and other Executive officials, present another type of support. Plainly Senate Resolution 94 rates only the former.

It has been reported that the repeal issue has not been the subject of any of the White House sessions with Republican congressional leaders. The subject was omitted from the list of legislative matters on which the Administration wanted action before the end of the session in the message transmitted to Congress by the President on May 3.

The exertion of real executive leadership will inevitably result in the votes of more than one lone party member on a large committee. Obviously the repeal proposal has been assigned a low legislative priority by the Executive. Apparently this is another instance where words replaced deeds.

Similar expressions of support for the repeal resolution by lawyers and others have been far from overwhelming. My mail this year has run 560–180 against repeal. Other Members of Congress have reported even higher opposition mail. If my own correspondence were a true reflection of attorney sentiment in the Commonwealth, there is far more interest in passage of the Keogh tax relief bill for worthy, self-employed members of the bar than in U.S. participation in the World Court. If the lawyers are disinterested in the World Court, imagine the apathy of other groups.

Clearly it will take a concentrated effort by the executive branch and public interest groups to reactivate and pass Senate Resolution 94 this year, and at this date there is no indication that such an effort will be made. Floor discussions and correspondence I have had with a number of my colleagues on and off the Senate Foreign Relations Committee lead me to believe that less than two-thirds of the Senate, and possibly not even a majority, are in favor of repeal at this time.

Certain steps will have to be taken to make repeal a reality, this year or next.

1. Interested groups and persons, especially attorneys, will have to demand by word and letter that the executive branch assign high priority to the repeal effort and that the President put the full weight of his office behind it. Of course, resolutions at yearly meetings are helpful, and I hope that at the coming convention the American Bar Association will be able to defeat those opposed to repeal by a larger margin than the 100 to 93 edge recorded at the midwinter meeting. Such resolutions, however, can never substitute for personal appeals.

2. The report prepared in August of 1959 by a special committee of the section of international and comparative law of the American Bar Association in support of repeal of the self-judging reservation is unquestionably the best paper that has been prepared on this subject. I hope that it will be supplemented and brought up to date to cover the hearings of this year and the latest actions at The Hague, and then distributed to all Members of the Senate with covering letters from attorneys in each of the States.

3. Senator Kennedy, Governor Stevenson, Senator Symington, and the Vice President, are on record as favoring repeal, but Senator Johnson is uncommitted. The successful candidates should be pressed to give the matter a high priority early in 1961.

4. Candidates for the Senate on both tickets should be briefed on this issue and commitments for repeal sought before November.

None of these suggestions may work. Even the extremely modest step of accepting the full jurisdiction of the World Court may remain too controversial to gain Congressional approval. The rule of law may never be more than a goal for lawyers to talk about. The unhappy events of recent days may place in the ascendancy forces who believe that security can only be achieved by armed might.

The nuclear arms race may have gone too far to be stopped. If so, the sooner we establish that fact the better, because the military effort we will have to make to keep the race in balance in coming years as well as the risks of failure will be stupendous.

But I submit that the rule of law is the only hope for the survival of civilization; the only practical goal for this Nation and others at this advanced date; that the isolationist goal of the 19th century ultranationalists is no longer tenable; that world peace through world law can and must be achieved in the 1960's—and the early 1960's at that—before it is too late.

INTEREST DISCLOSURE BILL

Mr. BUSH. Mr. President, I ask unanimous consent that there be printed in the RECORD following my brief remarks a news story from the New York Times of Sunday, May 22, 1960, headlined "'Simple' Interest Isn't So Simple; Lending-Truth Bill Stirs Dispute."

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

(See exhibit 1.)

Mr. BUSH. Mr. President, this news story is the result of a recent address in New York by our distinguished colleague, Senator WALLACE BENNETT, of Utah, and describes the difficulty which would ensue after the passage of the so-called interest disclosure bill in its present form.

