americans hope that your recent letter to the Federal Communications Commission will bring the long-sought relief from extra loud radio and television commercials. The unnecessary and obnoxious increase in modulation or power which accompanies most commercials is a violation of good taste and no doubt makes the advertised products less attractive to the consumers. (Mr. R. A. Mattmueller, Arlington, Va.)

It has been a situation that I have criticized many times and not knowing just who

to refer the matter to have failed to do so myself or I would have with plenty of weighty emphasis. (Mr. Frank A. Winslow, Long Beach, Calif.)

It is not often that one in office can comprehend a nuisance and a cure for same, that will serve so many. (Mr. Chris Pritchard, San Leandro, Calif.)

Many millions may not write you, but I'm sure they're with you. I've heard many say, "I'll never buy a product they shout at me." (Mrs. Jessie G. Norton, Bronxville, N. Y.)

Pleased to have someone in a high office express my feelings exactly. (Mrs. Claud Nixon, Lynwood, Calif.)

More power to you in combating the nuisance of loud TV and radio commercials. (Mr. Jack Gibson, Long Beach, Calif.)

All hail to you in your fight on noisy commercials on TV. (Col. R. McKerchar, Los Angeles, Calif.)

You took the words out of my mouth, in your outcry against loud commercials. (Mr. William Austin Moore, Long Beach, Calif.)

Mr. Speaker, this means is taken to discuss public reaction to my complaint to illustrate that it is not an isolated one. I hope it may serve either to get action from the FCC, or to spur broadcasters themselves to adopt self-disciplinary measures against "riding the gain," the trade's expression for blasting out commercials at a greater volume than the entertainment portion of a program. The mildest thing that can be said of the practice is that it is unsportsmanlike, the worst that can be said of it is unprintable.

These remarks will be sent directly to the major radio and TV networks with a request they take action to clean up their own houses. If so, perhaps their example will be followed by nonnetwork stations which I do not have the means of contacting.

Greek Independence Day

EXTENSION OF REMARKS
OF
HON. PETER W. RODINO, JR.
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 20, 1956

Mr. RODINO. Mr. Speaker, every nation in the world has figures of note who have left an impact on world history or whose advanced social and political concepts have gone into the stream of thinking over the centuries, inspiring countless other peoples to strive toward the fulfillment of high national goals. But there is perhaps no single country that has bequeathed to future generations as significant a list of such legacies as Greece. It is with extreme pride, therefore, that we congratulate the peoples of Greece and Greek decendants everywhere on the commemoration of Greek Independence Day. Since the idea of independence originated long ago with the ancestors of present-day Greeks, the day the Greeks themselves celebrate assumes a particular significance for the supporters of liberty and independence throughout the world.

Some 500 years before the birth of Christ the city of Athens was experimenting with a type of democratic government premised on ideas and aims which would benefit the individual above all else. The results of those early experiments were passed on to other peoples and countries, and, although the concepts were reinterpreted and elaborated upon in order to fit each changing scene, the basic beliefs in liberty, freedom, and individual dignity remained a central core of democratic philosophy. Greece, as the cradle of democracy, is the fountainhead of our own liberties and ideals, and the centuries have only served to mellow and refurbish the intrinsic qualities of the Greeks themselves, who remain stanch lovers of personal freedom and of human dignity.

As a gateway between Asia and Europe, Greece has suffered the incursions of foreign powers, events so unfortunately familiar to all areas lying in the path of states struggling for international aggrandizement and a strategic foothold. In the middle of the 15th century Turkish bands overran Greece, and the Greeks were under the invaders' domination for 4 centuries. Even though 1821 signaled the end of that phase of foreign rule, the Greeks were to feel again the tyrant's tread during the Second World War and in the years following its end. Nazism and communism were to test the fortitude and heroism of the Greeks, and they were to prove themselves equal to the task. At this very moment, however, the Communists within Greece are again persisting in seeking a predominant place within the Greek political structure, with the recent February elections showing that the Greeks still have a struggle ahead of them to counter this latest Communist ambition for power.

The future is bright, however, because the Greeks are united with us and with the adherents of the democratic way of life everywhere in the common moral battle to preserve democracy and personal integrity. Since President Truman in 1947 moved to help preserve the independence of Greece against the Communist onrush by extending military and economic aid to that country, the Greeks have continued to be a bulwark of strength within the Atlantic-Mediterranean community. We still remain at the side of Greece in her support of the cause of freedom on next Sunday, March 25, the independence day of the nation of Greece.

Manifesto on Integration

EXTENSION OF REMARKS
OF
HON. ALBERT THOMAS
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 20, 1956

Mr. THOMAS. Mr. Speaker, under leave granted me to extend my remarks, I wish to say that I am in sympathy with the general intent of the manifesto because I do not believe in integration, nor have I in the past. However, I have not signed it because I fear it will do more harm than good. The Supreme Court surely did some legislating that the Congress has refused to do.

Religion as a Weapon Against Communism

EXTENSION OF REMARKS
OF
HON. VICTOR L. ANFUSO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 20, 1956

Mr. ANFUSO. Mr. Speaker, one of the strongest weapons we have in the struggle against communism is the belief in God. Unfortunately, we are not using this weapon sufficiently and the people of the free world somehow fail to realize the significance of religion in this struggle. It regards communism as a political conspiracy, but fails to realize that it is also an anti-religious conspiracy. I believe we should give religion a greater role in this struggle for freedom.

Under leave to extend my remarks in the RECORD, I want to insert the text of an address on the above subject which I delivered on Sunday, March 18, 1956, at a communion breakfast of the Lexington Council of Knights of Columbus in Brooklyn:

ADDRESS BY CONGRESSMAN VICTOR L. ANFUSO, CATHOLIC COMMUNION BREAKFAST, SUNDAY, MARCH 18, 1956

My dear friends and fellow Americans, I am delighted to be here this morning and to have the opportunity to address your communion breakfast. I appreciate the invitation to meet with you and to express some thoughts which I should like to share with you.

But first let me tell you a little story which I recently heard and which is quite appropriate to what I am going to discuss with you. According to this story, a highly significant trade conference was held recently in Moscow among the nations in the Soviet orbit. The chairman—a Russian, naturally—reported as follows:

"As you know, Bulgaria produces bricks. These bricks will from now on be sent to Poland, which will give Bulgaria clothing in exchange."

All the Bulgarians applauded vigorously. The chairman then continued:

"Then Bulgaria will export this clothing to Czechosolvakia in exchange for Czech machinery."

Again the Bulgarians applauded, but not so vigorously. The chairman went on:

"However, this Czech machinery is needed more in Hungary, so it will be shipped there, and the Hungarians will send in exchange their excellent salamis."

This time the Bulgarians applauded very loudly. Then the chairman said:

"Finally, the salamis will be exported to the Soviet Union, which in exchange will send Bulgaria an excellent quality of clay for brick-making."

All the Bulgarians collapsed.

My friends, this story may perhaps be a bit exaggerated, but it gives us a clear picture of the people and the governments behind the Iron Curtain, the life they live, the problems they face, their struggle for existence as human beings, their struggle to worship God. It is impossible for me—as a Member of Congress and a loyal American—to face this devoutly religious audience in this safe and free environment of ours, and to close my mind to the outrages that are being perpetrated, even as I speak to you, against the religious spirit of man wherever communism holds sway.

I shall not distress you with the anti-religious tortures and the massacres and the

purges, the confiscation of church property, and the misuse of the church as an instrument of the Communist state. You know that story very well. I merely wish to point out that communism is not only a political conspiracy whose primary aim is to dominate the entire world, but it is also an anti-religious conspiracy whose aim is to wipe out all religious thinking and beliefs and to destroy everything that is spiritual. The Communist state has no room for God. It cannot share its authority with any other institution, spiritual, or temporal. Its basic credo forbids it to accept the supremacy of the people in government or the principle of obedience to God.

