

House of Representatives

TUESDAY, SEPTEMBER 15, 1959

[House proceedings of September 14, 1959]

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 3 o'clock and 25 minutes a.m., Tuesday, September 15, 1959.

FURTHER MESSAGE FROM THE SENATE

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

H.R. 3254. An act for the relief of Thomas Forman Screven, Julia Screven Daniels, and May Bond Screven Rhodes;

H.R. 4938. An act to amend the Agricultural Adjustment Act of 1938 to extend for 2 years the definition of "peanuts" which is now in effect;

H.R. 5733. An act for the relief of Park National Bank;

H.R. 7452. An act for the relief of William B. Jackson;

H.R. 8392. An act to amend the District of Columbia Stadium Act of 1957 with respect to motor-vehicle parking areas, and for other purposes;

H.R. 8685. To amend the Internal Revenue Code of 1954 to provide for the Presidential appointment of a Chief Counsel for the Internal Revenue Service, and for other purposes;

H.J. Res. 531. Joint resolution establishing that the second regular session of the 86th Congress convene at noon on Wednesday, January 6, 1960; and

H. Con. Res. 439. Concurrent resolution authorizing the Speaker of the House of Representatives and the President of the Senate to sign enrolled bills.

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. 4192. An act to prohibit the examination in District of Columbia courts of any minister of religion in connection with communications made by or to him in his professional capacity, without the consent of the parties to such communications.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2105. An act to amend the laws relating to Saint Elizabeths Hospital so as to fix the salaries of the superintendent, assistant superintendent, and first assistant physician of the hospital, and for other purposes.

The message also announced that the Senate had passed a resolution, as follows:

SENATE RESOLUTION 200

Resolved, That a committee of two Senators be appointed by the Presiding Officer to join a similar committee of the House of

Representatives to notify the President of the United States that the two Houses have completed the business of the session and are ready to adjourn unless he has some further communication to make to them.

MUTUAL SECURITY APPROPRIATION BILL, 1960

Mr. PASSMAN submitted the following conference report and statement on the bill (H.R. 8385) making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes.

CONFERENCE REPORT (H. REPT. No. 1190)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8385) making appropriations for Mutual Security and related agencies for the fiscal year ending June 30, 1960, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 3, 4, 13, 26, 27, 33, 51, and 55.

That the House recede from its disagreement to the amendments of the Senate numbered 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 20, 22, 23, 24, 28, 29, 30, 36, 38, 40, 41, 42, 43, 44, 45, 47, 48, 52, 56, 60, 65, 66, 67, and 68, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment insert "\$650,000,000, and in addition for Defense support for Spain, authorized by section 131(b), \$45,000,000, exclusive of technical cooperation," and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$1,820,000"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment insert:

"Sec. 103. None of the funds herein appropriated for Defense Support, the Development Loan Fund, Special Assistance, or the President's Special Authority and Contingency Fund shall be used to finance the construction of any new flood control, reclamation, or other water or related land resource project or program which has not met the standards and criteria used in determining the feasibility of flood control, reclamation and other water and related land resource programs and projects proposed for construction within the continental limits of the United States of America as per circular A-47 of the Bureau of the Budget, dated December 31, 1952."

And the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amend-

ment of the Senate numbered 25, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment amended to read as follows:

"Sec. 108. None of the funds herein appropriated shall be used to carry out the provisions of Section 205(1) of the Mutual Security Act of 1959."

And the Senate agree to the same.

Amendment numbered 59: That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment as follows: In lieu of the matter proposed by said amendment insert:

"NATIONAL LABOR RELATIONS BOARD

"Salaries And Expenses

"For and additional amount for 'Salaries and expenses', including rental of office space in the District of Columbia, \$500,000."

And the Senate agree to the same.

Amendment numbered 63: That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"DEPARTMENT OF THE INTERIOR

"Bureau of Indian Affairs

"Distribution of Funds of the Creek Indians

"For an additional amount for necessary expenses incident to the distribution of funds belonging to members of the Creek Nation of Indians, in accordance with the act of August 1, 1955 (69 Stat. 431), as amended, \$100,000, to remain available until expended."

And the Senate agree to the same.

Amendment numbered 64: That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment as follows: In lieu of the matter proposed by said amendment insert:

"DEPARTMENT OF LABOR

"Labor-management reporting and disclosure activities

"Salaries and Expenses

"For expenses necessary for the performance of the functions vested in the Secretary by the Labor-Management Reporting and Disclosure Act of 1959, including services as authorized by section 15 of the act of August 2, 1946 (5 U.S.C. 55a), and rental of office space in the District of Columbia, \$2,000,000."

And the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 31, 32, 34, 35, 37, 39, 46, 49, 50, 53, 54, 57, 58, 61, and 62.

OTTO E. PASSMAN,
J. VAUGHN GARY,
CLARENCE CANNON,
JOHN TABER,
JOHN J. RHODES,

Managers of the Part of the House.

CARL HAYDEN,
DENNIS CHAVEZ,
ALLEN J. ELLENDER,
WARREN G. MAGNUSON,
SPESSARD L. HOLLAND,
LYNDON JOHNSON,
STYLES BRIDGES,
LEVERETT SALTONSTALL,
KARL E. MUNDT,

Managers on the Part of the Senate.

September 15, 1959

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8385) making appropriations for Mutual Security and related agencies for the fiscal year ending June 30, 1960, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

TITLE I—MUTUAL SECURITY

Funds appropriated to the President
Military Assistance

Amendment No. 1: Deletes language proposed by the Senate.

Defense Support

Amendment No. 2: Appropriates \$650,000,000 as proposed by the Senate instead of \$700,000,000 as proposed by the House, and in addition, appropriates \$45,000,000 for Spain instead of \$50,000,000 as proposed by the Senate.

Development Loan Fund

Amendment No. 3: Appropriates \$550,000,000 as proposed by the House instead of \$590,000,000 as proposed by the Senate.

Technical Cooperation, General Authorization

Amendment No. 4: Appropriates \$150,000,000 as proposed by the House instead of \$160,000,000 as proposed by the Senate.

Technical Cooperation Programs of the Organization of American States

Amendment No. 5: Appropriates \$1,200,000 as proposed by the Senate instead of \$1,500,000 as proposed by the House.

Special Assistance, General Authorization

Amendment No. 6: Appropriates \$245,000,000 as proposed by the Senate, instead of \$200,000,000 as proposed by the House.

Special Assistance, Special Authorization

Amendment No. 7: Provides the equivalent of \$50,000 in local currencies for the planning for construction of a hospital at the University of Krakow in Poland as proposed by the Senate.

Intergovernmental Committee for European Migration

Amendments Nos. 8 and 9: Appropriate \$7,371,000 as proposed by the Senate instead of \$8,000,000 as proposed by the House, and insert language of a technical nature as proposed by the Senate.

Escapee Program

Amendment No. 10: Appropriates \$4,632,000 as proposed by the Senate instead of \$5,200,000 as proposed by the House.

Ocean Freight Charges, United States Voluntary Relief Agencies

Amendment No. 11: Appropriates \$1,910,000 as proposed by the Senate, instead of \$2,300,000 as proposed by the House.

General Administrative Expenses

Amendment No. 12: Appropriates \$38,000,000 as proposed by the Senate instead of \$37,000,000 as proposed by the House.

Atoms for Peace

Amendment No. 13: Appropriates \$1,500,000 as proposed by the House instead of \$2,500,000 as proposed by the Senate.

Amendments Nos. 14, 15, and 16: Insert language of a technical nature as proposed by the Senate.

Department of State

Administrative and Other Expenses

Amendments Nos. 17 and 18: Insert language in appropriation title as proposed by the Senate; and appropriate \$8,100,000 as proposed by the Senate instead of \$7,900,000 as proposed by the House.

The conferees are agreed that no funds are to be used for the International Development Advisory Board.

Corporation

Limitation on Administrative Expenses, Development Loan Fund

Amendment No. 19: Authorizes not to exceed \$1,820,000 instead of \$1,750,000 as proposed by the House and \$1,890,000 as proposed by the Senate.

General Provisions

Section 102

Amendment No. 20: Inserts language of a technical nature as proposed by the Senate.

Section 103

Amendment No. 21: Prohibits the use of funds herein appropriated to finance the construction of any new flood control, reclamation, or other water or related land resource project or program which has not met the standards and criteria used in determining the feasibility of flood control, reclamation, and other water and related land resource programs and projects proposed for construction within the continental limits of the United States of America as per Circular A 47 of the Bureau of the Budget, dated December 31, 1952.

Section 105

Amendment No. 22: Inserts language of a technical nature as proposed by the Senate.

Section 107

Amendments Nos. 23 and 24: Insert language of a technical nature as proposed by the Senate.

Section 108

Amendment No. 25: Restores House language and corrects citation.

Section 109

Amendment No. 26: Restores House language.

Section 110

Amendment No. 27: Restores House language.

Amendment No. 28: Deletes House language concerning chapter VI of the Mutual Security Act of 1959.

Amendment No. 29: Deletes House language placing restrictions on the employment by private organizations of employees of International Cooperation Administration.

Amendment No. 30: Deletes House language relating to the furnishing of information to Congress.

Section 111

Amendment No. 31: Reported in disagreement.

Section 112

Amendment No. 32: Reported in disagreement.

Amendment No. 33: Deletes language proposed by the Senate. The conferees gave this matter careful consideration and decided that the proposal is impractical.

Section 113

Amendment No. 34: Reported in disagreement.

TITLE II—DEPARTMENT OF THE ARMY—CIVIL FUNCTIONS

Ryukyu Islands, Army

Construction of power systems, Ryukyu Islands

Amendment No. 35: Reported in disagreement.

TITLE IV—ADDITIONAL SUPPLEMENTAL APPROPRIATIONS

Amendment No. 36: Inserts title number and heading as proposed by the Senate.

Executive Office of the President

Office of Civil and Defense Mobilization, Salaries and Expenses

Amendment No. 37: Reported in disagreement.