I wish to make clear that I was one of the original sponsors of the bill, on the basis that I believed in the principle of disclosure, and also on the basis that I thought the bill had some desirable anti-inflationary aspects. However, the hearings we have held so far indicate to me that the interest rate disclosure requirements of the bill, as now drafted, cannot be made effective.

Furthermore, despite the fact that some 34 States have legislation dealing with this same subject, the committee has not heard a single representative of the enforcement agencies of any of these States. We have had no testimony at all from the States as to how these disclosure laws are working or how they have been enforced.

Furthermore, the enforcement provisions of this bill call for the policeman to be the Federal Reserve Board. The Board has testified through its Chairman, Mr. Martin, that it does not feel able to do the job, that it does not want the job, that it is not a credit matter, that it is a policeman's job, and they do not feel competent to take it on.

The Federal Trade Commission has been suggested as an alternative, but they have not been invited to testify before the committee.

Yet, despite the fact that we have these gaps in the testimony—and they are very important gaps—and we have not heard other witnesses who would have something to say on this important subject, the subcommittee reported the bill to the full committee not very long ago, and there the bill is.

In view of the remarks I have made and the reasons I have stated, I withdraw my support from the bill, although I was one of the original sponsors, until we can have more hearings and get testimony which I think is essential before Congress should consider such a measure.

EXHIBIT 1

"SIMPLE" INTEREST ISN'T SO SIMPLE; LENDING-TRUTH BILL STIRS DISPUTE

(By Albert L. Kraus)

How simple is simple interest?

Elementary, says Senator PAUL H. DOUGLAS, whose truth-in-lending bill would require that installment finance charges be stated in simple annual rates. The Illinois Democrat taught economics at the University of Chicago 28 years before being elected to Congress.

Beyond the comprehension of ordinary retail clerks, says Senator WALLACE F. BENNETT who asserts that the DOUGLAS bill would place an impossible burden on American businesses and Government enforcement agencies. The Utah Republican runs a department store and automobile agency in his hometown of Salt Lake City.

Behind these opposing views of the state of the Nation's arithmetic lies the latest debate over consumer credit. People have been buying too much, too fast on the installment plan, Senator DOUGLAS believes, because the cost of credit has been camouflaged.

Even the young, he says, have become targets of the creditmongers. Teenage credit, he said recently, is "aimed at a youngster too old to spank, too young to garnishee, who should be learning the savings habit."

Senator BENNETT, on the other hand, finds nothing alarming in the present levels of consumer credit. Economists, he notes, can't seem to agree on what constitutes a dangerous or unstabilizing level of consumer credit. And anyway, over the last 4 years, installment credit has held at a relatively stable 10 percent of disposable personal income and 7 percent of the gross national product, the total of the Nation's goods and services.

Few would deny Senator DOUGLAS' assertion that if the consumer got more information on the cost of credit, he should be able to decide better when to buy and when to borrow. To oppose such a view, Senator BENNETT has said, would be to favor sin.

But a number of lenders have questioned the ability of retail clerks, automobile salesmen and television dealers to express financing charges in simple annual interest.

Nothing to it, Senator DOUGLAS has said in effect. "Most people learn about rates early in grade school—in simple annual terms. As a saver in a bank or savings and loan association, he is paid in simple annual terms. As a homeowner he pays his mortgage in simple annual terms."

The lenders say there would be no problem if all contracts were to run for an even year, with payments made in equal installments at equal time intervals. But few contracts, they note, are written that way. They generally are written for periods shorter or longer than a year, with payments weekly, biweekly, or monthly, often with no payment for the first month or two of the contract, or with smaller payments at first and larger payments at the end.

Senator BENNETT tried out such a problem—the purchase of a $20 battery on which there would be a $2 finance charge—on a member of his staff who is an economist, on the Library of Congress, on a professor of marketing, and on several other persons, including a statistical expert.

The problem ran thus:

The battery was bought on a Monday, with four biweekly $5 payments beginning the following Friday and the final $2 payment made 2 weeks afterward. The finance charge was calculated variously at 129.5 percent, 118.9 percent, 80 percent, 117.7 percent and 125.33 percent.

