

1960

## CONGRESSIONAL RECORD — SENATE

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imperative as an emergency measure that the Senate accept the House amendments so that the bill may go to the White House. There was no opposition in the Interstate and Foreign Commerce Committee.

The Senator from Kansas [Mr. SCHOEPPEL] and I cosponsored the bill. I have discussed it with the minority leader, the Senator from Illinois [Mr. DIRKSEN], just prior to lunch, and so far as I know there is absolutely no objection to the bill. There is an emergency involved.

Mr. KEATING. Mr. President, am I to understand that all members of the committee favor the amendments?

Mr. MAGNUSON. I have not discussed the House amendments with the members of the Senate committee, because we have not had a meeting. But the House amendments are of a minor nature. Because of the emergency, we would like to accept the House amendments and pass the bill.

Mr. KEATING. Has the Senator from Washington discussed these amendments with the minority leader?

Mr. MAGNUSON. I have not discussed the amendments in detail, but I discussed the proposal in detail with him prior to lunch.

Mr. KEATING. I am informed that the Senator from Kansas [Mr. SCHOEPPEL], the ranking minority member of the committee, has agreed to the proposed amendments. With that understanding I am very happy to interpose no objection.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1806) to revise title 18, chapter 39, of the United States Code, entitled "Explosives and Combustibles", which were: On page 1, line 3, strike out "chapter 39"; on page 9, line 6, after "associations" insert ", including the Bureau for the Safe Transportation of Explosives and other Dangerous Articles,"; on page 9, strike out lines 12 through 14, inclusive, and insert "(f) Whoever knowingly", and on page 10, line 16, after "privilege" insert ": Provided, however, That before any person may be required to appear and testify or produce documentary evidence, he shall be advised by the Commission that he must specifically claim such privilege".

Mr. MAGNUSON. Mr. President, I move that the amendments of the House be considered en bloc and concurred in.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Washington.

The motion was agreed to.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. KEATING. I yield.

Mr. WILLIAMS of Delaware. Does the Senator from New York anticipate asking for a quorum call before he begins his remarks?

Mr. KEATING. I will not ask for a quorum call unless the Senator wishes one.

## ISSUANCE OF PASSPORTS

Mr. KEATING. Mr. President, on August 17 of this year I directed a letter

to the Secretary of State reading in part as follows:

On July 7, 1958, President Eisenhower in a message to the Congress requested the enactment of legislation with regard to the issuance of passports. In his message the President stated, "I wish to emphasize the urgency of the legislation I have recommended. Each day and week that passes without it exposes us to great danger. I hope the Congress will move promptly toward its enactment."

On the same day the Secretary of State transmitted a draft of a bill to implement the suggestions made by the President. In my letter I referred to the various bills pending in the field of passport legislation, and asked the Secretary of State to review them and to advise me of his general impression. I also said:

I am particularly anxious to have your views as to the importance of enacting passport control legislation prior to the adjournment of this Congress.

I am in receipt of a letter from Under Secretary of State Douglas Dillon, dated August 25. It is a rather long letter, and I shall not read all of it. He states:

I have your letter to Secretary Herter of August 17, 1960, requesting his general impressions of the passport legislation which passed the House on September 8, 1959 (H.R. 9069) and the measure reported by the Senate Committee on the Judiciary on June 30, 1960 (S. 2652), together with his estimate of the importance of enacting passport control legislation prior to the adjournment of this Congress—

S. 2652 was sponsored by the distinguished Senator from Connecticut [Mr. DODD] and myself.

At the outset, I want to emphasize that I attach the utmost importance to the enactment of adequate passport control legislation during the present Congress. I can assure you that Secretary Herter is in full accord with my position on this matter.

It has never been the Department's view, however, that there is but one possible solution to the deficiency in our passport authority; or, for that matter, that all passport problems must be solved in one piece of legislation. As a result of the sentiment expressed by the Foreign Relations and Foreign Affairs Committees during hearings in the 86th Congress on this subject, the Department concluded that the Congress did not favor an urgent approach to full-scale revision and codification of all passport laws. Accordingly, in the 86th Congress the Department decided to support legislation limited to the most critical problem—authorizing the denial of passports to persons knowingly engaged in activities in furtherance of the international Communist movement.

Simply stated, there is needed legislative authority which will permit the Secretary of State under appropriate safeguards to deny passports to citizens knowingly engaged in activities for the purpose of furthering the international Communist movement. Such authority represents, in my opinion, the minimum which is essential to counteract the danger to which we are exposed daily by the present state of the law. I am seriously concerned about the jeopardy to our national security and the prejudice to our foreign relations involved in the unrestricted travel abroad of active participants in the Communist conspiracy.

The administration has consistently urged the Congress to take action to fill this statutory gap in our defenses.

Departmental representatives have testified to this effect before at least five different committees of the Congress and on numerous occasions. In addition to the President's message to the Congress on July 7, 1958, and his 1960 budget message to the Congress on January 19, 1959, concerning the necessity for passport legislation, the President's view that legislation in the passport field is both essential and urgent was conveyed to the Senate Foreign Relations Committee on June 26, 1959. I still consider that the lack of legislative authority to deny passports to the really dangerous participants in the Communist conspiracy is a most critical problem and constitutes a clear and present danger to the United States.

The letter discusses H.R. 9069 which has passed the House of Representatives, and states that it is to some degree inadequate. Acting Secretary Dillon goes on to state:

Of the bills presently pending before the Senate Foreign Relations Committee, including the House-passed bill, the Department has strongly endorsed S. 2315—the Wiley bill—and the Attorney General has joined in this endorsement of the bill to meet the Communist problem in the passport area. Incidentally, the American Bar Association has also endorsed S. 2315 as being the bill pending in Congress which most nearly conforms to its resolution on passport legislation.

That bill, as I understand, is now resting quietly in the Committee on Foreign Relation.

He then says:

You also asked the Secretary for his impression of S. 2652. The passport provisions of S. 2652 (Dodd-Keating bill) are in several respects preferable to the House-passed bill. The criteria for passport denial, as well as a number of other provisions, are essentially the same in both bills. However, S. 2652 provides specifically for the utilization of information the disclosure of which would prejudice the national security and public interest, or would compromise investigative sources and methods, together with the provision that such information shall not constitute a basis for passport denial unless the applicant is furnished a full summary thereof in as much detail as security considerations will permit. I believe such a provision recognizes the important interests of the U.S. Government without undue prejudice to the interests of the individual.

On the other hand, if the House-passed bill (H.R. 9069) should be amended to allow some reliance by the Secretary of State on confidential information under appropriate safeguards to protect the rights of the individual it would, I believe, fully meet the needs of our national security for legislation authorizing the denial of U.S. passports to dangerous members of the Communist conspiracy.

Mr. President, I am convinced that we will be failing in our responsibilities to the American people, particularly in the light of this exchange of correspondence with the Secretary of State, if we do not at this session consider passport control legislation prior to adjournment. I hope that the full impact of the Department's letter will be felt by every Member of the Senate.

I ask unanimous consent that the letters may be printed in full at the conclusion of my remarks.

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

(See exhibit 1.)

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

Mr. KEATING. I shall be glad to yield in a moment. I should like to complete my thought. Under Secretary Dillon, the writer of the letter, is not a man who lightly utters warnings like this. He has made a solemn evaluation of the present situation, which cannot be disregarded without risking serious injury to the national welfare. The House of Representatives twice has enacted passport legislation by overwhelming majorities, only to see its action either annulled or ignored by a refusal of the Senate to consider the subject.

