DENTAL RESEARCH AND THE NATIONAL INSTITUTE OF DENTAL RESEARCH

Mr. LONG. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. LONG. Mr. Speaker, the National Institute of Dental Research, established by Congress in the spring of 1948, is the primary federal agency charged with the responsibility of stimulating and supporting through research grants an expansion of dental research activities in the Nation's dental schools and other private dental research centers. The Institute is also charged with the responsibility of coordinating this program through a program of dental research conducted by its own staff of trained scientists. A continued lack of adequate support, however, has impeded the Institute in its effort to achieve the objectives we have set for it.

In 1956, the cost of a sweeping inquiry into the causes and nature of dental disease was even more urgent today than it was in 1948 when we established the Dental Institute. Dental disease afflicts over 125 million of our citizens each year. The cost is staggering; our citizens spend over $12 billion a year for private dental care. The Nation loses over 45,000 man-days of labor each day as a result of dental illness. As we all know, dental disease is one of the chief causes of the rejection of our young men in the military draft. A disease of this magnitude and of these ramifications is worthy of our constant concern and helpful attention.

Unfortunately, however, dental research is inadequately supported. Since its establishment, we have given the Dental Institute only token appropriations in relation to the need for research into dental disease. Over the years, we have not and we do not realize that aside from the quarter million dollars that the American Dental Association spends, few private organizations contribute to dental research. We are not doing our duty in this situation. I propose that this body take two actions designed to stimulate anew a needed expansion in dental research. These actions are: First, an increase of $3,055,000 in the proposed budget for dental research grants; and, second, the enactment of legislation increasing the amount presently authorized for a dental research center by $3,000,000.

$800,000 proposed in the budget for dental research grants does not take into account the pressing need for dental research. It will allow each of the 80 dental research centers and the 7 Federal research centers an average of $16,000 a year for research purposes. This is in sharp contrast to the present capacity of the dentists in staff and facilities to undertake 360 planned projects next year. To utilize this available and trained manpower, an additional $3,055,000 is required. Unless we make these additional funds available many important investigations which promise to advance dental health significantly will be postponed indefinitely. A cure for gummy tooth and the digging away of a sugar which does not cause decay are not so far distant if we are willing to support a realistic program of dental research.

The second action that I urge is the enactment of S.B. 5521—H. R. 9688—which I have introduced to increase the amount presently authorized for a dental research center in Bethesda, Md., to $85,000. The lab space presently authorized is insufficient to build the planned structure. Therefore, I have introduced H. R. 9688 to increase the authorization to cover the current cost of the lab space of this research center and I ask every member of this House to give this bill his full support.

DEVIATION FROM FUNDAMENTALS OF THE CONSTITUTION

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks, and to include certain matter.

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

There was no objection.

Mr. SMITH of Virginia. Mr. Speaker, in the life of a nation there come times when it behooves her people to pause. Now the time may have arrived when we may have drifted from her moorings, and in prayerful contemplation review the consequences that may ensue from a continued deviation from the course charted by the Framers of this Constitution.

The framework of this Nation, designed in the inspired genius of our forefathers, was set forth in a Constitution, born of tyranny and oppression in a background of bitter strife and anguish and resting upon two fundamental principles:

First, that this was a Government of three separate and independent departments, legislative, executive, and judicial, each supreme in its sphere, but limited to the functions ascribed to it.

Second, that the component parts should consist of sovereign States enjoying every attribute and power of autonomous sovereignty save only those specific powers enumerated in the Constitution and surrendered to the Central Government for the better government and security of all.

When repeated deviation from these fundamentals by one of the three departments threatens the liberties of the people and the destruction of the reserved powers of the respective States, in contravention of the principles of that Constitution which all officials of all the three departments are sworn to uphold, it is meet, and the sacred obligation of those devoted to the preservation of the basic limitations on the power of the Central Government, their associates of their alarm and the specific deviations that threaten to change our form of government, without the consent of the governed, in the manner provided by the Constitution, serve as a precedent today.

Assumed power exercised in one field today becomes a precedent and an invitation to indulge in further assumption of powers in other fields.

Therefore, when the temporary occupants of high office in the judicial branch deviate from the limitations imposed by the Constitution, some members of the legislative branch feel impelled to call the attention of their colleagues and the country to the dangers inherent in interpretations of the Constitution reversing long established and accepted law and based on expediency at the sacrifice of constancy.

The sentiments here expressed are my own, and I present them at this hour in the body by Senator Gore on behalf of 19 Members of that body, and in this body by myself on behalf of 81 Members of this body. I am not dictating constitutional principles, which, on behalf of the signatory Members of the House, I ask to be inserted in the Record at the conclusion of my remarks.

I should other Members desire to associate themselves with the sentiments therein expressed, I will be happy to revise my remarks during the day in their number of signatures attached, if they will get in touch with me or Representative William Culver, who has headed the movement to see that the Members were given the opportunity to sign.