Department of Commerce

Amendment No. 38: Inserts heading as proposed by the Senate.

General Administration, Participation in Century 21 Exposition

Amendment No. 39: Reported in disagreement.

Amendment No. 40: Inserts heading as proposed by the Senate.

Federal-Aid Highways (Trust Fund)

Amendment No. 41: Appropriates \$188,000,000 as proposed by the Senate.

Highway Trust Fund

Amendment No. 42: Appropriates \$359,000,000 as proposed by the Senate. Since the President has recommended that the repayment be made by June 30, 1960, the conferees have accepted the amendment with the expectation that this will be done without default of existing obligations with the States.

District of Columbia (District of Columbia funds)

Operating Expenses, Metropolitan Police

Amendment No. 43: Appropriates \$406,000 as proposed by the Senate.

Department of Health, Education, and Welfare

Amendment No. 44: Inserts heading as proposed by the Senate.

Public Health Service

Amendment No. 45: Inserts heading as proposed by the Senate.

Grants for Waste Treatment Works Construction

Amendment No. 46: Reported in disagreement.

Construction of Indian Health Facilities

Amendment No. 47: Appropriates \$200,000 as proposed by the Senate.

Independent offices

Amendment No. 48: Inserts heading as proposed by the Senate.

Advisory Commission on Intergovernmental Relations

Amendment No. 49: Reported in disagreement.

Commission on Civil Rights

Salaries and Expenses

Amendment No. 50: Reported in disagreement.

Commission on International Rules of Judicial Procedure

Salaries and Expenses

Amendment No. 51: Strikes out proposal of the Senate.

Federal Aviation Agency

Amendment No. 52: Inserts heading as proposed by the Senate.

Expenses

Amendment No. 53: Reported in disagreement.

Establishment of Air Navigation Facilities

Amendment No. 54: Reported in disagreement.

Construction and Development, Additional Washington Airport

Amendment No. 55: Strikes out the proposal of the Senate. The conferees feel that this question of sewage treatment for Dulles International Airport should be restudied in the next session of the Congress.

Historical and Memorial Commissions

Amendment No. 56: Inserts heading.

Franklin Delano Roosevelt Memorial Commission

Amendment No. 57: Reported in disagreement.

Hudson-Champlain Celebration Commission

Amendment No. 58: Reported in disagreement.

National Labor Relations Board

Amendment No. 59: Appropriates \$500,000 for salaries and expenses as proposed by the Senate.

Housing and Home Finance Agency

Amendment No. 60: Inserts heading. Amendment No. 61: Reported in disagreement.

Urban Planning Grants

Amendment No. 62: Reported in disagreement.

Department of the Interior

Amendment No. 63: Appropriates \$100,000 for the Creek Indians as proposed by the Senate.

Department of Labor

Amendment No. 64: Appropriates \$2,000,000, for salaries and expenses, as proposed by the Senate.

Treasury Department

Amendment No. 65: Inserts heading. Amendment No. 66: Appropriates \$300,000 for the Bureau of the Mint, as proposed by the Senate.

Amendment No. 67: Appropriates \$800,000 for the U.S. Coast Guard as proposed by the Senate.

TITLE V—CLAIMS FOR DAMAGES AND JUDGMENTS

Amendment No. 68: appropriates \$708,137 for claims for damages and judgments, as proposed by the Senate.

OTTO E. PASSMAN, J. VAUGHN GARY, CLARENCE CANNON, JOHN TABOR, JOHN J. RHODES,

Managers on the Part of the House.

Mr. PASSMAN. Mr. Speaker, I call up the conference report on the bill (H.R. 8385) making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill. The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection. The Clerk read the statement.

Mr. GROSS. Mr. Speaker, consideration of this bill (H.R. 8385) under the circumstances that exist is a sad and sorry commentary on the orderly processes of enacting legislation.

This is supposed to be a foreign aid bill, but it has become an omnibus appropriation bill and a deficiency appropriation bill. It is a bill containing nearly a score of provisions wholly unrelated to the foreign handout program.

It is, in fact, a package wrapped in the gold foil of \$3 1/2 billion to \$4 billion, and dealing with just about everything from the welfare of the Creek Indians to the natives of Timbuktu.

Nor have the bureaucrats in Washington and elsewhere over the world been overlooked. There is money for the new commissions, and some of the old ones will get a blood transfusion out of the treasury.

How many Members of the House remember that the foreign handout bill passed the House and was sent to the other body on July 29? In what incubator was it left to hatch for a month and a half, and for what reason?

Now it comes back to the House, loaded with amendments, many of them

completely ungermane to foreign aid, and the House, afflicted with adjournment fever, is asked to virtually apply a rubberstamp of approval.

This is the height of irresponsibility, for all of these spending provisions, unrelated to foreign aid, ought to have come before the House in a separate bill or bills so that the Members could work their will upon them.

No Member of the House should cheer upon the ending of this session. Rather should there be sober reflection and determination in the dark hours of this night that never again will the House of Representatives permit such stultification of its deliberative processes.

Mr. Speaker, I will vote against this bill because of the outrageous and unjustified burden it places upon the American people and because of the circumstances in which this multibillion-dollar measure now comes before the House.

Mr. PASSMAN. Mr. Speaker, I move the previous question on the adoption of the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

Mr. GROSS. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken, and there were—yeas 194, nays 109, not voting 132, as follows:

[Roll No. 175] YEAS—194

- Albert, Arends, Ashley, Aspinall, Avery, Ayres, Baldwin, Barry, Bates, Becker, Beckworth, Boggs, Boland, Bolling, Bolton, Bow, Boyle, Brademas, Breeding, Brewster, Brooks, Tex., Burke, Ky., Burke, Mass., Bush, Byrne, Pa., Byrnes, Wis., Cahill, Cannon, Carnahan, Cederberg, Celler, Chamberlain, Chief, Chenoweth, Clark, Coffin, Conte, Cook, Cooley, Corbett, Curtin, Curtis, Mass., Daddario, Dague, Daniels, Dawson, Denton, Diggs, Dingell, Donohue, Doyle, Duiski, Dwyer, Fascell, Fenton, Flynn, Fogarty, Foley, Forand, Ford, Frelinghuysen, Friedel, Fulton, Gallagher, Gary, George, Glaimo, Goodell, Granahan, Green, Oreg., Griffin, Griffiths, Hagen, Halleck, Halpern, Hechler, Hoeven, Holland, Holt, Holtzman, Ikard, Inouye, Irwin, Jackson, Jarman, Johnson, Calif., Johnson, Colo., Johnson, Md., Johnson, Wis., Judd, Karsten, Karth, Kasem, Kastenmeier, Kearns, Kee, Keith, Kelly, Kilday, King, Calif., King, Utah, Kirwan, Kluczynski, Kowalski, Lafore, Laird, Lane, Langen, Lankford, Lesinski, Levering, Libonati, Lindsay, Lipscomb, McDowell, McFall, McIntire, Machrowicz, Mack, Ill., Madden, Magnuson, Mahon, May, Merrow, Meyer, Miller, Clem, Miller, George P., Miller, N.Y., Milliken, Mills, Moeller, Monagan, Montoya, Moorhead, Morgan, Morris, N. Mex., Multer, Murphy, Natcher, Nelsen, Nix, Norblad, O'Brien, Ill., O'Hara, Ill., O'Hara, Mich., O'Neill, Oliver, Osmers, Ostertag, Passman, Philbin, Pirnie, Price, Prokop, Pucinski, Quigley, Rabaut, Randall, Ray, Reuss, Rhodes, Ariz., Rhodes, Pa., Robison, Rodino, Adair, Addonizio, Anderson, Mont., Anfuso, Auchincloss, Baker, Barden, Barr, Barrett, Bass, N.H., Baumhart, Bentley, Berry, Betts, Blatnik, Blitch, Bosch, Bowles, Bray, Brooks, La., Broomfield, Brown, Mo., Brown, Ohio, Broyhill, Buckley, Burdick, Canfield, Carter, Chipperfield, Coad, Cohelan, Collier, Curtis, Mo., Davis, Tenn., Delaney, Dent, Derounian, Devine, Dixon, Dollinger, Dooley, Dorn, N.Y., Durham, Edmondson, Evins, Fallon, Farbstein, Feighan, Fino, Flood, Garmatz, Gavin, Glenn, Green, Pa., Gubser, Hall, Hays, Healey, Hibert, Herlong, Hess, Hiestand, Hoffman, Mich., Holifield, Horan, Hosmer, Jones, Mo., Keogh, Kilburn, Loser, McCormack, McDonough, McGovern, Macdonald, Mailliard, Marshall, Martin, Metcalf, Michel, Minshall, Morrison, Moss, Mumma, Murray, O'Brien, N.Y., Pelly, Perkins, Pilcher, Pillion, Poage, Porter, Powell, Quie, Reece, Tenn., Riehlman, Riley, Rivers, Alaska, Roosevelt, Rostenkowski, St. George, Santangelo, Saylor, Shelley, Shipley, Short, Siler, Simpson, Ill., Simpson, Pa., Sisk, Smith, Calif., Smith, Kans., Spence, Stubblefield, Taylor, Teague, Calif., Teller, Thompson, La., Tollefson, Ullman, Utt, Van Pelt, Vinson, Wallhauser, Watts, Weaver, Wels, Westland, Wharton, Wier, Withrow, Younger, Zelenko

- Rogers, Colo., Rogers, Mass., Rooney, Saund, Schenck, Schwengel, Sheppard, Slack, Smith, Iowa, Springer

- Staggers, Stratton, Sullivan, Wainwright, Walter, Thompson, N.J., Widnall, Thompson, Tex., Wilson, Wolf, Wright, Yates, Zablocki