Communism, therefore, constitutes a threat to our civilization and our way of life in many ways. It is a threat to democratic government. It is a threat to the national independence of whole peoples. It is a threat to human rights and human dignity. And it is a threat to our right of worshipping God in freedom. With diabolical cunning, communism seeks to subvert religion and God to a position of subordination to the state.

This is one of the most wicked elements of all in the fraud being perpetuated against people everywhere by communism. It calls for a struggle against this most devastating enemy, a spiritual war in which none of us can afford to rest. I believe it will shape up as a monumental and historic world struggle, for it is clear to all of us that in the field of religion co-existence is impossible because of the godless philosophy of communism.

The point that I wish to impress upon you as strongly as I can is this: We can lose that struggle against communism without a shooting war. In fact, we are very much in danger of losing that struggle without a blow. We are on the defensive everywhere today, spiritually as well as politically. Communism coils its poisonous tentacles from its center in the Kremlin beyond the Iron Curtain into every part of the world. It represents a clear and definite danger to free civilization and goes to the very roots of life in all its aspects, political, economic, social, religious and even personal.

It uses subversion and chicanery, defection and brutal tyranny. Soviet Russia continues to chip away at the free world, knocking off a piece here and a corner there, gradually encircling pivotal nations and eventually crushing them. All this she does not by war or violence or revolutionary means, but by exploiting democratic methods and weaknesses which serve her purpose best. Right now the Communists are concentrating on the 800 million people in Asia, whom they are constantly inciting by pointing a finger of guilt at us, by seeking to convince them that we, the nations of the free world, stand in the way of human progress. If they succeed in winning them over through these tactics, you can readily see what a blow this would constitute to the whole free world and how much it would weaken us.

So, let us not minimize the danger of losing this struggle without a shot being fired. It is a very real danger, indeed. And the danger is even greater when we realize that these are not the only tactics employed by the Communists. One of the methods they use, for example, is the spread and encouragement of narcotic addiction, particularly among our youth in the armed forces, in the schools, in places where our youth congregate. This is done with but one purpose in mind: to weaken and corrupt American youth, to make criminals out of them, to bring them to a state of desperation where they will be completely dominated, to show to the world that our youth is weak and sick and unable to present any resistance. That is why, some months ago I proposed that not only should we establish a very strict control at our borders, docks, and airports to stop the traffic in narcotics from abroad, but that the death penalty be meted out to all dope peddlers and traffickers in narcotics who, to my way of thinking, are committing murder and national treason.

Another reason why we are losing the struggle against communism is that for some unexplained reasons the West has always been on the defensive, and has never displayed enough initiative in cementing greater unity of the free world. I cannot believe that the peoples of Asia, in their desire to maintain their freedom and independence, will voluntarily suppress this desire and allow themselves to be swallowed up within the Communist empire. It is incumbent upon us, the people of America, to bring to the people of Asia a clear conception of the advantages and disadvantages of a free and democratic society such as ours based on the belief in God, as against the ruthless and despotic society of the Communist world which is based on immorality and godlessness. There is no doubt in my mind as to their choice, if given the true facts and the opportunity to pursue their choice. Unfortunately, we are not doing enough, we are always on the defensive, so that our motives are sometimes misconstrued by the peoples of Asia who suspect us of endeavoring to impose our domination over them. Nothing is further from the truth, but the Communists are exploiting this suspicion in order to divide the free nations and to entrap in their clutches the weak and the naive.

And let me mention another very significant factor why we are losing the struggle. I refer to the role of religion in this vast struggle. Unfortunately, it is not playing the leading role that it should. Somehow we fail to realize that the strongest weapon which the democracies have is not the atomic bomb, nor the hydrogen bomb, nor any other weapon of huge destructive force. Our strongest weapon is and always will be the belief in God. To a tortured mankind which is hungry for genuine peace this means justice, morality, dignity, freedom and the good life. Unfortunately, we have failed to make this sufficiently clear to the suffering millions all over the world. Unfortunately, we have also failed to raise our voice loudly in behalf of freedom of worship everywhere and religious toleration. My friends, I shudder to think what this world would be like, and what it would come to, without religion. This is a thought worthy of deep concentration as we plan our struggle against this godless evil in the days and months ahead.

Now, the question I wish to raise is how we can win the struggle against communism. First and foremost, of course, is for us to reverse the policies which we are pursuing and which I indicated above. Let us expose the tactics used by the Communists against the free nations. Let us put a stop to the deadly traffic in narcotics. Let us stop being on the defensive and undertake effective means of bringing the true facts to peoples everywhere. And above all let us give religion its rightful place in this universal struggle. It may prove to be the decisive weapon to win the hearts and minds of men.

In addition, there are many more things we can do. Allow me to enumerate just a few such steps and to discuss them briefly.

First, the eradication of famine in the world. It is contrary to all reason—I would go a step further and say it is well-nigh criminal—that in a world of abundance of food and great scientific progress in producing more food, people should starve. There is no need for anyone to go hungry, anywhere. Mankind has the means and the wherewithal to produce all it needs. Much can be done in this respect. In my own way, as one Member of Congress, I instigated some action. Let me tell you about it.

As a member of the House Committee on Agriculture, I am well aware of the problems of our farmers, particularly the disposal of food surpluses. During the past year I have been continually advocating the distribution of some of these surpluses to institutions for the poor in this country, to private relief organizations and religious agencies operating here and abroad (such as the National Catholic Welfare Agency), and even distribution of food on a direct people-to-people basis overseas. In November 1955 I was a member of the United States delegation to the Food and Agriculture Organization (FAO) conference in Rome. During the conference, I discussed with Assistant Secretary of Agriculture Earl L. Butz, who headed our delegation, the question of distributing food to religious and private welfare agencies. He promised me to look into the matter upon his return to Washington. Upon our return, I again conferred with Mr. Butz and others in Washington about releasing more of our food surpluses to these welfare agencies. As a result of these discussions you will recall that shortly before Christmas our Government announced it is making available considerable quantities of wheat, corn and other products to welfare organizations for distribution to needy persons abroad. I am convinced that this aid will prove most helpful in countries like Italy, France, Greece, Turkey and other parts of the world, in combating communism and strengthening the forces of freedom.

Second, stockpiling of food surpluses for emergencies. In July of 1955 I was a member of the United States congressional delegation to the NATO Parliamentary Conference in Paris, which discussed problems dealing with the security of the North Atlantic nations. There I advocated a plan to stockpile food surpluses for future emergencies, primarily intended for use during war, but also for use in fighting famine, floods, etc. These stockpiles of food are to be kept in strategic areas throughout the world, in Europe, Asia, Africa, the Far East, and in this capacity it would serve as a lifeline extending over the world for use of the free nations or those associated with us in the struggle aaginst communism.

Specifically, I suggested that we establish a quasi-Government agency which is to be entrusted with the task of stockpiling and distributing our food surpluses abroad, but that it is to be done in a manner intended to aid the nations and forces which are fighting communism. Those using our stockpiles or accepting our gifts of food must know that this aid comes from the people of the United States.

Third, extension of our school-aid program. My proposal is that this be done not only domestically, but also in foreign countries. You can well understand what it would mean to the prestige of the United States if we could bring some of our food and milk into the schools of friendly nations and the people would see how their children are directly benefited. Furthermore, I am strongly in favor of extending this program to public and parochial schools so that all children could benefit. I recently advocated both to the House Appropriations Committee and the House Agriculture Committee that this program be extended and that the required sums be allotted for this purpose.

Fourth, send surplus food to the starving people behind the Iron Curtain. During the past year I have been advocating the idea of sending some of our surplus wheat to feed starving people behind the Iron Curtain, not only as a humanitarian act, but also for its propaganda value in winning over those people to our cause. Only very recently, in January of this year, Secretary of Agriculture Benson came out in favor of the idea, but nothing has been done to date.