The California Bankers Association tried out a simpler problem on seven mathematicians at three universities in the State. It asked them to calculate the effective rate of interest charged on a loan of $1,000 when a total of $1,060 was repaid over 12 equal montly payments. The mathematicians took five pages to describe the formulas they used in arriving at their answers. Even then, the answers varied.

One way out would be to figure the answers in advance—assuming the experts finally could agree—and supply store owners with the tables. But Senator BENNETT says that every merchant in the country would have to have a book of interest tables bigger than a Sears, Roebuck catalog. And their clerks would have to get special training to use them.

NO STATE HAS STATUTE

While an amended version of the Douglas bill would give enforcement to the States if they met minimum standards of disclosure, not 1 of the 31 States that have automobile installment sales laws would qualify because none require that finance charges be stated in simple annual interest rates. Senator DOUGLAS says he won't back down.

This reflects on States such as New York, where a fellow Democrat, former Governor Harriman, several years ago pushed through what he considered was model consumer credit legislation—with finance charges stated not in simple annual rates but in dollars of purchase price a year. The New York law says installment lenders may not charge more for credit than $6 a year for each $100 of purchase price.

It also reflects on the Congress. For, only several weeks ago, the Congress passed an automobile installment loan law for the District of Columbia that uses the same method.

CROWDED DOCKETS OF FEDERAL COURTS

Mr. ALLOTT. Mr. President, shortly after coming to the Senate, I began an effort aimed at providing more realistic recognition of the appalling problem facing our Federal courts. In my own State of Colorado, the backlog of cases has forced litigants to wait as much as 3 or 4 years before their cases come up for hearing.

This situation is not unique in the Nation. Everywhere we are besieged by jurists and lawyers, by bar associations, and private citizens to provide the necessary relief. Articles in all media of the press have appeared almost universally in favor of speedy action by this Congress to create the needed judgeships.

Mr. President, a very timely, clearly written article of this nature appeared in the May 15 edition of the Denver Post. Its author, Reporter Tom Wilson, who spent part of last year here as an intern in government with the Congress, documents the judicial logjam in our area in a manner I am sure will be of interest to all. So that all Senators may have the opportunity for study of this article, I ask unanimous consent that it be printed in the RECORD at this point in my remarks.

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

JUSTICE IMPAIRED BY OVERLOADED DOCKET IN DENVER'S FEDERAL COURT

(By Tom Wilson)

Justice delayed is justice denied.

This legal axiom has a special pertinence for the U.S. Federal District Court for Colorado. In this court, justice is constantly *delayed and therefore, in many cases, denied.*

The delay is not deliberate. The court's two judges, Chief Judge Alfred A. Arraj and newly appointed Judge Hatfield Chilson, work long hours.

The court has no summer recess. Visiting judges are brought from other districts to hear Colorado cases. The pretrial conference and revised rules for filing and administering the legal actions have been instituted to speed justice.

But because cases are filed at a faster rate than they can be disposed of, the backlog *continues—and grows.*

At the end of July 1957 there were 314 civil cases and 57 criminal cases pending before the court. Last April 30 the court faced a backlog of 427 civil cases and 75 criminal actions.

In fiscal 1959 the average Federal judge held nine criminal jury trials. Colorado's 2 judges held 41. North and South Dakota, each with two Federal judges, held eight such trials.

The delay particularly affects civil actions. The Federal Constitution requires a speedy trial for those accused of criminal violations.

Criminal cases, therefore, have precedence over civil cases. Thus new criminal cases push existing civil cases further back on the court's docket.

The court's average of 3 to 4 months between the filing of criminal complaint and the beginning of trial is one of the best in the Nation, according to Judge Arraj.

The 2-year average for civil cases is one of the worst.

There are many ways a 2-year delay can work a hardship on a litigant.

A court trial is a search for truth. Most attorneys agree the major problem in a trial is keeping the evidence as factual and as distinct as possible.