NAYS—109

- Abbutt, Abernethy, Alexander, Alford, Alger, Allen, Andersen, Minn., Andrews, Ashmore, Bailey, Baring, Bass, Tenn., Belcher, Bennett, Fla., Bennett, Mich., Bonner, Boykin, Brock, Brown, Ga., Budge, Burlinson, Casey, Church, Colmer, Cramer, Cunningham, Davis, Ga., Derwinski, Dorn, S.C., Dowdy, Downing, Elliott, Everett, Fisher, Flynt, Forrester, Fountain, Frazier, Gathings, Grant, Gray, Gross, Haley, Hardy, Hargis, Harmon, Harris, Harrison, Hemphill, Henderson, Bennett, Ill., Hogan, Huddleston, Hull, Jennings, Jensen, Johansen, Jones, Ala., Kilgore, Kitchin, Knox, Landrum, Latta, Lennon, McCulloch, McGinley, McMillan, McSween, Mack, Wash., Mason, Matthews, Meader, Mitchell, Moore, Morris, Okla., Moulder, Norrell, O'Konski, Patman, Post, Poff, Preston, Rains, Rees, Kans., Rivers, S.C., Roberts, Rogers, Fla., Rogers, Tex., Roush, Rutherford, Scherer, Scott, Selden, Sikes, Smith, Ala., Smith, Va., Steed, Teague, Tex., Thomas, Thompson, Wyo., Tuck, Wampler, Whitener, Whitten, Williams, Willis, Winstead, Young

NOT VOTING—132

- Adair, Addonizio, Anderson, Mont., Anfuso, Auchincloss, Baker, Barden, Barr, Barrett, Bass, N.H., Baumhart, Bentley, Berry, Betts, Blatnik, Blitch, Bosch, Bowles, Bray, Brooks, La., Broomfield, Brown, Mo., Brown, Ohio, Broyhill, Buckley, Burdick, Canfield, Carter, Chipperfield, Coad, Cohelan, Collier, Curtis, Mo., Davis, Tenn., Delaney, Dent, Derounian, Devine, Dixon, Dollinger, Dooley, Dorn, N.Y., Durham, Edmondson, Evins, Fallon, Farbstein, Feighan, Fino, Flood, Garmatz, Gavin, Glenn, Green, Pa., Gubser, Hall, Hays, Healey, Hibert, Herlong, Hess, Hiestand, Hoffman, Mich., Holifield, Horan, Hosmer, Jones, Mo., Keogh, Kilburn, Loser, McCormack, McDonough, McGovern, Macdonald, Mailliard, Marshall, Martin, Metcalf, Michel, Minshall, Morrison, Moss, Mumma, Murray, O'Brien, N.Y., Pelly, Perkins, Pilcher, Pillion, Poage, Porter, Powell, Quie, Reece, Tenn., Riehlman, Riley, Rivers, Alaska, Roosevelt, Rostenkowski, St. George, Santangelo, Saylor, Shelley, Shipley, Short, Siler, Simpson, Ill., Simpson, Pa., Sisk, Smith, Calif., Smith, Kans., Spence, Stubblefield, Taylor, Teague, Calif., Teller, Thompson, La., Tollefson, Ullman, Utt, Van Pelt, Vinson, Wallhauser, Watts, Weaver, Wels, Westland, Wharton, Wier, Withrow, Younger, Zelenko

So the conference report was agreed to. The Clerk announced the following pairs:

On this vote:

Mr. Keogh for, with Mr. Brooks of Louisiana against.

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Mr. Hébert for, with Mr. Dent against.
Mr. Vinson for, with Mr. Pilcher against.
Mr. Buckley for, with Mr. Hall against.
Mr. Baumhart for, with Mrs. Blitch against.
Mr. Addonizio for, with Mr. Herlong against.

Mr. Morrison for, with Mr. Barden against.
Mr. Anfuso for, with Mr. Loser against.
Mr. Delaney for, with Mr. Murray against.
Mr. Martin for, with Mr. Simpson of Illinois against.

Mr. Taylor for, with Mr. Michel against.
Mr. Auchincloss for, with Mr. Collier against.

Mr. Simpson of Pennsylvania for, with Mr. Bentley against.

Mr. Younger for, with Mr. Hoffman of Michigan against.

Mr. Dollinger for, with Mr. Durham against.

Mr. Santangelo for, with Mr. Thompson of Louisiana against.

Mr. Green of Pennsylvania for, with Mr. Riley against.

Mr. Wallhauser for, with Mr. Reece of Tennessee against.

Mr. Hays for, with Mr. Siler against.

Mr. Garmatz for, with Mr. Devine against.
Mr. Teague of California for, with Mr. Adair against.

Mr. Westland for, with Mr. Utt against.
Mr. Farbstein for, with Mr. Hiestand against.

Mr. Healey for, with Mr. Bray against.
Mr. Zelenko for, with Mr. Smith of California against.

Mr. Teller for, with Mr. Wharton against.
Mr. McCormack for, with Mr. Smith of Kansas against.

Mr. Fallon for, with Mr. McDonough against.

Mr. Roosevelt for, with Mr. Weaver against.

Until further notice:

Mr. Hollifield with Mr. Brown of Ohio.
Mr. Anderson of Montana with Mr. Withrow.

Mr. Rivers of Alaska with Mr. Bass of New Hampshire.

Mr. McGovern with Mr. Canfield.
Mr. Cohelan with Mr. Tollefson.

Mr. Edmondson with Mrs. St. George.
Mr. Feighan with Mr. Saylor.

Mr. O'Brien of New York with Mr. Betts.
Mr. Metcalf with Mr. Broomfield.

Mr. Watts with Mr. Chipperfield.
Mr. Ullman with Mr. Baker.

Mr. Stubblefield with Mr. Curtis of Missouri.

Mr. Sisk with Mr. Derounian.
Mr. Shelly with Mr. Fino.

Mr. Barrett with Mr. Hess.
Mr. Blatnik with Mr. Gubser.

Mr. Coad with Mr. Minshall.
Mr. Flood with Mr. Pelly.

Mr. Powell with Mr. Broyhill.
Mr. Rostenkowski with Mr. Berry.

Mr. Macdonald with Mr. Riehlman.
Mr. Evins with Mr. Van Peit.

Mr. Moss with Mr. Quie.
Mr. Carter with Mr. Pillion.

Mr. Burdick with Mr. Maillard.
Mr. Bowles with Mr. Kilburn.

Mr. Marshall with Mr. Horan.
Mr. Porter with Mr. Hosmer.

Mr. Davis of Tennessee with Mr. Glenn.
Mr. Brown of Missouri with Mr. Gavin.

Mr. Barr with Mr. Dooley.
Mr. Shipley with Mr. Bosch.

Mr. Spence with Mr. Dorn of New York.
Mr. Wier with Mr. Dixon.

Mr. Perkins with Mr. Mumma.

Mr. BECKWORTH and Mr. BOGGS changed their vote from "nay" to "yea."

Mr. BARING and Mr. MEADER changed their vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 31: Page 8, after line 13, insert:

"Sec. 108. (a) Within sixty days following the date of enactment of this Act, the President shall transmit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a report containing a full and complete revision of the data presented to such committees in justification of appropriations requested for the Mutual Security program for the fiscal year 1960, showing any changes in such program approved subsequent to such presentation, including changes necessary to reflect actual appropriations for the program.

"(b) Within thirty days following the approval of any change in the Mutual Security program for the fiscal year 1960, which will result in furnishing assistance of a kind, for a purpose, in an area, or in an amount, different from that described in the report transmitted under subsection (a), and which involves \$1,000,000 or more or 5 per centum of the amount appropriated under any paragraph of this title, whichever is the lesser, the President shall transmit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a full and complete report of such change and the reasons therefor.

"(c) This section shall not apply to programs authorized by section 451 of the Mutual Security Act of 1954, as amended.

"(d) None of the funds herein appropriated shall be used to carry out any provision of chapter II, III, or IV of the Mutual Security Act of 1954, as amended, in any country, or with respect to any project or activity, after the expiration of the thirty-five-day period which begins on the date the General Accounting Office or any committee of the Congress, or any duly authorized subcommittee thereof, charged with considering legislation or appropriations for, or expenditures of, the International Cooperation Administration, has delivered to the office of the Director of the International Cooperation Administration a written request that it be furnished any document, paper, communication, audit, review, finding, recommendation, report, or other material relating to the administration of such provision by the International Cooperation Administration in such country or with respect to such such project or activity, unless and until there has been furnished to the General Accounting Office, or to such committee or subcommittee, as the case may be, (1) the document, paper, communication, audit, review, finding, recommendation, report, or other material so requested, or (2) a certification by the President that he considers the disclosure of such document, paper, communication, audit, review, finding, recommendation, report, or other material to be contrary to the public interest and has forbidden its being furnished pursuant to such request."

Mr. PASSMAN. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. PASSMAN moves that the House recede from its disagreement to the amendment of the Senate numbered 31, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"Sec. 111. (a) Within sixty days following the date of enactment of this Act, the President shall transmit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a report containing a full

and complete revision of the data presented to such committees in justification of appropriations requested for the Mutual Security program for the fiscal year 1960, showing any changes in such program approved subsequent to such presentation, including changes necessary to reflect actual appropriations for the program.

"(b) Within thirty days following the approval of any change in the Mutual Security program for the fiscal year 1960, which will result in furnishing assistance of a kind, for a purpose, in an area, or in an amount, different from that described in the report transmitted under subsection (a), and which involves \$1,000,000 or more or 5 per centum of the amount appropriated under any paragraph of this title, whichever is the lesser, the President shall transmit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a full and complete report of such change and the reasons therefor.

"(c) This section shall not apply to programs authorized by section 451 of the Mutual Security Act of 1954, as amended.

"(d) None of the funds herein appropriated shall be used to carry out any provision of chapter II, III, or IV of the Mutual Security Act of 1954, as amended, in any country, or with respect to any project or activity, after the expiration of the thirty-five day period which begins on the date the General Accounting Office or any committee of the Congress, or any duly authorized subcommittee thereof, charged with considering legislation or appropriations for, or expenditures of, the International Cooperation Administration, has delivered to the office of the Director of the International Cooperation Administration a written request that it be furnished any document, paper, communication, audit, review, finding, recommendation, report, or other material relating to the administration of such provision by the International Cooperation Administration in such country or with respect to such project or activity, unless and until there has been furnished to the General Accounting Office, or to such committee or subcommittee, as the case may be, (1) the document, paper, communication, audit, review, finding, recommendation, report, or other material so requested, or (2) a certification by the President that he has forbidden its being furnished pursuant to such request, and his reason for so doing."