In order to win the cold war and to avert a world catastrophe, we must reach the people flanked against us and those undecided with actions of love, charity, and understanding; not with acts of hatred which will further inflame them to support their leaders against us. I believe that had we done this, we might have prevented the shipment of Czech arms to Egypt. Czechoslovakia needed cotton, while Egypt wanted arms. Had we suplied some of our surplus cotton to Czechoslovakia, we could have attached a condition not to export arms, and perhaps prevented the present situation in the Middle East.

And finally, United States representation at the Vatican. I have been urging this ever since I came to Congress. I am sure there is no need for me to go into an extensive explanation to this audience why it is urgent that the United States have a diplomatic representative at the Vatican. It is well known that the Vatican maintains diplomatic relations with some 50 countries, but among the major countries which have thus far not established such relations are Communist Russia, Red China, and, I regret to include in this group, our own United States. The Catholic Church is today a major force, spiritually and morally, in the struggle against the evil forces of communism. The Vatican is an important source of information and intelligence concerning the countries and peoples behind the Iron Curtain. This information would unquestionably be available to us, if we had a diplomatic representative there.

These, then, are a few of the things I should like to see done in pushing this struggle to a final victory. The free world is anxiously waiting and watching our actions. As the moral leader of the free nations it is up to us to show the way. We who have faith know that, regardless of its temporary gains, communism will be eventually defeated and destroyed because of its godless philosophy and its persecution of everything that is sacred to mankind. Faith, my friends, can be a tremendous driving force in our daily life. For Christ has taught us:

"If thou canst believe, all things are possible to him that believeth." (Mark 9: 23.)

Moderation Is Needed in Extension of Territorial Waters

EXTENSION OF REMARKS
OF
HON. CHARLES E. BENNETT
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 20, 1956

Mr. BENNETT of Florida. Mr. Speaker, a matter of importance is being discussed at the meeting of the Inter-American Specialized Conference on the Conservation of the Resources of the Continental Shelf and Marine Waters, at Ciudad Trujillo, Dominican Republic. This is the proposal by some of the member states to extend territorial waters to a distance of 200 miles.

There has been much friction between the United States and Latin American nations over the extent of sovereignty over coastal waters, and there is great need for a just and equitable solution to this problem.

However, the proposal for 200-mile sovereignty seems to me not only to fly in the face of tradition and accepted international law, but also to fail to be in accord with realities. It is my understanding that sovereignty over coastal waters has traditionally been determined by practical considerations of the area over which the nation can effectively exercise control. It has been said that the 3-mile rule originated at a time when the range of coastal guns was approximately that distance. While it is true that technological advances may have rendered that limit obsolete, 200 miles offshore is still far more than nations can effectively control. Imposition of the 200-mile rule can only intensify friction between our American Nations and damage the cause of peace.

The matter is no academic one, for American fishermen have habitually fished in waters which would be prohibited to them by this new ruling and their industry could be very detrimentally affected by its imposition.

Mr. Speaker, I believe our representatives to this conference deserve our thanks for their steadfast opposition to the inauguration of this new proposal. I want them to know that the people of the second district of Florida appreciate their efforts to work out a more realistic solution to the offshore sovereignty problem.

Exchange Club of Glendale Memorial Citizenship Award Program

EXTENSION OF REMARKS
OF
HON. CARL HINSHAW
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 20, 1956

Mr. HINSHAW. Mr. Speaker, I think it is time that we give national recognition to the Glendale, Calif., Exchange Club for its praiseworthy efforts to promote better citizenship and a better understanding of our Government and American institutions.

The Glendale Exchange Club has undertaken for the last 8 years to send the two outstanding high-school boys from Glendale to the Nation's Capital as a part of its Memorial Citizenship Award program.

This activity has been an outstanding success. At the end of World War II, the Exchange Club decided to establish a memorial to the sons of Glendale who gave their lives for their country.

Instead of erecting a monument, the club created a living memorial—that of sending the two outstanding senior boys from Glendale and Hoover high schools in Glendale for a week's visit in Washington, D. C.

This year, the eighth annual Memorial Citizenship Award winners—Gordon C. Gunn, of Glendale High School and Richard E. Foushee, of Hoover High School—will be with us. They arrive Tuesday, March 27.

Preceding them were Charles Waite and Wayne Anderson in 1955, Richard K. Harmon and Edward Coates in 1954, Jack Springer and David Anderson in 1953, Larry Hicks and Dudley Kebow in 1952, John Breckenridge and John Madden in 1951, Sumner Hopkins and Wayne Clemens in 1950, and Jack Hill and Charles Newman in 1949.

I might say that all these award winners have gone on to establish wonderful records in college and in their chosen fields of endeavor, reflecting the high caliber of these youthful ambassadors to the Nation's Capital from Glendale.

It is fitting and timely to announce that this year's winners will be guests of honor of the Washington Exchange Club on March 27, on which day the National Exchange Club will observe the 45th anniversary of its founding. Present with the two Glendale high-school seniors will be Harold Mott, of Washington, D. C., president of the National Exchange Club this year.

The Majority Leader of the House of Representatives

EXTENSION OF REMARKS
OF
HON. JOHN W. McCORMACK
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 20, 1956

Mr. McCORMACK. Mr. Speaker, I have received a number of inquiries concerning the position of majority leader of the United States House of Representatives and the duties and responsibilities of the majority leader thereof. I assume that from time to time other Members of the House have also received similar inquiries.

As a result, I requested the Legislative Reference Service of the Library of Congress to prepare a history for me on the subject of the majority leader of the United States House of Representatives. Dr. George B. Galloway, acting on my request, has done considerable research on this subject and has prepared an excellent article on the office of the majority leader and in it there is described the duties and responsibilities of the incumbent of this office.

It is a pleasure for me to give full credit to Dr. Galloway for the fine work that he did in preparing this article. I am pleased to insert the article in the CONGRESSIONAL RECORD for the information of the Members of the House and for other persons who may have occasion to refer to this subject now or in the future:

THE MAJORITY LEADER OF THE HOUSE OF REPRESENTATIVES

Political leadership is a fascinating subject for study, and nowhere more so than in nations with democratic forms of government. Such countries are governed in large part by their national legislatures the role of whose leaders excites perennial interest. Writing in 1885 Woodrow Wilson remarked that "in a country which governs itself by means of a public meeting, a congress or a parliament, a country whose political life is representative, the only real leadership in governmental affairs must be legislative leadership—ascendancy in the public meeting which decides everything. The leaders, if there be any, must be those who suggest the opinions and rule the actions of the representative body."

The position of Congress in the American system of government may not be so supreme today as it was when Wilson wrote his little classic on congressional government. But the leadership of Congress continues to intrigue the interest of scholars and laymen alike. Especially is this true in the House of Representatives where the character and conditions of leadership have had a most interesting history.

In any numerous body leaders must arise or be chosen to manage its business and the American House of Representatives has long had its posts of leadership. Outstanding among them have been the Speaker, the floor leader, and the chairman of the Committee on Rules. The chairmen of Ways and Means and of Appropriations have also long been top leadership positions in the hierarchy of the House, followed by the chairmen of the other great standing committees of that body. This article will be limited to the office of the majority leader of the House: its history, role, and relationships.

HISTORY OF THE OFFICE

In the history of the evolution of the office of majority leader the year 1910 marks a major dividing point. For the reform of the House rules adopted in that year brought about a redistribution of the powers of the Speakership and a significant change in the position of the floor leader.