Facts are presented by witnesses or by documents presented by witnesses. In 2 years, memories dim, witnesses move or die.

The litigant is often forced to pay for an expensive search for a witness. Sometimes he finds he cannot afford such a search or meet the cost of bringing the witness to Denver for the trial.

And for the lack of a witness the case may be lost.

Financial hardships suffered by the plaintiff in waiting for a civil damage trial may lead to an out of court settlement, at a figure less than just, because he cannot afford to wait for justice.

A man injured in an accident may have a just claim for damages. He usually will have large expenses in medical bills and loss of time on his job.

Though the case must wait 2 years for a hearing, the plaintiff's creditors often will not. Thus a settlement that may serve the creditors but not justice often takes place.

In tort cases, those not involving contracts, the defendant who must pay damages does not pay interest on them until they are awarded at the trial.

In Colorado cases, the defendant will thus have the use of his money for 2 years. The plaintiff gets no compensation for the delay.

A man who files suit in Federal court to compel a defendant to comply with the terms of a contract or lease may find the disputed agreement has expired before the trial is set.

The law that establishes the district of Colorado says that the court shall hold sessions in Denver, Durango, Grand Junction, Montrose, Pueblo and Sterling.

No trials have been held outside of Denver for 4 years, Judge Arraj says, because the court cannot afford the extra time the judicial trips would use.

Litigants have been faced with the fact that it would cost them more to bring their attorneys, witnesses, and evidence to Denver than they would gain in their suit, if they won.

Outstate attorneys must pass on clients to Denver associates because they cannot expect the clients to pay for frequent trips to Denver to handle the many preliminary actions that precede the actual trial.

If Colorado were to get a third judge, the court would resume outstate sessions to try cases in the area where they originated, Judge Arraj says.

This third judge solution has been before Congress for several years.

A bill to create 45 new Federal judgeships, including one for Colorado, has been approved by the Senate Judiciary Committee and is before the same committee of the House of Representatives.

But the pressure of the early adjournment date, necessitated by the coming political *conventions, and the unwillingness to deal* with a major patronage plum just before the voters designate the relative strength of the parties, will probably put the issue off until the next Congress.

Next year the bill's chances may improve.

Many attorneys believe that delay in the administration of justice is not only unfair to the persons involved, but may be eroding away this Nation's traditional respect for justice.

"The judicial branch of Government is designed to protect the rights of the individual citizen," U.S. Attorney Donald G. Brotzman says.

"The citizen should have confidence that this branch will assist him in obtaining his basic legal rights and it is important that this confidence is maintained.

"I fear that as the public experiences injustice due to delay, their confidence in our judicial system will be diminished to the detriment of our whole concept of justice."

Without a third judge, Judge Arraj believes the Colorado Federal docket can be kept little more than current.

This would involve the continued use of visiting judges—an expensive and inefficient expedient—and the continued pressure of the backlog on the whole court.

The 2-year delay for civil cases would remain.

THE U–2 SPY PLANE INCIDENT AND THE SUMMIT CONFERENCE

Mr. ALLOTT. Mr. President, I have in my hand an article which is of particular significance in view of President Eisenhower's recent return from Paris. With the overwhelming display of affection and national unity represented by the tremendous crowd here in Washington still fresh in our minds, with the clarity of purpose and statesmanship of Mr. Eisenhower becoming more evident every day, here is one more piece of evidence to add.

Many correspondents, many spokesmen, were quick to leap upon the trap baited by the Russians into which we were supposed to have fallen when the announcement of the U–2 spy plane was made. But the facts have tended to show a somewhat different picture in recent days in light of Khrushchev's vile performance, his almost maniacal tirade before the press in Paris, and his insistent hammering at a single, threadbare theme. How threadbare is shown in this article by Nicholas Blatchford which appears in the May 20 edition of the Washington Daily News.

Mr. President, in a point-by-point countdown, Mr. Blatchford gives the lie to Khrushchev's tale of the shooting