It may very well be that the bill introduced by the Senator from Connecticut and myself should be amended. It has been unanimously reported by the Committee on the Judiciary. It is on the calendar, ready for action. Perhaps the language of the House bill or some other language is preferable, but the opposition of a few Members of the Senate to legislation in general in this field should not be allowed to stymie all Senate consideration of this grave problem. It has been more than 2 years since President Eisenhower, in his message to Congress, urgently pleaded for enactment of this necessary legislation, and the State Department's letter makes it evident that this need has in no way abated and that it is still a subject on which action by Congress is imperative.

I am happy to yield to the distinguished Senator from Connecticut.

Mr. DODD. I thank the distinguished Senator from New York. I am proud of the fact that I was privileged to work with the distinguished Senator from New York in the preparation of the bill, which we jointly introduced.

In my judgment this is one of the most important measures before the Senate, and we should act on it. I am certain the Senator from New York will agree with me that the bill not only is appropriate with respect to the passport situation, which I think is grave, but that the bill covers other important areas, as well. It provides for the handling of offenses under the Espionage Act which are committed outside the territorial jurisdiction of the United States. Much could be said about this problem, but I shall not take the time now to say anything about it.

It also covers a situation which cries to heaven for some relief under the Foreign Agents Registration Act.

This is an important bill. I hope some action can be taken on it. It represents, in my judgment, the very minimum of what we should do and what is essential if we are to protect ourselves intelligently from some facets of the menace of communism.

It was our purpose to present to the Senate the most noncontroversial and most urgently needed of the numerous suggestions which were made to us as members of the Committee on the Judiciary. We know there is a difference of opinion about this subject. We share many of the apprehensions of our colleagues. I am certain that suggestions will be made to make the bill a better piece of legislation, and I am confident that a bill can be passed. All I think needs to be done is to have the bill called

up and brought before the Senate. I am certain that we can get a good bill through the Senate, and ultimately through Congress. But it has to be done promptly. There is not much time left.

I am very glad the able Senator from New York has brought up this subject today. In my judgment, he is a very great lawyer; a most experienced and scholarly one; and a man of fair disposition. He has rendered a distinct service in discussing this subject. I assure him that I shall do everything I can to make certain that this bill is brought before the Senate.

Mr. KEATING. Mr. President, I appreciate deeply the remarks of the distinguished Senator from Connecticut. We have worked together in conducting the hearings on this and related proposed legislation. Many witnesses appeared before us who felt that we could go much further than we have in the bill which we have introduced. In fact, it is probable that most of the pressure was in that direction. However, we tried to deal with the subject objectively and in a judicious manner, and not to suggest legislation which was not moderate.

As the Senator from Connecticut has pointed out, the bill deals not only with passports; it attempts also to clarify the law with regard to espionage committed in foreign lands. It redefines the "organize" provision in the Smith Act. It also expanded the scope of the Foreign Agents Registration Act.

The passport provision, as I say, should be open to debate. Very probably the wording of the bill can be improved.

Both the distinguished Senator from Connecticut and I and, of course, every other member of the Committee on the Judiciary, felt that each individual should be properly, fully, and adequately protected in his own individual rights; however, to force the Secretary of State, as is the present situation, to issue passports to know enemies of our country, who may be known to be going abroad to get indoctrination in espionage and efforts to overthrow this country, is something with which we should correct and correct forthrightly.

The letter of Under Secretary of State Dillon, as I have pointed out, expresses a preference for the provisions of S. 2315, introduced by the distinguished Senator from Wisconsin (Mr. WILEY). All well and good. Let us get the bill before the Senate. Let the Senator from Wisconsin offer the provisions of his bill as a substitute.

Someone else may want to substitute the provisions of the House bill, which has already been passed. This would, of course, have the merit of expediting the legislation. It may well be that the House language is preferable; but it is important that we deal with S. 2852 as the proper vehicle. It is now on the calendar. It could be called up for action at any time. There is no doubt in my mind that it is of much greater importance to our national interest than, for instance, the pending sense-of-Congress resolution with regard to how the President should act in making recess appointments to the Supreme Court; or that it

is of more importance, indeed, than many of the bills upon which we spent time yesterday.

In my judgment, there simply is no excuse for further inaction on this subject. If the Senate does not wish to enact any passport legislation, then certainly a majority should be given an opportunity to say that it does not wish to do so. However, I am perfectly confident that the Senate feels that this is an area, as does the Secretary of State, where we should act.

I believe all the sections of the bill which has been reported are important. I have no doubt that they would be overwhelmingly approved if we had the opportunity to pass upon them.

In my opinion, the passport problem is so important that if it is felt that the other provisions would further complicate matters—although I do not believe there would be any objection to the other provisions of the bill—then perhaps we ought to consider the passport problem alone.

Many reports have been circulated concerning a premature adjournment of this session of Congress, perhaps tomorrow or in the next few days, or at some early time. The letter of the Acting Secretary of State, Douglas Dillon, reveals the folly of any such precipitate exodus from Washington. This is a problem which simply cannot be swept under the rug until another day, if we are to put the interests of the Nation, as outlined in this letter, before our own convenience.

I read in the Record this morning that the Committee on Foreign Relations yesterday passed over until next year any pending passport legislation, and announced that such legislation would be its first order of business in the 87th Congress. This is disheartening news. It shows the folly of waiting upon the action of that committee before the Senate comes to grips with the problem. There is no excuse for not taking this up now; and the bill on the calendar, reported by the Judiciary Committee, is eminently appropriate for that purpose.

Mr. WILEY. Mr. President, will the Senator from New York yield?

The PRESIDING OFFICER (Mr. JORDAN in the chair). Does the Senator from New York yield to the Senator from Wisconsin?

Mr. KEATING. I am happy to yield.  
Mr. WILEY. I am very glad to join in the very astute words of the Senator from New York. He is always worth listening to.

This afternoon much has been said in stressing the thought that we are not sufficiently prepared militarily. I believe that in relation to this particular phase of our national life we must consider whether we are doing sufficient on the home front, as regards protecting our interests.

Russia made the U-2 plane flights necessary. Congress appropriated the money for the U-2; and for 4 years the U-2 made a large number of flights over Russia, and gave us important information in regard to the Russian military establishments and military developments.

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On the other hand, in this country many spies and agents of the Kremlin are allowed to go almost everywhere. But in Russia our representatives are treated far differently.

Consequently, we had to make the U-2 observations from 70,000 feet in the air. For 4 years those operations were conducted; and the information obtained—and I have seen the pictures—clearly shows that those flights were necessary.

Today, there are those who say we should continue to make observations by means of the U-2 flights. That is a military problem, and I shall not try to settle it.

However, I believe it all important that the American people recognize—and the facts should be made known—how serious the spying activities of the Kremlin really are.

We find their spies everywhere, and of course we let them come into our country.

The bill being discussed should certainly be taken up and passed at this session. In fact, in my opinion my bill should have been reported by the Foreign Relations Committee.

Mr. KEATING. I thank the Senator from Wisconsin.

Mr. SCHOEPEL. Mr. President—

Mr. KEATING. I yield to the Senator from Nebraska.

Mr. SCHOEPEL. I thank the Senator from New York for yielding to me. I wish to commend him for the interest he has demonstrated in the problem of making proper regulations in regard to the issuance of passports.

Mr. President, similar statements have been made and similar interest has been expressed by Senators on both sides of the aisle, in recent weeks, since the Senate reconvened. Certainly the urgency of the situation is quite clear to anyone who gives the matter more than cursory consideration.

We are concerned, of course, with many matters pertaining to the budget, armaments, our position in the cold war, Cuba, the Congo, and many other situations. Yet, despite the fact that what we do in this passport area bears so closely and vitally on all those problems, action on it has been refused, and for 2 years no action whatever was taken, following the action by the Supreme Court. Not until June 30 did any bill on the subject find its way to the floor of the Senate.