During the 19th century the floor leader was customarily selected by the Speaker who often designated either his leading opponent within the party or the chairman of Ways and Means or of the Appropriations Committee or one of his faithful lieutenants. Thus Winthrop appointed his opponent Samuel F. Vinton in 1847; Banks designated Lewis D. Campbell in 1856; Pennington named John Sherman in 1859, and Reed selected McKinley in 1889. Ranking membership of Ways and Means accounted for Clay's appointment of Ezekiel Bacon in 1811; Stevenson's choice of Gulian C. Verplanck in 1822; Polk's selection of Churchill C. Cambreleng in 1835; Orr's promotion of James S. Phelps in 1858; Randall's advancement of Fernando Wood in 1879; Keifer's appointment of William D. Kelley in 1881; Carlisle's designation of Roger Q. Mills in 1887; and Henderson's selection of Sereno E. Payne in 1899. Faithful lieutenants were rewarded by the appointment of James J. McKay by Jones in 1843; Thomas S. Bayly by Cobb in 1849; George S. Houston by Boyd in 1851; William H. Morrison by Kerr and Carlisle in 1875 and 1883; and William M. Springer by Crisp in 1891.[1]

According to Riddick, "in the House, the early titular floor leaders were at the same time the chairmen of the Ways and Means Committee. Before the division of the work of that committee, the duties of its chairmen were so numerous that they automatically became the actual leaders, since as chairmen of that committee they had to direct the consideration of most of the legislation presented to the House. (Ways and Means handled both the revenue and the appropriations bills down to 1865.) From 1865 until 1896 the burden of handling most of the legislation was shifted to the chairman of the Appropriations Committee, who then was designated most frequently as the leader. From 1896 until 1910 once again the chairmen of the Ways and Means Committee were usually sought as the floor leaders."[2]

Since 1910 the floor leader has been elected by secret ballot of the party caucus. During the Wilson administrations the Democrats resumed their former practice of naming the chairman of Ways and Means as floor leader, but since the 72d Congress (1931–33), when the Democrats recovered control of the House, their floor leaders have not retained their former committee assignments. JOHN W. MCCORMACK, who was elected Democratic floor leader on September 16, 1940, and who has held that office longer than any predecessor, resigned his seat on Ways and Means when he became majority leader. In 1919, when the Republicans captured control of the House, they elected as their floor leader the former chairman of Ways and Means and made him ex-officio chairman of their committee on committees and of their steering committee. He gave up his former legislative committee assignments in order to devote himself, with the Speaker, to the management of the business of the House.

CHANGES AFTER 1910

As a result of the so-called revolution of 1910, notable changes were made in the power structure of the House. Under "Uncle Joe" Cannon who had been Speaker since 1903, the Speaker was supreme and all-powerful. He dominated the Rules Committee which made the rules and was a law unto itself. The majority party caucus was seldom needed or used. The Speaker appointed the standing committees which were entirely free from control by a majority of the House, while the floor leader was a figurehead.

After the congressional elections of November, 1910, in which the Democrats won full control of the House, they held a party caucus on January 19, 1911, and chose Champ Clark as Speaker and Oscar Underwood as their floor leader and as chairman of the Ways and Means Committee. Under the new system that became effective in the 1911–12 session of the 62d Congress, the Speaker was largely shorn of power and the majority party caucus became the dominant factor. The Rules Committee was controlled by the floor leader and the caucus; it made the rules and retained all its former powers. The Democratic members of Ways and Means organized the House by naming its standing committees.

Under Underwood the floor leader was supreme, the Speaker a figurehead. The main cogs in the machine were the caucus, the floor leadership, the Rules Committee, the standing committees, and special rules. Oscar Underwood became the real leader of the House. He dominated the party caucus, influenced the rules, and as chairman of Ways and Means chose the committees. Champ Clark was given the shadow, Underwood the substance of power. As floor leader, he could ask and obtain recognition at any time to make motions to restrict debate or preclude amendments or both. "Clothed with this perpetual privilege of recognition, and backed by his caucus," remarked a contemporary observer, "the floor leader had it in his power to make a Punch and Judy show of the House at any time."[3]

After the First World War the party caucus gradually fell into disuse, the floor leader ceased to be chairman of Ways and Means, the standing committees continued to function as autonomous bodies, and the Rules Committee became a more influential factor in the power structure of the House. After 1937 this powerful committee ceased to function as an agent of the majority leadership and came under the control of a bipartisan coalition which was often able to exercise an effective veto power over measures favored by the majority party and its leadership.

The net effect of the various changes of the last 35 years in the power structure of the House of Representatives has been to diffuse the leadership, and to disperse its risks, among a numerous body of leaders. The superstructure which has come to control "overhead" strategy now includes the Speaker, the floor leader, the chairman of rules, and the party whip. At a somewhat lower echelon behind this inner "board of strategy" are the chairman and the secretary of the party caucus or conference, the majority members of rules who have grown from 3 to 8, and the members of the steering (Democratic) and policy (Republican) committees and of the 2 committees on committees. Thus the top leaders of the House are no longer "the chairmen of the principal standing committees," as Woodrow Wilson described them in 1885, although the chairmen still have large powers over bills within their jurisdiction.

So far as the position of floor leader is concerned, he no longer occupies the post of supremacy that Oscar Underwood held. There is no provision for his office in the standing rules of the House. Nevertheless, he stands today in a place of great influence and prestige, the acknowledged leader of the majority party in the Chamber, its field general on the floor, No. 2 man in the party hierarchy, and heir apparent to the Speaker himself. All the Speakers of the past quarter century have been advanced to the Speakership from the floor leadership position.

QUALIFICATIONS AND PREVIOUS EXPERIENCE

After retiring from the House of Representatives where he represented Buffalo from 1897 to 1911, DeAlva Alexander wrote an informative history of that body which contains a series of character sketches of the floor leaders of the House from Griswold in 1800 to Underwood in 1911. Most of these mighty men of old are now forgotten, but to their contemporaries they were men of exceptional capacity. "In interesting personality and real ability the floor leader is not infrequently the strongest and at the time the best-known man in the House."

Alexander went on to give his own evaluation of the characteristics of a good leader as follows:[4]

"It certainly does not follow that a floor leader is the most effective debater, or the profoundest thinker, or the accepted leader of his party, although he may be and sometimes is all of these. It should imply, however, that in the art of clear, forceful statement, of readily spotting weak points in an opponent's argument, and in dominating power to safeguard the interests of the party temporarily responsible for the legislative record of the House, he is the best equipped for his trade. It is neither necessary nor advisable for him to lead or even to take part in every debate. The wisdom of silence is a great asset. Besides, chairmen and members of other committees are usually quite capable and sufficiently enthusiastic to protect their own measures. But the floor leader must aid the Speaker in straightening out parliamentary tangles, in progressing business, and in exhibiting an irresistible desire to club any captious interference with the plans and purposes of the majority."

Thirteen men have held the office of floor leader of the House of Representatives since 1919. Six of them were Republicans: Mondell, Longworth, Tilson, Snell, Martin, and Halleck. Seven were Democrats: Garrett, Garner, Rainey, Byrns, Bankhead, Rayburn, and McCormack. Elevation to the floor leadership comes only after long service in the House. The Republican floor leaders had served, on the average, 16 years in the Chamber; the Democrats 21 years before their election. The combined average for the whole group was 19 years previous service in the House. The long-run trend in point of previous House experience is downward, both McCormack and Halleck having been elected floor leader after serving only 6 terms in the House.

All the floor leaders since the First World War have also enjoyed long service on some

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[1] DeAlva S. Alexander, History and Procedure of the House of Representatives (1916), ch. VII, Floor Leaders, pp. 110–111.

[2] Floyd M. Riddick, The United States Congress: Organization and Procedure (1949), ch. V, The Floor Leaders and Whips, p. 86n.

[3] Lynn Haines, Law Making in America (1912), pp. 15–16.

[4] Alexander, op. cit., p. 109.

of the most eminent committees of the House. Of the six Republicans, three had served on the Rules Committee, two ranked high on Ways and Means, and one on the Appropriations Committee. Of the seven Democrats, three were high ranking on Ways and Means, two on Rules, one on Appropriations, and one (RAYBURN) had been chairman of Interstate and Foreign Commerce.