DECLARATION OF CONSTITUTIONAL PRINCIPLES

The unwarranted decision of the Supreme Court in the public school cases is now before us, and I am sure, will bear fruit always, as it is a substitute naked power for established law.

The Founding Fathers gave us a Constitution which doesn't speak today. They framed this Constitution, with its provisions for change by amendment in order to secure the fundamentals of government against the dangers of temporary popular passion or the personal predilections of public officeholders. We regard the decision of the Supreme Court in the school cases as a clear abuse of judicial power. It climaxes a trend in the Federal judiciary undertaking to legislate, in the place of legislation, and to encroach upon the reserved rights of the States and the people.

The original Constitution does not mention education. Neither does the 14th amendment nor any other amendment. The debates preceding the adoption of the 14th amendment clearly show that there was no intent that it should affect the systems of education maintained by the States. New York and Connecticut proposed the amendment subsequently provided for segregated schools in the District of Columbia. When the amendment was adopted in 1868, there were 37 States of the Union. Every one of the 26 States that had any substantial segregation as a part of the system either approved the operation of segregated schools already in existence or subsequently established such schools by action of the
same lawmakers body which considered the 14th amendment.

As admitted by the Supreme Court in the public welfare v. board of ed (c) decision, the doctrine of separate but equal schools "apparently originated in roberts v. city of richmond, virginia. the fundamental doctrine begins in no north—not in the south, and it was followed not only in massachusetts, but in connecticut, new york, illinois, minnesota, minnesota, new jersey, ohio, pennsylvania, and other northern states until they, exercising their rights as state through their representative in self-government, changed their school systems.

In the case of plyes y. ferguson, in 1896, the supreme court expressly declared that under the 14th amendment no person was denied any of his rights if the states provided separate but equal public facilities. This decision has been followed in many other cases. It is notable that the supreme court is redefining the fundamental law of the land, a former president of the united states, unanimously declared, in 1897, in lusk v. rice, "the united states" principle is "within the discretion of the state in regulating its public schools and does not conflict with the 14th amendment."

This interpretation, restated time and again, became a part of the life of the people of many of the states and continued, with habits, customs, traditions, and way of life. It is founded on elemental humanity and common sense, for parents should not be deprived by government of the right to direct the lives and education of their own children.

The problem that has been the constitutional amendment or act of Congress changing this established legal principle almost a century old, the supreme court of the united states, with no legal basis for such action, undertook to exercise their naked judicial power and substituted their personal political and social ideas for the established law of the land.

This unwarranted exercise of power by the court, contrary to the constitution, is creating chaos and confusion in the states principally affected. It is destroying the fundamental balance between the white and Negro races that have been created through 90 years of patient effort by the good people of both races. It is creating hatred and suspicion where there has been heretofore friendship and understanding.

We believe that the actions of the govern, outside agitators are threatening immediate and revolutionary changes in our public-school systems. If done, it is certain to destroy the system of public education in some of the states.

With the gravest concern for the explosive and dangerous condition created by this decision and inflamed by outside meddlers;

We reaffirm our reliance on the constitution as the fundamental law of the land.

We deplore the supreme court's encroachments on rights reserved to the states and to the people, contrary to established law and the constitution.

We commend the motives of those states which have declared the intention to resist forcible encroachments by any lawful means.

We appeal to the states and people who are not directly affected by these decisions to consider the constitutional principles involved, join the time when they see issues vital to them, may be the victims of judicial encroachment.

Even though we constitute a minority in the present congress, we have full faith that a majority of the american people believe in a strong national government, and in the present congress, has enabled us to achieve our greatness and

will in time demand that the reserved rights of the states and of the people be made secure against judicial usurpation.

We pledge ourselves to use all lawful means to bring about a reversal of this decision which is contrary to the constitution and to prevent the use of force in its implementation.

In this trying period, as we all seek to right this wrong, we appeal to our people not to be provoked by the agitators and troublemakers invading our states and to scrupulously refrain from disorders and lawless acts.

Signed by:

Chairmen of the United States Senate:

WALTER F. GEORGE; RICHARD B. RUSSELL; JOHN STENNIS; SAM J. ERVIN, JR.; STROM THURMOND; HARRY F. GRADY; WALTER ROBERTSON; JOHN L. MCCLELLAN; ALLEN J. ELLENDER; RUSSELL B. LONG; LUSTER HILL; JAMES O. EASTLAND; W. KEER SCOTT; JOHN SPARKMAN; CLAIN D. JOHNSTON; FRANK DANIEL; J. W. FELSHIGH; GEORGE A. SMATHERS; SPECHER L. HOLLAND.