Mr. PASSMAN. Mr. Speaker, we will now use some of the time we saved earlier. I thought every Member understood what is in this bill, but in all probability it would be better to discuss some of the figures. I shall be just as brief as possible.

The total budget request for the mutual security program alone was \$4,436,277,000. The conference report provides \$3,225,813,000 which is a reduction of \$1,204,182,000 below the budget request.

The reduction in the mutual security program is in three parts—one part achieved by the Committee on Foreign Affairs. The second part is \$500 million, which is the supplemental request for the Development Loan Fund, which was to finance the Fund's operation in the fiscal year 1961 and which the committee denied. The third part is the budget request for fiscal year 1960 funds for the program. The membership will recall that the House appropriated \$3,186,500,000. When the bill went to the other body, they increased it by over \$95 million. In conference this evening, the other body receded on \$56 million, and the House receded on \$39,313,000.

Sept. 15

So the bill before you, as it applies to the mutual security program, calls for \$3,225,813,000. The bill also contains \$23,282,000 for the Ryukyu Islands. The bill also contains supplemental appropriations for various Federal agencies in the amount of \$377,123,137. Therefore, the bill before you provides a grand total of \$3,626,218,137. But, I repeat, only \$3,225,813,000 is for the mutual security program.

This has been the largest reduction made in the mutual security program during the 7 years it has been my privilege to serve on the committee and in the 5 years it has been my high honor to act as chairman of this subcommittee. We have had a successful conference and almost succeeded in bringing this bill back to the original House figure. We brought the bill back only \$39,313,000 above the original House bill.

We should explain what the sum of \$377,123,137 in supplemental items represents. Two of the items relate to the highway construction program. The item appropriates \$188 million out of the highway trust fund and the second item provides \$359 million as an advance to the highway trust fund. You will recall that these two items were put in by the other body, and it was our understanding, and the Senate committee bill provided, that the highway fund would repay the Treasury the \$359 million. The President's message to the Congress also indicated, or I should say stated specifically, that the money would be paid back by June 30, 1960. We had some difficulty in reaching agreement in conference as to whether the money would be paid back. We had to modify our managers' statement in order to reach agreement, and we will insert in the RECORD at this point the President's budget request, because, if we do not do so, I am afraid we will be charged with spending in excess of the President's budget:

THE WHITE HOUSE,
Washington, September 9, 1959.
THE PRESIDENT OF THE SENATE.

SIR: I have the honor to transmit herewith for the consideration of the Congress proposed provisions pertaining to the fiscal year 1960 for the Department of Commerce.

The details of these proposed provisions, the necessity therefor, and the reasons for their submission at this time are set forth in the attached letter from the Director of the Bureau of the Budget, with whose comments and observations thereon I concur.

Respectfully yours,
Dwight D. Eisenhower.

EXECUTIVE OFFICE,
OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., September 8, 1959.

THE PRESIDENT,
The White House.

SIR: I have the honor to submit herewith for your consideration proposed provisions pertaining to the fiscal year 1960 for the Department of Commerce, as follows:

"DEPARTMENT OF COMMERCE
"Bureau of Public Roads

"Highway Trust Fund

"For repayable advances to the 'Highway trust fund' during the current fiscal year, as authorized by section 209(d) of the Highway Revenue Act of 1956 (70 Stat. 399), \$359,-

000,000: *Provided*, That all such advances shall be repaid to this appropriation on or before June 30, 1960, and upon such repayment this amount shall be withdrawn."

This proposed provision is to allow a temporary advance to the highway trust fund, to be repaid before the end of the fiscal year 1960. The rate of expenditures in the first half of this fiscal year will exceed revenues available in the highway trust fund. Beginning in October 1959, amounts in the fund will be insufficient to permit the timely reimbursement to the States for expenses incurred under the Federal-aid highway program. The deficiency is estimated to reach a maximum of \$359 million by January 31, 1960. Receipts will then begin to exceed expenditures and, with the enactment of the Highway Act of 1959, are estimated to be adequate to repay this proposed advance with interest on or before June 30, 1960. Since this transaction will be completed within the fiscal year, it will have no effect upon 1960 expenditures or obligational authority.

I recommend that the foregoing proposed provisions be transmitted to the Congress.

Respectfully yours,
MAURICE H. STANS,
Director of the Bureau of the Budget.

I did not intend to take any time at all on this bill, but inasmuch as there seems to be some misunderstanding, I thought it would be good to explain some of the dollar amounts involved in the bill.

There are some 15 amendments in disagreement, one of which involves the Civil Rights Commission and we shall handle those separately, as the morning grows older or younger—take it any way you want it.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. PASSMAN. I am happy to yield.

Mr. GROSS. Can the gentleman tell the House when this bill passed the House?

Mr. PASSMAN. It passed July 29.

Mr. GROSS. About a month and a half ago?

Mr. PASSMAN. Yes, sir.

Mr. GROSS. Can the gentleman tell us where this bill has been during all that time?

Mr. PASSMAN. It has been on Capitol Hill.

Mr. GROSS. Can the gentleman give us any assurance that the bill next year can be looked at in the light of day?

Mr. PASSMAN. The gentleman can give no such assurance.

Mr. Speaker, I now yield to the distinguished chairman of the Committee on Appropriations, the gentleman from Missouri [Mr. CANNON].

Mr. CANNON. Mr. Speaker, this is the last of the appropriation bills, and is the end of the appropriation program for this session of the Congress.

It is long after midnight, and I shall take only a minute to summarize the estimates and appropriations for the session which ends in the next few minutes. Details will be given in the usual annual résumé to be included in the Appendix of tomorrow's RECORD.

We have received from the President during the session estimates of appropriations aggregating \$74,859,008,445.

We have appropriated in the appropriation bills during this session a total of \$72,977,598,352.

So, the total amount thus appropriated by the Congress is \$1,881,410,093 less than requested by the President.

However, the Congress provided, on a comparable basis, at least \$231 million above the estimates in backdoor bills which must be subtracted from the reduction in the appropriation bills, but even including the appropriations through the backdoor bills, it still leaves us appropriating less money than was requested by the President.

Mr. PASSMAN. Mr. Speaker, I shall not consume any more time than to make this one statement: It certainly is not the fault of the gentleman from Louisiana that the bill is back here in the House at 4 o'clock in the morning. We have come from a long and hard conference. If there is any Member who wants to ask some questions about this bill, I shall be happy to answer the questions.

I now yield to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, one thing I think the Congress ought to know, that has not been developed so far, is that there was a little under \$6 billion of backdoor appropriations that were put in one place or another and that total makes over \$80 billion of availability that the Congress has provided.

This back-door business is getting to be a tremendous figure. It is something that will wreck the country if we do not stop it.

(Mr. TABER asked and was given permission to revise and extend his remarks.)

Mr. FULTON. Mr. Speaker, will the gentleman yield?

Mr. PASSMAN. I yield for a question. Mr. FULTON. Will the gentleman tell us whether the civil rights amendment is in disagreement?

Mr. PASSMAN. The civil rights amendment is in disagreement. The Members will be able to vote on that this morning.

Mr. Speaker, I move the previous question.

The previous question was ordered. The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 32: Page 11, insert:

"Sec. 109. The Congress hereby reiterates its opposition under present conditions to the seating in the United Nations of the Communist China regime as the representative of China, and it is hereby declared to be the continuing sense of the Congress that the Communist regime in China has not demonstrated its willingness to fulfill the obligations contained in the Charter of the United Nations and should not be recognized to represent China in the United Nations. In the event of the seating of representatives of the Chinese Communist regime in the Security Council or General Assembly of the United Nations, the President is requested to inform the Congress insofar as is compatible with the requirements of national security, of the implications of this action upon the foreign policy of the United States and our foreign relationships, including that created by membership in the United Nations, together with any recommendations which he may have with respect to the matter."

Mr. PASSMAN. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. PASSMAN moves that the House recede from its disagreement to the amendment of the Senate numbered 32, and concur therein with an amendment, as follows: Change the section number to "112" and in line 2 of said amendment, strike the words "under present conditions".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 34: Page 12, insert section 111:

"SEC. 111. It is the sense of Congress that any attempt by foreign nations to create distinctions because of their race or religion among American citizens in the granting of personal or commercial access or any other rights otherwise available to United States citizens generally is repugnant to our principles; and in all negotiations between the United States and any foreign state arising as a result of funds appropriated under this Act, these principles shall be applied as the President may determine."

Mr. PASSMAN. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. PASSMAN moves that the House recede from its disagreement to the amendment of the Senate numbered 34, and concur therein with an amendment, as follows: Change the section number to "113".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 35: Page 16, insert:

"CONSTRUCTION OF POWER SYSTEMS, RYUKYU ISLANDS

"For loans by the Secretary of the Army to the Ryukyu Electric Power Corporation, an instrumentality of the United States Civil Administration of the Ryukyu Islands, for construction, installation, and equipment of electric power systems in the Ryukyu Islands, \$18,000,000, to remain available until expended: *Provided*, That repayment of such loans shall be made to miscellaneous receipts of the Treasury over a period of twenty-five years to commence five years after the date any such loan is made, with interest at such rate as may be fixed by the Secretary of the Treasury, taking into consideration the current average market yields of outstanding marketable obligations of the United States having a comparable maturity."

Mr. PASSMAN. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. PASSMAN moves that the House recede from its disagreement to the amendment of the Senate numbered 35, and concur therein with an amendment, as follows: In line 4 of the text of the amendment, after the word "for", insert the words "completion of".

Mr. FULTON. Mr. Speaker, will the gentleman yield?

Mr. PASSMAN. I yield.

