SENATE

MONDAY, FEBRUARY 28, 1949

(Legislative day of Monday, February 21, 1949)

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

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

God our Father, whose will is our peace and in the white light of whose presence our consciences are made sensitive and our pride humbled: We come unfilled to Thee. We come in deep need, for the responsibilities of public office are heavy. Our concern for our own dear land and for those who love liberty and yearn for it around the world haunts our minds day and night. The circumstances of our times are dismaying and the resources of our souls inadequate unless Thou replenish them. Give us intelligent perspective, the courage to follow the gleam of human brotherhood, a vision of Thy kingdom on earth and faith to push out its frontiers of good will.

We ask it in the Redeemer's name. Amen.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that the President had approved and signed the following acts:

On February 25, 1949:

S. 492. An act to amend the act approved June 29, 1948, entitled "An act to authorize the issuance of a stamp commemorative of the two hundredth anniversary of the founding of the city of Alexandria, Va."

S. 713. An act to amend Public Law 533 of the Eightieth Congress authorizing the construction of a building for the General Accounting Office on square 518 in the District of Columbia.

On February 26, 1949:

S. 548. An act to provide for continuation of authority for the regulation of exports, and for other purposes.

MESSAGE FROM THE HOUSE—ENROLLED BILL AND JOINT RESOLUTION SIGNED

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bill and joint resolution, and they were signed by the Vice President:

H. R. 54. An act to retrocede to the State of New Mexico exclusive jurisdiction held by the United States over lands within the boundaries of the Los Alamos project of the United States Atomic Energy Commission; and

H. J. Res. 92. Joint resolution to continue the authority of the Maritime Commission to sell, charter, and operate vessels, and for other purposes.

LEAVES OF ABSENCE

Mr. LUCAS. Mr. President, I ask unanimous consent that the following Senators be excused from attending the sessions of the Senate until Thursday of this week, as they are engaged on official committee business: The Senator from Virginia [Mr. BYRD], the Senator from Kentucky [Mr. CHAPMAN], the Senator from Michigan [Mr. FERGUSON], the Senator from Delaware [Mr. FREAR], the Senator from South Dakota [Mr. GURNEY], the Senator from Iowa [Mr. HICKENLOOPER], the Senator from Oklahoma [Mr. THOMAS], and the Senator from North Dakota [Mr. YOUNG].

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. LODGE. Mr. President, I ask unanimous consent that I may be excused from the session of the Senate on Friday.

The VICE PRESIDENT. Without objection, it is so ordered.

CALL OF THE ROLL

Mr. LUCAS. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Ives	Murray
Anderson	Jenner	Myers
Baldwin	Johnson, Colo.	Neely
Brewster	Johnson, Tex.	O'Conor
Bricker	Johnston, S. C.	O'Mahoney
Broughton	Kefauver	Pepper
Butler	Kem	Reed
Cain	Kerr	Robertson
Chavez	Kilgore	Russell
Connally	Knowland	Saltonstall
Cordon	Langer	Schoeppel
Donnell	Lodge	Smith, Maine
Douglas	Long	Smith, N. J.
Downey	Lucas	Sparkman
Eastland	McCarran	Stennis
Ecton	McCarthy	Taft
Ellender	McClellan	Taylor
Flanders	McFarland	Thomas, Utah
Fulbright	McGrath	Thye
George	McKellar	Tobey
Gillette	Magnuson	Tydings
Hayden	Malone	Vandenberg
Hendrickson	Martin	Watkins
Hill	Maybank	Wherry
Hoey	Miller	Wiley
Holland	Millikin	Williams
Humphrey	Morse	Withers
Hunt	Mundt	

Mr. MYERS. I announce that the Senator from Rhode Island [Mr. GREEN] is absent on public business; the Senator from Connecticut [Mr. MCMAHON] and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from Virginia [Mr. BYRD], the Senator from Kentucky [Mr. CHAPMAN], the Senator from Delaware [Mr. FREAR], and the Senator from Oklahoma [Mr. THOMAS] are absent by leave of the Senate on official committee business.

Mr. SALTONSTALL. I announce that the Senator from Indiana [Mr. CAPEHART] is necessarily absent.

The Senator from Michigan [Mr. FERGUSON], the Senator from South Dakota [Mr. GURNEY], the Senator from Iowa [Mr. HICKENLOOPER], and the Senator from North Dakota [Mr. YOUNG] are absent by leave of the Senate on official committee business.

The Senator from New Hampshire [Mr. BRIDGES] is absent on official business.

The VICE PRESIDENT. Eighty-three Senators having answered to their names, a quorum is present.

EXECUTIVE COMMUNICATIONS, ETC.

Mr. LUCAS and other Senators addressed the Chair.

The VICE PRESIDENT. Before the Chair recognizes any Senator he wishes to lay before the Senate certain executive reports for printing, under the rule.

The VICE PRESIDENT laid before the Senate the following communications and letters, which were referred, as indicated:

SUPPLEMENTAL ESTIMATE, FEDERAL WORKS AGENCY (S. DOC. NO. 18)

A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Federal Works Agency, amounting to $3,000,000, fiscal year 1949 (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

PROPOSED PROVISION PERTAINING TO EXISTING APPROPRIATION FOR UNITED STATES MARITIME COMMISSION (S. DOC. NO. 19)

A communication from the President of the United States, transmitting a proposed provision pertaining to an existing appropriation of the United States Maritime Commission, fiscal year 1949 (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

HOURS OF DUTY AND PAY OF CERTAIN EMPLOYEES OF THE COAST GUARD

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to regulate the hours of duty and the pay of civilian keepers of lighthouses and civilians employed on lightships and other vessels of the Coast Guard (with an accompanying paper); to the Committee on Interstate and Foreign Commerce.

AUTHORIZATION TO CERTAIN PERSONNEL OF COAST GUARD AND PUBLIC HEALTH SERVICE TO ACCEPT CERTAIN GIFTS BY FOREIGN GOVERNMENTS

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to authorize certain personnel and former personnel of the United States Coast Guard and the United States Public Health Service to accept certain gifts tendered by foreign governments (with an accompanying paper); to the Committee on Interstate and Foreign Commerce.

SUSPENSION OF DEPORTATION OF ALIENS

A letter from the Acting Attorney General, transmitting, pursuant to law, a report reciting the facts and pertinent provisions of law in the cases of 42 individuals whose deportation has been suspended for more than 6 months by the Commissioner of Immigration and Naturalization Service under the authority vested in the Attorney General, together with a statement of the reason for such suspension (with accompanying papers); to the Committee on the Judiciary.

TOURIST AND OTHER PUBLIC FACILITIES IN CONJUNCTION WITH ALASKA HIGHWAY

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation relating to the development of tourist and other public facilities in conjunction with the Alaska Highway and for other purposes (with an accompanying paper); to the Committee on Interior and Insular Affairs.

ROADS AND TRAILS UNDER JURISDICTION OF BUREAU OF INDIAN AFFAIRS IN ALASKA

A letter from the Under Secretary of the Interior, transmitting a draft of proposed legislation to authorize appropriations for roads, trails, and other aids to transportation serving lands and facilities under the jurisdiction of the Bureau of Indian Affairs in Alaska (with an accompanying paper); to the Committee on Interior and Insular Affairs.

RESIDENT COMMISSION FROM THE VIRGIN ISLANDS

A letter from the Under Secretary of the Interior, transmitting a draft of proposed

legislation to provide for a resident commissioner to the United States from the Virgin Islands (with an accompanying paper); to the Committee on Interior and Insular Affairs.

INFORMATION ON BANKRUPTCY CASES ADMINISTERED IN UNITED STATES DISTRICT COURTS

A letter from the Director, Administrative Office of the United States Courts, Washington, D. C., transmitting, pursuant to law, statistical tables and charts containing data in regard to bankruptcy cases administered in the district courts of the United States in the fiscal year ended June 30, 1948 (with an accompanying document); to the Committee on the Judiciary.

REPORTS OF COMMISSION ON ORGANIZATION OF THE EXECUTIVE BRANCH OF THE GOVERNMENT

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on the National Security Organization (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on the National Security Organization (appendix G) (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on the National Security Organization (vol. II) (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on the National Security Organization (vol. III) (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and hav no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. JOHNSTON of South Carolina and Mr. LANGER members of the committee on the part of the Senate.

EXTENSION OF AUTHORITY OF COMMITTEE ON THE JUDICIARY TO INVESTIGATE IMMIGRATION LAWS

Mr. LUCAS obtained the floor.

Mr. McCARRAN. Mr. President, will the Senator from Illinois yield to me?

Mr. LUCAS. I yield to the Senator from Nevada.

The VICE PRESIDENT. The Chair wishes to announce to the Senate, for the benefit of all Senators, that when a Senator is recognized and has the floor he can yield to another Senator only for a question, except by unanimous consent.

Mr. McCARRAN. Then, Mr. President, I ask unanimous consent that the Senate may proceed to the consideration of Senate Resolution No. 40. The reason for my request is that the work of investigating the immigration laws and the administration thereof was assigned to the Committee on the Judiciary by the Eightieth Congress by Senate Resolution No. 137. The time for such authorization expires tonight. Extension of time has been approved by the Committee on Rules and Administration and by the Committee on th. Judiciary. Unless the time can be extended by the Senate today the entire investigation will cease tonight, the committee will lose its staff, and the work which has been under way for the past 7 months would be lost.

I ask unanimous consent, Mr. President, that the Senate proceed to the consideration of Senate Resolution 40.

The VICE PRESIDENT. The Senator from Nevada has asked unanimous consent that the Senator from Illinois may yield to him for that purpose. Is there objection?

Mr. WHERRY. Mr. President, reserving the right to object, I should like to make an inquiry of the Senator from Nevada? Does the authorization of Senate Resolution 137, adopted in the Eightieth Congress, terminate tonight? Senate Resolution 40 also asks for an appropriation, does it not?

Mr. McCARRAN. Yes.

Mr. WHERRY. Does the authorization under Senate Resolution 137 terminate tonight?

Mr. McCARRAN. The authorization under that resolution terminates tonight, that is, it terminates the 1st day of March, which will be tomorrow.

Mr. WHERRY. Was the resolution for which the Senator now asks consideration reported favorably from the committee and is it now on the calendar?

Mr. McCARRAN. The resolution (S. Res. 40) was reported favorably by the Committee on the Judiciary. It was then referred to the Committee on Rules and Administration, and has been reported favorably from the Committee on Rules and Administration and is now on the calendar.

Mr. WHERRY. Was the resolution reported unanimously by the Committee on the Judiciary?

Mr. McCARRAN. It was.

Mr. WHERRY. So there is a unanimous report by the Committee on the Judiciary and a unanimous report by the Committee on Rules and Administration?

Mr. McCARRAN. I am advised by the chairman of the latter committee that the report was unanimous.

Mr. WHERRY. What appropriation is asked for in the resolution?

Mr. McCARRAN. The request is for an appropriation of $135,000.

Mr. WHERRY. Is that about in keeping with the amount which was expended during the life of the committee in the Eightieth Congress for the purpose in question?

Mr. McCARRAN. Yes; it is. The resolution would extend the authorization to the committee for 1 year, or until the 1st of March 1950.

Mr. WHERRY. Was the total amount authorized by the resolution adopted last year used during the life of the last Congress?

Mr. McCARRAN. Not exactly. But the balance is contained in the total of $135,000.

Mr. WHERRY. So the amount requested for this year is practically the same, is it not, as the amount requested for last year, and whatever was saved from last year will be applied in the $135,000 asked for in Senate Resolution 40?

Mr. McCARRAN. Yes.

Mr. WHERRY. Mr. President, I have no objection to the immediate consideration of the resolution.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. DONNELL. Mr. President, I should like to associate myself with the Senator from Nevada in the request he has made. I think it is exceedingly important that the request be granted.

The VICE PRESIDENT. Is there objection to the request that the Senator from Illinois be permitted to yield to the Senator from Nevada for the purpose of the present consideration of Senate Resolution 40?

Mr. SALTONSTALL. Mr. President, reserving the right to object, I should like to ask a question of the Senator from Nevada. Does the investigation include also the question of displaced persons?

Mr. McCARRAN. It does not, unless as it may indirectly do so. Another subcommittee of the Committee on the Judiciary is handling that subject specifically. But Senate Resolution 40 does take up another matter I have not mentioned and to which I now refer. The Eightieth Congress adopted a provision that the subject of all deportees who had been retained in this country for a period of 6 months by order of the Attorney General should come to this committee for investigation. There are approximately 15,000 such deportees, as we are advised. So the committee must deal also with that question.

Mr. SALTONSTALL. So the committee is going into the long-range immigration question, but is not concerning itself actively with the subject of displaced persons during the next 2 years? That subject is being handled by another subcommittee, as I understand.

Mr. McCARRAN. Except as it might be incidental to the work of the particular subcommittee. The displaced-persons question is entirely in the hands of another subcommittee of the Committee on the Judiciary.

Mr. SALTONSTALL. On the subject of displaced persons, will the full committee receive a report which will be available to the individual Members of the Senate during the next couple of months?

Mr. McCARRAN. Yes. I am hopeful of getting such a report much earlier than that. It is my hope that the committee will take action and bring something before the Senate even within the next couple of months.

Mr. SALTONSTALL. I thank the Senator from Nevada.

The VICE PRESIDENT. Is there objection to the unanimous-consent request for the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution (S. Res. 40) relating to an investigation of the immigration laws and the adminis-

tration thereof, which had been submitted by Mr. McCARRAN on January 27, 1949, referred to the Committee on the Judiciary, reported by that committee without amendment, thereupon referred to the Committee on Rules and Administration, and reported from that committee by Mr. HAYDEN on February 25, 1949, with an amendment on page 1, line 6, after the word "continued", to strike out "during the sessions, recesses, and adjourned periods of the Eighty-first Congress" and to insert "until March 1, 1950", so as to make the resolution read:

Resolved, That the authority of the Committee on the Judiciary, or any duly authorized subcommittee thereof, under Senate Resolution 137, of the Eightieth Congress, agreed to July 26, 1947 (providing for a full and complete investigation of our entire immigration system), is hereby continued until March 1, 1950, and the limit of expenditures under such resolution is hereby increased by $135,000.

The amendment was agreed to.

The resolution, as amended, was agreed to.

TRANSACTION OF ROUTINE BUSINESS

The VICE PRESIDENT. The Senator from Illinois [Mr. LUCAS] has the floor. The Chair suggests to him that, in order to facilitate action upon ordinary routine matters, he ask unanimous consent that he may yield to Senators for routine matters and for insertions in the RECORD.

Mr. LUCAS. Mr. President, I make such a request.

Mr. WHERRY. Mr. President, there is no objection to such procedure. That would be the proper way to handle requests for insertion of matters into the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

By unanimous consent, the following routine business was transacted:

PETITIONS AND MEMORIALS

Petitions, etc., were presented, and referred as indicated:

By Mr. MILLIKIN:

A joint memorial of the Legislature of the State of Colorado; to the Committee on Expenditures in the Executive Departments:

"Senate Joint Memorial 1

"Memorializing the Congress of the United States to enact legislation providing for the creation of a department of natural resources, the establishment of regional or branch offices of that and other Federal departments and agencies, and for the location of a United States military academy of the air in Denver

"Whereas the Honorable Herbert Hoover, Chairman of the Joint Committee on the Organization of the Executive Branch of the Government, has recommended the reorganization of the Department of the Interior and the incorporation of its functions and related functions concerned with the conservation and development of natural resources into a new department of natural resources; and

"Whereas it would be highly desirable that regional offices of that and other Federal departments and agencies be established in order to bring the Federal Government and its activities closer to the people; and

"Whereas consideration is being given to the establishment of a United States military academy of the air; and

"Whereas the members of the thirty-seventh general assembly wish to commend the Department of the Interior, Reclamation Service, and the Corps of Army engineers for their splendid record of accomplishment and the Hoover commission for its needful accomplishment in devising a complete reorganization plan for the executive branch of our National Government: Now, therefore, be it

"Resolved by the Senate of the Thirty-seventh General Assembly of the State of Colorado (the house of representatives concurring herein), That the Congress of the United State be, and it is hereby, memorialized to approve legislation for—

"1. The creation of a new department of natural resources;

"2. The location of a regional office of that department and of other important Federal departments and agencies in Denver; and

"3. The location of the United States military academy of the air likewise in Denver; be it further

"Resolved, That copies of this memorial be forwarded to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, and to the Senators and Congressmen representing the State of Colorado of the United States."

A joint memorial of the Legislature of the State of Colorado; to the Committee on Interior and Insular Affairs:

"House Joint Memorial 5

"Memorializing the Congress of the United States to enact legislation to make Indians citizens of the United States in order that they may be able to vote

"Whereas there are approximately 400,000 Indians in the United States for whom the Bureau of Indian Affairs, under the direction of the Secretary of the Interior, exercises a trusteeship, in accordance with treaties made between the United States and the Indians and with the statutes enacted by the Congress; and

"Whereas the Bureau of Indian Affairs provides cducational facilities for Indian children or they are otherwise educated in public schools; provides medical care and health programs; supplies social services for the needy, the sick, and the disabled; provides agricultural and industrial guidance for the conservation and improvement of approximately 56,600,000 acres of Indian land; administers tribal and individual Indian moneys held in trust by the United States, and furnishes credit to individuals and groups for educational, industrial, and agricultural projects, and in general works for the economic, educational, social, and civic advancement of the Indians to the end that they may become independent of special Federal aid or regulation; and

"Whereas notwithstanding all of these services to the Indians, they are not citizens of the United States and as the result they are denied the privilege of voting in general elections—national, State, and local—including elections in the State of Colorado, unless and until they are emancipated and given the right of citizenship by special acts of the Congress; and

"Whereas it is the opinion of the General Assembly of the State of Colorado, and the widespread opinion of citizens throughout the country, that Indians should be made citizens of the United States without further delay to right a grave and long-standing injustice, and to assure them their inalienable rights to life, liberty, and the pursuit of happiness: Now, therefore, be it

"Resolved by the House of Representatives of the Thirty-seventh General Assembly of the State of Colorado (the senate concurring herein), That the Congress of the United States is hereby memorialized and urged to enact legislation immediately to emancipate all Indians to the extent of making them citizens of the United States and eligible to vote in all elections to the same degree as are other citizens of the United States; be it further

"Resolved, That copies of this memorial be forwarded to the Secretary of the Interior, the Director of the Bureau of Indian Affairs, the President of the Senate, and the Speaker of the House of Representatives of the Congress of the United States, and to the Senators and Congressmen representing the State of Colorado in the Congress of the United States."