Members of the United States House of Representatives:

ABRAHAM; FRANK W. BOYKIN; GEORGE M. BROWN; JOHN G. BRYAN; ALBERT R. ROBERTS; ALBERT RAINS; ARMISTEAD I. SLAYTON; J.R.; CARL ELLIOTT; ROBERT E. JONES; GEORGE HUDSON; JOHN R. APPLEGATE; C. GATHRINO; WILBUR D. MILLER; JAMES W. THORNBURG; OREN HARRIS; BROOKS HAYS; W. F. NORDELL.

Florida:

C. A. ROBERTS; ROBERT L. F. SIMES; A. S. HEILIG; J.R.; PAUL G. ROGERS; JAMES A. HALEY; R. B. MATTHEWS; WILLIAM C. CHAMBERLAIN.

Georgia:

PRINCE H. FERSTON; JOHN L. FELCHER; E. H. FOSTER; JOHN JAMES FLYNT; J.R.; JAMES C. DAVIS; CARL VINSON; HENRY S. LANGFORD; IRENE E. BLINCH; PHIL M. LAMBRIN; PAUL BROWN, LEO LEPINSKI; F. EDUARD HERRMANN; HALE BOOGS; ENRY E. WIDDE; CHRYSTON BRADY; OTTO D. PASSMAN; JAMES H. MORRISON; T. ASHTON THOMPSON; GEORGE S. LONG.

Mississippi:

THOMAS G. AMBROSE; JAMES L. WHITTEN; FRANK E. SMITH; JOHN BELL WILLIAMS; ARTHUR WINSTEAD; WILLIAM M. COLEMAN.

North Carolina:

HERBERT C. BONNER; L. H. HOUSTON; GERALD E. BARENS; CARL T. DURHAM; F. EMIL CARLISLE; HUGH Q. ALEXANDER; H. W. JOHNSON; GEORGE A. SHUFFORD; CHARLES R. JONES.

South Carolina:

L. MENDEL RIVERS; JOHN H. DURNIN; J. R. BELL; J. A. T. BINGHAM; JAMES F. RICHARDS; JOHN L. McMillan.

Tennessee:

JAMES B. FRIZZIER, JR.; TOM MURPHY; J. M. HUDSPETH; CLIFFORD DAVIS; ROSS BARK; JOE L. EMMR.

Texas:

WIGHT PATMAN; JOHN DOWDY; WALTER ROGERS; O. C. FISHER; MARTIN DREYER; VIRGINIA E. ROBERTSON; J.R.; HAMISH HARDY; J.R.; J. VAUGHAN GARY; WATKINS M. ABBIT; WILLIAM M. TUCK; RICHARD H. BUSEY; BEN P. HARRISON; HOWARD W. SMITH; W. PAT JENNINGS; JOHN T. BROYHIL.

FOREIGN SERVICE RETIREMENT AND DISABILITY SYSTEM

Mr. RICHARDS submitted a conference report and statement on the bill (S. 1387) to make certain increases in the annuities of annuitants under the Foreign Service retirement and disability system.

NORTH AMERICAN AIRLINES

Mr. McMillan. Mr. Speaker, I ask unanimous consent to address the House on the subject of North American Airlines, and to revise and extend my remarks.

The Speaker. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. McMillan. Mr. Speaker, I would like to take a few moments to address my colleagues on certain matters mentioned here on Thursday, March 1. At that time some remarks were made here which might well lead some of you to believe that the Civil Aeronautics Board is a tyrannical body which has been unjustly picking on a group of nonscheduled carriers which call themselves North American, and you might well believe from what was said here that it is all being done just to prevent the public from getting air service.

I can't help doubting that some of you may have spoken on this subject the other day have been fully informed about this matter.

In none of the remarks which were made is there any discussion of just what a national airline group has been doing for 10 years. I would like to take yet just a few minutes to tell you.

The Civil Aeronautics Act was passed in 1938. It says you cannot conduct a public airline service until you receive a certificate of public convenience and necessity from the CAB. The Board grants certificates of that nature after full hearings in which the applicant has many hearings in which the applicant has to prove a public need for the route, and that he is fit, willing, and able to provide the needed service. That is the basis on which all the scheduled airlines with which all of us are familiar are to operate in this country and abroad. It applies to Eastern, to Capital, to National, to Piedmont, and to other local service airlines and to all the other scheduled operators.

North American has never received a certificate permitting scheduled operations. The only authority that it has now, or has ever had, from the CAB is to engage in nonscheduled operations. It is perfectly obvious that if a carrier with that kind of authority just goes ahead and operates a scheduled airline anyway, it is undercutting the principles upon which the Civil Aeronautics Act is based. That is exactly what North American has been doing and that is exactly why North American is in trouble with the Civil Aeronautics Board. There are four men who regard themselves as the principal ones behind the North American group. In the late forties they owned and controlled three other nonscheduled carriers, and every one of which was revoked by the Board for flying a scheduled service without authority. No sooner were those 3 revoked than these four men formed what they call the North American group and thereby continued to conduct scheduled operations. They have made no bones about this and have admitted on several occasions to