FUNCTIONS AND DUTIES OF FLOOR LEADER

The standing rules of the House are silent on the duties of the floor leaders who, as we have seen, are selected by the caucus or conference of their respective parties. As his title indicates, the principal function of the majority leader is that of field marshal on the floor of the House. He is responsible for guiding the legislative program of the majority party through the House. In cooperation with the Speaker, he formulates and announces the legislative program, keeps in touch with the activities of the legislative committees through their chairmen, and stimulates the reporting of bills deemed important to the Nation and the party. After conferring with the Speaker and majority leader, the majority whip customarily sends out a "whip notice" on Fridays to the party Members in the House, indicating the order of business on the floor for the following week, and the majority leader makes an announcement to the same effect on the floor in response to an inquiry from the minority leader. The legislative program is planned ahead on a weekly basis according to the readiness of committees to report, the condition of the calendars, the exigencies of the season, and the judgment of the party leaders. Advance announcement of the weekly program protects the membership against surprise action.

The role of the majority leader was lucidly summarized in a statement inserted in the CONGRESSIONAL RECORD on May 11, 1928, when the Republicans were in power, by Representative Hardy, of Colorado: [5]

"The floor leader, especially the leader of the majority side, has much to do with the legislative program. The majority leader, of course, represents the majority on the floor. Motions he makes are usually passed. He endeavors to represent the majority view and the majority follow his leadership. He leads in debate on administration matters and gives the House and the country the viewpoint of his party on the legislative program.

"The leader keeps in touch with proposed legislation, the status of bills of importance, with the steering committee of which he is chairman, and with the attitude of the Rules Committee. He confers with committee chairmen and Members in general. The majority leader often confers with the President and advises with him regarding administrative measures. He takes to the President the sentiment of the party in the House and he brings to the party in the House the sentiment of the President. The majority leader acts also as chairman of the committee on committees and of the steering committee."

The Democratic Party in the House set up its own steering committee in 1933, composed of the Speaker, floor leader, chairman of the party caucus, party whip, the chairmen of Ways and Means, Appropriations, and Rules, and one Representative from each of the 15 zones into which the country is divided for party purposes, each such Representative being elected by the Democratic delegation in the House from the zone. The steering committee elects its own chairman, vice chairman, and secretary and cooperates with the leadership in the planning and execution of party policy. In actual practice, nowadays, however, "the Democratic steering committee seldom meets and never steers," according to James F. Byrnes.

Various parliamentary procedures are employed by the floor leader in directing and expediting the legislative program. Much noncontroversial business on the Unanimous Consent Calendar is disposed of without debate and without objection. The work of the House is sometimes described as "lawmaking by unanimous consent" because the floor leader uses this device to fix the program of business. Members know that it would be futile to object to his unanimous consent requests to consider legislation because the same end could be achieved via a special rule from the Committee on Rules. Similarly, if a Member sought to bring up a matter out of its turn, without prior agreement with the leadership, the floor leader could defeat him by objecting.

The floor leader can also limit debate on a bill, if it tends to get out of control, by making the point of order that debate is not germane to the pending subject or by moving that all debate on the pending bill and all amendments thereto close in a certain time. By his temper and spirit he can also influence the tone of debate.

As the end of a session approaches, with many measures pressing for passage, the Speaker and the floor leader cooperate closely to avoid a last-minute jam. The procedural devices employed at this time are largely unanimous consent, special orders, and motions to suspend the rules which are in order on the last 6 days of a session and require a two-thirds vote. "There is a usual speeding up of the program during the last days. But there is also a tightening of control. In strong contrast to the Senate, the House remains a poised, businesslike body as it approaches adjournment. The men in the cab hold the legislative train steady to the very end of its run." [6] At the end of each session the floor leader customarily extends his remarks by inserting a record of its accomplishments, showing the major legislative actions taken and the number of public and private laws enacted, viewing with pride the role of the majority party in the legislative process.

In 1909 the House adopted a rule whereby Wednesdays were set apart for the consideration of unprivileged bills on the House and Union Calendars. Under this Calendar Wednesday rule, when invoked, the clerk calls the roll of the committees in turn and authorized members call up bills that their committees have reported. At the time of its adoption this rule was regarded as perhaps the most vital of the reforms that the progressives won under Cannonism. For it reserved Wednesday as the one day of each week which had to be given to the consideration of bills upon the House Calendar. Before its adoption, the call of committees was rarely reached as the result of the accidental or intentional manipulation of privileged matters. To remedy that condition the new rule provided that on one day each week no business, regardless of its privileged character, should be allowed to interfere with the regular routine. In obtaining its adoption the progressives demanded, and thought that they had secured, 1 day so guarded that nothing could interfere with the consideration and final passage of general legislation.

For many years, however, the Calendar Wednesday rule has been more honored in the breach than in the observance. Session after session passed without a call of the committees. In practice, Calendar Wednesday is usually dispensed with by unanimous consent at the request of the majority leader. If there is objection, it requires a two-thirds vote to dispense with it, but no one ever objects. The leadership has evidently felt that there is little, if any, need for Calendar Wednesday because of the alternative methods by which bills can be brought up and over which they have more control. In the modern practice there are five routes by which bills and resolutions reach the floor of the House: (1) By the leave of certain committees to report at any time; (2) under unanimous consent, on call of the Unanimous-Consent Calendar or the Private Calendar; (3) on special days, as on District Day, when particular types of business are privileged; (4) under suspension of the rules on the first and third Mondays and the last 6 days of the session; and (5) under special orders reported by the Committee on Rules.

Since the floor leader is responsible for the orderly conduct of the business of legislation on the floor, it is necessary for him to keep in close touch with the sentiment of the House and with the chairmen of committees that have under consideration bills of interest to the House, the country, and the party. To this end he holds frequent conferences with those concerned with prospective measures in order to compose any differences that may arise, as well as to plan the strategy and tactics of his campaign. Information as to party sentiment on a particular bill is also obtained, with the aid of the party whips, by polls of the State delegations.

On the Democratic side the whip organization in the House consists of a chief whip who is appointed by the majority leader in consultation with the Speaker, and 15 assistant whips who are selected by the Democratic Representatives from as many zones into which the country is divided for party purposes. Representative CARL ALBERT, of Oklahoma, is Democratic whip at the present time. It is the whip's job to be present on the House floor most of the time the House is in session. He helps the majority leader keep tab on legislation, and he keeps the Members advised of the legislative schedule. He attempts to make sure the Members of his party are on the floor when a significant vote is imminent. On occasion the whip joins the Speaker and the majority leader in seeking to round up votes on an important issue.

On the Republican side the whip organization includes the chief whip who is elected by the committee on committees, 3 regional whips selected from 3 regions by the Republican whip, and 10 assistant whips who are also appointed by the chief whip. Representative LESLIE C. ARENDS, of Illinois, is presently the Republican whip.

Under the old system the congressional parties held frequent caucuses at which party policies were vigorously discussed and differences settled. Every major measure of a session was considered in party caucus and Members were bound to abide by its decisions. The leadership then knew exactly where it stood, whether bills could be passed on the floor without amendment or whether compromises would have to be made. After Champ Clark became floor leader in 1909 the House Democrats held many binding caucuses and much of the success of the legislative program of the Wilson administration was attributed to the effective use of the caucus by the Democratic Party in both Houses of Congress. For many decades House Republicans also held frequent party conferences which, although they were not binding, made for a consensus among the party membership and helped a succession of strong GOP Speakers and floor leaders to hold the party reins tightly.

Under the new system, however, party causes are seldom held except at the opening of a new Congress to nominate House officers and approve recommendations of the leadership for committee appointments. Perhaps party leaders nowadays consider these meetings too hazardous. The leadership cannot compel Members to vote against their will or conscience nor can it discipline

[5] CONGRESSIONAL RECORD, 70th Cong., 1st sess., p. 8439.