The bill now on the calendar is not a new proposal. It has been before the House and the Senate for the greater part of 2 years. As a matter of fact, a Presidential message on the subject was sent to Congress. The proposed legislation on the subject has been here since June 30. Certain technical amendments on the subject have been carefully considered; and certainly it is time that a legislative position on this matter was taken, and that it matured into the form of final legislation.

It is most regrettable that the bill has not already been acted on by the Congress; and I am grateful to the Senator from New York for again calling attention to the situation.

Mr. KEATING. I am very grateful to the Senator for his remarks. He has

been a leader in the efforts to see to it that action on this matter was taken. He has spoken on the importance of having such action taken at this session; and I am very grateful to him for the statement he has made about the matter today.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from New York yield to me?

Mr. KEATING. I yield.

Mr. WILLIAMS of Delaware. I wish to join the Senator from New York, the Senator from Nebraska, and other Senators in urging the Senate leadership to schedule the bill on this subject for action before we adjourn. I think there is no measure more important than the one the Senator from New York has been discussing; and certainly no measure which involves the security of the country should be overlooked, even though we are in a hurry to return home in this campaign year. So I certainly hope the leadership will take heed and will schedule the bill for action.

Mr. KEATING. I am very grateful to the Senator from Delaware for his remarks, and I share his view that this bill is as urgent as any bill which could possibly be on the calendar.

Mr. President, before yielding the floor, I want to point out that the security problem which arises out of the present situation with regard to passports is not speculative; it is real and it is documented. Of course, much of this documentation cannot be revealed without jeopardizing our intelligence sources, methods, and information. The facts concerning some of the specific cases, however, where passports have had to be issued and which can be revealed are enough to demonstrate the seriousness of this problem.

I have been furnished by the Department of State a full report—and I might say to my distinguished friend from Montana this is public property; this is not confidential information; and it is open to him and to anybody else who wants to ask the Department of State about it—on several of these specific cases where passports have had to be issued to known Communists.

I shall not go into them in detail, but one of these involves Morris H. Halperin. Mr. Halperin was implicated in the escape of the Sterns behind the Iron Curtain. After this incident he was still able to obtain a passport, which he used in 1958 to go to Moscow, when his deportation from Mexico as an American Communist was imminent. He is now reported to be working for the Soviet Government.

Other cases involved Paul Novik, David Matis, and Abraham Bick, reporters for Communist newspapers in New York City.

All three of these men are reported to be members of the Communist Party.

Everyone knows of the horrible outrages against Russians of Jewish origin in which the Soviet Government has been engaged. The mission of these three men was to make an on-the-spot investigation for their Communist paper to prove that Russia was in no way anti-Semitic and to disprove the al-

legations of the way the Soviet had been treating their Jewish citizens.

All of this they were able to do while traveling through Europe with American passports. We were cloaking them with the protection and status which goes with an American passport, while they were gathering and disseminating propaganda information for the Soviet Union.

Another case involves James E. Jackson, Jr., a leading official of the Communist Party. Jackson obtained a passport and, with other leading Communists, he attended a meeting with the Communist Party in Moscow in 1959.

I can think of nothing which more greatly facilitates the work of international communism than this ability to maintain contact, to communicate, and to exchange information with those who, we know, and they have told us, are out to bring about our destruction and to bury us.

I believe it is important that the information which has been furnished to me by the Department of State should be available for all Members of the Senate, and I ask unanimous consent that there be included at this point in the RECORD the detailed information on the cases to which I have referred.

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

STATEMENT BY THE DEPARTMENT OF STATE CONCERNING CASES WHERE PASSPORTS HAVE HAD TO BE ISSUED TO KNOWN COMMUNISTS

Subject: Maurice Hyman Halperin.

1. Maurice Hyman Halperin, a summary of whose background and activities appears as attachment A, on July 15, 1957, made reservations through the Mundus Tours, in Mexico, for "four engineers" on KLM flight No. 652, leaving Mexico for Amsterdam at midnight on July 20, 1957. On the afternoon of July 19, 1957, the individual in the tourist agency with whom Halperin had made the original reservations, advised KLM that three of the persons who would travel on the above reservations were Alfred K. Stern, Martha Stern, and Robert Stern. The fourth reservation was canceled. The Sterns had previously obtained fraudulent Paraguayan passports, alleging that they were citizens of that country. These passports have been declared void by the Government of Paraguay. We do not know what part, if any, Halperin played in obtaining the passports, but we do know that he was so intimately associated with the Sterns and their affairs that it would be surprising if he were not involved in the passport deal. Martha Dodd Stern and Alfred K. Stern were indicted by a Federal grand jury in the Southern District of New York on September 9, 1957, on a charge of conspiring to obtain and transmit to the U.S.S.R. information relating to the national defense of the United States. The Sterns continued directly behind the Iron Curtain, where they have remained.

2. Considerable publicity resulted from this escape of the Sterns. This publicity also involved a number of American Communists then residing in Mexico. Maurice Halperin is in this group.

3. In September 1958 the Mexican Government started deporting American Communists. According to the press, among those listed for deportation was Maurice Halperin. Halperin applied for a U.S. passport on July 26, 1958. He and his wife obtained their passports at the American Embassy on August 26, 1958, and departed Mexico on October 13, 1958. They went behind the Iron Curtain and are residing in Moscow. Our

latest information indicates that Halperin is working for the Soviet Government and is also in the process of writing a book.

Attachment A: Summary of Halperin's background and activities.

ATTACHMENT A

Subject: Maurice Hyman Halperin.

1. Maurice Halperin received a bachelor of arts degree from Harvard University, Cambridge, Mass., in 1926 in the field of romance languages, and a master of arts degree from the University of Oklahoma, Norman, Okla., in 1929, also in the field of romance languages. In 1931 he received a doctor of philosophy degree in the field of comparative literature from the University of Paris, Paris, France. Early in his career Halperin developed an intensive interest in the civilization of Mexico. Prior to 1941 he made 10 trips to Mexico and spent the equivalent of 2 years in that country.

2. Halperin was a professor at the University of Oklahoma from 1931 to 1941. From 1941 to 1945 he was employed with the Coordinator of Information (COI) and the Office of Strategic Services (OSS) where he was assigned to the Latin American Division, becoming ultimately the head of that Division. The Latin American section of the Research and Analysis Unit of OSS was transferred to the Department of State under Executive Order No. 9,621, dated September 20, 1945. Halperin, as chief of this unit, was also transferred to the Department of State. On May 31, 1946, he resigned from the Department of State due to ill health. In June 1946 he obtained employment in New York City with the American-Jewish Conference, handling minority groups and acting as a liaison official between that organization and the United Nations at Lake Success, N.Y. In the summer of 1949, Halperin made a trip to South America and in the fall of 1949 he became head of the Latin American regional students section at Boston University, College of Liberal Arts, Boston, Mass. He was not officially dismissed from this position until January 8, 1954; however, he went to Mexico on November 28, 1953, where he remained until October 1958.

3. In 1941 the Oklahoma State legislative committee investigating subversive activities in the State of Oklahoma learned that Halperin had been a member of a group of individuals who traveled to Cuba in 1935 in what was described as a Communist-inspired "commission of investigation of conditions in Cuba" arranged by Communist leaders and sponsored by front organizations. Upon landing in Cuba, the delegation was arrested by the Cuban authorities and expelled after 1 day of confinement on the ground that it was a subversive group and may have planned an uprising of some nature. The State legislative committee also learned that in 1940 Halperin had cashed a check for \$433.01 drawn on the Bank of Foreign Trade, Moscow, U.S.S.R.; that he associated with individuals of known leftist tendencies; that he had submitted articles to the New Masses and the New Republic; and that he had been a member of the following organizations regarded by the committee as leftist: Civil Liberties Committee, American Federation of Teachers, and Oklahoma Federation of Constitutional Rights.