By Mr. LANGER:

A concurrent resolution of the Legislature of the State of North Dakota; to the Committee on Labor and Public Welfare:

"House Concurrent Resolution C

"Concurrent resolution memorializing the Congress of the United States to increase the share of Federal participation and increase the annual appropriation under Public Law 725

"Whereas hospital construction costs have continued to rise to a point where it has become increasingly difficult for communities in North Dakota to finance hospital construction; and

"Whereas many of the communities in the areas of greatest need for hospital facilities find it impossible to meet the financial burden even with the present 33⅓ percent of Federal participation for approved projects under Public Law 725; and

"Whereas this condition tends to defeat one of the primary purposes of Public Law 725, which is to give special consideration to hospitals serving rural communities and areas with relatively small financial resources; and

"Whereas the Federal Government in several grant-in-aid programs pays 50 percent and in some cases 100 percent of the cost; and

"Whereas the increased share of Federal participation is necessary if hospital construction is to go forward in the areas of greatest relative need in North Dakota: Now, therefore, be it

"Resolved by the House of Representatives of the State of North Dakato (the senate concurring therein), That the Congress of the United States be and hereby is memorialized and petitioned to amend Public Law 725 by increasing the Federal share of participation in the construction of approved hospital projects from 33⅓ percent to 50 percent and to increase the annual appropriation under said law to meet the added cost of the revised share of Federal participation, and that the provisions be made retroactive so that hospital projects approved on the Federal construction schedules prior to the enactment of these amendments may benefit from the increased share of Federal participation; and be it further

"Resolved, That copies of this resolution be sent to the President of the Senate and to the Speaker of the House of Representatives of the Congress of the United States, to the Federal Security Administrator, to the Surgeon General of the United States Public Health Service, and to North Dakota's delegation in Congress."

By Mr. McGRATH (for himself and Mr. GREEN):

A resolution of the General Assembly of the State of Rhode Island and Providence Plantations; to the Committee on the Judiciary:

"Resolution memorializing the Congress of the United States to pass, and the President of the United States to approve, if passed, the General Pulaski's Memorial Day resolution now pending in Congress

"Whereas a resolution providing for annual proclaiming by the President of the United States of America of October 11 as General

Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski is now pending in the present session of the Congress of the United States of America; and

"Whereas, the 11th day of October 1779 is the date in American history of the death of Brig. Gen. Casimir Pulaski who died from wounds received on October 9, 1779, at the siege of Savannah, Ga.; and

"Whereas the States of Arkansas, California, Connecticut, Delaware, Illinois, Indiana, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, Nevada, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, West Virginia, Wisconsin, and other States of the Union, through legislative enactment have designated October 11 of each year as General Pulaski's Memorial Day believing it fitting that the recurring anniversary of this day be commemorated with suitable patriotic and public exercises in honor of this great hero of the Revolutionary War and

"Whereas from October 11, 1929, to October 11, 1946, by congressional enactment, October 11 has been designated as General Pulaski's Memorial Day in the United States of America: Now, therefore, be it

"*Resolved*, That the General Assembly of the State of Rhode Island and Providence Plantations hereby memorializes and petitions the Congress of the United States to pass, and the President of the United States to approve, if passed, the General Pulaski's Memorial Day resolution now pending in Congress; and be it further

"*Resolved*, That duly certified copies of this resolution be transmitted forthwith by the secretary of state to the President of the United States, the Vice President of the United States, and to each of the Senators and Representatives from Rhode Island in the Congress of the United States."

By Mr. KEFAUVER:

A petition of sundry citizens of Bristol, Tenn., and Bristol, Va., praying for the enactment of legislation to prohibit the transportation of liquor advertising in interstate commerce; to the Committee on Interstate and Foreign Commerce.

ENFORCEMENT OF CIGARETTE TAX—RESOLUTION OF IOWA STATE LEGISLATURE

Mr. GILLETTE. Mr. President, I present a concurrent resolution adopted by the Legislature of the State of Iowa, favoring the enactment of legislation to aid the State in the enforcement of the cigarette tax now evaded by use of the United States mails.

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

House Concurrent Resolution 11

Concurrent resolution memorializing and requesting the Congress of the United States to enact a bill to aid the State in the enforcement of the cigarette tax now evaded by use of the United States mails

Whereas the State of Iowa has seen fit to impose a tax on the sale and use of cigarettes within its boundaries, and the revenues so obtained constitute an important portion of the funds available for its functions of government; and

Whereas it has been brought to the attention of the senate and the house of representatives of the State of Iowa that a large and growing system of evasion of such tax law has developed; that the United States mails are flooded with advertisements and inducements to the citizens of this State to violate the law of this State; that in numerous instances such advertisers entice prospective customers with statements to the effect that the use of the United States mails is sufficient proof of the legitimacy of such business and such a system; that the mails of the United States are constantly flooded with cigarettes in the process of delivery within this State, and on which cigarettes the tax required by the laws of this State has not and will not be paid; that this State is seriously disadvantaged by such use of the postal offices and mails of the United States for the purpose of evading the laws of Iowa; and that Iowa faces and is now suffering serious losses of revenue as a result of such system of evasion; and

Whereas it has been brought to the attention of the senate and the house of representatives of Iowa that there is now pending before the Congress of the United States a proposed bill which would aid the States by requiring shippers of cigarettes in interstate commerce to furnish to the taxing authority of the State to which shipped a copy of the invoice on each shipment and the name and address of each person to whom shipped: Now, therefore, be it

Resolved by the house (the senate concurring therein), That the Congress of the United States be, and the same is hereby, memorialized and respectfully urged to enact a bill requiring shippers of cigarettes in interstate commerce to furnish to the taxing authority of the State to which shipped a copy of the invoice on each such shipment or to enact such other bill to the aid of the several States affected as may be proper; be it further

Resolved, That duly authenticated copies of this resolution be forwarded immediately to the presiding officers of the respective Houses of Congress and to the Senators and Congressmen from Iowa.

ST. LAWRENCE WATERWAY—RESOLUTION OF MINNESOTA LEGISLATURE

Mr. THYE. Mr. President, I present for appropriate reference and ask unanimous consent to have printed in the RECORD a concurrent resolution adopted by the Minnesota State Legislature memorializing the Congress to take prompt action to ratify the agreement between the Government of the United States and the Dominion of Canada for the development of the St. Lawrence waterway.

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

Concurrent resolution memorializing the Congress of the United States to take prompt action to ratify the agreement between the Government of the United States and the Dominion of Canada for the development of the St. Lawrence waterway

Whereas representatives of the Governments of the United States and of the Dominion of Canada in 1941 consummated and signed an agreement for the development of the St. Lawrence River, both for navigation and power purposes, so as to permit free passage of ocean-going ships from the Atlantic Ocean to the head of the Great Lakes and into the heart of the American Continent, and make available the development of this great potential source of electric energy for necessary public use; and

Whereas the agreement was under consideration by the Congress of the United States at the time of the Japanese attack at Pearl Harbor, and shortly thereafter we were at war with the Central Powers in Europe, as a consequence of which action on the agreement was advisedly deferred; and

Whereas world developments since 1941 have made it increasingly apparent that the securing of a permanent and just peace will inevitably be attended with vastly increased commerce with foreign nations, and particularly with the European and Asiatic nations, and the great industries located on the Great Lakes and the agriculture of the Northwest States will benefit as a result of the opening of the St. Lawrence as a shorter route for ocean commerce to deliver to foreign nations the products of our industries and agriculture, and more than ever before the development of the power to be generated by the St. Lawrence is recognized as a vital economic necessity; and

Whereas the agreement is now again being submitted to the Congress of the United States for approval, the Presidents of the United States for the past 29 years have committed themselves to the development of the St. Lawrence, and President Harry S. Truman has characterized the St. Lawrence project as of economic value comparable to the Panama Canal and a vital necessity as a defense measure; and

Whereas, the State of Minnesota, through its legislature, for the last 29 years has affirmed its continued support of this project, and through the Great Lakes-St. Lawrence Tidewater Commission of Minnesota has continuously promoted the development of the St. Lawrence River, believing that the project is a vital necessity for the stimulation and development of the resources of this State and of the entire Northwest, as well as a great economic advantage to the Nation, and that the project has already been too long delayed: Now, therefore, be it

Resolved, That the house of representatives, the senate concurring, commend and support the President of the United States in his steadfast, consistent, and energetic support of this project, and urge the Congress of the United States, without further delay, to approve and ratify the agreement already concluded with the Dominion of Canada, and provide the necessary funds for the speedy completion of this great project as a vital, economic, and defense necessity; be it further

Resolved, That the secretary of state be instructed to send copies of this resolution to the President, the Vice President, the Speaker of the House of Representatives of the United States, and to each of the Senators and Representatives in Congress from the State of Minnesota.

GERALD T. MULLIN,
President of the senate.
JOHN A. HARTTE,
Speaker of the house of representatives.

Passed the senate the 14th day of February, in the year of our Lord 1949.

H. Y. TORREY,
Secretary of the senate.

Passed the house of representatives the 17th day of February, in the year of our Lord 1949.

G. H. LEAHY,
Chief clerk, house of represeentatives.

Approved February 23, 1949.

LUTHER W. YOUNGDAHL,
Governor of the State of Minnesota.

SEDALIA AIR FIELD AS SITE FOR PROPOSED UNITED STATES AIR ACADEMY—RESOLUTION OF KANSAS CITY (MO.) CITY COUNCIL

Mr. KEM. Mr. President, I present for appropriate reference and ask unanimous consent to have printed in the RECORD a resolution adopted by the City Council of Kansas City, Mo., requesting Congress to give careful and complete consideration to the facilities offered by the Sedalia Air Field as a suitable site for the proposed United States Air Academy.

There being no objection, the resolution was referred to the Committee on

Armed Services and ordered to be printed in the RECORD, as follows:

Resolution 12512

Whereas there is now pending before Congress in both the Senate and House bills that propose the establishment of a United States Air Academy for the educational training of officers for the Air Corps, both Army and Navy, that would be comparable to the long-established Academies at West Point and Annapolis; and

Whereas the United States Government now owns 2,500 acres of land known as Sedalia Air Field, located 10 miles east of Warrensburg and 19 miles west of Sedalia, Mo.; and

Whereas this site is already adequately equipped with a water supply, sewage disposal, surface drainage and storm sewers, four concrete runways 7,200 feet long and 150 feet wide with 2,400,000 square feet of parkway aprons, railroad switch tracks from the main line of the Missouri Pacific Railroad, Federal Highway No. 50 and other connecting highways, 13 miles of black-top streets, electric power facilities, and a pipe line system connecting a supply of natural gas; and

Whereas this location has the strategic advantage in time of war of being situated equidistant from our east and west coasts and our north and south borders; and

Whereas this location is within 60 miles of Kansas City, making the metropolitan area easily accessible; and

Whereas the recreation facilities of the famous Ozark region are easily accessible: Now, therefore, be it

Resolved, That the City Council of Kansas City, Mo., does recommend to the Members of the United States Congress that careful and complete consideration be given to the facilities offered by the Sedalia Air Field as a suitable site for the proposed United States Air Academy; and be it further

Resolved, That members of Missouri's congressional delegation be furnished with a copy of this resolution and asked to exert their best efforts toward securing congressional action for the selection of the Sedalia Air Field as the location for the United States Air Academy.

Authenticated as adopted this February 21, 1949.

W. E. KEMP,
Mayor.
FLOURNOY QUEST,
City Clerk.
By E. L. STONE,
Deputy City Clerk.

GENERAL PULASKI'S MEMORIAL DAY

Mr. MYERS. Mr. President, I present for appropriate reference and ask unanimous consent to have printed in the RECORD a resolution dated January 18, 1949, of the Wilkes-Barre, Pa., City Council, and a resolution dated February 11, 1949, of the Scranton, Pa., City Council, urging establishment of October 11 of each year as General Pulaski's Memorial Day.

There being no objection, the resolutions were referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

Resolution 8923

Resolution memorializing the Congress of the United States to pass and the President of the United States to approve, if passed, the General Pulaski's Memorial Day resolution now pending in Congress

Whereas a resolution providing for the President of the United States of America to proclaim October 11 of each year as General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski is now pending in the present session of the United States Congress; and

Whereas the 11th day of October 1779 is the date in American history of the heroic death of Brig. Gen. Casimir Pulaski, who died from wounds received on October 9, 1779, at the siege of Savannah, Ga.; and

Whereas the States of Arkansas, California, Connecticut, Delaware, Illinois, Indiana, Kentucky, Louisiana, Maryland, Kansas, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, Nevada, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, West Virginia, Wisconsin, and other States of the Union, through legislative enactment, designated October 11 of each year as General Pulaski's Memorial Day; and

Whereas it is fitting that the recurring anniversary of this day be commemorated with suitable patriotic and public exercises in observing and commemorating the heroic death of this great American hero of the Revolutionary War; and

Whereas the Congress of the United States of America has by legislative enactment designated October 11, 1929, October 11, 1931, October 11, 1932, to October 11, 1946, to be General Pulaski's Memorial Day in the United States of America: Now, therefore, be it

Resolved by the Council of the City of Scranton, Pa., in session assembled:

SECTION 1. That we hereby memorialize and petition the Congress of the United States to pass and the President of the United States to approve, if passed, the General Pulaski's Memorial Day resolution now pending in the United States Congress.

SEC. 2. That certified copies of this resolution, properly authenticated, be sent forthwith to the President of the United States, the Vice President of the United States, the Speaker of the House of Representatives of the United States, and each of the United States Senators and Representatives from Pennsylvania.

Approved February 11, 1949.

JAMES T. HANLON, *Mayor.*

Resolution 18888

Resolution adopted by the City Council of the City of Wilkes-Barre at a meeting held January 18, 1949

Whereas a resolution providing for the President of the United States of America to proclaim October 11 of each year as General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski, is now pending in the present session of the United States Congress; and

Whereas the 11th day of October 1779 is the date in American history of the heroic death of Brig. Gen. Casimir, Pulaski, who died from wounds received on October 9, 1779, at the siege of Savannah, Ga.; and

Whereas the States of Arkansas, California, Connecticut, Delaware, Illinois, Indiana, Kentucky, Louisiana, Maryland, Kansas, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, Nevada, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, West Virginia, Wisconsin, and other States of the Union, through legislative enactment designated October 11 of each year as General Pulaski's Memorial Day; and

Whereas it is fitting that the recurring anniversary of this day be commemorated with suitable patriotic and public exercises in observing and commemorating the heroic death of this great American hero of the Revolutionary War; and

Whereas the Congress of the United States of America has by legislative enactment designated October 11, 1929, October 11, 1931, October 11, 1932, to October 11, 1946, to be General Pulaski's Memorial Day, in the United States of America: Now, therefore, be it

Resolved by the City Council of the City of Wilkes-Barre and the State of Pennsylvania in session assembled:

SECTION 1. That we hereby memorialize and petition the Congress of the United States, to pass, and the President of the United States to approve, if passed, the General Pulaski's Memorial Day resolution now pending in the United States Congress.

SEC. 2. That certified copies of this resolution, properly authenticated, be sent forthwith to the President of the United States, the Vice President of the United States, the Speaker of the House of Representatives of the United States, and each of the United States Senators and Representatives from Pennsylvania.

Attest:

LUCIUS K. ELDRIDGE,
City Clerk.

RESOLUTIONS BY CORN BELT LIVESTOCK FEEDERS ASSOCIATION

Mr. BUTLER. Mr. President I present for appropriate reference and ask unanimous consent to have printed in the body of the RECORD resolutions adopted by the Corn Belt Livestock Feeders Association on February 24, 1949, at Kansas City, Mo.

There being no objection, the resolutions were referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

RESOLUTIONS ADOPTED BY THE CORN BELT LIVESTOCK FEEDERS ASSOCIATION, FEBRUARY 24, 1949, AT KANSAS CITY, MO.

1. We urge officialdom in Washington to take whatever steps are practical to restore American exports of lard to as near the 1920–39 average of 580,000,000 pounds as possible and to use all governmental powers to aid American business in recapturing this export lard trade.

2. We urge hotels and restaurants to reduce the prices of their meat course dinners in conformity with the break since last summer in wholesale meat prices, and to endeavor to expand meat consumption in their places of business to former levels in which they took about 25 percent of the total meat production.

3. We recommend to Army buyers that they buy, bone, and deep freeze a huge quantity of the surplus meat that has been coming to market, against the time this summer when supplies will be much more short. We also call to the attention of owners of lockers and deep freeze units that conditions point to much smaller supplies of meat later on and recommend that they accumulate supplies during this time of heaviest marketing.

4. We demand that America be protected from imports of goods or products manufactured or produced by peasant or slave labor. We demand that the American farmer be given the same protection against the competitive oils and fats produced by cheap foreign labor as industry is granted through the tariffs or labor through the immigration laws.

5. We call upon the Congress to enact and maintain a labor law that will prevent the closing of the packing houses and other businesses affecting public health and safety, through strikes. While we grant the right of any laborer either to work or not to work at a given place or at a given wage or under given condition we dispute most violently the right of any group to force the closing of industries such as the packing establishments on which the farmers depend for their markets for livestock, and from which the public expects to receive the most vital product in its diet, and that is

meat. We are opposed to repeal of the Taft-Hartley Act and call upon Congress to see to it that no organized very small minority group is permitted, through staging what virtually amounts to a civil revolution but is called a strike, to cause acute distress and anguish to a majority of the people of a city or an industry and through this distress force wages or other conditions that are not in keeping with the best interests of all of the people.

6. We oppose most emphatically the Spence bill, H. R. 2756, which would grant to the President stand-by powers to institute price controls. We know from past experience that price controls are not necessary when supply exceeds demand. We also know from past experience that in times of scarcity price controls are dangerous in that instead of increasing supplies they decrease them; they cause chaos, confusion, and losses to producers and black markets on which consumers are gouged for the decreasing supplies that the price controls bring. We call on Congress to forget politics and study the history of the result of price controls. As farmers we reject most emphatically the glib statements that the last election was a mandate to enact any such controls. History shows that there is only one means of bringing about a balance between supply and demand for any product, agricultural or otherwise, that is not a natural monopoly, and that is through a free price in a free economy. We instruct our officers to oppose with every vigor the renewed shackling of producers with any such controls.

7. We call upon the President to declare that the emergency in livestock is ended, and to raise the import duty on Canadian cattle to 2½ cents per pound as he is authorized, and to reopen negotiations with Canada on this whole subject of importations of Canadian cattle. We ask the President to take the lead in building a strong America and consider a strong livestock situation as a prime step in this course.

8. There is agitation for infliction on the American farmer of a method of rail grading in sale of hogs and other livestock. We believe this will eliminate the cash market for livestock and greatly delay returns to the farmer; greatly increase the expenses of the packers, and widen the margin between what the farmer receives and the consumer pays for meat; eliminate competition in the sale of meat, dragging the markets down instead of raising them; and subject the farmers to incompetence of Federal meat graders. We are opposed to it and call for a halt in the misdirected propaganda to bring it about.

9. We commend the organized livestock-market interests for the active steps they have taken during recent demoralized markets in trying to expand demand, in regulating the flow of livestock to market to numbers that could be cleared, and for using their time on the radio to assist and direct livestock marketing in a way that would alleviate a bad situation. We affirm once more that we need these organized central markets as our best places on which to market our stock and ask their continued cooperation in placing the livestock-feeding business on a firm foundation mutually beneficial.

10. We demand that if Federal control of the exports of agricultural products are necessary that this control be lodged in the Department of Agriculture, to be managed by a commission appointed by the President and approved by the Senate.

11. We are opposed to reciprocal-trade treaties that will bring into this country manufactured goods or raw products which are produced by industry, labor, or agriculture of this country and on which the people of this country depend for employment or markets that will give them a livelihood.