[6] Paul D. Hasbrouck, Party Government in the House of Representatives (1927), p. 117.

them by removal or demotion from committees. In latter years the floor leader has relied for the cooperation of his followers not upon the compulsion of party rules but upon his own powers of logic and persuasion and considerations of party welfare. "Under the new system the floor leader is dependent not upon his power under the rules, but upon his own personality and character, upon the esteem in which he is held in the House for his political sagacity and his wisdom as a statesman, and upon the natural instincts which prompt men belonging to a party, and held together by natural selfish instincts for mutual protection, for his success in harmonizing differences and thus being able to go into the House with a measure assured of sufficient support to secure its enactment * * * the floor leader has become the general manager of his party in the House, the counselor of his colleagues, the harmonizer of their conflicting opinions, their servant, but not their master." [7]

Summarizing, the function of a leader is to lead. In the case of a majority leader of a legislative assembly, leadership involves planning the legislative program, scheduling the order of business on the floor, supporting legislation calculated to implement the party's platform, pledges, coordinating committee action to this end, and using his individual influence to keep the members of the party in the House in line with party policies. The majority leader's task is to steer his party in the House toward the formulation and adoption of policies and strategy designed to carry out the administration's legislative program, where the House and the Presidency are controlled by the same political party. As floor leader his function is to employ all the arts of parliamentary procedure to expedite the enactment of that program.

Under existing conditions in the Democratic Party in the House of Representatives, this is a large order. For the party is deeply divided along sectional lines. It has both conservative and liberal Members who wear the same party emblem, but lack a common political philosophy. Loyalty to local and sectional interests sometimes transcends a sense of responsibility to the national political party. Under these circumstances, the task of the party leader is difficult to accomplish. Who can lead where others will not follow? Who can discipline recalcitrant party members for failing to cooperate when effective sanctions are lacking? To be sure, rule 2 of the House Democratic caucus rules provides that "any member of the Democratic caucus of the House of Representatives failing to abide by the rules governing the same shall thereby automatically cease to be a member of the caucus." And rule 7 provides that "in deciding upon action in the House involving party policy or principle, a two-thirds vote of those present and voting at a caucus meeting shall bind all members of the causes: Provided, The said two-thirds votes is a majority of the full Democratic membership of the House." But for all practical purposes these rules are moribund.

RELATIONS WITH COMMITTEES

During the 19th century, as already noted, the actual floor leader was often the chairman of Ways and Means prior to 1865 when this committee handled both the revenue and appropriation bills. In that year the supply bills were given to the Committee on Appropriations and thereafter the floor leader was often the chairman of Appropriations. When the 62d Congress (1911–13) transferred the power to appoint committees from the Speaker to the Democratic members of Ways and Means, its chairman (Underwood) who was also floor leader thus acquired an indirect influence over legislation not enjoyed by his predecessors. Today Democratic vacancies on Ways and Means are filled by election by the party caucus which ratifies the choice of the party leadership which is thus able to exercise influence over tax and other legislation reported by that committee. Representative MACHROWICZ was elected to fill a vacancy on Ways and Means in this manner early in 1956.

As already noted, the Republican floor leader serves as chairman of the Republican Committee on Committees of the House which has the task of filling its party vacancies on the legislative committees. This involves hearing the claims of interested candidates and deciding who should be chosen.

The floor leader on both sides of the House aisle is also a member of his party's steering or policy committee. The Republican floor leader has been ex officio chairman of his steering committee. An interesting account of the role of the Republican steering committee several years ago was given by Representative HARDY of Colorado, as follows: [8]

"An influential factor in Government is the steering committee. It exerts a powerful influence but makes no effort to exhibit power. It works along diplomatic lines to feel out and consolidate sentiment for administration measures and procedure. It meets at the call of the chairman, and considers the welfare of the Government from the party point of view. It advises with the White House, the chairmen of important committees, the party leaders, and the Rules Committee. It helps to iron out differences, and to formulate the majority program in the House. The chairman of the steering committee is the floor leader. When the committee meets the Speaker sometimes and the chairman of the Rules Committee usually are invited in for consultation."

Relations between the leadership of the House and the Rules Committee have varied over the years. From 1890 to 1910 they were merged, for Rules was then a triumvirate composed of the Speaker and his two chief lieutenants, often the chairmen of Ways and Means and of Appropriations. After 1910 the speakership was "syndicated" and the leadership was separated from the members of the Committee on Rules who ceased to be the dominant figures in the House, although their chairman continued to be an important personality because of his position.[9] Writing in 1927 Hasbrouck said of the Rules Committee: [10]

"It is the trump card of the floor leader, but he himself is not officially identified with it. True, he must appeal to the reason of 12 men, and win a majority of them to the support of his proposals. But the mainspring of action is not in the Rules Committee. The impulse comes from the floor leader after consultation with his board of strategy or, for purposes of more formal and routine action, with the Steering Committee."

In 1937 the leadership lost control of the House Rules Committee, thanks to the seniority custom, when three of its Democratic members joined with the four Republican members to block floor consideration of controversial administration bills. The coalition succeeded in preventing many New Deal-Fair Deal measures from reaching the House floor except by the laborious discharge route. After World War II a rising demand developed for reform of the Rules Committee whose powers were temporarily curbed during the 81st Congress (1949–50) by adoption of the so-called "21-day rule." This rule strengthened the position of the chairman of the legislative committees of the House vis-a-vis both the Rules Committee and the leadership. While it was in effect, the 21-day rule brought the antipoll-tax bill to the House floor for a successful vote and forced action on the housing and minimum wage bills. It also enabled the House to vote for the National Science Foundation, Alaska and Hawaii statehood legislation, and other important measures. Altogether, during the 81st Congress 8 measures were brought to the House floor and passed by resort to the 21-day rule, while its existence caused the Rules Committee to act in other cases. Repeal of this rule in January, 1951, restored the checkrein power of the Rules Committee which it has since exercised on various occasions. "Until the 21-day rule is restored," remarked Representative HOLIFIELD, "we can expect further situations in which a few men, strategically situated in the Rules Committee, can impose their will on the Congress and prevent the enactment of legislation deemed by the House majority to be essential to the security and welfare of this Nation." [11]

Today the Rules Committee is regarded as an important arm of the House leadership whose wishes it is expected to respect. Presumably it does so on most occasions. But "traditions of seniority and tenure have at times made certain of the majority members of the Rules Committee of the House somewhat out of tune with the larger portion of their party colleagues, with the result that there has been something of a cleavage between the actions of the committee and the wishes of the core leadership of the party." [12]

The influence of the party leadership on the legislative committees of the House is suggestive, not coercive, informal, not official, tactful, not dictatorial. The floor leader seldom appears in person before a committee, but he maintains close and friendly relations with their chairmen on matters of party policy, seeking to mediate between the wishes of the administration and those of the committeemen. Prior to 1947, before the committee structure had been streamlined and jurisdictions clarified, leadership could influence the fate of a bill by referring it to a favorable or unfavorable committee; but freedom of choice in bill referrals was reduced by the Legislative Reorganization Act of 1946.

The practice of flood leaders regarding their own committee assignments has varied in recent times. Representative MCCORMACK, now the majority leader, voluntarily resigned from Ways and Means in 1940 when he was elected floor leader on account of the strenuous duties of that office. But when the Republicans captured control of the House in the 80th Congress and Mr. MCCORMACK became minority whip, he accepted membership on the Committee on Government Operations and has since continued to serve on that committee. On the other hand, Mr. MARTIN, now minority floor leader and former Speaker, has had no committee assignments, while Mr. HALLECK, who was majority leader in the 80th and 83d Congresses, has served on the Rules and House Administration Committees.