4. On the basis of its findings, the Oklahoma State Legislative Committee recommended that Halperin be dismissed from his position at the University of Oklahoma. Halperin was subsequently discharged from the university on September 8, 1941, at which time he was on sabbatical leave. However, he was reinstated on February 11, 1942, and his sabbatical leave continued for the fiscal year ending July 1, 1942. It has been reported that this reinstatement was

brought about by protests made by the Association of University Professors and that Halperin was reinstated without prejudice with the understanding that he would resign at the termination of his sabbatical leave in order that no undue hardship would be sustained in his efforts to find other employment.

5. Although the above information was known to appropriate officials of COI/OSS, it was felt at the time that the explanations given by him in regard to his trip to Cuba and the check drawn on the Moscow Bank of Foreign Trade "exonerated" him.

6. In November 1945 Elizabeth Terril Bentley, an admitted former espionage courier, stated that she had become acquainted with Halperin in the latter part of 1942 through arrangements made by Jacob Golos, a known Soviet espionage agent who died on November 27, 1943. She further stated that Halperin supplied Golos with information to which he had access in his office, including mimeographed bulletins and reports prepared by OSS on a variety of topics and excerpts from State Department cables to which he had access. References to Bentley's contact with Halperin while he was employed by OSS are contained in Bentley's book "Out of Bondage" on pages 200, 210, 261, 263-266.

7. On November 20, 1953, Halperin was suspended without pay from his position of associate professor of the Latin American regional students section at Boston University, College of Liberal Arts, after he refused on constitutional grounds to tell the U.S. Senate Internal Security Subcommittee whether he was ever a member of the Communist Party. This action was taken as a result of public disclosures on television of a letter from Mr. J. Edgar Hoover to Mr. Harry H. Vaughn dated November 8, 1945, and declassified on November 16, 1953, in which Mr. Hoover stated that as a result of investigative operations, information had recently been developed from a highly confidential source indicating that a number of persons employed by the Government of the United States had been furnishing data and information to persons outside the Federal Government who in turn were furnishing the information to espionage agents of the Soviet Government. The letter linked Halperin with Harry Dexter White, Dr. Gregory Silvermaster, and other Government officials then suspected of espionage. Halperin had been suspended previously by Boston University in March 1953 for refusing to answer questions of a Senate Internal Security Subcommittee hearing in Boston, but was reinstated after being reprimanded and severely censured. Copies of newspaper articles relating to Halperin's dismissal from Boston University are attached, as attachment B. It will be noted that according to these articles Halperin and his family left their home in Massachusetts in the middle of the night without informing officials of Boston University of his departure. He was officially dismissed from the university on January 6, 1954.

8. After his arrival in Mexico, Halperin became a member of the American Communist Group in Mexico (ACGM) and was associated closely with Alfred K. Stern and his wife, Martha Dodd Stern, who had arrived in Mexico on July 5, 1953. Following the arrest of the Soviet agents, Jack Soble and his wife, Myra Soble, and Jacob Albam on January 25, 1957, it was disclosed that the Sterns had been implicated in Soviet espionage activity with Jack Soble. On July 20, 1957, the Sterns fled from Mexico to Czechoslovakia ostensibly to avoid being extradited to the United States to testify before a special grand jury in regard to their association with Jack Soble and the double agent Boris Morrow utilized by the FBI in the Jack Soble case. An investigation of the way in which the Sterns had been able to leave Mexico

clandestinely disclosed that their airplane reservations had been obtained for them by Halperin without disclosing to the airlines that they were to be used by the Sterns until the day before their departure. Halperin was very closely associated with the Sterns throughout this period and was intimately involved in their plans for escape.

9. The public disclosure of the assistance Halperin rendered the Sterns at the time of their flight from Mexico resulted in the dismissal of Halperin and his wife, Edith Halperin, from positions in Mexico City in which they were employed. Up to that time, Edith Halperin had been employed as a teacher by the American School Foundation, and Halperin had been employed by the Mexican Government in La Financiera Nacional, South America, and at the National School of Political and Social Sciences of the University of Mexico. In addition, an ice cream company by the name of Cia Mistram, South America, in which Halperin and Noah Seborer had held stock was liquidated by them in the summer of 1957. Noah Seborer was a member of the ACGM with Halperin.

10. After the decision of the Supreme Court in the Kent and Dayton cases, Halperin filed an application for a passport with the American Embassy in Mexico on July 26, 1958 (presumably his wife did also), and he and his wife were issued passports on August 26, 1958.

11. In August and September 1958, newspapers in the United States carried several articles about the American Communists in Mexico and the efforts being made by the Mexican Government to have them deported. (Copies of some of these articles are attached as attachment C.) Halperin's name was among those mentioned by the press. When Halperin commenced making plans to leave Mexico he obtained airplane reservations in the name of another person in the same manner he had used when obtaining airplane reservations for the Sterns. The Halperins finally departed from Mexico on October 13, 1958. At the time of his departure, the Government of Mexico had his case for deportation under consideration.

12. We received information shortly after Halperin's departure from Mexico that he was employed in Moscow by the U.S.S.R. This was confirmed on July 15, 1960, when the Halperins appeared at the American Embassy in Moscow and presented their U.S. passports for renewal. Halperin stated that he had been in the U.S.S.R. since December 1958 and that he is employed by the U.S.S.R. Academy of Sciences where he is doing research in the foreign field, specifically, relating to undeveloped countries. It will be recalled that Halperin is something of an authority on Latin American affairs. Our information indicates that this probably is the field in which he is working at the present time. The Soviet Academy of Sciences is directly subordinate to the Council of Ministers.

Subject: Paul Novik, David Matls, and Abraham Bick.

1. Antisemitism is a widespread attitude in the Soviet Union. It has been estimated that about 90 percent of the non-Semitic Soviet population are anti-Semitic. The Soviet regime manipulates existing anti-Semitic attitudes for its own purposes, as is evidenced in attachment A. This is an internal U.S.S.R. broadcast made on December 3, 1959, and directed only to Soviet audiences.

2. Externally, the Soviet Union and the international Communist movement pursue a program of concealing and denying the existence and the extent of antisemitism in the Soviet Union. The anti-Semitic attitude of the Soviet Union is becoming known in the Western World. The Morning Freiheit, a pro-Communist Yiddish daily published

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in New York City, is the leading apologist for the Soviet Union and attempts to show not only that the Soviet Union is not anti-Semitic but that the Jewish people, both individually and collectively, are prospering, happy, and free under Communist rule. To lend credence to this theme, its chief editor, Paul Novik, its foreign news editor, David Matis, and Abraham Bick, referred to in the Morning Freiheit as a "speaker, lecturer, and writer," made trips to the Soviet Union in 1958 and 1959.

3. In order to attract attention to his articles from the Soviet Union, the Morning Freiheit carried an announcement on January 9, 1959, as follows: "Read Paul Novik's letters from Warsaw; do not fail to read Paul Novik's letters from abroad, tell everybody." The Morning Freiheit published a series of 57 articles or letters from or about Novik's travels, all designed to prove that the Soviet and satellite nations are not anti-Semitic. The letters are very favorable to the Soviets and satellites in other respects and on every occasion compare the United States unfavorably to the Communist nations. Novik also, in one article, covers the 21st Communist Party Congress. Novik visited Israel prior to returning to the United States and while in Israel wrote articles highly critical of the Israeli Government, deploring clericalism in Israel and attacking the Israeli Reparation Agreement with West Germany. After returning to the United States, the subject wrote additional articles along the same line and gave several lectures which were announced in the Morning Freiheit.