12. We call on manufacturers and labor to reduce their prices in conformity with the decline in agricultural commodity prices that there be maintained a balance between the various component parts of the producers of all products in this Nation.

13. We call upon the Department of Agriculture, in making the announcement of the support prices on hogs, to specify exactly what weights and grades are to be supported, at what specific price, and how and during what period of time those supports are to be made effective.

14. We also call upon the Department of Agriculture to adjust the hog-support prices between Chicago and river markets such as Kansas City, Omaha, St. Joseph, and Sioux City to the spread that existed during 1948. The fact that population has moved westward has resulted in the prices of hogs on the river markets averaging 5 cents of Chicago. Accordingly, we feel that the support prices should reflect the existing difference rather than the difference that existed years ago.

15. We thank the livestock interests of Kansas City for their aid in making our stay in their city a most delightful experience.

16. We call on livestock feeders everywhere to join with us in endeavoring to work out the steps that will make livestock feeding as safe a business, free from the hazards of speculation, as is practical.

17. We commend the efforts of the Corn Belt Livestock Feeder to bring to us information of value both from a market and a feeding standpoint, and promise it our full and enthusiastic support. And we call upon the interests from whom we purchase our supplies of livestock feed and/or other farm necessities and through whom we sell our finished products to lend their advertising support to this, our official publication.

TAX ON ADMISSIONS—RESOLUTION OF LEAGUE OF MINNESOTA MUNICIPALITIES

Mr. HUMPHREY. Mr. President, I present for appropriate reference and ask unanimous consent to have printed in the RECORD, a resolution adopted by the League of Minnesota Municipalities, University of Minnesota Library, Minneapolis, Minn., relating to tax on admissions.

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

Resolution on Admissions Tax Enabling Act

Whereas the financial plight of some municipalities is more acute than that of others and only enabling authority for municipal taxes will provide the flexibility in local revenue systems necessary to take acoount of this divergent revenue need; and

Whereas an admissions tax is among the taxes best adapted to local administration because it is fair and easy to administer, because it provides for a minimum of intermunicipal competition, and because it is being increasingly and successfully used by municipalities throughout the country; and

Whereas such a tax may be imposed without additional burden on the taxpayers when the Federal Government reduces or abolishes its tax on admissions; and early reduction in the Federal tax has been recommended by congressional committees; Be it

Resolved, That the League of Minnesota Municipalities recommend to the 1949 legislature the enactment of legislation authorizing the council of any city or village, irrespective of charter requirements, to levy a tax on admissions when the Federal admissions tax is reduced or abolished, such local tax not to exceed the amount of the reduction in the Federal tax.

Resolved further, That the league urge Congress to repeal the Federal admissions tax so as to leave that field of excise taxation for appropriate State and local action; and request the 1949 legislature to memorialize Congress to the same effect.

PROTEST AGAINST RELIGIOUS PERSECUTION IN HUNGARY

Mr. LODGE. Mr. President, on behalf of the senior Senator from Massachusetts [Mr. SALTONSTALL] and myself, I present for appropriate reference a resolution adopted by local union No. 261, United Rubber, Cork, Linoleum, and Plastic Workers of America, Fall River, Mass., calling on the Secretary of State to enter a diplomatic protest to Hungary because of religious persecution.

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

Whereas this executive board being composed of true, loyal Americans, it wishes to go on record, protesting the recent trial of Josef Cardinal Mindszenty, prince of the church and primate of all Catholics of Hungary; and

Whereas the results of this so-called kangaroo trial was known to the prosecutors and the whole Christian world even before said trial took place; and

Whereas another foreign government is also persecuting ministers of the Protestant faith; and

Whereas these governments being inside the iron curtain, controlled by orders of the Communist Party; and

Whereas the ideologies of the Soviet Government toward God and religion are known to the Christian world; and

Whereas these arrests and trials have been held in foreign countries where our great, free, independent Government has representation: Therefore be it

Resolved, That this country through its State Department head enter a diplomatic protest to Hungary and all foreign powers who are persecuting religion on false pretense; therefore be it further

Resolved, That a protest also be made to the Security Council of the United Nations.

GENERAL PULASKI'S MEMORIAL DAY—RESOLUTION OF BOARD OF ALDERMEN OF HOLYOKE, MASS.

Mr. LODGE. Mr. President, on behalf of my colleague the senior Senator from Massachusetts [Mr. SALTONSTALL] and myself, I present for appropriate reference a resolution adopted by the Board of Aldermen of Holyoke, Mass., memorializing the Congress of the United States to approve the General Pulaski's Memorial Day resolution.

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

Resolution memorializing the Congress of the United States to pass, and the President of the United States to approve, if passed, the General Pulaski's Memorial Day resolution now pending in Congress

Whereas a resolution providing for the President of the United States of America to proclaim October 11 of each year as General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski is now pending in the present session of the United States Congress; and

Whereas the 11th day of October 1779 is the date in American history of the heroic

death of Brig. Gen. Casimir Pulaski, who died from wounds received on October 9, 1779, at the siege of Savannah, Ga.; and

Whereas the States of Arkansas, California, Connecticut, Delaware, Illinois, Indiana, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, Nevada, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, West Virginia, Wisconsin, and other States of the Union, through legislative enactment designated October 11 of each year as "General Pulaski's Memorial Day"; and

Whereas it is fitting that the recurring anniversary of this day be commemorated with suitable patriotic and public exercises in observing and commemorating the heroic death of this great America hero of the Revolutionary War; and

Whereas the Congress of the United States of America has, by legislative enactment, designated from October 11, 1929, to October 11, 1946, to be General Pulaski's Memorial Day in the United States of America: Now, therefore, be it

Resolved by the Common Council of the City of Holyoke and State of Massachusetts:

SECTION 1. That we hereby memorialize and petition the Congress of the United States to pass, and the President of the United States to approve, if passed, the General Pulaski's Memorial Day resolution now pending in the United States Congress.

SEC. 2. That certified copies of this resolution, properly authenticated, be sent forthwith to the President of the United States, the Vice President of the United States, and each of the United States Senators and Representatives from Massachusetts.

A true copy of resolution adopted at a regular meeting of the Board of Aldermen of Holyoke, Mass., held February 15, 1949.

Attest:

[SEAL] JOSEPH JUBINVILLE, Jr.,
City Clerk.

JOSEF CARDINAL MINDSZENTY—RESOLUTION OF SEVILLE COUNCIL, NO. 93, KNIGHTS OF COLUMBUS, BROCKTON, MASS.

Mr. LODGE. Mr. President, on behalf of my colleague, the senior Senator from Massachusetts [Mr. SALTONSTALL] and myself, I present for appropriate reference a resolution by the Seville Council, No. 93, Knights of Columbus, Brockton, Mass., memorializing the Congress of the United States to investigate the unjust imprisonment of Cardinal Mindszenty.

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

Whereas at a meeting of Seville Council, No. 93, Knights of Columbus, in Brockton, Mass., on Sunday, January 9, 1949, it was unanimously voted by the membership of 1,200 members; and

Whereas the Communist-controlled Government of Hungary did arrest and imprison unjustly his eminence, Josef Cardinal Mindszenty; and

Whereas the entire Christian world looks on this action by said Communist-controlled Hungary Government as a sacriligious action: It is thereby

Resolved, That the Congress of the United States of America be memorialized to investigate the unjust imprisonment of Josef Cardinal Mindszenty and to seek his immediate release; and be it further

Resolved, That a copy of this resolution be forwarded to the Ambassador of Hungary to this country at Washington, D. C.

RESOLUTIONS OF AMERICAN TRANSIT ASSOCIATION

Mr. WILEY. Mr. President, I have received from P. H. Pinkley, president of the Milwaukee Electric Railway & Transport Co., two important resolutions. They were adopted by the executive committee of the board of directors of the American Transit Association. This association represents practically all of the important local, urban, transit operators in the United States, and the resolutions pertain to the Taft-Hartley law.

I endorse the sentiments in these resolutions and I ask that they be printed at this point in the CONGRESSIONAL RECORD and referred thereafter to the Senate Labor Committee for its careful attention.

There being no objection, the resolutions were referred to the Committee on Labor and Public Welfare and ordered to be printed in the RECORD, as follows:

The American Transit Association includes in its membership more than 300 urban transit companies, which employ nearly 200,000 workers and serve some 325 municipalities, with a total population of approximately 50,000,000. The vast majority of the employees of those companies are organized into local unions affiliated with A. F. of L. and CIO.

Local transit service is essential to the personal and economic well-being of the people of the communities served, so that the public welfare requires every reasonable effort to prevent interruptions thereof resulting from labor controversies or any other cause.

The Federal Mediation and Conciliation Service can do much in assisting to alleviate or adjust labor controversies in the transit industry, but only as long as it remains above suspicion of partisanship and prejudice.

No matter how high may be the caliber and ideals of the men administering the Department of Labor, yet in the last analysis that Department is labor's spokesman in the Government, constituted for and dedicated to advancing the cause of labor. It is not expected by labor to be without partisanship, and it cannot in fact be without partisanship and effectuate the policies for which it is designed.

To place the Federal Mediation and Conciliation Service—now an independent agency in the executive branch of the Government—under the jurisdiction of the Department of Labor, will inevitably lay it open to suspicion by management and the general public as to its nonpartisanship in fact and will largely serve to nullify its effectiveness. If the Service is in reality intended to be impartial and unprejudiced as between management and labor, then management can fairly question the motives inducing its transfer to the Department of Labor with equal reason that labor could question a proposal to transfer the Service to the Department of Commerce. Either such transfer would be equally bad.

Therefore, the American Transit Association respectfully urges that, in the public interest, the Federal Mediation and Conciliation Service be continued as an independent agency in the executive branch of the Government and that, accordingly, the proposal to place same in the Department of Labor be rejected as definitely detrimental to the cause of national unity.

Dated February 7, 1949.

The American Transit Association, as the national organization of the transit industry, embracing some 300 companies employing nearly 200,000 people and serving more than 325 American communities with a total population of approximately 50,000,000, respectfully petitions the Congress to proceed with due deliberation, without preconceived prejudices and only after full and open hearings, to the enactment of new national labor laws.

In support of its position, the association invites attention to the following:

The Wagner-Connery Act was admittedly partisan and partial in its conception, adoption, and administration. Not even its most ardent advocates have ever sought to defend it as in accord with the American spirit of fair play and equality before the law. It was a constant cause of bitterness and resentment by business, a fruitful source of controversy between labor and management, and an open invitation to oppression of the general public as the innocent victims of the disunity thereby caused.

The Taft-Hartley Act was enacted in response to public demand for improvement of the then-existing situation. A substantial number of the Democratic Members of the Senate and House voted therefor and again voted to override the Presidential veto thereof. Whatever may be its faults—and no one insofar as we know has claimed perfection for it—it at least attempted to restore equality before the law and to correct some of the demonstrated and admitted abuses which had arisen under the prior act.

The new labor law to be enacted by the Eighty-first Congress will defeat its purpose if enacted in a spirit of vindictiveness or partisanship. Now, as rarely before in our history, is national unity more vitally essential. Now, as never before, do we need the full cooperation of labor and management, working together under fair and equal laws, to produce the goods, services, and funds required for continuation of our national safety and economic well-being. The trend of the labor-legislative program in the Eighty-first Congress, to date, would appear to disregard those factors.

We ask that the Congress proceed with due deliberation in the important task of adopting a new labor law; that it provide for full and open hearings, at which those directly and indirectly affected may have reasonable opportunity to be heard; that those objecting to the various provisions of both the Wagner-Connery and Taft-Hartley Acts be required to come into the open and make their objections and their reasons therefore a matter of public record; and that the end result be a new labor law fair and impartial as to all concerned and with the general public interest treated as paramount. Any other treatment of this vital issue will be contrary to the basic principles upon which this Nation was founded, upon which it has grown great and upon which it must continue to stand if the American people are to remain prosperous and free.

Dated February 7, 1949.

APPROPRIATIONS FOR VETERANS—RESOLUTION OF MILWAUKEE FRATERNAL ORDER OF EAGLES

Mr. WILEY. Mr. President, I have received a resolution from the New Milwaukee Aerie, No. 0137, of the Fraternal Order of Eagles, on the vital subject of adequate appropriations for our Nation's veterans.

This resolution comes from a great organization and from a particular aerie which is the pride of our State and Nation—representing as it does 14,000 citizens of Milwaukee County. This aerie has drawn Nation-wide attention by its magnificent contributions to the

community and to its parent organization.

I ask unanimous consent that this important resolution which was sent to me be printed in the CONGRESSIONAL RECORD at this point, and appropriately referred.

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

Whereas the Government of the United States has indicated an intention of curtailing expenditures for veterans' benefits; and

Whereas one of the announced plans of curtailment is in hospital facilities and especially in the number of additional beds which Veterans' Administration surveys show are necessary to meet the full requirements of the disabled veterans and those in need of adequate hospitalization: Now, therefore, be it

Resolved, That New Milwaukee Aerie, No. 0137, Fraternal Order of Eagles, composed of 14,000 citizens of Milwaukee County, protest any curtailment of expenditures necessary for the proper care and rehabilitation of the men and women whose personal efforts and sacrifices preserved our American institutions, and made the continuance of our American way of life possible; and be it further

Resolved, That we protest any attempt to revert to conditions such as existed in 1933, especially when our Government finds money for the rehabilitation of other nations of the world, at the expense of our sick veterans at home; and be it further

Resolved, That copies of this resolution be sent to Senators WILEY and MCCARTHY and Congressmen BIEMILLER and ZABLOCKI so that they may be apprised of our position on this matter and be governed accordingly.

REPORT OF A COMMITTEE

Mr. HOLLAND. Mr. President, from the Committee on Public Works, I report favorably, with amendments, the bill (S. 714) to provide for comprehensive planning, for site acquisition in and outside of the District of Columbia, and for the design of Federal building projects outside of the District of Columbia; to authorize the transfer of jurisdiction over certain lands between certain departments and agencies of the United States; and to provide certain additional authority needed in connection with the construction, management, and operation of Federal public buildings; and for other purposes, and I submit a report (No. 87) thereon. I am not asking that it be taken up at this time.

The VICE PRESIDENT. The report will be received, and the bill will be placed on the calendar.

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. JOHNSTON of South Carolina, from the Joint Select Committee on the Disposition of Executive Papers, to which were referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States that appeared to have no permanent value or historical interest, submitted a report thereon pursuant to law.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing a nomination, which nominating messages were referred to the appropriate committees.

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

EXECUTIVE REPORTS OF A COMMITTEE

Mr. MCCARRAN. Mr. President, as in executive session, I report favorably the nominations of Albert M. Cristy, of Hawaii, to be an associate justice of the Supreme Court of the Territory of Hawaii, vice Emil C. Peters, and Willson G. Moore, of Hawaii, to be fourth judge of the first circuit, circuit courts, Territory of Hawaii, and I submit a report (Ex. Rept. No. 3) thereon.

The VICE PRESIDENT. Without objection, the report will be received, and the nominations will be placed on the Executive Calendar.

BILLS AND JOINT RESOLUTION INTRODUCED

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

By Mr. CHAVEZ:

S. 1096. A bill for the relief of Abe Lincoln and Elena B. Lincoln; to the Committee on the Judiciary.

By Mr. MARTIN:

S. 1097. A bill for the relief of Phyllis Hertzog; to the Committee on Interstate and Foreign Commerce.

S. 1098. A bill to provide for the issuance of a postage stamp in commemoration of the ninetieth anniversary of the beginning of the petroleum industry in the United States; to the Committee on Post Office and Civil Service.

S. 1099. A bill to authorize the construction of flood-control works in the Allegheny River Basin at Warren, Youngsville, Sheffield, Oil City, and Franklin, Pa.; to the Committee on Public Works.

By Mr. THYE:

S. 1100. A bill to authorize a $100 per capita payment to members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation; to the Committee on Interior and Insular Affairs.

By Mr. MURRAY:

S. 1101. A bill authorizing the Secretary of the Interior to convey certain lands in the State of Montana to Nick Langager; to the Committee on Interior and Insular Affairs.

S. 1102. A bill to amend section 6 of the War Claims Act of 1948 with respect to compensation payable to individuals who went into hiding in order to avoid capture as prisoners of war; to the Committee on the Judiciary.

(Mr. JOHNSTON of South Carolina (for himself and Mr. LANGER) (by request) introduced Senate bill 1103, to readjust postal rates, which was referred to the Committee on Post Office and Civil Service, and appears under a separate heading.)

By Mr. HOLLAND:

S. 1104. A bill to amend the River and Harbor Act of 1948 to provide for reports by the Chief of Engineers with respect to national-defense values of river, harbor, and waterway improvements; to the Committee on Public Works.

(Mr. MALONE introduced Senate bill 1105, to repeal the joint resolution of July 24, 1946, which was referred to the Committee on Agriculture and Forestry, and appears under a separate heading.)

By Mr. LODGE:

S. 1106. A bill to amend the Public Health Service Act, as amended, so as to provide assistance to the States in furnishing certain medical aid to needy and other individuals; to the Committee on Labor and Public Welfare.

By Mr. KEFAUVER:

S. 1107. A bill to provide for the award of decorations to former members of the Army in certain cases; to the Committee on Armed Services.

S. 1108. A bill for the relief of Lula Hickey Thomas; to the Committee on the Judiciary.

S. 1109. A bill to provide for the Admiral David Glasgow Farragut Birthplace National Monument; to the Committee on Interior and Insular Affairs.

By Mr. SMITH of New Jersey:

S. 1110. A bill for the relief of Mrs. Suzanne Wiernik and her daughter;

S. 1111. A bill for the relief of Rutgers University; and

S. 1112. A bill for the relief of Arthur Toffler and his wife, Lily Toffler; to the Committee on the Judiciary.

By Mr. MCCARRAN:

S. 1113. A bill to provide for the appointment of committees to conserve the assets of persons of advanced age, mental weakness, or physical incapacity; to the Committee on the District of Columbia.

By Mr. KILGORE:

S. 1114. A bill to provide a correctional system for youth offenders convicted in the courts of the United States; to the Committee on the Judiciary.

By Mr. ANDERSON (for himself, Mr. CHAVEZ, Mr. HAYDEN, Mr. MCFARLAND, Mr. DOWNEY, and Mr. KNOWLAND):

S. 1115. A bill authorizing appropriations for the construction, operation, and maintenance of the western land boundary fence project, and for other purposes; to the Committee on Foreign Relations.

(Mr. WILLIAMS (for himself, Mr. BALDWIN, Mr. CAIN, Mr. LODGE, Mr. MALONE, Mr. MILLIKIN, and Mr. THYE) introduced Senate bill 1116, to grant travel and subsistence allowance to the next of kin attending group burials of remains of known individuals returned to the United States for interment, which was referred to the Committee on Armed Services, and appears under a separate heading.)

By Mr. MCCARRAN:

S. 1117. A bill to provide for the establishment and operation of a rare and precious metals experiment station at Reno, Nev.; to the Committee on Interior and Insular Affairs.

(Mr. WILEY introduced Senate bill 1118, to encourage the prevention of stream pollution by allowing amounts paid for plants for the treatment of industrial waste as a deduction in computing net income, which was referred to the Committee on Finance, and appears under a separate heading.)