RELATIONS WITH THE PRESIDENT

For more than 15 years now regular conferences have been held at the White House between the President and his party leaders in Congress—the so-called Big Four: The Speaker and majority leader of the House and the Vice President and majority leader of the Senate, when they belong to the President's party. When, as at present, opposing political parties control Congress and the Presidency, the minority leaders attend

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[7] George R. Brown, The Leadership of Congress (1922), pp. 221–222, 224.

[8] Cannon's Precedents of the House of Representatives, vol. 8, sec. 3626.

[9] Atkinson and Beard, The Syndication of the Speakership, Political Science Quarterly, September 1911, p. 414.

[10] Hashbrouck, op. cit., pp. 95–96.

[11] Hearings before the Senate Committee on Government Operations, on the Organization and Operation of Congress, June 1951, p. 52.

[12] Ernest S. Griffith, Congress: Its Contemporary Role (1956), p. 165.

these meetings at the White House which are usually weekly while Congress is in session, if the President is in town. These Big Four meetings have helped to bridge the gap between the legislative and executive branches of the National Government created by our inherited system of separated powers.

Mutatis mutandis, they are the American counterpart of what Bagehot, referring to the British Cabinet, described as "the hyphen that joins, the buckle that fastens, the executive to the legislature." They are advantageous to both ends of Pennsylvania Avenue because they give congressional leaders an insight into the President's plans, while affording the President valuable counsel and guidance on the prospects of his legislative program. When of the same political party, the floor leaders are expected to serve as spokesmen for the administration, although there have been a few noteworthy departures from this practice. On the House side, however, during the 83d Congress, Majority Leader HALLECK successfully made the transition from opposition to administration leader and became the most effective champion in Congress of Eisenhower's program. In the White House those days CHARLIE HALLECK was the best liked man on Capitol Hill.

When President Roosevelt took office in 1933, he launched such a varied legislative program that it was necessary for him to keep in close touch with Congress through the leaders of both Houses. He consulted with his party leaders and committee chairmen with respect to the New Deal measures before they were introduced as administration bills, usually by the majority leaders. Sometimes he called the majority leader of the House or Senate individually to the White House to confer about some problem peculiar to one Chamber or the other. After his return from trips abroad he sometimes asked the floor leaders of each house to brief him on legislative developments during his absence.

When opposing parties control the two branches, the President is more likely to discuss domestic legislative matters with the congressional leaders of his own party, although in the early days of the 80th Congress President Truman occasionally conferred with Messrs. Vandenberg, White, Martin, and Halleck, especially on legislation of a nonpartisan nature. In view of the vital role of Congress in the field of foreign relations, the President must sometimes take the leaders of both political parties in both Houses into his confidence. In the days before the Second World War, when President Roosevelt was seeking to strengthen our defenses, he frequently confered with both Democratic and Republican leaders in both Houses of Congress. Such a conference was the famous night meeting at the White House late in July 1939, when the President and Secretary of State Cordell Hull urged that Congress repeal the Embargo Act. Among those in attendance were the chairmen of the Foreign and Military Affairs Committees, members of the Cabinet, and the majority and minority leaders of the House and Senate.

JOHN M'CORMACK'S SERVICE AS MAJORITY LEADER

JOHN W. MCCORMACK has represented the 12th Massachusetts District in the House of Representatives since November 6, 1928. Twelve years later he was first elected majority leader of the House on September 16, 1940: an office which he has held ever since except during the Republican 80th and 83d Congresses when he served as minority whip. Thus, he is serving his 28th year in the House and his 12th year as majority leader, longer than any predecessor in this post. For many years he was the faithful lieutenant of Presidents Roosevelt and Truman, and was responsible for steering through the House the vital legislation of the 1940's.

MCCORMACK'S incumbency of the floor leadership coincided with the Second World War and the postwar years. During the fateful forties Congress made many vital legislative decisions in important fields of public policy. The problem areas that called for legislative action included conversion and control over manpower, money, and supplies; labor policy, price control, monetary policy, military policy and the conduct of the war, foreign policy and postwar commitments, and reconversion to peace. Among the typical issues of congressional politics during this eventful decade were the efforts to achieve "equality of sacrifice," to "take the profits out of war," and to "freeze economic relationships," as well as wartime elections, the New Deal, and bureaucracy. Far from becoming an anachronism or merely a rubber stamp in providing funds and delegating powers to the President, the role of Congress in wartime increased rather than diminished. The National Legislature considered simultaneously many facets of the war and postwar economy of the Nation.

During the Second World War, Congress performed three major functions: It made both broad and specific grants of power to the President; it adjusted conflicts of interest among various groups in American society; and it supervised the execution of policy. Many difficult decisions were made by the Congress on organizing the resources of the Nation and allocating men, money, and materials among competing claimants. Alternative choices and different standards of judgment gave rise to political competition both within Congress and between Congress and the President. Partisanship continued throughout the war with recurring elections and debates over such controversial issues as price control, consumer subsidies, war taxes, and reconversion.

After the war, Congress repealed the emergency grants of power, abolished the war agencies and administrative courts, disassembled the great military machine, and reestablished a free economy. It regained the great powers it had delegated to the President during the war and reestablished the constitutional position it enjoyed before the war.

Representative MCCORMACK was in the forefront of all these momentous wartime and postwar activities on Capitol Hill. Although deeply devoted to his political party, he has always put national above party and personal interest. He believes that above all sections is the Nation, and above all nations is humanity. He is very close, officially and personally, to Speaker SAM RAYBURN for whom he feels deep respect and friendship. They assumed their respective offices on the same day back in 1940 and they have functioned as a team ever since. Mr. MCCORMACK has frequently been elected as Acting Speaker pro tempore and has presided over the House in Mr. RAYBURN'S absence.

The subject index of the CONGRESSIONAL RECORD affords one measure of Mr. MCCORMACK'S amazing versatility. It shows that during the 2d session of the 83d Congress, for example, he made speeches on the House floor and took part in the debate of 200 subjects. These included discussions of our two-party system of government, the campaign promises and responsibilities of the majority party, the career jobs of politicians, the responsibility of Congress to the Nation, the conditions of leadership, and the accomplishments of the session.

JOHN W. MCCORMACK has received many deserved tributes down through the years. One of the most informative of these tributes, as regards the nature of his services as majority leader, appeared in the Lynn (Mass.) Telegram-News on April 17, 1949. It reads in part as follows:

"The press of the Nation has again acclaimed the leadership of Massachusetts' outstanding citizen for his effective masterminding of America's most important legislative position.

"Momentous moments arrive, and critical crises come, but Leader MCCORMACK meets them head on. Through his legislative magic, what at one time appear to be insoluble problems, finally go through the legislative channels smoothly and quietly and become a part of the warp and woof of our governmental processes.

"Down through the years, House Leader MCCORMACK has demonstrated this extraordinary ability to mold public opinion and to produce legislation which meets almost unanimous approval of Congress.

"During the hectic years of the depression, Congressman MCCORMACK was always in the vanguard of our progressive governmental forces that were seeking remedial legislation to cure the ills which produced such distress, discouragement, and near disaster.

"When World War II, with its turmoil, trouble and turbulence, broke upon a disheartened world, again the magic of MCCORMACK came into being, and again huge appropriations for armament and defense became law under his guidance. All the necessary legislation to take care of business, rationing, shortages, and a million other dislocations in our national economy, received the magic touch of MCCORMACK in the Legislative Halls at our National Capital.

"With the end of World War II, House Leader MCCORMACK was again confronted with innumerable requests for his services in straightening out our postwar economy. In addition to our own domestic problems, rent control, housing, veterans' care, taxation, and so forth, there came a crushing burden of legislation whose objective was to crush communism and to further the American way of life.