4. The Morning Freiheit announced David Matis' trip to the Soviet Union and the satellites and then carried a series of eight articles along the same line as those of Novik. The Morning Freiheit announced Abraham Bick's trip to the Soviet Union and satellite countries. There followed a series of 37 articles either written by him from the bloc area or covering his lectures and writings after returning to the United States. His articles are similar to those of Novik and Matis. While in East Germany, he visited Gerhard Elsler which is mentioned in his article entitled "Jews in East Germany." While in Hamburg, he submitted an article that stated that anti-Semitism is now prevalent in West Germany and criticized Ben-Gurion for dealing with the Bonn Government. He submitted an article from Italy en route to Israel in which he discussed the precarious political situation in Italy and criticized the present government. In Israel, he criticized the Israeli Government for being pro-Western and during a 1-day stopover in Belgrade en route to Rumania, he criticized an Israeli diplomat whom he met in Belgrade for spreading false rumors "about anti-Semitism in Rumania."

5. The significance of the travel and writings of these three men is that their "on-the-spot" stories lend credence to the Communist line fraud by playing up the extremely small number of cases in which Jewish artists, scientists, and other members of the intelligentsia were able to make some sort of a career in the Soviet Union, in order to create the false impression that there is unlimited freedom of religious and cultural expression for Soviet Jews.

6. Solomon Rabinovich is a correspondent for the Morning Freiheit in Moscow. Novik, according to one of his articles, met with Rabinovich in Russia. We do not know what arrangement was made between Novik and Rabinovich, however, from February 17, 1959, to January 6, 1960, Rabinovich submitted 18 articles to the Morning Freiheit. In the July 29, 1959, issue of Forward (Yiddish anti-Communist daily published in New York) there appeared a lengthy article about a broadcast by Radio Moscow in which a "journalist of Jewish origin" severely attacked the Forward and the New York Times

for spreading news about alleged Soviet anti-Semitism. The originator of this broadcast was Solomon Rabinovich. In the broadcast Rabinovich refuted vehemently the Western allegations and stated that assertions of anti-Semitism in the U.S.S.R. are made by the "enemies of the Soviet Union," are pure fabrication and "do not contain even a grain of truth." He further described freedom of worship and indicated that only those localities lack synagogues where the Jews themselves are not interested in having them.

7. More details about the past of Solomon Rabinovich are set out in a letter to the editor of the New York Times, dated September 2, 1959, written by a Merdecial Gutman who is now residing in Israel. According to this letter, Solomon Rabinovich is writing his articles "under government restraint and expresses views that contradict his knowledge of the facts." The writer of the letter states that he has known Solomon Rabinovich since 1951 when they were both incarcerated in the same Soviet labor camp in Vorkuta. The writer further asserts that Rabinovich was sentenced to 15 years imprisonment for alleged espionage on behalf of the State of Israel. According to this letter, S. Rabinovich remained in the labor camp until 1954 and was released along with many other survivors of the slave labor camps after the death of Stalin; he then returned to his family in Moscow. In 1957 Rabinovich began publishing articles in the Communist press abroad "which tried to convey the impression that everything is fine with Soviet Jews and that they not only enjoy equal rights but are also given full opportunity for an independent Jewish cultural life." The writer asserts that "on the basis of my personal knowledge I know that Solomon Rabinovich writes under government restraint. The reluctant testimony of a man shattered by the Soviet secret police, tortured in its slave labor camps and fearful of persecution is hardly admissible testimony."

## Attachments:

A. An internal U.S.S.R. broadcast made on December 9, 1959.

B. A brief background of Paul Novik, David Matis, and Abraham Bick.

ATTACHMENT A  
U.S.S.R. REGIONAL AFFAIRS  
(Dec. 10, 1959)

KIROVOGRAD JEWS SERVE UNITED STATES,  
ZIONISTS

Kirovograd, Oblast Regional Service (Via Odesa) in Ukrainian, December 9, 1959, 0520 GMT—M.

(Anonymous correspondence: "Swindlers Under the Mast of God's Servants.")

There are unusual goings-on at No. 56 Kirov Street in Kirovograd, where the synagogue of the Jewish community is located, and where the Orthodox Jews are drugged with moonshine (shivkha) and the Jewish religion. Of course, in our Soviet country a great majority of citizens of Jewish nationality broke with religion a long time ago. But an inconsiderable portion have not yet freed themselves from its shackles.

A small part of the Jewish population belongs to Kirovograd's Jewish community. These are mostly elderly people who are still under the harmful influence of Judaic preachers. And so, on a Saturday or some Jewish feast day here, the believers go to the synagogue. On such days preachers make special efforts to implant in the believers the idea that real happiness for man is not on this earth but in another world beyond the grave. On the feast of Paskha, "Ravene" [?], they preach that this is the day of uniting the Orthodox Jews with God Yahve, and that this God will lead the Jews into the land of Israel, which today is a tool in the hands of the American and Anglo-French imperialists.

Sermons and prayers proclaim the uniqueness of the Jewish people, who are said to be chosen by God to rule the entire world. Here are, for instance, the words of the Torah—the Bible or prayerbook—read by Rabbi Ayzyk Spektor from the pulpit of Kirovograd Synagogue: "Know ye that the Lord God goeth in front of you like a consuming fire. He will destroy other peoples in front of you, and He will destroy them soon." And here is the prayer "Ayle Noleshe Biakh" with which every service in the synagogue ends: "We must glorify the Lord of the universe and laud the Creator of the universe for He created us in the likeness of earth peoples. He did not put us on the level of tribes, did not give us their fate."

Such a reactionary sermon shows that the Jewish faith has been strongly intermingled with the Jewish bourgeois nationalism and Zionism, already possessing a strong reactionary essence. This also shows that such sermons by Rabbi Ayzyk Pektor hardly differ from the woeful theory of the uniqueness of the Aryan race and its destiny to rule over the peoples of the entire world. In his address to the Kirovograd Jewish community, on the (Raen?) (Ben Avty Yakhly Iser Tuda) Unkerman, one of the Zionist leaders, significantly promised: "The message of liberation will soon come to you."

And, reading this address, and also stuffing themselves with matzoth and (estryky?)—special fruit—received from Israel, the preachers of Judaism—Spektor, Kotlyarevskiy, (Ipiyevskiy?). Shukhat, and Monasty-raskiy—begin to pray only to the Golden Calf: How to collect more money from believers for their own needs and to pray for the militant spirit of the Israeli militarists. Thus praying, they call for the killing of all those who deny the Pentateuch—the Jewish prayerbook. As we know, during the Soviet rule many of the rabbis, ministers of the Jewish faith, had an inimical attitude toward the socialist system and opposed the interests of the Soviet people for the benefit of internal counter-revolutions and international imperialism.

But let us return to No. 56 Kirov Street in Kirovograd and take a look at those who lead the Jewish community and preach God's word. The leaders of the community—Shukhat, Kotlyarevskiy, (Tityevskiy?), Freyter and Monastyrskiy—hiding under the cloak of believers busy themselves with swindles; they appropriate the money given by believers for the needs of the synagogue.

And when this is not enough, they go to the people to collect donations, which then go into the bottomless pockets of the aktiv, "the twenties" (dvadtsyatki).