Mr. FULTON. Do I understand that the civil rights amendment is No. 50 on this list?

Mr. PASSMAN. That is correct.

The SPEAKER. The question is on the motion of the gentleman from Louisiana.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 37: Page 18, insert:

"EXECUTIVE OFFICE OF THE PRESIDENT
"Office of Civil and Defense Mobilization
"Salaries and Expenses

"For an additional amount for 'Salaries and expenses', to be allocated for expenses necessary to discharge such civil defense and defense mobilization functions performed by other Federal agencies, as may be designated by the Office of Civil and Defense Mobilization, including payments by Department of Labor to State employment security agencies for the full cost of administration of defense manpower mobilization activities, \$6,500,000."

Mr. PASSMAN. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. PASSMAN moves that the House recede from its disagreement to the amendment of the Senate numbered 37, and concur therein with an amendment, as follows: In lieu of the sum of \$6,500,000 named in said amendment, insert "\$3,250,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 39: Page 19, insert:

GENERAL ADMINISTRATION

"Participation in century 21 exposition

"For expenses necessary to carry out the provisions of the Act of September 2, 1958 (72 Stat. 1703), as amended, including not to exceed \$5,000 for official entertainment expenses, \$12,500,000, to remain available until expended: *Provided*, That this amount shall be available only upon enactment of S. 2065 or H.R. 8374, Eighty-sixth Congress, or similar legislation."

Mr. PASSMAN. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. PASSMAN moves that the House recede from its disagreement to the amendment of the Senate numbered 39, and concur therein with an amendment, as follows: In lieu of the sum of \$12,500,000 named in said amendment, insert "\$9,000,000" and delete the proviso carried in the last three lines of the amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 46:

Page 12, after line 19, insert:

"GRANTS FOR WASTE TREATMENT WORKS
CONSTRUCTION

"The amount appropriated under this head in the Supplemental Appropriation Act, 1960 shall remain available until five days after the approval of this Act."

Mr. PASSMAN. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 49: Page 20, insert: "Advisory Commission on Intergovernmental Relations, \$100,000."

Mr. PASSMAN. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. PASSMAN moves that the House recede from its disagreement to the amendment of the Senate numbered 49, and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert "\$50,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 50: On page 20, insert:

"COMMISSION ON CIVIL RIGHTS

"Salaries and expenses

"For an additional amount for 'Salaries and expenses', \$500,000: *Provided*, That section 104(b) of the Civil Rights Act of 1957 is amended by striking out the words 'two years' and inserting in lieu thereof 'four years'."

Mr. PASSMAN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. PASSMAN moves that the House insist upon its disagreement to the amendment of the Senate numbered 50.

Mr. ROONEY. Mr. Speaker, I offer a preferential motion.

The Clerk read as follows:

Mr. ROONEY moves that the House recede from its disagreement to the amendment of the Senate numbered 50 and concur therein.

Mr. ROONEY. Mr. Speaker, I very much doubt that there is anyone presently in the membership of the House who is not thoroughly familiar with this so-called civil rights issue.

The action to be taken by adoption of the preferential motion which I have submitted would extend the life of the Commission on Civil Rights for 2 additional years beyond November 8 next, the date on which it must expire under existing law, and appropriate the amount of \$500,000 for the necessary expenditures of this Commission.

Mr. Speaker, an "aye" vote on the pending motion to recede and concur in the Senate amendment is a vote for furtherance of civil rights for all our citizens. I am confident the motion will be overwhelmingly adopted.

Mr. CELLER. Mr. Speaker, I am wholeheartedly in favor of extending the life of the Commission on Civil Rights for an additional 2 years. The Committee on the Judiciary of the House of Representatives in reporting my bill, H.R. 8601, provided for the extension of the life of the Commission on Civil Rights for 2 years. In the report which accompanied that bill, the committee expressed the opinion that the best interests of the Nation would be served by the extension of the life of the Commission.

Although that report was filed prior to the filing of the report by the Commission, as required by the Celler Civil

Rights Act of 1957, it foresaw the valuable work which the Commission has accomplished to date. Anyone who has read the recent report by the Commission on Civil Rights must admit that it is a report of great value. That report clearly demonstrates by a factual and legal analysis the problem which confronts our Nation with regard to the equal protection of all its citizens. Many may disagree with its recommendations but no one can deny its factual presentation in the fields of voting, education, and housing.

When the House Committee on the Judiciary reported the Celler Civil Rights Act of 1957 it stated that the need for the Commission was "to be found in the very nature of the problem involved; the complexity of the subject matter demands greater knowledge and understanding of every facet of the problem." Not only has the report of the Commission on Civil Rights substantiated the position of the House Committee on the Judiciary, but it further indicates the necessity to continue the extension of the Commission in order that it may complete the legislative responsibility imposed upon it by the Congress.

That responsibility required the Commission to study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution and to appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution.

That the Commission has not fulfilled the responsibility which the Congress saw fit to place upon it is indeed no fault of the Commission. Although the Commission was to exist for 2 years from the date of the enactment of the act, in effect it has been able to function for only 16 months through no fault of its own. The delay in the appointment and confirmation of the Commissioners, coupled with the delay in the nomination and confirmation of its staff director until May 14, 1958, prevented the Commission from functioning on a full scale operation.

If we are to be "one Nation under God, indivisible, with liberty and justice for all"—the title of the report of the United States Commission on Civil Rights—there remains much to be done by the Commission, the agency to furnish the Congress with the facts and circumstances upon which we may base proper legislation. Many problems remain to be studied and analyzed, such as the administration of justice, employment, public accommodations, Government facilities, and transportation. We, as legislators, must seize this opportunity to provide equal justice under law in any and every segment of our American public life. The extension of the Commission is an opportunity which we must take advantage of here and now. Time is of the utmost importance and the assistance already rendered by the Commission should not be permitted to dissipate itself as to the future by permitting the expiration of the life of the Commission. The Commission is but a means to an end. The end being wholesome, constructive legislation which will provide every citizen of the United

States with the free exercise of and access to the God-given rights provided for in the Constitution.

Mr. McCULLOCH. Mr. Speaker, on Tuesday, last, September 8, 1959, the Civil Rights Commission filed its first report with the Congress. This report, a printed document of more than 500 pages, clearly indicates that much more study is needed in the entire field of civil rights. Yet, unless the life of the Commission is extended during this session of Congress, it will terminate 60 days after the submission of this report.

Although admittedly the issue of appropriate civil rights legislation is one of the most important and controversial issues this House will have to consider when it assembles in January, the need for a continuation of a study group to make recommendations for legislation should not be controversial.

In addition, the Civil Rights Commission already has an excellent staff, with a membership of six distinguished Commissioners, who have proven competent and capable of discharging the Commission's duties and responsibilities in this delicate area.

Should the life of the Commission not be extended, I emphasize that it will be extremely difficult, if not impossible, to reassemble so distinguished and so objective a group of Commissioners, three of whom come from a section of the Nation most likely to be first affected by civil rights legislation.

The Commissioners are:

The Honorable John Alfred Hannah, Chairman, president of Michigan State University since July 1, 1941; Assistant Secretary of Defense for Manpower and Personnel, 1953-54.

The Honorable Robert Gerald Storey, Vice Chairman, president, Southwestern Legal Foundation; former dean of Southern Methodist University law school; former president of Dallas Bar Association, State Bar of Texas, American Bar Association, Inter-American Bar Association; executive trial counsel for United States in Nuremberg trials; member, Hoover Commission, 1953-55.

The Honorable John S. Battle, Governor, State of Virginia, 1950-54; member, Virginia General Assembly, 1930-50.

The Honorable Doyle Elam Carlton, Governor of the State of Florida, 1929-33; member, Florida State Senate, 1917-19.

The Reverend Theodore M. Hesburgh, C.S.C., president, Notre Dame University since 1952; permanent Vatican delegate to International Atomic Energy Agency; member, Hoover Commission, Rockefeller Brothers Fund, National Science Board.

The Honorable George Marion Johnson, professor of law and former dean, Howard University law school; former director of the Office of Laws, Plans, and Research of the Commission on Civil Rights.

Finally, I wish to point out that the President of the United States, in his message dated February 5, 1959, urged the extension of the life of the Commission for an additional 2 years. This recommendation was incorporated into one of the titles of the administration's civil rights bill, which I introduced. It is also

one of the titles in the clean bill favorably reported by the Judiciary Committee.

Therefore, I urge that the life of this important Commission, which has not had time to complete the important work which it has begun, be extended for an additional 2 years.

Mr. ROONEY. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the preferential motion offered by the gentleman from New York [Mr. ROONEY].