"Thus as time goes on, President Harry S Truman finds modest Mr. MCCORMACK, of Massachusetts, as his best bet when it comes to getting things done. Under MCCORMACK'S direction, the aid to Greece and Turkey bill, the Marshall plan for European relief, the Economic Cooperation Administration with Paul Hoffman as Director, the Treaty of Rio with its necessary appropriations, as an aid to hemispheric solidarity and defense of North and South America, and now the epoch-making North Atlantic Pact with its huge billion-dollar program for rearmament of Europe in order to prevent the spread of Marxian communism and to contain Soviet Russia within its own territorial domain, have all become part and parcel of the legislative burden that our own JOHN W. MCCORMACK has had to shoulder.

"But Congressman MCCORMACK has broad legislative shoulders that have been broadened by 20 years of intelligent, intense leadership. His habit of industry and his intense devotion to his country, to his President, to his church, and to his dutiful wife have made JOHN MCCORMACK, of Massachusetts, one of America's great leaders and a great Christian gentleman."

A TYPICAL DAY

A few years ago a Washington reporter devoted a day of his life to trailing the majority leader of the House and setting down his activities. He concluded that his duties were comparable to those of the entire personnel of a traveling baseball club. "He is at once the manager directing general team activity; the field captain keeping tab on individual players; the pinch-hitter preparing to step in and deliver a blow at a crucial moment; the mascot trying to produce a barrel of luck; the first-base coach encouraging his own men or harassing the enemy; and the clubhouse man seeing that

all the paraphernalia are ready before the game starts."[13]

Here were the high points in a typical day of CHARLES A. HALLECK, then the majority leader:[14]

8 a. m.: While breakfasting at home, read the House proceedings of the previous day from CONGRESSIONAL RECORD, delivered on his doorstep shortly before daylight.

9 a. m.: Arrived at office in Capitol and began to scan important mail. Talked with early visitors and newspapermen. Answered 15 telephone calls. Dictated several emergency telegrams and started answering mail.

10 a. m.: Resumed dictating letters, interrupted repeatedly by telephone calls from Speaker and special pleaders regarding the current and future floor program.

11:45 a. m.: Went to floor to meet committee chairman in charge of bill about to go under consideration, arranging such details as time for speakers, etc.

12 noon: Took over post at majority table and, with Speaker and Parliamentarian cooperating, made the various motions which are necessary to getting House work under way.

12:30 p. m.: Decks cleared of routine, turned control over to chairman of committee which brought in current bill and sat by in role of referee to smooth majority inter-party situations, direct attack on opposition, or speak in an emergency. (Time out for a sandwich; there is no luncheon recess.)

1:30 p. m.: Returned to office to preside as chairman over committee on committees, which makes committee assignments for majority. Talked before meeting with various applicants for committee appointments or transfers.

2 p. m.: Got committee under way and found there were a dozen applicants for two vacancies. Urged sponsors to explain in open meeting reasons why candidates should have job and thus started field day of talk.

2:15 p. m.: Called to floor to straighten out a parliamentary situation which threatened to get out of hand. Mixed good humoredly with minority leadership and made impromptu 5-minute speech.

2:30 p. m.: Resumed chair at committee session. Settled major appointment by inducing all members to compromise.

3 p. m.: Conferred on anti-inflation legislation with Senator Taft and Chairman Wolcott of House Banking and Currency Committee. Answered 10 more phone calls. Dictated letters.

3:30 p. m.: Attended majority steering committee meeting to decide on anti-inflation program.

4 p. m.: Met newspapermen to discuss the legislative program. Resumed dictating. Interrupted by long distance call of 10 minutes from a Pacific Coast Republican State leader who felt that a certain bill, if passed, would lose State for GOP next fall. Calmed caller's fears.

4:30 p. m.: Resumed dictating but soon was stopped by hurry-up call from floor for him to have whip round up majority membership for important vote. Returned to floor and conferred with Members about party matters.

4:45 p. m.: Made closing 10-minute speech on current bill appealing for favorable vote by both Republicans and Democrats.

5:45 p. m.: Made necessary motions for filing committee reports, etc., and House adjournment.

5:50 p. m.: Met with veterans' delegation concerning pending bill.

6 p. m.: Took series of telephone calls, dictated more letters and telegrams, conferred with research staff on material to be used in an address in Chicago.

6:45 p. m.: Left for home to dress for three evening engagements. Read in car summaries of stack of bills.

7:30 p. m.: Dropped in at State association party in downtown hotel, remained a few minutes, called briefly at second meeting of another group in same hotel, and took a taxi to a second hotel.

8 p. m.: Attended dinner meeting of business group.

10 p. m.: Addressed meeting on national problems, including taxes and reduction of Government costs.

11:15 p. m.: Arrived home to find several long-distance calls and telegrams requiring attention.

12 p. m.: To bed and, except for a few calls from morning newspapermen, nothing to do until tomorrow.

[13] Labert St. Clair, Foreman in the Legislative Mill, Nation's Business, May 1948, p. 45.
[14] Ibid., pp. 45–46.

SENATE

WEDNESDAY, MARCH 21, 1956

(Legislative day of Monday, March 19, 1956)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Dr. Sterling L. Price, minister, University Baptist Church, Abilene, Tex., offered the following prayer:

Our Heavenly Father, in the midst of pomp and circumstance we would fain pause a moment to speak to Thee in the sweet grace of prayer. In our preoccupation we may have forgotten that man proposes but only God disposes.

Teacher of men, teach us afresh before it is too late that "righteousness exalteth a nation, but sin is a reproach to any people." Once we roared like lions for liberty; now we bleat like sheep for security.

We know what we are living on but we sometimes do not know what we are living for. We have spent much time trying to add years to our lives but little time in adding life to our years. We show our genius in flying through the air as birds and swimming through the sea as fish, but have not learned to walk on the earth like men.

Forgive us if in our zeal we are more interested in doing something than we are in being something; more interested in making a living than we are in making a life; more interested in what we are than what we could be by Thy help.

Lord God of Hosts, be with us yet, lest we forget, lest we forget. And we pray it through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, March 20, 1956, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House had passed the following bill and joint resolution of the Senate, each with amendments, in which it requested the concurrence of the Senate:

S. 963. An act for the relief of Mr. and Mrs. Andrej (Avram) Gottlieb; and

S. J. Res. 93. Joint resolution authorizing the acceptance of a gift from the Ericsson Memorial Committee of the United States.

The message also announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 6955. An act for the relief of Inna Hekker Grade;

H. R. 8087. An act for the relief of Paul G. Abernethy;

H. R. 9770. An act to provide revenue for the District of Columbia, and for other purposes;

H. J. Res. 553. Joint resolution waiving certain subsections of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 554. Joint resolution for the relief of certain aliens;

H. J. Res. 555. Joint resolution to facilitate the admission into the United States of certain aliens;

H. J. Res. 565. Joint resolution for the relief of certain aliens; and

H. J. Res. 566. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

The message further announced that the House had agreed to a concurrent resolution (H. Con. Res. 223) to extend greetings to Pakistan, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker pro tempore had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the President pro tempore:

S. 760. An act for the relief of Pietro Meduri;

S. 1992. An act to provide for the conveyance of a certain tract of land in Madison County, Ky., to the Pioneer National Monument Association;

S. 3452. An act to amend the act of July 15, 1955, Public Law 161, 84th Congress (69 Stat. 324), by increasing the appropriation authorization for the aircraft control and warning system; and

S. J. Res. 95. Joint resolution to authorize the American Battle Monuments Commission to prepare plans and estimates for the erection of a suitable memorial to Gen. John J. Pershing.

HOUSE BILLS AND JOINT RESOLUTIONS REFERRED

The following bills and joint resolutions were severally read twice by their titles and referred as indicated:

H. R. 6955. An act for the relief of Inna Hekker Grade;

H. R. 8087. An act for the relief of Paul G. Abernethy;

H. J. Res. 553. Joint resolution waiving certain subsections of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 554. Joint resolution for the relief of certain aliens;