Among the numerous Jewish feasts, a special place belongs to Saturday, which should be inspiringly observed by every Orthodox Jew, for according to the teaching of the Talmud this is the day of absolute inactivity (nerobstva). And so, on a Saturday, when the divine service ends the faithful disperse, there remain in the synagogue "God's servants"—preachers and leaders of "the twenties." Then the table is laid, vodka, wine, and snacks appear, and toasts to the health of "God's servants" are raised. The drinking feast is led by the rabbi's wife, Roza Spektor.

Such a treat is very expensive for the believers; it is from their contributions that the leaders of the Kirovograd Jewish community organize their drinking bouts. And after drunkenness come quarrels about who is to snatch the largest sum, the greatest reward. At times, the leaders even come to blows, claiming their right to larger portions of the income with clenched fists. Rude words and rowdiness can even be heard by passers-by in the street: Neyman cries: "You are bandits, and hooligans. You have robbed our cashbox." It is impossible to count all such scandals which occur in the synagogue.

The leadership of the city's Jewish community—Kotlyarevsky, (Tilyuevskiy?), Freyter, Shukhat, and others—spare no effort to enlist more believers and collect the most money for the synagogue. But if those who frequent the synagogue, and those who do not frequent it; but occasionally pay some contribution, knew what goes on behind its doors, how well the traders in religion live on their account, it would indeed give them all some food for thought.

The city synagogue has become a shelter for all sorts of hoboes (brodyah)—preachers, "prophets" (two words indistinct) who come here from Odessa, Siberia, Nikolayev, Orenburg, and other places. They beg money from the till of the Jewish community, spread various (superstitions?), and carry out the rites of circumcision. The belief in the uniqueness of the Jewish people radically contradicts the ideology of friendship and equality of all peoples of our country, united by fraternal friendship. It harms the education of working people in a spirit of unity and solidarity, in a spirit of the proletarian internationalism.

Jewish ministers and circumcisers execute the rite of circumcision, which has a strikingly nationalistic character. Its specific significance lies in the fact that it gives proof of belonging to the "chosen" people—the Jews. At the same time it imbues Jews with repugnance and hatred of those who do not possess this special sign. Besides the rite of circumcision is a cruel rite and not always harmless, because it is carried out in a crude manner by circumcisers and (mullahs?), people who have no inkling of medicine.

Judaic sermons are sermons of bourgeois Zionists. Such sermons are tools of the nationalistic, Israeli, cosmopolitan, American bourgeoisie. With their tentacles, the Jewish bourgeois nationalists, with the help of Judaism, try to reach into our Soviet garden. But they will never succeed. At present the working people of Jewish nationality, together with all peoples of the Soviet motherland, are actively building the Communist society. They can truly be proud of the fact that there is a portion of their report in the grandiose successes of the Soviet people in developing our economy, science, and culture, including the creation of our own Soviet sputniks.

#### ATTACHMENT B

Subject: Paul Novik, David Matis, and Abraham Bick.

1. Paul Novik was born September 7, 1891 in Brest, Russia. He immigrated to the United States in November 1920 and became a naturalized citizen on January 6, 1927. He was one of the founders of the Morning Freiheit and has been its editor since 1939. He is reliably reported to have joined the Communist Party of the United States in 1923. The Daily Worker on August 1, 1938 carried subject's name as the Communist Party's nominee for the U.S. Congress from the 12th Congressional District. He has been active in a number of front organizations of the Communist Party, U.S.A., held in New York City, December 10, 1959.

2. David Matis, also known as Chalmers Davidas Matisovicius, was born June 17, 1906 in Kaunas, Lithuania. He became a U.S. citizen in 1942 and is reported to have joined the Communist Party in 1937. He has been a reporter and city editor for the Morning Freiheit since about 1936. The Morning Freiheit was described by the House Committee on Un-American Activities as one of the rankest organs of Communist propaganda in this country for a quarter of a century.

3. Abraham Bick was born April 29, 1914 in Kiev, Russia. He immigrated to the United States in 1927 and derived citizenship from his father who was naturalized August 22, 1933. He is reliably reported to

be a member of the Communist Party in New York City and has been active in a number of front organizations. He attended a World Peace Conference in Warsaw in 1950 and in Vienna in 1952. The record of the House Un-American Activities Committee reflects that he is a registered member of the Yorkville section of the Communist Party in New York as of 1947 and that his Communist Party alias is Allen McGill.

Subject: James E. Jackson Jr.

1. A number of Americans who are reliably reported to be members of the Communist Party have obtained passports to attend or participate in international meetings of the Communist Party or Communist front organizations. For example, CPUSA selected three persons to go to the XX CPSU Congress. They were: John Williamson, Irving Potash, and Alan Max. Potash had been deported from the United States and was then already in Russia and Williamson had been deported with his consent to England. These were the only two representatives that attended the XX Communist Party Congress, since Allen Max's request for a passport was denied. The Soviet Union officially announced that James Jackson, Jr., and Moses Shield (Morris Childs) attend the XXI Congress. We have reliable information that George Morris also attended the Congress as a correspondent for "The Worker" and that Charles Loman, Alexander Trachtenberg, Paul Robeson, and Dr. W. E. B. DuBois and Mrs. DuBois (Shirley Graham) were in Moscow at the time and may have attended.

2. Jackson was born 29 November 1914 at Richmond, Va., and was graduated from both Virginia Union and Howard Universities. He has been active among longshoremen in Louisiana and Texas, textile workers in the Carolinas, shipbuilders of Mobile, steelworkers and miners of Birmingham and Bessemer, and the auto workers of Detroit. The Daily Worker of 2 December 1954 refers to Jackson as a leader of the Communist workers at auto plants.

3. Jackson has served as Chairman of the Communist Party of Louisiana in 1946 and as Educational Director of the Communist Party in Detroit. He has been a member of the National Committee of the CPUSA since 1951.

4. In February 1950 Jackson addressed the 21st Congress of the Communist Party of the U.S.S.R. After the Polish Party Congress in Moscow, Jackson attended the Polish Party Congress in Warsaw which was held in late March 1959.

Mr. KEATING. Mr. President, I yield the floor.

#### EXHIBIT 1

AUGUST 17, 1960.

The Honorable CHRISTIAN A. HERTER,  
Secretary of State,  
Washington, D.C.

MY DEAR MR. SECRETARY: On July 7, 1958, President Eisenhower, in a message to the Congress, requested the enactment of legislation with regard to the issuance of passports. In his message the President stated: "I wish to emphasize the urgency of the legislation I have recommended. Each day and week that passes without it exposes us to great danger. I hope the Congress will move promptly toward its enactment." On the same day the Secretary of State transmitted a draft bill to implement the suggestions made by the President.

Despite the urgency of the appeals of the President and the Secretary of State, the Congress has not yet enacted any passport legislation. However, the House of Representatives has passed a bill, H.R. 9069, to provide standards for the issuance of passports, and the Senate Committee on the

Judiciary has favorably reported a bill, S. 2652, which contains passport provisions.

I would greatly appreciate your reviewing these measures and advising me of your general impression of them. I am particularly anxious to have your views as to the importance of enacting passport control legislation prior to the adjournment of this Congress.

With kind personal regards,  
Very sincerely yours,

KENNETH B. KEATING.

AUGUST 25, 1960.

The Honorable KENNETH B. KEATING,  
U.S. Senate.

DEAR KEN: I have your letter to Secretary Herter of August 17, 1960, requesting his general impressions of the passport legislation which passed the House on September 8, 1958 (H.R. 9069) and the measure reported by the Senate Committee on the Judiciary on June 30, 1960 (S. 2652) together with his estimate of the importance of enacting passport control legislation prior to the adjournment of this Congress.