Mr. WILLIAMS of Mississippi. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 221, nays 81, not voting 133, as follows:

[Roll No. 176]

YEAS—221

Albert Andersen, Minn.	Green, Oreg.	Monagan
Arends	Green, Pa.	Montoya
Ashley	Griffin	Moore
Aspinall	Griffiths	Moorhead
Avery	Gross	Morgan
Ayres	Hagen	Morris, N. Mex.
Bailey	Halleck	Morris, Okla.
Baldwin	Halpern	Moulder
Baring	Hargis	Multer
Barry	Hechler	Murphy
Bates	Henderson	Natcher
Becker	Hoeven	Nelsen
Belcher	Hoffman, Ill.	Nix
Bennett, Mich.	Hogan	Norblad
Boland	Holland	O'Brien, Ill.
Bolling	Holt	O'Hara, Ill.
Bolton	Holtzman	O'Hara, Mich.
Bow	Hull	O'Konski
Boyle	Ikard	O'Neill
Brademas	Inouye	Oliver
Breeding	Irwin	Osmer
Brewster	Jarman	Ostertag
Brock	Jarman	Pfost
Brooks, Tex.	Johnson, Calif.	Philbin
Burke, Ky.	Johnson, Colo.	Pirnie
Burke, Mass.	Johnson, Md.	Price
Bush	Johnson, Wis.	Prokop
Byrne, Pa.	Judd	Pusincki
Byrnes, Wis.	Karsten	Quigley
Cahill	Karth	Rabaut
Carnahan	Kasem	Randall
Casey	Kastenmeier	Ray
Cederberg	Kearns	Rees, Kans.
Celler	Kee	Reuss
Chamberlain	Keith	Rhodes, Ariz.
Chelf	Kelly	Rhodes, Pa.
Chenoweth	Kilday	Robison
Church	Kilgore	Rodino
Clark	King, Calif.	Rogers, Colo.
Coffin	King, Utah	Rogers, Mass.
Conte	Kirwan	Rooney
Cook	Kluczynski	Roush
Corbett	Knox	Saund
Cunningham	Kowalski	Schenck
Curtin	Lafore	Scherer
Curtis, Mass.	Laird	Schwengel
Daddario	Lane	Sheppard
Dague	Langen	Slack
Daniels	Lankford	Smith, Iowa
Dawson	Lat'a	Springer
Denton	Lesinski	Staggers
Derwinski	Levering	Stead
Diggs	Libonati	Stratton
Dingell	Lindsay	Sullivan
Donohue	Lipscomb	Taber
Doyle	McCulloch	Thomas
Du'ski	McDowell	Thompson, N.J.
Dwyer	McFall	Thomson, Wyo.
Fenton	McGinley	Thornberry
Flynn	McIntire	Toll
Fogarty	Machrowicz	Udall
Foley	Mack, Ill.	Vanik
Forand	Mack, Wash.	Van Zandt
Ford	Madden	Wainwright
Freltinghuysen	Magnuson	Walter
Friedel	May	Wampler
Fulton	Meader	Widnall
Gallagher	Merrrow	Wilson
George	Metcalf	Wolf
Giaimo	Meyer	Wright
Goodell	Mittler, Clem	Yates
Granahan	Mittler,	Young
Gray	George P.	Zablocki
	Miller, N.Y.	
	Mil'ken	
	Moeller	

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NAYS—81

Abbitt	Flynt	Mills
Abernethy	Forrester	Mitchell
Alexander	Fountain	Norrell
Alford	Frazier	Passman
Alger	Gary	Fatman
Andrews	Gathings	Poff
Ashmore	Grant	Preston
Bass, Tenn.	Haley	Rains
Beckworth	Hardy	Rivers, S.C.
Bennett, Fla.	Harmon	Roberts
Boggs	Harris	Rogers, Fla.
Bonner	Harrison	Rogers, Tex.
Boykin	Hemphill	Rutherford
Brown, Ga.	Huddleston	Scott
Budge	Jennings	Selden
Burleson	Jensen	Sikes
Colmer	Johansen	Smith, Miss.
Cooley	Jonas	Smith, Va.
Cramer	Jones, Ala.	Teague, Tex.
Davis, Ga.	Kitchin	Thompson, Tex.
Dorn, S.C.	Landrum	Trimble
Dowdy	Lennon	Tuck
Downing	McMillan	Whitener
Elliott	McSween	Whitten
Everett	Mahon	Williams
Fascell	Mason	Willis
Fisher	Matthews	Winstead

NOT VOTING—133

Adair	Durham	Pillion
Addonizio	Edmondson	Poage
Allen	Evins	Porter
Anderson, Mont.	Fallon	Powell
Anfuso	Farbstein	Quie
Auchincloss	Feighan	Reece, Tenn.
Baker	Fino	Riehlman
Barden	Flood	Riley
Barr	Garmatz	Rivers, Alaska
Barrett	Gavin	Rosenvelt
Bass, N.H.	Glenn	Rostenkowski
Baumhart	Gubser	St. George
Bentley	Hall	Santangelo
Berry	Hays	Saylor
Betts	Healey	Shelley
Blatnik	Hébert	ShIPLEY
Blicht	Herlong	Short
Bosch	Hess	Siler
Bowles	Hiestand	Simpson, Ill.
Bray	Hoffman, Mich.	Simpson, Pa.
Brooks, La.	Hollifield	Sisk
Broomfield	Horan	Smith, Calif.
Brown, Mo.	Hosmer	Smith, Kans.
Brown, Ohio	Jackson	Spence
Broyhill	Jones, Mo.	Stubblefield
Buckley	Keogh	Taylor
Burdick	Kilburn	Teague, Calif.
Canfield	Loser	Teller
Cannon	McCormack	Thompson, La.
Carter	McDonough	Tollefson
Chiperfield	McGovern	Ullman
Coad	Macdonald	Utt
Cohelan	Mailliard	Van Pelt
Collier	Marshall	Vinson
Curtis, Mo.	Martin	Wallhauser
Davis, Tenn.	Michel	Watts
Delaney	Minshall	Weaver
Dent	Morrison	Weis
Derounian	Moss	Westland
Devine	Mumma	Wharton
Dollinger	Murray	Wier
Dooley	O'Brien, N.Y.	Withrow
Dorn, N.Y.	Pelly	Younger
	Perkins	Zelenko
	Pilcher	

So the motion was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Keogh for, with Mr. Hébert against.
 Mr. Buckley for, with Mr. Vinson against.
 Mr. Addonizio for, with Mr. Morrison against.
 Mr. Bass of New Hampshire for, with Mr. Pilcher against.
 Mr. Anfuso for, with Mr. Hall against.
 Mr. Delaney for, with Mrs. Blicht against.
 Mr. Brown of Ohio for, with Mr. Herlong against.
 Mr. Barrett for, with Mr. Barden against.
 Mr. Healey for, with Mr. Loser against.
 Mr. Martin for, with Mr. Durham against.
 Mr. Santangelo for, with Mr. Thompson of Louisiana against.
 Mr. Garmatz for, with Mr. Brooks of Louisiana against.
 Mr. Auchincloss for, with Mr. Riley against.
 Mr. Dollinger for, with Mr. Davis of Tennessee against.

Mr. Farbstein for, with Mr. Evins against.
 Mr. Glenn for, with Mr. Murray against.
 Mr. Zelenko for, with Mr. Broyhill against.
 Mr. Wallhauser for, with Mr. Hoffman of Michigan against.

Until further notice:

Mr. Teller with Mr. Simpson of Pennsylvania.
 Mr. O'Brien of New York with Mr. Taylor.
 Mr. McCormack with Mr. Bentley.
 Mr. Hollifield with Mr. Allen.
 Mr. Roosevelt with Mr. Adair.
 Mr. Hays with Mr. Michel.
 Mr. Shelley with Mr. Mumma.
 Mr. Ullman with Mr. Pelly.
 Mr. McGovern with Mr. Reece of Tennessee.
 Mr. Rostenkowski with Mr. Riehlman.
 Mr. Rivers of Alaska with Mr. Baker.
 Mr. Anderson of Montana with Mr. Bray.
 Mr. Macdonald with Mr. Canfield.
 Mr. Cohelan with Mr. Younger.
 Mr. Feighan with Mr. Saylor.
 Mr. Powell with Mr. Pillion.
 Mr. Flood with Mr. Quie.
 Mr. Fallon with Mr. Minshall.
 Mr. Marshall with Mr. McDonough.
 Mr. Bowles with Mr. Kilburn.
 Mr. Moss with Mr. Baumhart.
 Mr. Wier with Mr. Betts.
 Mr. Watts with Mr. Collier.
 Mr. Shipley with Mr. Teague of California.
 Mr. Brown of Missouri with Mr. Utt.
 Mr. Blatnik with Mrs. St. George.
 Mr. Barr with Mr. Mailliard.
 Mr. Sisk with Mr. Gubser.
 Mr. Stubblefield with Mr. Fino.
 Mr. Carter with Mr. Curtis of Missouri.
 Mr. Coad with Mr. Derounian.
 Mr. Porter with Mr. Devine.
 Mr. Spence with Mr. Dixon.
 Mr. Perkins with Mr. Hess.
 Mr. Edmondson with Mr. Smith of California.
 Mr. Cannon with Mr. Weaver.
 Mr. Burdick with Mr. Westland.

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 53: On page 21, insert:

"EXPENSES

"For an additional amount for 'Expenses', \$17 million to be derived by transfer from the appropriation for 'Establishment of air navigation facilities', fiscal year 1960; and the limitation under the head 'Expenses' in the Independent Offices Appropriation Act, 1960, on the amount available for expenses of travel is increased from '\$13,500,000' to '\$14,125,000.'"

Mr. PASSMAN. Mr. Speaker, I offer a motion which is at the Clerk's desk.

The Clerk read as follows:

Amendment numbered 53: Mr. PASSMAN moves that the House recede from its disagreement to the amendment of the Senate numbered 53, and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 54: On page 21, insert:

"ESTABLISHMENT OF AIR NAVIGATION FACILITIES

"Not to exceed \$4 million of the appropriation made available under this head in the Independent Offices Appropriation Act, 1960, shall be available for expenses of travel."

Mr. PASSMAN. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 57: Page 22, insert:

"FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION

"For expenses necessary to carry out the provisions of the Act of August 11, 1955 (69 Stat. 694), as amended, \$150,000, to remain available until expended."

Mr. PASSMAN. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 58: Page —, insert:

"HUDSON-CHAMPLAIN CELEBRATION COMMISSION

"For an additional amount for salaries and expenses in connection with the work prescribed for the Hudson-Champlain Celebration Commission in the sum of \$35,000 to be disbursed in the same manner and for the same effect that funds have heretofore been disbursed."

Mr. PASSMAN. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. PASSMAN moves that the House recede from its disagreement to the amendment of the Senate numbered 58, and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert "\$25,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 61: Page 22, insert:

"SALARIES AND EXPENSES

"For an additional amount for 'Salaries and expenses', \$290,000, of which \$220,000 shall be available only upon the enactment into law of legislation continuing beyond September 30, 1959, the program authorized by title VI of the Housing Act of 1954, as amended (68 Stat. 590, 637)."

Mr. PASSMAN. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. PASSMAN. I yield to the distinguished minority leader.

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. McCULLOCH], may extend his remarks in the RECORD immediately following those of the gentleman from New York [Mr. CELLER], for whom consent was obtained a moment ago.