By Mr. JENNER:

S. 1119. A bill to authorize settlement for certain inequitable losses in pay sustained by officers of the commissioned services under the emergency economy legislation, and for other purposes; to the Committee on the Judiciary.

By Mr. MORSE:

S. 1120. A bill to amend the Legislative Reorganization Act of 1946 to require an accounting for the expense allowance payable to each Senator, Representative in Congress, Delegate from the Territories, and Resident Commissioner from Puerto Rico; to the Committee on Expenditures in the Executive Departments.

By Mr. MCGRATH:

S. 1121. A bill to provide for a service credit for veterans for the purposes of title II of the Social Security Act; to the Committee on Finance.

By Mr. MCGRATH (by request):

S. 1122. A bill relating to children born out of wedlock;

S. 1123. A bill to amend section 1537 of the act entitled "An act to establish a code of

law for the District of Columbia," approved March 3, 1901, as amended, so as to provide for service of process on agents or employees of a nonresident individual, partnership, association, group, organization, or foreign corporation, conducting a business in the District of Columbia;

S. 1124. A bill to provide for the appointment and compensation of counsel to impoverished defendants in criminal cases in the United States District Court for the District of Columbia;

S. 1125. A bill to amend section 16–415 of the Code of Laws of the District of Columbia, to provide for the enforcement of court orders for the payment of temporary and permanent maintenance in the same manner as directed to enforce orders for permanent alimony;

S. 1126. A bill to amend the Boiler Inspection Act of the District of Columbia;

S. 1127. A bill to amend sections 130 and 131 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, relating to the notice to be given upon a petition for probate of a will, and to the probate of such will;

S. 1128. A bill to amend the Act entitled "An act to regulate the practice of podiatry in the District of Columbia";

S. 1129. A bill to amend section 16–416 of the Code of Laws of the District of Columbia, to conform to the nomenclature and practice prescribed by the Federal Rules of Civil Procedure;

S. 1130. A bill to amend sections 356 and 365 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, to increase the maximum sum allowable by the Court out of the assets of a decedent's estate as a preferred charge for his or her funeral expenses from $600 to $1,000;

S. 1131. A bill to amend sections 260, 267, 309, 315, 348, 350, and 361 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, to provide that estates of decedents being administered within the probate court may be settled at the election of the personal representative of the decedent in that court 6 months after his qualification as such personal representative;

S. 1132. A bill to amend section 137 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, relating to the time within which a caveat may be filed to a will after the will has been probated;

S. 1133. A bill to amend section 16–418 of the Code of Laws of the District of Columbia, to provide that an attorney be appointed by the court to defend all uncontested annulment cases;

S. 1134. A bill to amend section 13–108 of the Code of Laws of the District of Columbia, to provide for constructive service by publication in annulment actions; and

S. 1135. A bill to amend the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, to provide a family allowance and a simplified procedure in the settlement of small estates; to the Committee on the District of Columbia.

By Mr. TYDINGS:

S. 1136. A bill to amend the Canal Zone Code, and for other purposes; and

S. 1137. A bill to revise and codify laws of the Canal Zone regarding the administration of estates, and for other purposes; to the Committee on Armed Services.

S. 1138. A bill for the relief of John W. Crumpacker, commander, United States Navy; to the Committee on the Judiciary.

By Mr. PEPPER:

S. 1139. A bill for the relief of Mrs. Robert P. Horrell; to the Committee on the Judiciary.

By Mr. HAYDEN (for himself, Mr. DOWNEY, Mr. MCFARLAND, and Mr. KNOWLAND):

S. 1140. A bill to authorize credits to certain public agencies of the United States for costs of construction and operation and maintenance of flood protective levee systems along or adjacent to the lower Colorado River in Arizona, California, and Lower California, Mexico; to the Committee on Interior and Insular Affairs.

By Mr. ECTON:

S. 1141. A bill providing for the suspension of annual assessment work on mining claims held by location in the United States; and

S. 1142. A bill authorizing the Secretary of the Interior to issue a patent in fee to Mrs. Pearl Scott Loukes; to the Committee on Interior and Insular Affairs.

By Mr. MURRAY:

S. J. Res. 57. Joint resolution extending the time for completion of annual assessment work on mining claims held by location; to the Committee on Interior and Insular Affairs.

READJUSTMENT OF POSTAL RATES

Mr. JOHNSTON of South Carolina. Mr. President, on February 21 the Postmaster General addressed a letter to the Vice President—a companion letter was sent to the Speaker of the House—calling attention to the fact that the President in his budget message referred to recurring postal deficits and urged that the Congress promptly enact an adequate revision of the postal rate structure.

With this letter, the Postmaster General submitted a suggested bill which the Senator from North Dakota [Mr. LANGER] and I are introducing by request of the Postmaster General, reserving the right to favor or disagree with any or all portions thereof. I may say that this proposed legislation has been discussed by the committee as a whole, and that is the position of each member.

However, it is felt that this bill should be promptly introduced and properly referred so that the subcommittee may start immediately hearings and other consideration of the important provisions proposed therein, and those favoring and opposing this proposed legislation may have ample opportunity to be heard.

By request of the Postmaster General, on behalf of the Senator from North Dakota [Mr. LANGER] and myself, I introduce the bill.

The bill (S. 1103) to readjust postal rates, introduced by Mr. JOHNSTON of South Carolina (for himself and Mr. LANGER) (by request), was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

TRAVEL AND SUBSISTENCE ALLOWANCE TO NEXT OF KIN ATTENDING CERTAIN GROUP BURIALS

Mr. WILLIAMS. Mr. President, on behalf of the Senator from Connecticut [Mr. BALDWIN], the Senator from Washington [Mr. CAIN], the Senator from Massachusetts [Mr. LODGE], the Senator from Nevada [Mr. MALONE], the Senator from Colorado [Mr. MILLIKIN], the Senator from Minnesota [Mr. THYE], and myself I introduce for appropriate reference a bill to grant travel and subsistence allowance to the next of kin attending group burials of remains of known individuals returned to the United States for interment, and I ask unanimous consent to have incorporated in the body of the RECORD the text of the bill and a statement concerning it.

The VICE PRESIDENT. The bill will be received and appropriately referred, and, without objection, the bill together with the statement, will be printed in the RECORD.

The bill (S. 1116) to grant travel and subsistence allowance to the next of kin attending group burials of remains of known individuals returned to the United States for interment, introduced by Mr. WILLIAMS (for himself, Mr. BALDWIN, Mr. CAIN, Mr. LODGE, Mr. MALONE, Mr. MILLIKIN, and Mr. THYE), was received, read twice by its title, referred to the Committee on Armed Services; and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That the act entitled "An act to provide for the evacuation and return of the remains of certain persons who died and are buried outside the continental limits of the United States," approved May 16, 1946, as amended, is amended by adding at the end thereof the following new section:

"SEC. 10. In the case of group or mass burials of the unidentified remains of one or more known individuals, the Secretary shall pay to each next of kin of each such individual attending such burial (1) the actual traveling expenses of such next of kin from his place of residence to the place of burial and return, and (2) a per diem allowance, in lieu of actual expenses for subsistence, at the rates prescribed in the Subsistence Expense Act of 1926 and in conformity with regulations promulgated thereunder, for each day such next of kin is necessarily engaged in traveling to and from, and in attendance at, such burial. As used in this section the term 'next of kin' includes (1) both the spouse and children of a decedent, if the next of kin is a spouse, (2) all children of a decedent, (3) both parents of a decedent, if the next of kin is a parent, and (4) all persons standing in loco parentis to a decedent, if the next of kin of a decedent is a person standing in loco parentis."

The statement presented by Mr. WILLIAMS was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WILLIAMS

This bill would amend the act entitled "An act to provide for the evacuation and return of the remains of certain persons who died and are buried outside the continental limits of the United States," approved May 16, 1946, as amended, so as to provide travel and subsistence allowances for the next of kin attending group burials of the unidentified remains of known individuals returned to the United States for interment.

The need for this legislation was first brought to my attention when a Delaware mother appealed to me for assistance in connection with the return of her deceased son to the United States for interment. The facts are these: her son, together with two other Air Force servicemen, had crashed to death in a Belgian field during the war. The bodies, badly mangled, were interred in a single grave. The Army located the grave but could not distinguish the bodies and a mass burial at Arlington National Cemetery was finally decided upon as the wisest course.

Recently it was learned that the mother of one of the other sons, who lives in Colorado, because of age and financial circumstances, was compelled to request a delay of funeral services until arrangements could be made to meet the necessary financial outlay. It is apparent, in the circumstances under which these boys were killed, necessitating a group burial, that each son cannot be interred in the home area of the respective families. This fact necessitates long travel by two of the mothers who must come from Colorado and Minnesota, respectively, and under the present law, if they come, it must be at their own expense.

I introduced this same legislation during the Eightieth Congress which was not considered by the Committee on Armed Services apparently because the Departments of the Army and Navy reported to the Bureau of the Budget recommending against its enactment on the ground that it would be discriminatory to furnish travel and subsistence to one group and to deny it to others.

I am unable to follow this reasoning inasmuch as the facts concerning the mass burials of the unidentified remains of more than one individual leaves no choice to the next of kin as to the location of burial sites, whereas in the case of attendance at burials of individual servicemen, the respective next of kin has the choice of burial in the family cemetery.

I have been advised by the appropriate official of the Army that there are at least 1,000, and possibly as many as 4,000, cases in which bodies buried in temporary mass graves, often after plane crashes, cannot be identified or separated, and when returned to this country must be reinterred in mass graves in a national cemetery more often located some considerable distance from the home or homes of the next of kin. Under these distressing circumstances, I feel sure that no Senator would desire the next of kin to carry the heavy financial burden entailed in long travel which burials under these circumstances necessitate. Without this legislation many a mother or wife, because of financial circumstances, will be compelled to accept charity or be denied the opportunity of attending the last rites for her son or husband. This legislation, therefore, is the least we can do for such mothers.

PREVENTION OF STREAM POLLUTION

Mr. WILEY. Mr. President, I introduce a bill to permit businessmen who build facilities to take care of industrial waste and thus prevent stream pollution, to deduct their expenses for these capital improvements as regular business expenses for income-tax purposes. This is a form of accelerated depreciation designed to cope with the extraordinary problem presented by stream pollution in my own and just about every other State in the Union.

I ask unanimous consent that there be printed in the CONGRESSIONAL RECORD the text of a statement which I have prepared on this bill.

The VICE PRESIDENT. The bill will be received and appropriately referred, and, without objection, the statement will be printed in the RECORD.

The bill (S. 1118) to encourage the prevention of stream pollution by allowing amounts paid for plants for the treatment of industrial waste as a deduction in computing net income, introduced by Mr. WILEY, was received, read twice by its title, and referred to the Committee on Finance.

The statement presented by Mr. WILEY was ordered to be printed in the RECORD, as follows:

INTRODUCTION OF BILL PROVIDING THAT CAPITAL IMPROVEMENTS AGAINST STREAM POLLUTION BE TREATED DEDUCTIBLE AS BUSINESS EXPENSES

I am introducing today a bill providing that capital improvements made to end stream pollution be treated as deductible business expenses for income-tax purposes. This bill is an identical measure to H. R. 1343 already introduced by my friend and able colleague, the Honorable JOHN BYRNES, of Wisconsin. I feel that Congressman BYRNES is to be congratulated for his pioneering along this line.

PROVISIONS OF BILL

The bill amends section 23 of the Internal Revenue Code (relating to deductions allowed in computing net income) by adding a new subsection reading as follows:

"'(bb) Cost of plants for treatment of industrial waste.—In the case of a taxpayer discharging (either directly or through public sewage systems) industrial waste into rivers or streams in the United States, amounts paid during the taxable year for the construction of facilities (approved by the applicable State or interstate authority having jurisdiction with respect to stream pollution) for the treatment of such waste, inluding amounts paid for plans for such construction and treatment.'

"SEC. 2. The amendment made by this act shall be applicable only with respect to taxable years beginning after December 31, 1948, and before January 1, 1955."

INTERIOR DEPARTMENT ENDORSES, TREASURY OPPOSES

During the previous Eightieth Congress, other legislation was introduced to accomplish this objective. That legislation was endorsed by the Department of the Interior, but opposed by the Treasury Department.

Generally speaking, the Treasury's position has been based upon the fact that if businesses making capital improvements to treat industrial wastes and end stream pollution were allowed to charge off their costs to ordinary expenses in the year of construction, they would have somewhat of a tax advantage over other taxpayers who are allowed to deduct only depreciation charges on their capital improvements.

The Treasury may have a certain technical validity to its point, but I am afraid that its position is hopelessly blind to the fact that stream pollution represents one of the most critical problems in our entire Nation. Meeting of that problem has strained the resources of American States, localities, and of countless American industries. It is an extraordinary situation and it requires extraordinary steps if we are to preserve intact the water heritage of the Nation and our wildlife and fishery resources.

TESTIMONY BY IZAAK WALTON LEAGUE

Just recently, the Wisconsin division of the Izaak Walton League held a meeting in my State in Milwaukee, and at that time Mr. James Spindler, of Manitowoc, chairman of the Izaak Walton Water Pollution Committee, stated that:

"Pollution exists all over the State. If you mark pollution areas in red on a State map, the map would be entirely red. Pollution is so bad in Green Bay that it exists for 25 miles out into the mouth of the bay from Green Bay. Even if it is stopped tomorrow, it would take years for it to clear up by itself."

In addition, I have had correspondence with the able president of the Wisconsin division of the league, Mr. A. D. Sutherland, of Fond du Lac, and other conservation leaders who have generally endorsed this legislation which I am introducing today.

I feel that the pollution problem represents one of the greatest single challenges to American industry today in cooperation with conservation groups throughout the Nation. We should recognize the terrific expenses involved to industries in trying to meet the pollution problem, and that is one of the reasons why I am introducing this bill in order to be of help to these industries.

MY INQUIRY ON ANTIPOLLUTION RESEARCH

Along a somewhat related line, I am inquiring with various Government agencies (like the Department of Agriculture) how we of the Congress can cooperate toward further research into utilization of waste products. For example, a recent newspaper issue in my State—the very same one that reported Mr. Spindler's comments—reported on a development by which wastes of paper mills are being converted into yeast in a new experimental plant recently set up. I feel that if we in the Congress can help to stimulate expanded research by the Madison Forest Products Laboratory and other research institutions, we will be on our way toward a partial solution of the pollution problem. It is such a vast problem, however, that it must be attacked on many fronts. But the basic principle behind the attack should, at all times, be cooperation between Federal, State, and local governments, between industry, agriculture, conservation groups, and other parties involved in this critical subject.

INTERNATIONAL ANIMAL-QUARANTINE STATION ON SWAN ISLAND

Mr. MALONE. Mr. President, I introduce for appropriate reference a bill providing for the repeal of the joint resolution of July 24, 1946 (60 Stat. 633), establishing an international quarantine station on Swan Island, and I ask unanimous consent that it be printed in the RECORD at this point, together with a statement prepared by me.

The VICE PRESIDENT. The bill will be received and appropriately referred, and without objection the bill and statement presented by the Senator from Nevada will be printed in the RECORD.

The bill (S. 1105) to repeal the joint resolution of July 24, 1946, introduced by Mr. MALONE, was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That the joint resolution entitled "Joint resolution to provide for the establishment of an international animal quarantine station on Swan Island, and to permit the entry therein of animals from any country and the subsequent importation of such animals into other parts of the United States, and for other purposes," approved July 24, 1946 (60 Stat. 633), is repealed.

The statement presented by Mr. MALONE was ordered to be printed in the RECORD, as follows:

Mr. President, the Advisory Committee to the Secretary of Agriculture on the foot-and-mouth disease at their meeting in Washington on February 16 and 17 recommended that the Swan Island Quarantine Station be abolished.

The recommendation was unanimous after a full review of the history of the importation of the foot-and-mouth disease into Mexico and of the results obtained through treatment of the disease by an organization set up through appropriations by the Congress of the United States.

PRESSURE ON DEPARTMENT OF AGRICULTURE

It is reported that there has been continual pressure on the Department of Agriculture, presumably through the breeders of the Zebu cattle in the United States for the importation of breeding stock from Brazil via Mexico after having been held on Sacrificios Island off the coast of Mexico for a quarantine period, and more recently through the established quarantine station of Swan Island.

The impracticability of such a station for importation of infected cattle into this country after a period of 60 days' quarantine is borne out by the fact that the second shipment of bulls from Brazil which brought the foot-and-mouth disease into Mexico were in that country almost 6 months before the disease became apparent.

It is reported that these cattle were unloaded on the Island of Sacrificios in the harbor of Vera Cruz about May 5, and were moved to the mainland on September 28, and the disease broke out, according to the best information we can get, about October 18, 1946.

PRESIDENT OF UNITED STATES LIFTS BAN

Incidentally, October 18 happens to be the very day that the President of the United States lifted the ban on imports from Mexico into the United States which had been imposed when these bulls were unloaded.

INFORMATION ON FOOT-AND-MOUTH DISEASE SUPPRESSED

It is understood now that the knowledge that the foot-and-mouth disease existed in Mexico was suppressed until the late part of December 1946.

In that connection then I submit a bill to repeal a joint resolution of July 24, 1946, which provided for the establishment of an international animal quarantine station on Swan Island and which would then permit the entry therein of animals from any country and the subsequent importation of such animals into other parts of the United States.

Mr. MALONE. Mr. President, on January 31, 1948, a letter containing certain recommendations was addressed to the Secretary of Agriculture, signed by the following members of the advisory committee to the Secretary of Agriculture; Albert K. Mitchell, Albert, N. Mex., chairman; J. Elmer Brock, Kaycee, Wyo., vice chairman; Wayland Hopley, Atlantic, Iowa, secretary; C. E. Weymouth, Amarillo, Tex.; Fred Earwood, Sonora, Tex.; Horace H. Hening, Albuquerque, N. Mex.; E. Ray Cowden, Phoenix, Ariz.; Carlos Ronstadt, Tucson, Ariz.; R. E. Boyle, Fontana, Calif.; C. U. Duckworth, Sacramento, Calif.

The recommendations were as follows:

RECOMMENDATIONS FOR PROGRAM—FOOT-AND-MOUTH DISEASE ERADICATION IN MEXICO—SUBMITTED TO SECRETARY ANDERSON BY INDUSTRY ADVISORY COMMITTEE, DECEMBER 6, 1947

1. Immediate renegotiations between this country and Mexico at highest ranking levels. The purpose of the negotiations to develop a practical and efficient program along recognized and accepted lines for the complete eradication of foot-and-mouth disease in Mexico.

2. The appointment of an Administrator of unquestioned ability with complete authority over all operations, reporting directly to the President and the Departments indicated by him.

3. The appointment of the most competent scientist available to the Secretary of Agriculture to coordinate and conduct field operations; working always in close cooperation with the Administrator where the technical work involves questions of policy.

4. The employment of personnel best qualified to carry on the work regardless of rank, civil service rating, or length of service.

5. Assurances that during the negotiations and at all times thereafter until the disease is completely eradicated the program will have the full unqualified support of all departments of Government.