At the outset, I want to emphasize that I attach the utmost importance to the enactment of adequate passport control legislation during the present Congress. I can assure you that Secretary Herter is in full accord with my position on this matter.

It has never been the Department's view, however, that there is but one possible solution to the deficiency in our passport authority or, for that matter, that all passport problems must be solved in one piece of legislation. As a result of the sentiment expressed by the Foreign Relations and Foreign Affairs Committees during hearings in the 85th Congress on this subject, the Department concluded that the Congress did not favor an urgent approach to full-scale revision and codification of all passport laws. Accordingly, in the 86th Congress the Department decided to support legislation limited to the most critical problem—authorizing the denial of passports to persons knowingly engaged in activities in furtherance of the international Communist movement.

Simply stated, there is needed legislative authority which will permit the Secretary of State under appropriate safeguards to deny passports to citizens knowingly engaged in activities for the purpose of furthering the international Communist movement. Such authority represents, in my opinion, the minimum which is essential to counteract the danger to which we are exposed daily by the present state of the law. I am seriously concerned about the jeopardy to our national security and the prejudice to our foreign relations involved in the unrestricted travel abroad of active participants in the Communist conspiracy.

The administration has consistently urged the Congress to take action to fill this statutory gap in our defenses.

Departmental representatives have testified to this effect before at least five different committees of the Congress and on numerous occasions. In addition to the President's message to the Congress on July 7, 1958, and his 1960 budget message to the Congress on January 19, 1959, concerning the necessity for passport legislation, the President's view that legislation in the passport field is both essential and urgent was conveyed to the Senate Foreign Relations Committee on June 26, 1959. I still consider that the lack of legislative authority to deny passports to the really dangerous participants in the Communist conspiracy is a most critical problem and constitutes a clear and present danger to the United States.

You asked the Secretary for his impression of H.R. 9069. This bill was passed by the House as reported by the Foreign Affairs Committee, despite the fact that the Department unsuccessfully sought certain amendments to it. It is presently pend-

ing before the Senate Foreign Relations Committee.

The reason we sought amendments to it, and the only part of the bill about which we have serious reservations, are those provisions which we believe are likely to be interpreted as making impossible any effective reliance by the Secretary of State on confidential information in Communist passport cases. The simple fact is that in cases involving currently active and dangerous members of the Communist conspiracy in the United States much of the more important and reliable information, which we have come from confidential sources—usually our own agents who have infiltrated the Communist apparatus. It is my judgment, shared by the responsible officers in other agencies of Government who are concerned with this aspect of internal security and with protecting the United States against the Communist conspiracy, that any law purporting to restrict the passport eligibility of currently active American Communists, but which does not permit some utilization of confidential information, would not achieve its purpose with regard to many of the most dangerous cases. There is an added danger if such legislation were to create the illusion that effective measures were being taken when in fact they would not be because of our inability to use one of our principal weapons against the Communist conspiracy.

Of the bills presently pending before the Senate Foreign Relations Committee, including the House-passed bill, the Department has strongly endorsed S. 2315, the Wiley bill, and the Attorney General has joined in this endorsement of the bill to meet the Communist problem in the passport area. Incidentally, the American Bar Association has also endorsed S. 2315 as being the bill pending in Congress which most nearly conforms to its resolution on passport legislation.

You also asked the Secretary for his impression of S. 2652. The passport provisions of S. 2652, Dodd-Keating bill, are in several respects preferable to the House-passed bill. The criteria for passport denial, as well as a number of other provisions, are essentially the same in both bills. However, S. 2652 provides specifically for the utilization of information the disclosure of which would prejudice the national security and public interest, or would compromise investigative sources and methods, together with the provision that such information shall not constitute a basis for passport denial unless the applicant is furnished a full summary thereof in as much detail as security considerations will permit. I believe such a provision recognizes important interests of the U.S. Government without undue prejudice to the interests of the individual.

On the other hand, if the House-passed bill, H.R. 9069, should be amended to allow some reliance by the Secretary of State on confidential information under appropriate safeguards to protect the rights of the individual, it would, I believe, fully meet the needs of our national security for legislation authorizing the denial of U.S. passports to dangerous members of the Communist conspiracy.

If there is any further information I can provide you, I shall be glad to do so.

With best wishes,

Sincerely,

DOUGLAS DILLON,  
Acting Secretary.

#### NOMINATIONS IN THE EXECUTIVE DEPARTMENT

Mr. WILEY. Mr. President, the Lawyers' Weekly Report, which I received at my desk today, calls attention to a matter which has been mentioned

many times on the floor of the Senate. I read from that publication:

Hanging fire for more than a year is the omnibus judgeship bill (H.R. 6159). It calls for 5 new Federal circuit judges and 40 Federal district judges. Even the President's pledge to divide appointments equally between Republicans and Democrats has failed to crack the wall of partisanship blocking the bill's enactment.

Meanwhile, a frightening backlog of more than 67,000 untried Federal cases continues to pile up at great cost to litigants—individuals and companies alike. In the New York metropolitan area, for example, it now takes almost 3 years to bring a case to trial in the Federal district courts. The cost of delays to the Government are heavy, too. It loses millions of dollars in interest at 6 percent because of the stagnation in tax-refund cases, land-condemnation cases, and other suits involving large sums of money.

So great are these losses, according to Attorney General William P. Rogers, that they "now exceed what it would take to pay the total annual salaries of the 45 judges."

It seems to me this is something that we should have disposed of long ago.

In the same article, attention is called to the following:

Similarly, the work of the Post Office Department has bogged down in many areas. The appointment of nearly 1,000 postmasters (nearly all are postal service careerists) has been stymied—in some cases as much as a year. "In many key areas," says Postmaster General Arthur Summerfield, "morale in the postal service has been driven to a new low by the failure to confirm these appointments. Users of the mails are also being penalized by inescapable and mounting inefficiency."

#### DEPARTMENTS OF LABOR AND HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES APPROPRIATION BILL, 1961—CONFERENCE REPORT

Mr. DODD obtained the floor.

Mr. HILL. Mr. President, will the Senator from Connecticut yield for the purpose of my calling up a conference report, with the understanding that he will not lose the floor?

Mr. DODD. Yes, I yield, with the understanding that I do not lose the floor.

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

Mr. HILL. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11390) making appropriations for the Departments of Labor and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1961, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. Jordan in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report. (For conference report, see House proceedings of August 24, 1960, pp. 16325-16326, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

Mr. JAVITS. Mr. President, reserving the right to object, and I shall not object to the consideration of the conference

report, I hope the Senator will give us a little idea as to what happened to the medical research funds.

I withdraw my objection to the consideration of the report, but I hope we will not adopt those matters.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

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

Mr. HILL. Mr. President, the conference agreement on the bill, H.R. 11390, making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1961, and for other purposes, provides total appropriations of \$4,354,170,331.

The total allowance is \$333,948,350 over the budget estimates, an increase of \$288,887,850 over the 1960 appropriations; an increase of \$170,147,600 over the House allowances; and a reduction of \$131,618,600 under the Senate allowances.

The Senate amendments applicable to the Department of Labor have all been agreed to.

The largest difference between the House and Senate bills was in the appropriations for the National Institutes of Health—the House allowed \$455 million and the Senate \$664 million. The conference agreement provides for \$560 million, an increase of \$160 million over the 1960 appropriations and over the 1961 budget estimates, an increase of \$105 million over the House allowances, and a reduction of \$104 million under the Senate allowances.

Is there any question the Senator from New York has about any phase of the report?