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

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Louisiana.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 62: Page 23, insert:
"URBAN PLANNING GRANTS

"For an additional amount for 'Urban planning grants', \$1,000,000: *Provided*, That this paragraph shall be effective only upon the enactment into law of legislation amending section 701 of the Housing Act of 1954, as amended, so as to authorize appropriation of the foregoing amount."

Mr. PASSMAN. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. PASSMAN moves that the House recede from its disagreement to an amendment of the Senate numbered 62, and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert "\$750,000."

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent that all Members may have permission to extend their remarks in the RECORD at this point on the conference report.

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

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, I am very much in favor of an extension of the life of the Civil Rights Commission. Its inspired report recently issued justifies and indeed demands a continuation of its activity. Nor is it too early to consider implementation of the Commission's principal recommendations.

Accordingly, I have introduced in the House today a bill, H.R. 9254, to establish an agency of the legislative branch of the Federal Government authorized to conduct the elections of Members of the Senate and the House of Representatives. It is identical to S. 2535, introduced in the Senate of the United States on August 12, 1959, by the distinguished junior Senator from the State of Michigan [Mr. HART], for himself and 14 other able Members of that distinguished body. The bill establishes a continuing agency of the Congress itself, designed to insure that registration and election procedures shall be reasonable, fair, and equally available to all our citizens.

Under unanimous consent I include a section-by-section analysis of the bill and excerpts from a study on the constitutionality of such legislation, prepared by the Legislative Reference Service of the Library of Congress, to be inserted at this point in my remarks:

ANALYSIS OF CONGRESSIONAL ELECTIONS COMMISSION BILL INTRODUCED BY MR. O'HARA

It is the purpose of the Congressional Elections Act to establish any agency of the legislative branch of the Federal Government with authority to conduct the elections of Members of the Senate and the House of Representatives.

TITLE I

Title I states that because of the continuing denial to American citizens, on grounds of their race or color, of their right to vote, particularly to vote in the election of Representatives and Senators, recognizing the authority of Congress under the 15th amendment and under article I, section 4 of the Constitution, to assure fullest participation of qualified electors in congressional elections, the Congress determines it necessary to establish an agency to conduct registration and voting in the primary, special and general elections at which Representatives and Senators are elected.

TITLE II

Title II establishes the Congressional Elections Commission as an agency of the legislative branch of the Federal Government authorized to conduct primary, special and general elections for Members of the Senate and the House of Representatives. The Commission is composed of three members appointed by the President with the advice and consent of the Senate, Commissioners to be appointed for a term of 9 years.

TITLE III

Title III authorizes the Commission to make and maintain registers of voters in various congressional districts who are qualified to participate in primary, special and general elections of Members of the Senate and House of Representatives. The Commission may maintain registration lists in various congressional districts whether or not it has determined to run an election in the district. It is also provided that no person can become or stay registered on the Commission's lists who does not have the qualifications for electors of the most numerous branch of the State legislature. It is also provided that State and local laws and ordinances covering the time, place or manner of registration are not applicable to registrations conducted by the Commission, but the Commission is instructed to conform its conduct of registration as far as possible to the procedures in effect under State or local laws.

TITLE IV

Title IV authorizes the Commission to conduct primary, special, or general elections in any congressional district for Members of the Senate and the House of Representatives either when (1) the Commission is officially requested so to do by the State in which the district is located, or (2) the Commission determines that unless it conducts such an election qualified voters are likely to be denied their right in such a primary, special, or general election to cast their votes and have them fairly counted. Whenever the Commission conducts a primary, special, or general election that shall be the sole primary, special, or general election in the congressional district for Members of the Senate and the House of Representatives and the results thereof shall determine the party nominees, the elected Members of the House of Representatives and the official vote of the congressional district for Members of the Senate and the House of Representatives at large. No person may vote in an election conducted by the Commission unless he has either been registered under title III by the Commission or he is registered on a State registration-list determined by the Commission to be appropriate for use in its own elections. The Commission, if it decides to conduct an election, shall immediately notify the Governor of the State.

TITLE V

Title V provides for the certification of results of election by the Commission to the Speaker of the House, the Secretary of the Senate, and the Governor of the State, and

that such certification constitutes the binding and conclusive determination of the results of the primary, special, or general election.

TITLE VI

Title VI authorizes the Commission to delegate to its own agents and employees or to appropriate officials of the State and local governments any of the powers provided by the act with the exception of the authority of the Commission to determine whether or not to maintain registers of voters or to conduct an election in any particular congressional district which powers shall be exercised only by the Commission itself.

TITLE VII

Title VII authorizes suits for declaratory and injunctive relief in the U.S. district court by any citizen qualified to vote who has applied for registration by the Commission and is denied it or after being granted registration is removed from the registry or is denied opportunity to vote in an election conducted by the Commission.

TITLE VIII

Title VIII contains miscellaneous provisions concerning the compensation of agents and employees of the Commission as well as officials of the State to whom Commission functions may be delegated; provisions for the taking of testimony by the Commission; attendance of witnesses; refusals to testify; promulgation of the Commission rules and regulations; reports to the Congress; and amendment of prior laws.

EXCERPTS FROM CONSTITUTIONALITY OF NATIONAL LEGISLATION ON ELECTION OF CONGRESSMEN AND SENATORS

1. This subject involves the division of legislative power as between the States and the National Government. The extent of the congressional power to legislate on elections is determined by the provisions of the U.S. Constitution. The provisions relating to elections are set forth in part I of this report. Attention is directed to article 1, section 4 which provides that Congress may make regulations as to the times, place, and "manner of holding elections" for Senators and Representatives or may alter regulations prescribed by the State legislatures for such purposes, except as to the places of choosing Senators. A distinction between prescribing the manner of holding elections and prescribing the qualification of electors must be recognized because article I, section 2, and the 17th amendment provide that the electors for Representatives and Senators shall have the qualifications requisite for electors of the most numerous branch of the State legislatures. The power of the State in this and other matters is subject to the limitations set forth in the 14th, 15th, and 19th amendments.

2. The Supreme Court decisions on the validity of State laws on the qualification of electors have been reviewed in this report because they bear upon the division of power between the States and the National Government and because the opinions in some of these cases contain statements that the right to vote is derived from the States and it is important to recognize that these statements were made in reference to the qualification of electors and not in reference to other election matters, such as the power to regulate the manner of holding congressional elections. Thus, there is no fundamental conflict between these statements and statements in cases involving other issues that the right to vote for representatives in Congress is derived from the U.S. Constitution.

3. The Supreme Court decisions on actions against racial discrimination after the civil

rights legislation of 1870 are described in this report because they demonstrate the importance of respecting constitutional limitations in drafting and interpreting legislation. Two of these decisions held certain sections of the civil rights laws unconstitutional (*United States v. Reese and James V. Bouman*). In both instances the difficulty was the failure of the statute involved to comply with the requirements of the 15th amendment and the decisions resulted from imprecise drafting of the legislation rather than from a lack of congressional power to deal with the matter in controversy. Two other racial discrimination cases (*United States v. Cruikshank and Ex parte Yarborough*) demonstrate the difference in congressional power as between State elections and national elections. One case held that the U.S. Constitution does not prohibit private racial discrimination in State elections and the other held that there is constitutional power to prohibit private racial discrimination in the election of a representative in Congress. These two cases involved, not the constitutionality of legislation, but the meaning of rights or privileges secured by the Constitution in a criminal statute protecting such rights.

4. The foremost exercise by Congress of its power under article I, section 4 of the Constitution was the enactment of several sections in the Civil Rights Acts of 1870-71 providing for the supervision of elections of Representatives in Congress. A number of these sections were held constitutional and no section of the civil rights legislation which dealt expressly with the election of Representatives in Congress was held unconstitutional. The Supreme Court decisions on these sections are set forth in part 4 of this report. The outstanding case is *Ex Parte Siebold*. The sections involved were repealed in 1894 along with several others relating to elections.

5. After the repeal in 1894 of much of the national legislation on elections, controversies arose on whether criminal statutes punishing conspiracies to commit an offense against the United States, and conspiracies to interfere with rights secured by the Constitution were applicable to activities affecting elections. These cases are described in part 5 and some of them, notably *United States v. Gradwell*, discuss the scope and exercise of congressional power on elections, in the process of interpreting the conspiracy statutes.

6. The only congressional enactment dealing expressly with the election of Representatives and Senators which has been held unconstitutional was the portion of the Corrupt Practices Act relating to nominations and primary elections. *Newberry v. United States*, 256 U.S. 232 (1921). However, this decision has been virtually nullified by the subsequent decision in *United States v. Classic*, 313 U.S. 299 (1941). The cases on primary elections are reviewed in part 6 of this report. The Supreme Court decision in the *Classic* case interpreted "elections" in article I, section 4 as meaning "choice," and thus including the process of nomination. Also, the Court relied upon the "necessary and proper" clause in article I, section 8 of the Constitution.

7. The Supreme Court cases on congressional power to deal with registration procedures affecting congressional elections are less helpful than those relating to general and primary elections. A section of the 1870 Civil Rights Act which dealt mainly with registration was said to be valid in two Supreme Court cases but neither case appears to have involved registration itself. However, the Supreme Court opinion in the *Classic* case indicates that the authority of Congress to regulate the manner of holding elections is supplemented by the necessary and proper clause. If the administration of State registration laws was found to affect

the right of a person to vote for a Representative or Senator, national legislation on the control of a State registration system would most likely be held constitutional, provided it complied with provisions of article I of the Constitution. These requirements may be summarized as (1) the legislation must expressly deal exclusively with the election of Representatives and Senators, (2) the legislation cannot prescribe the qualification of electors, (3) the legislation must relate to what is necessary and proper for the regulation of the manner of holding such elections.