6. The development of a research program outside the continental United States to study the disease and the use of vaccines. The preparation of vaccines, not harmful in spreading the disease, to be used solely as an aid to control during and in conjunction with the eradication program.

7. A study of the economic impact on the Mexican Government and the Mexican people.

8. The construction of a fence on the international boundary at the earliest date possible. The immediate construction of an adequate fence along the present quarantine line within Mexico.

9. The continuation of the canning program in the clean states of northern Mexico and all technical help necessary to implement the completion of plants now under construction.

10. A request be made of Congress for authority to do all things herein recommended and that funds be provided to carry on the operations of the program in all of its phases.

I also ask to have printed in the RECORD at this point as part of my remarks certain excerpts from the partial report of the Senate interim committee of the California State Senate on livestock diseases. This committee was created by Senate Resolution 145, in 1947. The excerpts are from pages 12, 29, and 37 of the report.

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

B. TARIFF ACT OF 1930

On the 17th of June 1930, the President of the United States approved an act of Congress (ch. 497, title 3, par. 306, 46 Stat. 689; title 19, U. S. C., p. 1746, par. 1306) section 306a of which provided: "If the Secretary of Agriculture determines that rinderpest or foot-and-mouth disease exists in any foreign country, he shall officially notify the Secretary of the Treasury and give public notice thereof and thereafter, and until the Secretary of Agriculture gives notice in a similar manner that such disease no longer exists in such foreign country, the importation into the United States of cattle, sheep, or other domestic ruminants, or swine, or fresh, chilled, or frozen beef, veal, mutton, lamb, or pork, from such foreign country, is prohibited."

Section 593 (b) of that act provides: "If any person fraudulently or knowingly imports or brings into the United States, or assists in so doing, any merchandise contrary to law, or receives, conceals, buys, sells, or in any manner facilitates the transportation, concealment, or sale of such merchandise after importation, knowing the same to have been imported or brought into the United States contrary to law, such merchandise shall be forfeited and the offender shall be fined in any sum not exceeding $5,000 or less than $50, or be imprisoned for any time not exceeding 2 years, or both."

* * * * *

D. ACTUAL OUTBREAK OF FOOT-AND-MOUTH DISEASE

As heretofore related 316 of the 327 Cebu bulls that were landed on Sacrificios Island in April of 1946 were removed from said island to the Mocambo Rancho of Carlos Serrano near Veracruz on the 28th of September 1946, where between that time and the 14th of October 1946, they were inspected by two veterinarians of the Bureau of Animal Industry of the United States and by two veterinarians of the Mexican Government in accordance with the recommendations of the Mexican-American Agricultural Commission and found to be free from foot-and-mouth disease, as evidenced by their certificate dated October 18, 1946 (Exhibit Y).

Within 3 weeks thereafter foot-and-mouth disease broke out on the Mocambo Rancho. In The Summary of Developments in the Mexican Outbreak of Foot-and-Mouth Disease, prepared January 28, 1947, and issued by the Bureau of Animal Industry, on page 6, this outbreak is reported as follows:

"According to the history of events as reported to Bureau officials the disease first appeared near Veracruz in the State of Veracruz about November 1, 1946, on the ranch where the second importation of the Brazilian bulls had been placed. The disease soon appeared in the adjoining states of Puebla, Hidalgo, Mexico, Tlaxcala, and the Federal District. By the latter part of January the infection appeared also in the states of Oaxaca, Guerrero, Morelos, and Aguascalientes * * *."

Apparently for some 6 weeks the existence of the foot-and-mouth disease in Mexico was not known to the American authorities. On page 5 of The Summary of Developments in the Mexican Outbreak of Foot-and-Mouth Disease, prepared January 28, 1947, and issued by the Bureau of Animal Industry:

"The first report of a vesicular disease in Mexican livestock was received by the United States Department of Agriculture December 18, 1946. Immediately on invitation of Mexican authorities the Bureau of Animal Industry sent two experienced veterinarians, Dr. M. S. Shahan and Dr. A. E. Wardlow, to Mexico to participate in the steps being taken to arrive at a diagnosis. Foot-and-mouth disease is one of several vesicular diseases having somewhat similar symptoms.

"Animal inoculation tests, requiring several days, are necessary for positive diagnosis. These were made by the Mexican authorities and the Bureau's representatives. The diagnosis of foot-and-mouth disease was confirmed by Dr. Shahan, who is the Bureau's specialist on virus diseases, and who also participated in the field work that suppressed the outbreak of that disease in southern California in 1929. Mr. Wardlow and the Mexican veterinarians concurred in the diagnosis."

The official report of the finding of the existence of foot-and-mouth disease by the veterinarians of the Bureau of Animal Industry and of the Mexican Government was about December 25, 1946.

On learning by telephone December 26, 1946, that foot-and-mouth disease existed in Mexico officials of the Bureau of Animal Industry stopped inspection of all ruminants and swine offered for importation from Mexico into the United States which had the effect of stopping their entry. A formal order prohibiting such importations was issued in accordance with the governing statute and was signed by the Secretary, dated December 30, 1946, effective January 3, 1947, the day it appeared in the Federal Register. (Exhibit Z1.) This had the effect of establishing an embargo upon the importation of ruminants and swine from Mexico into the United States and under the provisions of section 306a of the Tariff Act of 1930 made it illegal to import cattle from Mexico into the United States. This embargo has since continued in effect.

From the foregoing recital of facts your committee is forced to the conclusion that with the connivance of representatives of the State Department of the United States of America, activated by hostility to the provisions of section 306a of the Tariff Act, and

with the supine acquiescence of the Bureau of Animal Industry, a gamble was taken and the gamble was lost. Since that time approximately $45,000,000 of American taxpayers' money have been spent in fighting foot-and-mouth disease in Mexico in an unsuccessful attempt to eradicate the disease. The northen Mexican cattlemen have lost a market, the American market, for their cattle and the American consumers of meat have been deprived of that supply, and that is only a small portion of the losses that have yet to be paid.

* * * * *

Other importations into the United States from countries in which foot-and-mouth disease existed

While in Mexico your committee was advised by representatives of the Mexican press that when Henry Wallace was Secretary of Agriculture, he had imported swine from Denmark—a country in which foot-and-mouth disease had been found to exist—by order of the Secretary of Agriculture of the United States (Exhibit G), using the Virgin Islands in the same manner as importers of the Brahma bulls into Mexico which finally landed in the United States used Mexico. Your committee requested Dr. C. Duckworth, its technical adviser, to ascertain from the Bureau of Animal Industry whether or not such importation had been made. Under date of January 30, 1948, Dr. S. O. Fladness, assistant chief of the Bureau of Animal Industry, replied to an inquiry by Dr. Duckworth as to the matter (exhibit Z–8), stating that in 1934 some Landrace hogs had been shipped via the Virgin Islands and imported into the United States.

It is to be noted that Dr. Fladness justifies the importation under section 104 of title 21 (the act of 1890), which prohibits the importation of cattle, sheep, other ruminants or swine which are diseased or have been exposed to disease within 60 days prior to exportation because of the fact that the swine were held in the Virgin Islands for a period of 60 days or more after they had been imported there from Denmark. (Exhibit Z–9.)

We again call attention to the language of the opinion of the legislative counsel of the State of California (exhibit Z–2):

"If it could be established that the original intent was to bring the cattle or swine to the United States from a country in which foot-and-mouth disease existed, the fact that they were temporarily held in some place where foot-and-mouth disease did not exist would not necessarily make the transaction legal, and if the same individual purchased the cattle in the country in which foot-and-mouth disease existed, had them transported into a country in which foot-and-mouth disease did not exist, and thence into the United States, and if it were found as a fact that it was at all times intended that the ultimate destination was to be the United States, that a conviction under our criminal laws would be sustained."

It appears to your committee that it is highly questionable whether or not the provisions of section 104 of title 21 (The act of 1890) prohibiting the importation of cattle, etc., which have been exposed to disease within 60 days prior to exportation, is not superseded or controlled by the provisions of section 306 (a) of the Tariff Act of 1930 prohibiting all importations of cattle, etc., from countries in which foot-and-mouth disease has been found to exist. The tariff Act was passed 40 years after the act of 1890. Section 306 (a) dealt with two specific diseases—rinderpest and foot-and-mouth disease. It provided that when such diseases were found to exist in any foreign country it should be illegal to import cattle, etc., from such country.

It is believed that this would supersede and control the more general provisions of the act of 1890. Surely Congress, in enacting section 306 (a) of the Tariff Act and seeking to protect the livestock industry of the United States from the dread diseases of rinderpest and foot-and-mouth disease, did not intend to permit importations from foreign countries in which such diseases were found to exist, by the use of executive orders of the Secretary of Agriculture, to give to the cattle of such country naturalization of a nondisease existing country by the use of such latter country as a quarantine station for 60 days. (See the opinion of the legislative counsel of the State of California, exhibit Z–2.)

It is true that Dr. Fladness, before the subcommittee of the Committee on Agriculture of the House of Representatives on February 4, 1948, indicated a different attitude on the part of the Bureau of Animal Industry. On page 171 of the hearings of the subcommittee appears the following:

"Senator HATFIELD. Mr. Chairman, might I ask through you another question, and that is this—whether or not the Bureau has ever had any legal opinion as to whether or not the 60-day provision of the law of 1890 was affected by section 306 and 306 (a) of the Tariff Act of 1930 which prohibited the importation of animals from any country in which the Secretary of Agriculture found foot-and-mouth disease to exist.

"In other words, I want to know whether or not that section passed in 1930 would not have the effect of overruling or repealing or nullifying that portion of the law of 1890 which referred to the 60-day period?

"Mr. GILLIE. I will have to ask the Bureau of Animal Industry to answer that.

"Senator HATFIELD. I am wondering if they ever had any legal opinion on that point.

"Dr. FLADNESS. We do not have a direct legal opinion on that, but informally we have had that opinion. We have had no formal written opinion on that specific point. It has been held in a number of other cases in connection with section 306 (a) that the importation is from the country from which they are shipped to the United States. That is what is prohibited by section 306 (a).

"For instance the Canadian situation. By agreement at an Empire conference in 1930, the Canadians agreed to accept breeding cattle from Great Britain, nothwithstanding that they were not 100 percent clean but under control, provided certain special restrictions were placed on them, like quarantine. They are the ones who issue the permits. If our people want to get animals of British origin, we do not have a thing in the world to do with it. They get their permits from the Canadian authorities. They import them into Canada, and under the combination of the two laws when they later wish to import them into the United States with proof that those animals have been there in Canada and have been accepted by the Canadians so that it fully meets the 60-day freedom-from-exposure clause, they are eligible for importation into the United States."

Sufficient to say that if the act of 1890 can be used in the method suggested to circumvent the provisions of section 306 (a) of the Tariff Act, your committee recommends that Congress should so amend the act of 1890 and any similar act to prevent such circumvention and effectively bar the importation of all cattle, etc., and meat products thereof from countries in which foot-and-mouth disease exists. Your committee recommends that Congress enact any needed legislation to prevent the use of a third country as a naturalization agency of cattle, etc., coming from countries infected with foot-and-mouth disease. Our experiences in Mexico prove the danger in any other course.

Your committee also notes that in the January-February issue of the Jen Sal Journal, published by the Jensen-Salsbery Laboratories, Inc., Kansas City, Mo., on page 68, a picture of a purebred Jersey cow, a Red Sindi Brahma bull, and a calf, bearing this inscription:

"First Jersey-Red Sindi calf: This little calf is the first of his kind. His mother is a high-producing pure-bred Jersey. His father is a Red Sindi, a milking strain of the Brahman breed. Last year the United States Department of Agriculture imported two bulls of the Red Sindi breed from India as part of a long-time program to develop a heat-resistant dairy cattle for the South. The calf weighed 76 pounds when born, heavier than the average Jersey bull calf. Except for the large ears and start of a hump, he looks more Jersey than Sindi."

It is to be noted that India is one of the countries in which the Secretary of Agriculture found foot-and-mouth disease to exist (exhibit G). Your committee cannot understand by what process of legal legerdemain the United States Department of Agriculture could import two bulls from India into the United States in view of section 306 (a) of the Tariff Act.

Your committee strongly recommends that a congressional investigation should be had as to these two importations above mentioned, to wit, the Landrace hogs from Denmark by way of the Virgin Islands into the United States, and of these two Red Sindi bulls from India by the United States Department of Agriculture, together with any other similar shipments from any other points. If our laws are inadequate or offer a loophole through which the purposes of section 306 (a) of the Tariff Act are circumvented Congress should pass legislation concerning the matter.

Mr. MALONE. I also ask unanimous consent to have printed in the RECORD a brief excerpt from a report prepared by Robert J. Kleberg, Jr., president of the King Ranch, Kingsville, Tex., and Thomas R. Armstrong, of the Armstrong Ranch, Armstrong, Tex.

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

DISEASE CONTROLS FOUGHT

For years the United States Government has been urged to ease restrictions on cattle and meat imports. This would be one way to get the foot-and-mouth disease fastened on our continent. Then there would be no further need of restricting imports, since the disease would be inside our gates.

A sanitary convention or agreement with Argentina was signed by our State Department in 1935. This was designed to change section 306–A of the Tariff Act of 1930, which banned importation of meat products from any country where the foot-and-mouth disease existed. The proposed convention would permit admission of such products from zones declared to be free of the plague.

The proposal was submitted for approval to the Senate on June 5, 1935. Advocates of the change contended it would prevent the use of sanitary regulations as a disguised means of restriction of importations for protective purposes. This attempt to overthrow controls was not approved, but not until April 8, 1947, was the sanitary convention withdrawn, temporarily at least, by the President from Senate consideration.

Efforts to break down our sanitary embargo have been based wholly on economic grounds and pursued with disregard of grave consequences. Persons uninformed as to the nature and effects of the foot-and-mouth disease say that Argentina lives with it successfully, so why can't we do likewise? Also, since England buys Argentine beef, why should we be afraid of it?

Such remarks do not take into consideration the tremendous annual expenditures Argentina makes to fight the disease, short of eradication, nor the cost to England of coping with the constant outbreaks there because of the importation of Argentine beef.

The disease would be more devastating here than in the Argentine. There the grass is lush and the cattle do not have far to go for water. In this country most of our beef is raised on the southern and western ranges, where the forage is dry for months and cattle generally are not near water. Under such conditions the losses here would be far greater.

Most of the beef cattle in the United States are moved from the home ranges to the Corn Belt for fattening on either grass or grain. Cattle with sore mouths would not be able to eat grain. There also would be a disruption of marketing because of State quarantine lines that certainly would be established. The indirect losses sustained by our economy would be greater than the direct losses.

DISEASE BARRIERS BROKEN DOWN

Another attempt to break down disease barriers was in October 1945, when Mexico received 130 head of Zebu cattle from Brazil, a country where the disease is prevalent. The animals were landed on Sacrificious Island in Vera Cruz Harbor and in December 1945 were brought to the mainland.

According to a United States Department of Agriculture bulletin dated January 28, 1947, the United States Government protested that this importation endangered the livestock industries of both countries. But no restrictions were placed on movement of cattle from Mexico to the United States and 18 of these Brazilian cattle that endangered the livestock industries of both countries were allowed by the United States Government to come into this country.

Following another ineffective protest, 327 more cattle from Brazil were landed on Sacrificious Island on May 9, 1946. These were brought to the mainland on September 28, 1946. Special United States restrictions were placed on the importations of livestock from Mexico on June 6, 1946, but these were lifted on October 18 of that year, after an inspection of the cattle in the first shipment from Brazil.

At that time the cattle of the second shipment had been out of Brazil only about 6 months and still were potential carriers of the disease. Soon afterward the foot-and-mouth disease broke out in the area to which the second group of cattle had been shipped.

On December 26 the United States Government reimposed restrictions on cattle shipments from Mexico to this country. The United States Government on January 27, 1947, negotiated with Mexico a program to combat the disease. It did not provide for complete slaughter and burial in the zone of greatest infestation and thus it set up the seedbed for reinfection, which eventually would lead to its spread to the United States.

Mr. MALONE. Mr. President, it will be noted that outstanding representatives of the livestock industry, representing eight States from Iowa to California, are members of the advisory committee—advisory to the Secretary of Agriculture; and that following more than a year's study of the foot-and-mouth disease situation in the Western Hemisphere and the danger of infection in the United States—that their recommendation for the repeal of the 1946 joint resolution establishing an international quarantine station on Swan Island be repeated.

RETIREMENT PRIVILEGES OF CERTAIN SENATE RESTAURANT EMPLOYEES

Mr. HILL submitted the following resolution (S. Res. 77), which was referred to the Committee on Rules and Administration:

Resolved, That any person who shall have served as an employee of the Senate and House of Representatives for 51 years or more and who shall be an employee of the Senate shall be entitled, upon making application to the Secretary of the Senate, to be retired and to receive retirement pay at a rate equal to the rate of the basic compensation he was receiving at the time of his last active service as such employee: *Provided*, That this resolution shall not apply to any person while he is receiving an annuity under the Civil Service Retirement Act of May 29, 1930, as amended. Such retirement pay shall be paid from the contingent fund of the Senate.

SEC. 2. The Secretary of the Senate shall determine eligibility for retirement pay under this resolution on the basis of records or secondary evidence. For such purposes, actual service in the Senate Restaurant shall be deemed to be service as an employee of such restaurant whether or not the person performing such service was carried on the Senate rolls as such an employee during the time such service was performed, and any person performing such service for the major part of the time during which the Senate was in session in any calendar year shall be deemed to have performed a year's service as an employee of the Senate Restaurant during such calendar year.

ADDITIONAL ASSISTANTS TO COMMITTEE ON POST OFFICE AND CIVIL SERVICE

Mr. JOHNSTON of South Carolina submitted the following resolution (S. Res. 78), which was referred to the Committee on Rules and Administration:

Resolved, That in holding hearings, reporting such hearings, and making investigations as authorized by subsection (e) (2) "The status of officers and employees of the United States including their compensation, classification, and retirement"; and subsection (e) (3) "The postal service generally, including the railway mail services and measures relating to ocean mail and pneumatic tube service" of Public Law 601, Seventy-ninth Congress, the Committee on Post Office and Civil Service is authorized during the period beginning March 1, 1948, and ending December 31, 1949, to make such expenditures and to employ upon a temporary basis such investigators, clerical, and other assistants, as it deems advisable.

SEC. 2. The expenses of the committee under this resolution (which shall not exceed $5,000) shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the Committee on Post Office and Civil Service.

CHANGE OF REFERENCE OF CERTAIN BILLS

Mr. JOHNSON of Colorado. Mr. President, I submit a resolution to refer to the Committee on the Judiciary certain bills which have heretofore been referred to the Committee on Interstate and Foreign Commerce. The Parliamentarian has suggested that this should be in the form of a resolution rather than in the form of a motion. Therefore we have prepared it in the form of a resolution. I should like to have it acted upon at this time.

The VICE PRESIDENT. Does the Senator ask unanimous consent for the present consideration of the resolution?

Mr. JOHNSON of Colorado. I ask unanimous consent for the present consideration of the resolution.

Mr. WHERRY. Mr. President, reserving the right to object——

The VICE PRESIDENT. The resolution will be read, for the information of the Senate.