Mr. JAVITS. I should like to discuss it with the Senator for a minute. The argument was made on both sides. For those like the Senator from Alabama and myself, who favor an increase in research funds for health, it was said that the survey made by the Committee of Consultant indicated this was not "crowding money down the throats" of the National Institutes of Health, but that the money could be very usefully employed and, as a matter of fact, even what we in the Senate were doing was inadequate. The argument made on the other side, by the opponents, was that one does not get brilliant research by the "forced feeding" of dollars, that the number of people who can be hired and the projects in which one can engage are limited—one can hire so many people and spend so much money, and beyond that it becomes profitless.

I gather that a little bit of consideration—albeit not with our consent—has been given to that point of view, and that even less funds than the Senate was satisfied ought to be allowed have been allowed. Under those circumstances, is the Senator from Alabama nonetheless satisfied we will be making an appreciable step forward in respect to the resources available for medical research, so that in substance, if not in every detail as to amount, the views of the consultant team of doctors will have

been more met than denied by the coming year's appropriation?

Mr. HILL. The Senator from Alabama is not satisfied. The Senator from Alabama wholeheartedly supported the full amount of funds recommended by the committee of consultants. The Senator from Alabama thinks the bill does carry sufficient funds for definite and promising steps forward in line with the recommendations of the committee of consultants, which committee was set up by the Senate Committee on Appropriations to make this study and to advise the Committee on Appropriations on the matter of medical research.

Mr. JAVITS. Does the Senator from Alabama also feel that we have developed, either in the Appropriations Committee or in our own committee, enough techniques for checking on results, though they are not necessarily tangible results? We hope and pray for a cancer cure, but we have no illusions as to whether or not this appropriation is going to produce it. Is the Senator satisfied that we have enough people and enough techniques for checking on the utilization of these funds and on the progress which is being made in respect to all of these matters so that when we are in session again next year we will have a body of experts which will help in respect to a new appropriation?

Mr. HILL. I think we have very definite means of checking on the expenditures of these funds. One of the duties imposed on the committee of consultants was to make a determination as to whether the funds which we had expended in the past had been wisely expended. The report of the committee was that the funds had been expended, to use the words of the committee of consultants, "with remarkable efficiency."

Mr. JAVITS. There is nothing to prevent us from again having the benefit of a committee of consultants the next time we deal with this matter, is there?

Mr. HILL. This is the first time we have had a committee of consultants set up as was this committee of consultants. Of course, in the past we have had before our Appropriations Subcommittee, which handles the funds for medical research, many distinguished doctors, scientists, and experienced people who have knowledge of and who speak with authority on the subject of medical research. I am sure in the future we shall continue to call upon the experience, the knowledge and the wisdom of the doctors, the scientists, the technicians, and all the wise and experienced people who know the field of medical research.

Mr. JAVITS. I understand one cannot arrive at conclusions about these things on the floor, but would the Senator give consideration to the possibility of again having some such distinguished group, to whose wise judgment the Senate as a whole as well as the committees might repair when we consider the question again next year?

Mr. HILL. I know the Senator from New York is a very busy man, with many duties imposed upon him. If the Senator can find the time to read the report of the committee of consultants, as made to our committee this year, and as presented

to the committee in person by the committee of consultants on May 19 and May 20 of this year, I think he will find that the report of the committee of consultants is invaluable to us not only this year but also for next year and in the future years. I think the report of the consultants has been well described as a historic textbook on medical research.

Mr. JAVITS. We can project the work forward?

Mr. HILL. We can project it and carry forward the recommendations as embodied in the report of the committee of consultants.

Mr. JAVITS. I thank my colleague. I think a very constructive result has been attained, for which many millions of people will be grateful to the Senator in this regard.

Mr. HILL. I thank the Senator from New York for his very kind words.

Mr. President, in bringing the conference report on appropriations for the Departments of Labor and Health, Education, and Welfare for fiscal 1961 to the floor of the Senate, I would be derelict in my responsibilities and in my deep sense of appreciation if I did not recognize the very important and influential part the report of the Committee of Consultants on Medical Research to the Senate Appropriations Committee played in guiding our final decisions on this vital legislation affecting the health and welfare of every American family.

The Committee of Consultants was set up through a resolution passed unanimously by the Senate Committee on Appropriations on June 23, 1959, which directed the Senate Appropriations Subcommittee on Labor, Health, Education, and Welfare "to organize a group of specialists and others to determine whether the funds provided by the Government are sufficient and efficiently spent in the best interests of the research for which they are designated."

The members of the Committee of Consultants were carefully selected, and I am confident that I bespeak the heartfelt sentiments of my colleagues on the Senate Appropriations Committee who have had an opportunity to know the members and their work when I acclaim the Committee of Consultants on Medical Research as one of the most distinguished ever to accept an assignment from the U.S. Senate.

The chairman of the committee was Bolshoiillet Jones, vice president and administrator of health services at Emory University in Atlanta, Ga. A former professor of political science at Emory, Jones became assistant to the president of Emory in 1946. Over the past 14 years he has risen to a preeminent position as a valued adviser and distinguished administrator in the planning of health services. Among other positions he has held, he has been a consultant to the Commission on Human Medicine of the Southern Regional Education Board, a member of the National Advisory Health Council of the U.S. Public Health Service, and Chairman of the Committee on Environmental Health of the U.S. Public Health Service.

The medical and scientific members of the committee included:

Dr. Alfred Blalock, chairman of the department of surgery at Johns Hopkins University Medical School in Baltimore and surgeon-in-chief of the Johns Hopkins Hospital. Dr. Blalock received the distinguished service award of the American Medical Association—the highest honor bestowed by that association, for contributions to progress in medicine—in 1933 for the famed blue baby surgery which repairs congenital heart defects and has saved the lives of thousands of babies. Dr. Blalock's surgical contributions have earned him a number of national and international awards, including the Gordon Wilson medal, the Passano Award, the Rene Leriche Award, the Mataj Award, the International Feltrinelli Prize for medicine, and the Lasker Award of the American Public Health Association. A Chevalier of the Legion of Honor of France and a member of the Royal College of Surgeons of England and Edinburgh, he is also a past president of the American Society of Surgical Associations, the American Association for Thoracic Surgery, the Society for Clinical Surgery, and the Society for Vascular Surgery.

Dr. Michael E. DeBakey, chairman of the Department of Surgery at Baylor University in Houston, Tex. Dr. DeBakey received the Distinguished Service Award of the American Medical Association for a massive 6-year research project demonstrating that many forms of strokes, previously considered inoperable, could be treated surgically and corrected. Dr. DeBakey has also received a number of the highest national and international awards, including the Hechtengold Medal of the American Medical Association; the Legion of Merit; the Distinguished Service Award of the International Society for Surgery; the Rudolph Matas Award; and the Roswell Park Medal. Dr. DeBakey has been a member of the Medical Advisory Committee to the Secretary of Defense; a member of the Committee on Medical Services of the Hoover Commission; Chairman of the Committee on Surgeries of the National Research Council; Chairman of the Board of Regents of the National Library of Medicine, and is currently a member of the National Advisory Council to the National Heart Institute. He is a past president of the Southwestern Surgical Congress, the Society for Vascular Surgery, the American Association for Vascular Surgery, and the International Vascular Society.

Dr. Sidney Farber, for 33 years a member of the faculty of the Harvard Medical School and now its professor of pathology. Dr. Farber is one of the world's greatest authorities in the field of cancer and has been honored on many occasions for his research contributions to the control of leukemia in children. Founder and scientific director of the Children's Cancer Research Foundation, he is also a consultant to the Armed Forces Institute of Pathology and the National Cancer Institute. He is a former president of the Society for Pediatric Research and of the New England Pathological Society, and is a diplomate of the American Board of Pathology.