Mr. DOWDY. Mr. Speaker, I opposed the rule sending this foreign aid-civil rights bill to conference committee, and am opposed to the bill in any form. It is evil compounded by evil. In my opinion, the foreign aid provisions, in impoverishing America to build up socialism and communism in foreign lands, amount to treason; the extension of the so-called Civil Rights Commission, with the evident intent to overthrow the American way of life, amounts to tyranny. The Kremlin hierarchy would be proud to claim authorship of this combination. Khrushchev on his arrival a few hours from now will be well pleased with such a welcome as given him and his breed by the enactment of this bill. It is a greater victory for the Red bosses than was their shot at the moon.

Mrs. CHURCH. Mr. Speaker, I rise in protest against this attempt to bury a vital civil rights issue through a rider to the mutual security appropriation bill under consideration. Furthermore, the fact that the rider seeks only to extend the life of the Civil Rights Commission, without meeting other demonstrated needs, is in itself a reason for just protest.

Ever since I came to this House 9 years ago, I have vigorously insisted that failure to meet the need for adequate civil rights legislation would serve only to expose to a skeptical world a weakness in our own democracy that must be promptly and soundly remedied if our system of a free government by free men is to survive.

It is incredible to me that action on this matter has been delayed until the closing hours of the Congress. It is even more incredible that the only possible action to be offered us before adjournment is through a rider which has no germane connection whatsoever, under House rules, with the bill to which it was attached by the other body.

I am, of course, supporting the amendment favoring the extension of the Civil Rights Commission.

I can perhaps best express the strength of my conviction on this issue, Mr. Speaker, by here stating that, contrary to my general custom on petitions, I immediately signed Congressman CELLER's petition offered recently to bring out to the House floor the civil rights measure reported out of the Judiciary Committee. Even this bill is in itself inadequate and superficial.

I express the hope that at the very beginning of the next session of the Congress we may face our responsibility in this matter honestly and courageously. I shall certainly, once more, do all within my power to secure enactment of sound and necessary civil rights legislation.

COMMITTEE TO NOTIFY THE PRESIDENT

Mr. ALBERT. Mr. Speaker, I offer a resolution.

The Clerk read as follows:

HOUSE RESOLUTION 397

Resolved, That a committee of two Members be appointed by the House to join a similar committee appointed by the Senate, to wait upon the President of the United States and inform him that the two Houses have completed their business of the session and are ready to adjourn, unless the President has some other communication to make to them:

The resolution was agreed to.

The SPEAKER. The Chair appoints as members of the committee the gentleman from Oklahoma, Mr. ALBERT, and the gentleman from Indiana, Mr. HALLECK.

PRINTING OF COMMITTEE REPORT AS HOUSE DOCUMENTS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that reports filed with the clerk following the sine die adjournment by committees authorized by the House to conduct investigations, may be printed by the clerk as reports of the 86th Congress.

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

There was no objection.

GENERAL LEAVE TO EXTEND

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that all Members of the House shall have the privilege, until the last edition authorized by the Joint Committee on Printing is published, to extend and revise their own remarks in the CONGRESSIONAL RECORD on more than one subject, if they so desire, and may also include therein such short quotations as may be necessary to explain or complete such extensions of remarks; but this order shall not apply to any subject matter which may have occurred, or to any speech delivered, subsequent to the adjournment of Congress.

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

There was no objection.

EXTENSION OF REMARKS BY COMMITTEE CHAIRMEN AND RANKING MINORITY MEMBERS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the chairmen of all the standing committees and subcommittees of the House may extend their remarks up to and including the publication of the last Record and to include a summary of the work of their committees; also that the ranking minority member of such standing committee or any subcommittee may have the same permission to extend their remarks and to include a summary, if they desire, from their point of view, separately from that of the chairman.

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

There was no objection.

EXTENSION OF REMARKS

Mr. **GROSS**. Mr. Speaker, I ask unanimous consent to extend my remarks in the **RECORD** just prior to the vote on the adoption of the conference report.

The **SPEAKER**. Is there objection to the request of the gentleman from Iowa? There was no objection.

CONSTITUTIONAL AMENDMENT ON CIVIL RIGHTS

(Mrs. **GREEN** of Oregon (at the request of Mr. **ALBERT**) was given permission to extend her remarks at this point in the **RECORD** and include extraneous matter.)

Mrs. **GREEN** of Oregon. Mr. Speaker, it was a real pleasure for me to introduce in the House today a joint resolution embodying the constitutional amendment recommended by the Civil Rights Commission. This amendment provides that no citizen shall be deprived of the right to vote, to register or otherwise qualify to vote, or the right to have his vote counted; by the United States, or by any State, or by any person, except for failure to meet age or residence qualifications uniformly applied by the States. The right of the various States to have different age or residence qualifications is preserved, but the amendment, if made a part of the Constitution, would take away from the hands of those who seek to prevent millions of Americans from voting the most common tools which they now use.

The right to vote is utterly basic to any program of civil rights. It is, in fact, utterly basic to the very concept of democracy. If we can, once and for all, cut through the artificial barriers which have been raised to bar access to the ballot box to very nearly half of the people of the South, we will have gone a long way toward removing the obstacles to a full realization of the other rights which supposedly are guaranteed to every American citizen—but which have not been enforced for the past century.

The report of the Civil Rights Commission, based upon such information as that committee was able to obtain, in spite of obstacles thrown in its path by local officials, spells out techniques used to deprive American citizens of the vote which would have brought a blush of shame to the faces of the worst city bosses of a past era. People have been asked to explain constitutional provisions which read like questions from bar examinations. People have been deprived of the very opportunity to try to qualify for the franchise. And it is clear from the report of the Commission that these qualifications have been applied under the worst kind of double standard. Negroes with college degrees were barred from voting by rigid application of so-called literacy tests, while scarcely liter-

ate whites, were encouraged to register and vote in order to maintain white supremacy.

A few weeks ago, this House rang with righteous denunciation of the denial of the right to vote to members of labor unions on elections within their unions. Legislation was enacted to safeguard this right. I supported such legislation, and I believed then, as I believe now, that it was a real contribution to democracy within the union movement.

But democracy within the immediate sphere of government itself is even more essential if our Nation is to continue to grow, spiritually and materially and if we really believe that the best system of government is based upon the ability of the governed to select their public officials and to render a judgment on their stewardship at the polls. Throughout history, there has been developed no alternative to government by ballot except government by bayonet. Other advances in the field of civil rights or, for that matter, in other fields, are only built on the shakiest of foundations if they are not buttressed by the right to vote. The right to vote is the heart of our way of life and the chief promise of the continuing American revolution. If we deny to Americans the right to vote, on the specious basis of race, or color, or national origin, we are denying our own heritage and our own fitness to serve the cause which our country embodies.

When Hawaiian statehood was before this body, I spoke in favor of admitting what is now our 50th State to full membership in the Federal family. In speaking for statehood, I said:

In acting, within the confines of this historic Chamber, to govern peoples whose consent is not asked and whose participation is not encouraged, we have weakened by our example what we uphold by our words. Every time the Congress of the United States acts to pass legislation for the governance of a territory when such an act could be passed by the legislature of a State, we are cheapening our own dignity and demeaning our high office, no matter how generous may be the terms of such legislation.

So it is with the right to vote within the States themselves. As long as this Congress governs millions of people who have no meaningful way to express themselves in this Chamber, as long as the right to participate in the selection of the Members of the Congress is denied to American citizens on arbitrary, discriminatory grounds, just so long is the Congress itself the real loser. It is our own high office and our own participation in the solemn act of representation that is lessened by the actions of those who deny to our fellow citizens their right to choose us and pass judgment upon us.

The proposed 23d amendment to the Constitution will blunt the edge of those tools which are now used to deny qualified Americans the right to vote. It will prevent the misuse of State laws by those who would ignore the demands of our democratic faith. It will, when passed by the Congress and ratified by the State legislatures, mark a great step forward toward the securing of equal rights under the law to all Americans.

LETTERS AND LEGISLATION

(Mr. **HENDERSON** asked and was given permission to extend his remarks at this point in the **RECORD**.)

Mr. **HENDERSON**. Mr. Speaker, it is interesting to study the source of letters that I receive advocating or opposing certain items of important legislation which are under consideration in the House of Representatives. I have been impressed that on a number of key issues, very little opinion from the general public is obtained from correspondence. The highway bill which was passed by Congress last week and which provided for an increase in the gasoline tax of 1 cent for a period of at least 22 months is a very good example. Checking through the correspondence that I received on this measure, I find that a great number of letters were received but not over half-dozen which advocated the imposition of an additional 1 cent on the Federal gasoline tax were written by people who had no apparent connection with highway construction or the manufacture or sale of supplies for the construction of highways. The road user, the fellow who is going to pay an additional penny tax in addition to the tax increase of 2 cents recently imposed by the State of Ohio offered little comment on the type of highway program that Congress would enact.

I am quite sure that each Member of Congress exercises an independent judgment in his action on legislative matters. If he were to be guided solely by the special interest mail he receives, he could be ignoring the wishes and the welfare of those who do not have such a special interest.

CONGRESS AND MR. KHRUSHCHEV

(Mr. **HENDERSON** asked and was given permission to extend his remarks at this point in the **RECORD**.)

Mr. **HENDERSON**. Mr. Speaker, I was somewhat disturbed, as were some of my colleagues in Congress, to hear so much talk that Congress planned to adjourn prior to the arrival of the Premier of Russia by reason of fear, embarrassment or for all sorts of explanations which had in common the picture of Congress leaving Washington under a figurative cover of darkness. I feel that these statements were unwarranted, untrue and not at all helpful in our dealings with the Soviet Union.

The fact of the matter is that in most years the final gavel of the Congress drops during the month of August and had the way been cleared for adjournment several weeks ago there would have been no question of the reason why the Congress adjourned. The simple explanation would have been what it is now—that its work has been completed. This year for reasons known and unknown, good and bad, the work of the Congress was not completed until mid-September and this adjournment date coincided with the arrival in Washington of the controversial Mr. Khrushchev and his entourage. It also coincided with a waxing moon, Russia's claim to have sent a rocket to the earth's satellite, a break in