The legislative clerk read the resolution (S. Res. 76), as follows:

Resolved, That the Committee on Interstate and Foreign Commerce be discharged from further consideration of the bill, S. 236, to clarify and formulate a consistent and coordinated national policy with respect to transportation costs in interstate commerce; to strengthen the antitrust laws of the United States and to provide for their more effective enforcement; and to promote competition by permitting sellers to have access to distant markets, and the bill, S. 1008, to provide a 2-year moratorium with respect to the application of certain antitrust laws to individual, good-faith delivered price systems and freight-absorption practices, and that said bills be referred to the Committee on the Judiciary.

SEC. 2. That there shall be transmitted to the Committee on the Judiciary an interim report of the Committee on Interstate and Foreign Commerce on said bills and the same shall be printed as a Senate document.

SEC. 3. It is understood the Committee on the Judiciary will give such prompt attention to the bills as will permit early consideration of the subject matter by the Senate.

Mr. WHERRY. Mr. President, reserving the right to object, let me inquire why this is proposed to be done by resolution?

Mr. JOHNSON of Colorado. It is handled in this way at the suggestion of the Parliamentarian. He stated it would be a much better way, for in this way a record is kept of the matter. Such matters are customarily handled by motion, but the Parliamentarian suggested that we proceed in this way.

Mr. WHERRY. That is correct. Probably one motion would be inadequate to take care of all the matters involved, in any event; is that correct?

Mr. JOHNSON of Colorado. I assume so.

Mr. WHERRY. Very well; I have no objection.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 76) was considered and agreed to.

AMENDMENT OF CLOTURE RULE—AMENDMENT

Mr. MYERS submitted an amendment intended to be proposed by him to the resolution (S. Res. 15) amending the so-called cloture rule of the Senate, which was ordered to lie on the table and to be printed

MRS. LORRAINE MALONE—AMENDMENT

Mr. CHAVEZ submitted an amendment intended to be proposed by him to the bill (S. 507) for the relief of Mrs. Lorraine Malone, which was referred to the Committee on the Judiciary and ordered to be printed.

REORGANIZATION OF GOVERNMENT AGENCIES—AMENDMENT

Mr. TYDINGS submitted an amendment intended to be proposed by him to the bill (S. 526) to provide for the reorganization of Government agencies, and for other purposes, which was referred

to the Committee on Expenditures in the Executive Departments and ordered to be printed.

AMENDMENT TO DEFICIENCY APPROPRIATION BILL

Mr. TAYLOR submitted an amendment intended to be proposed by him to the bill (H. R. 2632) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1949, and for other purposes, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 17, line 9, to strike out "$300,000" and insert "$350,000."

PRINTING OF REVIEW OF REPORT ON WINYAH BAY, S. C. (S. DOC. NO. 21)

Mr. STENNIS. Mr. President, on behalf of the senior Senator from New Mexico [Mr. CHAVEZ] I present a letter from the Secretary of the Army, transmitting a report dated June 14, 1948, from the Chief of Engineers, United States Army, together with accompanying papers and an illustration, on a review of the report on Winyah Bay, S. C., and I ask unanimous consent that it may be printed as a Senate document, with an illustration, and referred to the Committee on Public Works.

The VICE PRESIDENT. Without objection, it is so ordered.

PRINTING OF REVIEW OF REPORT ON UPPER ALLEGHENY RIVER IN AND AROUND BRADFORD, PA. (S. DOC. NO. 20)

Mr. STENNIS. Mr. President, on behalf of the senior Senator from New Mexico [Mr. CHAVEZ], I present a letter from the Secretary of the Army, transmitting a report dated April 16, 1948, from the Chief of Engineers, United States Army, together with accompanying papers and illustrations, on a review of a report on the upper Allegheny River in and around Bradford, Pa., and I ask unanimous consent that it may be printed as a Senate document, with illustrations, and referred to the Committee on Public Works.

The VICE PRESIDENT. Without objection, it is so ordered.

ELECTION OF PRESIDENT AND VICE PRESIDENT—HEARINGS BEFORE SUBCOMMITTEE OF JUDICIARY COMMITTEE

Mr. MILLER. Mr. President, a hearing before a subcommittee of the Judiciary Committee will be held Wednesday, March 9, 1949, at 10 a. m., in the Judiciary Committee room for the purpose of taking additional testimony on Senate Joint Resolution No. 2, and which said resolution proposes to amend the Constitution by abolishing the electoral college as now constituted and providing a substitute therefor.

All interested parties are urged to attend said hearing.

PENSIONS FOR VETERANS—LETTER FROM KENNETH L. MYERS

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

Mr. LUCAS. I yield.

Mr. BUTLER. I ask unanimous consent, Mr. President, to have inserted in the body of the RECORD a letter written to me by Mr. Kenneth L. Myers, a prominent citizen of Nebraska, on the subject of veterans' pensions.

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

BROKEN BOW, NEBR., *February 24, 1949.*

Senator HUGH BUTLER,
Senate Office Building,
Washington, D. C.

DEAR SENATOR BUTLER: As a World War II veteran who went from the grade of private to captain in 4½ years of service of which over 2½ years were overseas, I offer the following criticisms:

1. Because it is not only a duty but a privilege to defend a country like ours, the concept of pensions for non-service-connected disability in its essence negates the very sense of patriotic duty. Payment of non-service-connected disability pensions would constitute a mockery of the sacrifices of those who lie dead or those who are service incapacitated. I am a war veteran simply through the historical accident that I was of the age, occupational, and dependency status to be able to serve in the armed forces. I honestly believe that I am no more deserving of a non-service-connected disability pension than would be the loyal factory and farm workers without whose productive efforts I could not even have fed and clothed myself let alone engage in military operations;

2. If the concept of pensions as a reward for war service is just, then it is just that such pensions be proportionate to the period for which such service was rendered. To grant the same pension rewards to those who served only 90 days (and who probably never heard or saw a shot fired in anger) as to those who served 5, 10, 15, or 20 times 90 days is to actually place a premium on minimum of service. If this bill is passed, I can hear the shouts of "I told you so, sucker" throughout the land. And this shout will be made by the boys who sought every possibility of avoiding service to the many who answered the call by volunteering or joining units which would be called long before they otherwise would have had to serve. Surely no one could contend that such an evaluation of service is in the interests of either national defense or justice.

It is my sincere hope that the Congress will refuse to be misled by the professional lobbyists who pretend to represent the voice of American veterans.

Sincerely,

KENNETH L. MYERS.

FARM PRICES AND NATIONAL PROSPERITY—ADDRESS BY SENATOR BUTLER

[Mr. BUTLER asked and obtained leave to have printed in the RECORD an address entitled "Farm Prices and National Prosperity," delivered by him at the annual banquet meeting of the Corn Belt Live Stock Feeders' Association at Kansas City, Mo., on February 23, 1949, which appears in the Appendix.]

JEFFERSON'S CONTRIBUTION TO RELIGIOUS FREEDOM—ADDRESS BY SENATOR ROBERTSON

[Mr. ROBERTSON asked and obtained leave to have printed in the RECORD an address entitled "Jefferson's Contribution to Religious Freedom," delivered by him at the Pi Kappa Alpha banquet at Williamsburg, Va., on February 26, 1949, which appears in the Appendix.]

ADDRESS BY SENATOR LANGER AT UNIVERSITY OF NORTH DAKOTA FOUNDERS DAY DINNER

[Mr. LANGER asked and obtained leave to have printed in the RECORD an address delivered by him on February 26, 1949, before the Alumni Association of the University of North Dakota, which appears in the Appendix.]

THE MEANING OF INTELLECTUAL FREEDOM—ADDRESS BY SENATOR THOMAS OF UTAH

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD an address entitled "The Meaning of Intellectual Freedom," delivered at the thirty-fifth annual meeting of the American Association of University Professors, at Washington, D. C., on February 26, 1949, which appears in the Appendix.]

TAX REDUCTION, REVISION, AND REPEAL — INTERVIEW WITH SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the RECORD the text of a radio interview with him relating to tax reduction, revision, and repeal, which appears in the Appendix.]

THE ROLE OF THE LAWYER IN GOVERNMENT—ADDRESS BY THE SECRETARY OF THE TREASURY

[Mr. KEFAUVER asked and obtained leave to have printed in the RECORD an address entitled "The Role of the Lawyer in Government," delivered by Hon. John W. Snyder, Secretary of the Treasury, before the Federal Bar Association in Washington, D. C., on February 16, 1949, which appears in the Appendix.]

PROGRESS IN ISRAEL—ARTICLES BY ALFRED A. STRESLIN

[Mr. KEFAUVER asked and obtained leave to have printed in the RECORD three articles by Alfred A. Streslin, engineer and industrialist, relative to the industrial progress being made and the program being considered for the new State of Israel, which appear in the Appendix.]

THE RECIPROCAL TRADE ACT—STATEMENT BY SENATOR MYERS

[Mr. MYERS asked and obtained leave to have printed in the RECORD a statement made by him before the Senate Committee on Finance on House bill 1211, a bill to repeal the act of 1948 extending the Reciprocal Trade Agreements Act for only one year in modified form and to reenact the previous Reciprocal Trade Act for 3 years from June 12, 1948, which appears in the Appendix.]

FARM PRICE SUPPORTS AND ECONOMIC STABILIZATION—STATEMENT BY SENATOR HUMPHREY

[Mr. HUMPHREY asked and obtained leave to have printed in the RECORD a statement prepared by him entitled "Farm Price Supports and Economic Stabilization," which appears in the Appendix.]

PROGRAM FOR DEMOCRACY BY FARMERS UNION GRANGE TERMINAL ASSOCIATION

[Mr. HUMPHREY asked and obtained leave to have printed in the RECORD a report of the Resolutions Committee adopted at the eleventh annual stockholders meeting of the Farmers Union Grange Terminal Association, at St. Paul, Minn., relating to a program for democracy, which appears in the Appendix.]

MILITARY ORDER OF THE CARABAO—EDITORIAL FROM MAGAZINE BATAAN

[Mr. MARTIN asked and obtained leave to have printed in the RECORD an editorial entitled "Order of the Carabao," published in the February 1949 issue of Bataan, which appears in the Appendix.]

ONE HUNDRED DOLLAR DINNERS FOR PRIVILEGED FEW—ARTICLE BY JOHN M. CUMMINGS

[Mr. MARTIN asked and obtained leave to have printed in the RECORD an article entitled "One Hundred Dollar Democratic Dinners Bring Out 'Privileged Few'" written by John M. Cummings and published in the Philadelphia Inquirer of February 27, 1949, which appears in the Appendix.]

FEDERAL AID TO DELAWARE—EDITORIAL FROM WILMINGTON (DEL.) JOURNAL

[Mr. WILLIAMS asked and obtained leave to have printed in the RECORD an editorial from the Wilmington (Del.) Journal of December 9, 1949, on the subject of Federal Aid to the State of Delaware, which appears in the Appendix.]

THE ADMINISTRATION'S LEGISLATIVE PROGRAM—EDITORIAL FROM PHILADELPHIA INQUIRER

[Mr. WILLIAMS asked and obtained leave to have printed in the RECORD an editorial entitled "The President Can't Shift the Blame," published in the Philadelphia Inquirer of February 26, 1949, which appears in the Appendix.]

NOMINATION OF MON C. WALLGREN—EDITORIAL COMMENT

[Mr. CAIN asked and obtained leave to have printed in the RECORD several editorials relating to the nomination of Hon. Mon C. Wallgren to be Director of the National Security Resources Board, which appear in the Appendix.]

FILIBUSTER IN THE SENATE—EDITORIAL COMMENT

[Mr. MORSE asked and obtained leave to have printed in the RECORD editorials from the New York Times and the Washington Post of February 28, 1949, commenting on filibustering in the Senate, which appear in the Appendix.]

HEALTH INSURANCE FACTS—EDITORIAL FROM THE ORDGON TEAMSTER

[Mr. MORSE asked and obtained leave to have printed in the RECORD an editorial entitled "Health Insurance Facts," from the Oregon Teamster of January 27, 1949, which appears in the Appendix.]

COOPERATIVE HEALTH PLANS IN TAMPA—ARTICLE BY ANGUS LAIRD

[Mr. PEPPER asked and obtained leave to have printed in the RECORD an article entitled "Cooperative Health Plans in Tampa," by Angus Laird, reprinted from the July 1942 issue of Medical Care, which appears in the Appendix.]

FILIBUSTER—EDITORIAL FROM CHARLESTON (W. VA.) GAZETTE

[Mr. NEELY asked and obtained leave to have printed in the RECORD an editorial entitled "Filibuster," published in the Charleston (W. Va.) Gazette of February 19, 1949, which appears in the Appendix.]

AMERICAN POLICY IN THE FAR EAST

[Mr. ECTON asked and obtained leave to have printed in the RECORD an article from the Harvard Law School Record of February 9, 1949, being an analysis of Chinese-American relations by Prof. Roscoe Pound, which appears in the Appendix.]

AMENDMENT OF CLOTURE RULE

Mr. LUCAS. Mr. President, on February 17 of this year the Senator from Arizona [Mr. HAYDEN], chairman of the Committee on Rules and Administration, reported a resolution amending the so-called cloture rule of the Senate. That resolution is now on the calendar, and is known as Senate Resolution 15. The authors of the resolution are the distinguished Senator from Nebraska [Mr. WHERRY] and the chairman of the committee the distinguished Senator from Arizona [Mr. HAYDEN].

Before moving that the Senate proceed to the consideration of the resolution, I wish to make a short statement on the proposed amendment to the cloture rule. As majority leader, I desire to make my position very clear. After long study of this problem, I have come to the conclusion that we must grapple with it firmly and must reach a definite decision at this session of Congress.

Mr. RUSSELL. Mr. President, may we have order? I have been endeavoring to hear, but I cannot hear.

The VICE PRESIDENT. The Chair has been endeavoring to obtain order and to keep order. If Senators must converse, they must retire to the cloakroom. The Senate is about to enter upon an important discussion, and the Senate will be in order. The Chair feels sure that Senators will cooperate in the attempt to preserve order.

The Senator from Illinois may proceed.

Mr. LUCAS. Mr. President, after a careful examination and consideration of the resolution which has been reported, it seems to me that the supporters of the proposal for limitation of debate are advocating only a very reasonable step. No one wishes to choke off debate without giving every Senator an opportunity to be heard; but no one who is supporting this move wishes to see the dignified process of normal debate degenerate into an endless contest of speech-making.

I agree strongly with Alexander Hamilton, who declared that—

> The public business must in some way or other go forward.

I agree with the late Senator Henry Cabot Lodge, surely an advocate of free debate, who once asserted that—

> If there is a conflict between debate and a time for voting, action is a higher duty than debating.

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

The VICE PRESIDENT. Does the Senator from Illinois yield to the Senator from Georgia for a question?

Mr. LUCAS. I yield for a question.

Mr. RUSSELL. I should like to ask the Senator whether he is reading a statement he has prepared or whether he is reading from the remarks of someone else. There is so much confusion in the Chamber that it is difficult for me to tell.

Mr. LUCAS. No; this is my own statement, I may say to the Senator from Georgia. I merely quoted what Alexander Hamilton said and what former Senator Henry Cabot Lodge said with respect to limitation of debate.

Mr. RUSSELL. I should like to ask the Democratic leader whether he cannot quote some Democrats on that point. [Laughter.]

Mr. LUCAS. I should like to do so; but I am sure that in the course of the debate the Senator from Georgia can cover more territory than the Senator from Illinois is attempting to do, and no doubt the Senator from Georgia will present a long list of distinguished Democrats who have said what he now anticipates will be stated.

Mr. RUSSELL. The Democrats are in favor of free speech; they are opposed to gag rulings.

Mr. LUCAS. Mr. President, this is about all I have to say at this time about the proposed amendment of the cloture rule. As time goes on I may have more to say, during the course of the debate.

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

Mr. LUCAS. I yield for a question.

Mr. RUSSELL. I should like to ask the Senator from Illinois, who has just said that the proposed rule is a very reasonable one, if he has not publicly declared that he is in favor of amending the rule, if it should come before the Senate of the United States, so as to provide that cloture or gag rule might be invoked in this body by a simple majority of those voting.

Mr. LUCAS. I may say to the Senator from Georgia that I have made a statement that I favor cloture by a constitutional majority of 49 Members of the Senate, if such an amendment is ever presented here on the floor for consideration, debate, and finally a vote.

Mr. RUSSELL. I should like to ask the Senator if he does not know that an amendment of that sort will be offered; and has not he had notice served by a distinguished leader on the other side of the aisle, the distinguished Senator from Oregon [Mr. MORSE], that he will present such a motion; and does not the Senator from Illinois also understand that the distinguished majority whip, the Senator from Pennsylvania [Mr. MYERS], has also stated that if this resolution comes before the Senate, an amendment providing that debate may be closed by a simple majority will be offered?

Mr. LUCAS. It is my understanding that both the Senator from Oregon [Mr. MORSE] and the Senator from Pennsylvania [Mr. MYERS] will propose amendments of the nature described by the Senator from Georgia.

Mr. RUSSELL. And supported by the Senator from Illinois?

Mr. LUCAS. And supported by the Senator from Illinois.

Mr. RUSSELL. Mr. President, will the Senator from Illinois be kind enough to yield to me again?

Mr. LUCAS. I yield to the Senator for another question.

The VICE PRESIDENT. Let the Chair state that the Senator can yield only for a question.

Mr. RUSSELL. Mr. President, does the Chair invoke that rule before the motion to take up the cloture resolution is made, so that we may not have a brief discussion of the matter in advance? No Member of the Senate has invoked the rule as to yielding only for questions; and in this brief preliminary discussion, before we embark upon consideration of the motion which I assume the Senator from Illinois will make, it does seem that we might be permitted some brief latitude for a moment or two in developing what I consider to be some very important facts.

The VICE PRESIDENT. The Senate rule does not apply only to this situation. It is frequently violated, more or

less by unanimous consent; but under no circumstances during the consideration of a measure is a Senator permitted to yield to another except for a question.

Mr. RUSSELL. Does the distinguished President of the Senate intend to invoke that rule during the proceedings generally?

The VICE PRESIDENT. The Chair will endeavor to do so.

Mr. RUSSELL. If it is to be applied in all cases I shall endeavor to confine my remarks to questions.

I should like to ask the Senator from Illinois if I have been correctly informed by representatives of the press associations that the Senator from Illinois on leaving the White House this morning stated to the press that the President of the United States was insisting that the Senate keep before it until it is disposed of and adopted the proposal to amend the cloture rule of the Senate?

Mr. LUCAS. I may say to my friend from Georgia that the President of the United States is wholeheartedly behind this resolution and hopes the Senate will act with expedition and dispatch in disposing of it. He certainly supports those who now seek to amend the cloture rule.

Mr. RUSSELL. I should like to ask the distinguished Senator whether the President of the United States favors cloture by a two-thirds vote, or whether he favors applying cloture by a majority vote, as is advocated by the Americans for Democratic Action, the PAC, and other minority groups who are putting pressure upon the Senate to impose cloture by a simple majority vote?

Mr. LUCAS. I cannot answer the Senator from Georgia upon that question, because I have not discussed it with the President. I do not know what the President's position is with respect to whether he favors a constitutional majority, a majority, or whether he favors a two-thirds majority as is proposed by this amendment to the cloture rule.

Mr. RUSSELL. But the Senator has stated that as majority leader and as a Senator from Illinois, if this matter is brought before the Senate he proposes to vote for the imposition of cloture by a constitutional majority of the Senate.

Mr. LUCAS. The Senator is correct.

Mr. RUSSELL. That means a constitutional majority rather than a majority of those voting, does it not?

Mr. LUCAS. That means 49 Members, commonly called a constitutional majority.

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

Mr. LUCAS. I yield to the Senator from Pennsylvania for a question.

Mr. MYERS. I wonder if the Senator knows that, before the Committee on Rules and Administration, I offered an amendment providing for the adoption of cloture by a constitutional majority and not by a simple majority. Does the Senator know that?

Mr. LUCAS. I am aware of the fact that the Senator from Pennsylvania offered such an amendment.

Mr. MYERS. I wonder if the Senator is aware that only this morning I sent to the desk an amendment which I intend to propose providing for a constitutional majority, not a simple majority.

Mr. LUCAS. I was not aware of that fact.

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

Mr. LUCAS. I yield to the Senator for another question.

Mr. RUSSELL. I thank the Senator from Illinois. The distinguished majority whip states he will offer to the proposal to amend the so-called cloture rule of the Senate by providing that gag rule may be imposed by a simple majority, an amendment providing that cloture may be invoked by a constitutional majority. I wonder if the Senator from Illinois would permit the Senator from Pennsylvania to tell us whether or not that embraces the views of the President of the United States with respect to the change in the Senate rule.

Mr. LUCAS. I yield to the Senator from Pennsylvania, if he desires to answer that question.

The VICE PRESIDENT. The Senator cannot yield to the Senator from Pennsylvania for any purpose except for the asking of a question.

Mr. LUCAS. I ask unanimous consent that the Senator from Pennsylvania be permitted to answer the question of the Senator from Georgia.

The VICE PRESIDENT. Is there objection?

Mr. WHERRY. I have no objection.

The VICE PRESIDENT. The Chair hears no objection, and the Senator from Pennsylvania may proceed.

Mr. MYERS. I may say to the majority leader, I have never discussed this problem with the President of the United States. I do not know whether the President of the United States favors a two-thirds or a constitutional majority. However, I think the Senator from Georgia should know that, at the first opportunity I had before the Committee on Rules and Administration to secure a vote, I amended my original resolution so as to provide for a constitutional majority, and the committee voted that down, I believe, by 10 to 2, or 9 to 2, or something of the kind. I repeat, I propose at the very first opportunity to offer to the pending resolution an amendment providing for a vote by a constitutional majority.

Mr. LUCAS. Mr. President, I now move that the Senate proceed to the consideration of Senate Resolution 15.

The VICE PRESIDENT. The clerk will state the resolution by title.

The LEGISLATIVE CLERK. A resolution (S. Res. 15) amending the so-called cloture rule of the Senate.

Mr. HAYDEN. Mr. President——

The VICE PRESIDENT. Before recognizing the Senator from Arizona, chairman of the committee, the Chair wishes to make a statement for the information and advice of the Senate in regard to procedure in debate.

In the first place, a motion to proceed to the consideration of a bill or resolution cannot be amended by a motion to take up some bill in lieu of the one which is the subject of the pending motion.

During debate on a motion of this sort, which is debatable, or on any other motion or matter which may be pending, the rules of the Senate provide that a Senator can yield to another Senator only for a question. He is not required to yield for any purpose. He may yield only for the purpose of permitting another Senator to ask him a question. If he yields for any other purpose and running debate ensues, which frequently happens, more or less by unanimous consent, and in violation of the rules, he may be taken from the floor by reason of the violation of the rule.

The Senator having the floor cannot yield for the purpose of allowing some other Senator to make a point of no quorum and having a roll call, without losing the floor, and when the Senate is proceeding under the rule, in which there is a limitation of two speeches on any subject, if a Senator loses the floor by reason of such procedure, and is again recognized, he is speaking the second time on the pending proposal.

The Chair makes that statement because Senators are entitled not only to know their own rights, but they are entitled to know the rights of other Senators and the limitations which are imposed by the rules of debate, which are supposed to be universally observed and enforced, but which are frequently violated by unanimous consent because the matter involved is not important or may not require long discussion and therefore the objection is not made that the rule is being violated.

The question as to the function of the Chair in enforcing the rules of the Senate without a point of order being made by another Senator is one to which the present occupant of the chair has given considerable consideration. The present occupant of the chair feels it is his duty and his function in part to facilitate the prompt transaction of the Senate's business. The Chair recognizes that frequently one Senator may dislike to make a point of order against another Senator who has the floor, even though he may be violating the rule or may be yielding for a general running debate, or for other purposes, because of personal relationships or other reasons. The Chair feels he is obligated to the Senate insofar as he can in observance of the rules and in protection of the Members of the Senate in the enjoyment of their rights, to observe and enforce the rules wherever he feels they are being violated.

The Chair feels certain the Members of the Senate will cooperate in the matter of keeping order in the Senate and in observing the rules. The Chair wishes in no instance to have it understood that any ruling he makes is directed to any particular Senator who at the moment may be occupying the floor or any Senator who may be seeking to interrupt another Senator who occupies the floor. For that reason the Chair has felt it his duty to make this preliminary statement in order that it may apply to all Senators, and not to any particular Senator.

The Senator from Arizona.

Mr. RUSSELL. Mr. President, will the Senator from Arizona yield for a parliamentary inquiry, in order that we may understand clearly what the Chair proposes to invoke?

Mr. HAYDEN. I yield for that purpose.

The VICE PRESIDENT. The Chair will recognize that by unanimous consent the Senator from Arizona may permit the Senator from Georgia to ask the Chair a question.

Mr. RUSSELL. Mr. President, I should like to call to the attention of the Chair the effect of a Senator's yielding in order that another Senator might propound a unanimous consent request. We saw this morning, when the Chair first served notice of his intention, of his own volition to enforce the rule with respect to a Senator's not yielding except for a question, that Senators might yield in order that insertions might be made in the RECORD. I should like to know what effect it would have upon the right of a Senator holding the floor if another Senator should rise and ask unanimous consent that he might be permitted to insert matter in the RECORD, or that he might be permitted to submit a unanimous-consent request of any kind.

The VICE PRESIDENT. The Senator from Illinois asked unanimous consent of the Senate that he might yield to the Senator from Nevada for the purpose of bringing up a resolution.

Mr. RUSSELL. Mr. President, the point I make is this: Is it necessary for the Senator having the floor to ask unanimous consent to be permitted to yield to another Senator——

The VICE PRESIDENT. Under the rule, strictly observed, a Senator can yield only to permit a Senator to ask a question of him. If he desires to yield to a Senator for another purpose it is necessary, under the rules, to secure unanimous consent to do so.

Mr. RUSSELL. So it would be necessary for the Senator holding the floor himself to submit a unanimous consent request.

The VICE PRESIDENT. It can be done by another Senator, who seeks to interrupt the Senator having the floor, by unanimous consent.

Mr. RUSSELL. The Chair has expressed the very clear determination, where points of order are made, to see that the rules of the Senate are strictly applied during the debate. I desire to make an inquiry. If Senator A has the floor and Senator B rises and asks Senator A to yield in order that he may submit a unanimous-consent request, in the event the Senator in possession of the floor yields for that purpose, does it affect his right to the floor?

The VICE PRESIDENT. The Senator who has the floor may protect himself in that situation by himself asking unanimous consent that the interrupting Senator may do what he seeks to do. Under the rule, the Senator who has the floor can yield only for a question. He cannot yield for a running debate in the guise of a question. He cannot yield for the transaction of other business, and he is not required to yield even for the making of a point of order or of a parliamentary inquiry. He can be taken from the floor only by a point of order being made that he himself is out of order because of a violation of the rules of the Senate.

Mr. RUSSELL. Does the Chair hold that if the Senator in possession of the floor yields to permit another Senator to submit a point of order or a parliamentary inquiry he thereby loses his right to continue?

The VICE PRESIDENT. Under a strict interpretation of the rule, that is correct.

Mr. RUSSELL. There is no question that the rules will be strictly interpreted, if the statements of the Chair are any indication of his intent. But the Chair has stated that no running debate in the guise of a question can be permitted by any Senator having possession of the floor. Is the Chair to undertake to decide whether or not any statement or remark by a Senator is a question?

The VICE PRESIDENT. It is hardly a function of the Chair to determine whether a question is being asked or a statement is being made. Of course, each situation will have to stand on its own merits.

Mr. RUSSELL. I realize that that is true; but some of us are very much interested in knowing our rights, if we are to have any rights, on the floor when discussion starts on this proposed Pandora's box, opening up the rules of the Senate. I wish all my colleagues would read in the RECORD tomorrow what the Chair has said, so as to be perfectly clear and sure that only questions are asked. If there is any doubt about it, as I understand, they will be summarily required to take their seats and will lose possession of the floor.

Mr. LUCAS. Mr. President, will the Senator yield for a parliamentary inquiry?

Mr. HAYDEN. Mr. President, I ask unanimous consent to yield for a parliamentary inquiry.

The VICE PRESIDENT. Is there objection to the request of the Senator from Arizona? The Chair hears none.

Mr. LUCAS. Mr. President, in view of the statement made by the Presiding Officer, I desire a bit of further information. Do I correctly understand the Chair holds that any motion to lay aside the resolution amending the cloture rule, or a motion to take up another measure, would be out of order?

The VICE PRESIDENT. No motion to proceed to the consideration of another bill, either as an amendment or substitute to the pending motion, is in order. That applies to all bills or resolutions, regardless of their character.

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

Mr. HAYDEN. I yield for a question.

Mr. DONNELL. Mr. President, will the Senator from Arizona request unanimous consent that I may be permitted to propound a parliamentary inquiry?

Mr. HAYDEN. I so request.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. DONNELL. The Vice President referred to the rule in regard to speaking twice upon any one question. My parliamentary inquiry is this: In rule XIX it is provided as follows:

> No Senator shall speak more than twice upon any one question in debate on the same day without leave of the Senate, which shall be determined without debate.

Does the term "day," as so used, mean a calendar day or a legislative day?

The VICE PRESIDENT. It means a legislative day.

Mr. DONNELL. I thank the Chair.

Mr. WHERRY. Mr. President, I ask the distinguished Senator from Arizona if he will ask unanimous consent to permit me to propound a parliamentary inquiry?

Mr. HAYDEN. Mr. President, I ask unanimous consent for that purpose.

The VICE PRESIDENT. Without objection, leave is granted.

Mr. WHERRY. Mr. President, if I correctly understand the observation made by the distinguished Vice President, if Senator A is requested by Senator B, Senator B having the floor, to yield for the purpose of a quorum call, unless Senator A protects his rights by yielding only for the purpose of the quorum call, if the request is not made, Senator A is taken off his feet.

The VICE PRESIDENT. Under the rule, which is of long standing and interpretation, the yielding by a Senator of the floor for the purpose of another Senator making a point of no quorum takes him off the floor. He may be recognized, following the quorum call, to continue with his remarks, but that would be his second speech on that day, unless the Senator receives consent to proceed otherwise.

Mr. RUSSELL. Mr. President, will the Senator from Arizona be gracious enough to ask unanimous consent for me to submit a further remark?

Mr. HAYDEN. I ask unanimous consent for that purpose.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. RUSSELL. If I correctly understood, the Chair has ruled that no Senator can even make a point of order while another Senator is in possession of the floor, without the consent of the Senator who has the floor.

The VICE PRESIDENT. That is correct, except in one instance, and that is where the Senator having the floor has himself violated a rule of the Senate in debate, in which case he can be called to order by another Senator and required to take his seat until the Senate permits him to proceed in order.

Mr. RUSSELL. The Senator having the floor cannot yield even for a point of order.

The VICE PRESIDENT. The Chair stated that he could not yield for a quorum call.

Mr. RUSSELL. But I should like to get the matter clear as to a point of order. I should like a ruling as to a point of order.

The VICE PRESIDENT. Let the Chair understand the Senator's question.

Mr. RUSSELL. I understood the Chair to rule that if the Senator who is in possession of the floor is interrupted by a point of order and does not make every effort to protect himself and prevent the point of order from being made by another Senator, it would constitute a speech, and the Senator in possession of the floor would lose the floor. I want to be perfectly clear about that.

The VICE PRESIDENT. The Chair cannot possibly anticipate every situation which may arise that would offer an opportunity for Senators having the floor to yield for some purpose. The question would be entirely whether a parliamentary inquiry is a question within the meaning of the Senate rules. The Chair might interpret it to be a question within the meaning of the rules, and thereby a Senator could yield without losing the floor.

Mr. RUSSELL. It may be that there are conditions in which a point of order can be made without compelling the Senator in possession of the floor to lose the floor. Otherwise, there are given to the Senator in possession of the floor rights he does not have under some of the rules of the Senate at the present time.

The VICE PRESIDENT. That is entirely possible. Therefore the Chair must reserve the right to pass on each question as it arises, depending upon the circumstances.

Mr. RUSSELL. In this instance the Chair took it upon himself to serve notice on the Senate as to the ruling in certain instances. Some of us who are interested in discussing the subject before the Senate are entitled to know, I think, what the Chair is going to rule on points of order when they are submitted by Senators on the floor; just how far the Senator having the floor shall go to protect his rights; whether he shall invoke the assistance of the Chair, or undertake to prevail on the Senator making the point of order or whether he will determine that no point of order can be made while he has the floor. Some of us would regret to be interrupted in the course of our remarks and taken off our feet, placed in our seats, and lose the floor, because a point of order was made by some other Senator.

The VICE PRESIDENT. The Chair was attempting to advise the Senate with reference to the rules governing debate as he has understood them to be a part of the rules of the Senate for many years, though violated frequently, as the Chair has said, under proceedings which might be regarded as under unanimous consent. Obviously the Chair cannot anticipate every decision he would render under every possible circumstance. But the Chair felt that he should make some statement, inasmuch as the Senate is entering upon an important debate, in order not only that new Senators, but others who have not, probably, participated in a controversial debate of any length, might know what their rights are and what the rights of their colleagues are.

Mr. RUSSELL. Some of us are exceedingly anxious to know what our rights will be under the rulings of the Chair, and are jealous to protect rights we know we have heretofore enjoyed. I was therefore trying to get the Chair to elucidate his point-of-order ruling, because I had never before understood that a point of order in all cases could be controlled by a Senator having the floor.

The VICE PRESIDENT. So long as a Senator having the floor is debating under the rules of the Senate, he cannot be interrupted by a point of order.

Mr. RUSSELL. I hope the Presiding Officer will remember that pronouncement during the course of the debate. I know there are times when efforts are made to interrupt Senators who have the floor by interposing points of order.

The VICE PRESIDENT. The Senator from Arizona has the floor.

Mr. HAYDEN. Mr. President, I now grant myself unanimous consent to proceed. [Laughter.]

The issue now before the Senate is not partisan. The proof of that is that the minority leader, the Senator from Nebraska [Mr. WHERRY], joined with me in the presentation of the pending resolution, and the resolution was reported from the Committee on Rules and Administration by the votes of members of both political parties who recommended that it do pass.

Every Senator on both sides of the aisle completely agrees that the Senate should remain a place where he will have the right freely and adequately to express his ideas as to what is best for his State, for the Nation, and for the world. The sole issue is whether there should be any limitation at all upon that right, and, if so, what is a reasonable limitation.

Those of us who favor the adoption of the pending amendment to the Senate rules are convinced that every legislative body has an inherent right to bring debate to a close in order that it may perform the principal function for which it was created, namely, the enactment of laws. I have heard no Senator say he favored the adoption of the "previous question," which is a method used in the House of Representatives whereby a simple majority of those present cut off debate at any time. Neither have I heard any Senator say that it would be wise to adopt the procedure which prevailed in the Parliament of old Poland, whereby no law could be enacted except by unanimous consent.

It is of record that 32 years ago 88 Senators were in favor of the adoption of rule XXII, which provides that by a two-thirds vote of those voting debate may be brought to a close. It is also of record that only three Senators voted against the adoption of that rule. The decision was reached only after due and careful consideration, and the pending resolution does not propose to change the rule except to make it effective. Unfortunately the rule as adopted in 1917 has proved in later years to be of no practical value. The two principal defects in it are, first, that it does not prevent indefinite debate on motions to amend the Senate Journal; second, that it is not applicable until a bill or other measure has been made the unfinished business of the Senate.

It was 5 years after the rule was adopted that the first breach was made in it. On November 27, 1922, Senator Samuel Shortridge, of California, moved that the Senate proceed to the consideration of H. R. 13, the Dyer antilynching bill. The motion was, of course, debatable, but no Senator made any inquiry at that time as to whether a petition could be filed to bring to a close debate or that motion. Another device was used when, on the following day, Senator Pat Harrison, of Mississippi, moved to amend the Journal, and proceeded to discuss his motion.

I am advised by Mr. Watkins, the Senate Parliamentarian, that Senator Harrison came to him the morning after the proposal to take up the Dyer bill was made and inquired with respect to rule III of the Senate, which provides that a motion to amend or correct the Journal shall be deemed a privileged question, to be proceeded with until disposed of. The Parliamentarian advised the Senator from Mississippi that a motion to amend the Journal would have a privileged status, and that was the way, on November 28, 1922, it was determined to proceed to prevent the enactment of the Dyer antilynching bill. Similar motions were made and debated during the succeeding days, until on the 4th of December the majority leader, Senator Henry Cabot Lodge, of Massachusetts, gave notice that no further effort would be made to pass the bill during the life of that Congress.

In my opinion it was unnecessary for Senator Harrison to adopt the method he chose to prevent the enactment of that bill. I believe he and his colleagues could have relied upon the two-thirds vote provided for in rule XXII. I say that because I am satisfied that more than one-third of the membership of the Senate at that time would not have given approval to a bill to authorize the Federal Government to permit judgments in damages against counties within a State as a result of the occurrence of a crime within county boundaries. My opinion is fortified by the fact that after 16 years of continuous agitation for similar legislation, the Senate twice refused to adopt cloture.

In January and February 1938, petitions to bring debate to an end on an antilynching bill were defeated, one by a vote of 37 to 51, the second by a vote of 42 to 46. In neither instance could a simple majority be obtained.

The offering of filibustering on amendments to the Journal was the only method used until very recent years, when another way of getting around rule XXII was discovered. The new method was to have prolonged debate on whether a bill should become the unfinished business of the Senate. I believe it was the senior Senator from Tennessee [Mr. MCKELLAR], who, as President pro tempore, first decided that a cloture petition could not be filed until after a bill or resolution had been made the unfinished business. That decision was strongly reenforced last year by a ruling made by the senior Senator from Michigan [Mr. VANDENBERG], who, as President pro tempore, was compelled by all the precedents of the Senate to hold that the Senate would first have to make a bill the pending measure before any steps could be taken to bring debate to a close.

The resolution now pending before the Senate will close those two loopholes, and it proposes to accomplish that result, first, by providing:

If at any time, notwithstanding the provisions of rule III or rule VI or any other rule of the Senate—

I may interpolate that rule III relates to the approval of the Journal, and rule

VI relates to the approval of credentials, motions with relation to both of which are declared to be highly privileged.

If at any time notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, a motion, signed by 16 Senators, to bring to a close debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate, the Presiding Officer shall at once state the motion.

The present rule merely states: "To bring to a close the debate upon any pending measure."

The words to be added by the resolution now before the Senate are:

Any measure, motion, or other matter * * * or the unfinished business.

Your committee is of the opinion that such a change in the text will completely plug up all the loopholes and make rule XXII effective under any and all circumstances.

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

The VICE PRESIDENT. Does the Senator from Arizona yield for a question?

Mr. HAYDEN. I yield for a question.

Mr. HOLLAND. I note among the statements made by the distinguished Senator from Arizona, the chairman of the Committee on Rules and Administration, at the time of the beginning of the hearing upon this matter now being debated by the Senator, this remark:

Even if someone who is then occupying the chair as Presiding Officer should be so exasperated by continued talks that he would violate the well-established precedent by ruling that a cloture petition may be filed upon a motion to proceed to the consideration of a Senate resolution, there is no certainty that his ruling would be sustained by the Senate.

Mr. HAYDEN. What is the Senator's question?

Mr. HOLLAND. The question is: Am I correct in my understanding from that statement, that the distinguished Senator from Arizona agrees with the ruling made by the Senator from Tennessee [Mr. McKELLAR] when serving as President pro tempore, and the ruling made last year by the senior Senator from Michigan [Mr. VANDENBERG] when serving as the President pro tempore?

Mr. HAYDEN. I must candidly reply that I cannot conceive how they could have arrived at any other conclusion.

Mr. HOLLAND. I thank the Senator.

Mr. HAYDEN. Any Member of the present Senate will, quite naturally, want to know why the Senators who drafted rule XXII in 1917 did not realize that it was faulty, and so faulty as to be wholly ineffective. The answer is that up to that time, in all the previous history of the Senate, every extended discussion, every filibuster, had been conducted to prevent the enactment of some particular piece of legislation which was regularly before the Senate for consideration.

Whether it was a bill or a resolution it was always a pending measure which every Senator had a perfect right to discuss for any length of time which suited his convenience. Up to that time it was unnecessary for any Senator to seek an indirect way of delaying the passage of any bill to which he was opposed. He could always make a direct attack and keep it up so long as he had the physical strength to stand on his feet and talk. It probably never occurred to any Senator that amending the Journal or debating a motion to proceed to the consideration of a bill was a good way to use up the time of the Senate. If either of those courses of action had ever been an established practice in the Senate, we could be sure that the Senators who drafted rule XXII would have known about it and would have found a way to put an end to any such practice.

What the authors of the rule sought to correct was the evils with which they were all very familiar, and that is exactly what rule XXII does. The Committee on Rules and Administration 2 years ago, and again very recently, has reached the conclusion that rule XXII is basically sound and, with the changes that have been recommended as to its wording, it should remain and will remain a most valuable standing rule.

The history behind the rule I have found to be interesting, and with the permission of Senators I shall review what occurred for a period of 2 years before the rule was adopted.

An examination of the CONGRESSIONAL RECORD discloses that changing the rules of the Senate was a subject of consideration during the year 1915. The first definite action taken by the Senate that year was on a point of order by Senator Hitchcock, of Nebraska, that a two-thirds vote was required to suspend the rules. Rule 40, as it is still written, merely requires that 1 day's notice in writing shall be given of the rule to be suspended. In submitting the matter to the Senate, Vice President Marshall stated:

The present Presiding Officer believes that the Senate has reserved to itself the exclusive right to say what the rules are, how they may be adopted, and how they may be abrogated or temporarily laid aside. The present Presiding Officer does not believe that it is within the province of the present occupant of the chair to determine whether Rule XL should be strictly construed in accordance with the literal language thereof, or whether the Senate of the United States proposes to construe the same in accordance with well-known parliamentary procedure. The Chair therefore submits to the Senate the determination of the question as to whether or not it requires a two-thirds majority to adopt the report of the Committee on Rules providing for a suspension of a certain rule.

The vote was taken on January 11, 1915, and after debate, the point of order of Mr. Hitchcock was sustained by a vote of 41 yeas to 34 nays, since which time all Presiding Officers have held that a two-thirds vote is required to suspend a rule.

The reasoning which led the Senate to that conclusion is that the rules are adopted without reference to any particular bill and that a simple majority should have the right to lay them aside in order to secure the passage of a controversial measure.

The same line of reasoning would imply that the concurrence of two-thirds of the Senators should be obtained in order to amend a long-standing rule of the Senate.

Shortly afterward, in the same year, Senator John Sharp Williams, of Mississippi, submitted the following resolution, which was referred to the committee on February 11, 1915:

Resolved, That rule XXII of the Standing Rules of the Senate be amended as follows: Insert after the words "to lay on the table" in rule XXII the following:

"Any Senator arising in his place and asserting that, in his opinion, an attempt is being made on the floor of the Senate to obstruct, hinder, or delay the right of the Senate to proceed to a vote, the Chair shall, without permitting any debate thereon, put the question to the Senate, 'Is it the sense of the Senate that an attempt is being made to obstruct, hinder, or delay a vote?' And if that question shall be decided in the affirmative, then it shall be in order, to the exclusion of the consideration of all other questions, for any Senator to move to fix a time for voting on the pending bill or resolution and all amendments thereto; and the said motion shall be decided without debate: *Provided, however*, That the time fixed in said motion for taking the vote on the pending bill or resolution and all amendments thereto shall be at least two calendar days after the day on which said motion is made."

On the following day the resolution was reported adversely from the Committee on Rules and no further action was taken on it. The effect of the rule would have been to make it possible to adopt the previous question on any bill or resolution to take effect two or more days thereafter.

It must be remembered in this connection that for the 6 years immediately preceding his arrival in the Senate Senator Williams had served as minority leader in the House of Representatives, and was, therefore, accustomed to assist in the prompt disposal of legislation. He was, no doubt, irked by extended debate and proposed that it could be brought to an end after 2 days' notice.

It is difficult to believe that at any time there could have been two Senators from Mississippi who favored cloture by a majority vote, yet such was once the case. I have shown that the senior Senator from that State, Mr. Williams, submitted a resolution to that effect, and I now quote extracts from the remarks of the junior Senator, Mr. Vardaman, made on the day that the present rule XXII was adopted:

I wish to say in the outset that there is no greater necessity for cloture in the Senate today than has existed for the last quarter of a century. Certainly not since I became a Member of this very honorable body. I am for this resolution not because of anything that has happened in the immediate past, nor because of anything that has been done or has been left undone by the last session of Congress. I am for it because I am of the opinion that there should be a rule limiting debate—a rule by which questions can be brought before the Senate for final determination whether it meets the approbation of all the Senators or not.

I think this resolution ought to pass—

Referring to rule XXII.

It guarantees ample time for full and complete discussion, and after that is had there ought to be the vote. I have always been in favor of cloture, but I would prefer that the rule would provide for the invocation of the cloture by a majority rather than by a two-thirds vote. I believe in majority rule. I have been ready to vote

for such a resolution ever since I came to the Senate, but would prefer to make it just a little bit more radical and easy of application. I am willing, however, to take this modified form, because it seems to suit pretty nearly everybody.

But to return to what happened in 1915, on February 18, Senator George W. Norris, of Nebraska, submitted the following resolution:

Resolved, That the Standing Rules of the Senate be amended by adding a new rule, as follows:

"RULE 41. It shall be in order during the morning hour to make a motion that any bill or resolution then on the calendar shall be considered under the terms of this rule. Such motion, when made, shall lie over 1 day and shall then be decided without debate. No Senator shall be allowed to vote on a motion to consider a bill or resolution under this rule who is bound by any caucus or conference of Senators to vote in any particular way on said bill or resolution, or any amendment thereto, but when any Senator's right to vote upon such motion is challenged, such Senator shall be allowed to determine for himself whether he is disqualified from voting on said motion.

"When it has been decided to consider a bill or resolution under this rule, the same shall first be considered in general debate, during which time no Senator, except by unanimous consent, shall be allowed to speak more than 3 hours. At the close of general debate the bill or resolution shall be read for amendments, and on any amendment that may be offered no Senator, except by unanimous consent, shall speak for more than 15 minutes: *Provided*, That any Senator who has not spoken for 3 hours in general debate shall, in addition to said 15 minutes, be allowed additional time, but in no case shall such additional time or times, including the time used by such Senator in general debate, exceed in the aggregate 3 hours: *Provided further*, That if unanimous consent for additional time is asked in behalf of any Senator, either during general debate or when the bill or resolution is being considered for amendment, and the same is refused, it shall be in order by motion to extend the time of such Senator for a time to be named in said motion, which motion shall be decided without debate. When the bill or resolution is being read for amendment all debate shall be confined to the amendment which is then pending."

The resolution was debated and laid upon the table on February 19. The Norris resolution provided for cloture by majority vote but the interesting part of it is that the Senator recognized that pursuant to a binding caucus or conference agreement an actual minority of the Senate could control the enactment of legislation.

Senator Warren G. Harding, of Ohio, stated the case very well when he said:

Domination by a majority in conference or caucus whereby a minority of this body could determine the proceedings of the Senate.

Early in the following year, 1916, several amendments to limit debate were submitted, two of which were referred to the Committee on Rules. The resolution submitted by Senator Robert L. Owen, of Oklahoma, reads:

Resolved, That the standing rules of the Senate be, and they hereby are, amended as follows: At the close of rule XXII, add the following: "*Provided, however*, That when any 10 Senators, in writing, move that the debate should be brought to a close, the Chair shall, without permitting any debate thereon, put the question to the Senate, 'Is it the sense of the Senate that the debate should be brought to a close?' and if that question shall be decided in the affirmative by a two-thirds vote of those voting, then the pending question, bill, or resolution shall be in order, to the exclusion of all other questions and business. And thereafter, the motion being so carried, no Senator shall be entitled to speak more than 1 hour in all on the question, bill, or resolution or amendments thereto, or on any motion affecting the same.

"No dilatory motion shall be in order, and it shall be the duty of the Presiding Officer to declare such motion out of order when the question of order is raised by a Senator or to immediately submit the question without debate to the Senate."

About the same time Senator Hoke Smith, of Georgia, submitted the following:

Resolved, That the standing rules of the Senate be, and they hereby are, amended as follows: At the close of rule XXII, add: "*Provided, however*, That if 32 Senators present to the Senate before the reports of standing and select committees, provided for in the order of business during the morning hour, a signed motion to bring to a close the debate upon a bill which is the unfinished business, thereupon at the hour of 2 o'clock the Chair shall, without debate, put the question to the Senate:

" 'Is it the sense of the Senate that the debate should be brought to a close?'

"And if that question shall be decided in the affirmative by a two-thirds vote, then said bill shall be in order to the exclusion of all other business.

"Thereafter no Senator shall be entitled to speak more than 1 hour on the bill, the amendments thereto, and motions affecting the same, and it shall be the duty of the Chair to keep the time of each Senator who speaks. Until the bill is disposed of no dilatory motion shall be in order, and appeals from the decision of the Chair shall be decided without debate."

The Smith and the Owen resolutions were given careful consideration for over a month by the Committee on Rules, which, on May 16, 1916, unanimously recommended the adoption of a substitute resolution (S. Res. 195) which was reported to the Senate by Senator Smith of Georgia and is as follows:

Resolved, That the standing rules of the Senate be, and they hereby are, amended as follows: At the close of rule XXII add: "*Provided, however*, That if 16 Senators present to the Senate at any time a signed motion to bring to a close the debate upon any pending measure, the Presiding Officer shall at once state the motion to the Senate and at the close of the morning hour on the following calendar day lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Chair shall, without debate, submit to the Senate by an aye-and-nay vote the question:

" 'Is it the sense of the Senate that the debate shall be brought to a close?'

"And if that question shall be decided in the affirmative by a two-thirds vote of those voting, then said measure shall be in order to the exclusion of all other business, except a motion to recess or adjourn.

"Thereafter no Senator shall be entitled to speak more than 1 hour on the bill, the amendments thereto, and motions affecting the same, and it shall be the duty of the Chair to keep the time of each Senator who speaks. No dilatory motions shall be in order, and all points of order and appeals from the decision of the Chair shall be decided without debate."

It will be observed that the addition to rule XXII as reported to the Senate fixed the number of signatures to a cloture petition at 16, or one-sixth of the total membership of the Senate, instead of 32, or one-third of the membership, as proposed by Senator Smith, or by 10 Senators as proposed by Senator Owen.

The Owen resolution referred to cloture on "the pending question, bill, or resolution" while the Smith resolution mentioned only "a bill which is the unfinished business of the Senate." The committee resolution used the term "any pending measure" and later refers to "the bill and amendments thereto."

The substitute resolution was placed on the Senate Calendar on May 16, 1916, and there was discussion in regard to it on two different occasions but no further action was taken during the Sixty-fourth Congress.

The present rule XXII was adopted on March 8, 1917, at a special session of the Senate held at the beginning of the Sixty-fifth Congress. The rule was drafted by a committee of five Senators from the Democratic conference and five Senators from the Republican conference. There is no record of their names, but there is no doubt that among the 10 there were Senators who had been members of the Committee on Rules during the previous Congress. To clearly indicate that the resolution reported to the Senate on May 16, 1916, was used as the basis for rule XXII as adopted on March 8, 1917, I ask leave to insert in the RECORD a copy of the rule with the differences between it and the 1916 resolution printed in italics.

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

RULE XXII

2. If at any time a motion, signed by 16 Senators, to bring to a close the debate upon any pending measure is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate, and one hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by an aye-and-nay vote the question:

"Is it the sense of the Senate that the debate shall be brought to a close?"

And if that question shall be decided in the affirmative by a two-thirds vote of those voting, then said measure shall be the unfinished business to the exclusion of all other business until disposed of.

Thereafter no Senator shall be entitled to speak in all more than 1 hour on *the pending measure*, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. *Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time.* No dilatory motion, *or dilatory amendment, or amendment not germane* shall be in order. Points of order, *including questions of relevancy*, and appeals from the decision of the Presiding Officer, shall be decided without debate.

Mr. HAYDEN. Mr. President, it may interest present Senators to know something about the men who unanimously agreed to report to the Senate an amend-

ment to rule XXII on May 16, 1916. At that time Lee S. Overman, a Senator from North Carolina, was chairman of the Committee on Rules. Experience had given him a thorough understanding of parliamentary procedure. He had been elected five times to the North Carolina Legislature and had served a term as speaker. In 1916 he had been a Member of this body for 13 years, and consequently was familiar with its customs and traditions.

The next ranking member was John W. Kern, of Indiana, a very successful lawyer, who was the candidate for Vice President when William J. Bryan was the Democratic nominee for President in 1908. He was elected to the Senate in 1910, and served as chairman of the Democratic conference and as floor leader in 1914 and 1915.

Next on the committee was Senator James A. O'Gorman, of New York, who came to the Senate after 10 years' service as a justice of the supreme court of his State. He had been a Senator for 6 years when the resolution to amend rule XXII was reported.

Another committee member was John Sharp Williams, of Mississippi. He had been a Member of the House of Representatives for 16 years, the last 6 as minority leader in that body. Elected to the Senate in 1910, he had then been here for 6 years.

The Senator who reported the resolution was Hoke Smith, of Georgia. As a compartively young man he served as Secretary of the Interior under President Cleveland and had been Governor of Georgia for 4 years when he came to the Senate in 1911.

The ranking Republican on the Rules Committee was Jacob H. Gallinger, of New Hampshire. He had been President of the New Hampshire State Senate and had served two terms as Representative in Congress from that State. He first came to the Senate in 1891, and was in his twenty-fifth year of service, having previously been the Republican minority leader.

Following him on the committee was Francis E. Warren, of Wyoming, another veteran Republican who had been in the Senate continuously since 1895. Previously he had been three times Governor of Wyoming.

Next came Knute Nelson, of Minnesota, who had served terms in both the Wisconsin and Minnesota Legislatures, who had been Governor of Minnesota, and, like Senator Warren, had been a Member of the Senate for 21 years.

Last on the list of members of the then Committee on Rules was Albert B. Cummins, of Iowa, who, after being Governor of his State for 6 years, was elected to the Senate in 1908, and later served for 6 years as President pro tempore of the Senate.

One remarkable fact is that four of the members of that committee—Gallinger, of New Hampshire; Warren, of Wyoming; Nelson, of Minnesota; and Overman, of North Carolina—before completing their service were each elected to five continuous terms as a United States Senator. Anyone who can do that is not a political accident.

In truth, every member of that committee was a man of ability and possessed of ample experience as a Senator to qualify as being entirely competent to determine what kind of a rule should be adopted to limit debate in the Senate.

In 1916, as a Member of the House of Representatives, I was acquainted, though not intimately, with every one of the Senators to whom I have referred. There are three others in this Chamber today who likewise were serving in the House in 1916: The Vice President, the Senator from Tennessee [Mr. McKELLAR], and the Senator from West Virginia [Mr. NEELY]. I am sure that each of them will bear witness with me in saying that every member of the then Senate Committee on Rules was a noted Senator for whose judgment other Senators had high regard. The Senator from Texas [Mr. CONNALLY], who came to the House of Representatives in 1917, also knew most of them as being at that time among the leaders of the Senate.

Two other Senators had much to do with the adoption of the cloture amendment to rule XXII in 1917. The first was Thomas S. Martin, of Virginia, the majority leader, who obtained unanimous consent for its immediate consideration. He had then been a Senator for 12 years.

The other was Charles Curtis, of Kansas, the Republican whip, who later became Vice President during the Coolidge administration. Both of those Senators knew all of the ins and outs of how the Senate does its work. Each of them was highly respected for his political common sense.

Mr. President, knowing those men and the reputation they bore for integrity and fair dealing, I do not believe they helped to write a rule, and urged its adoption, which they knew was defective, and which time has proved to be valueless.

In view of the repeated assertions that the requirement of a two-thirds majority to close debate in the Senate is unfair and undemocratic, I beg leave to quote from a statement that I made to the Committee on Rules and Administration on January 24, when the hearings began on the several cloture resolutions which had been referred to that committee. At that time I said:

> In any event this committee must always remember that under the most favorable circumstances a two-thirds majority will be necessary to amend the existing rule. From a practical standpoint the burden of proof rests heavily upon those who advocate majority cloture. They must not only demonstrate why it should be done but how it can be done.
>
> In connection with permitting the majority to rule on all measures pending before the Senate there is a significant fact which this committee cannot afford to overlook. Unlike the House of Representatives, representation in the Senate is wholly without reference to the total population of the United States or to the population of any State. This is a situation that cannot be changed by an act of Congress since the Constitution provides that "no State, without its consent, shall be deprived of its equal suffrage in the Senate."
>
> The Senate was created as a curb upon hasty action by the House of Representatives. It is a continuing body with only one-third of its membership to be elected every 2 years. Being solely responsible to the voters in their own States, tenure of office of Senators has no direct relation to the will of the majority of voters throughout the Nation.

In connection with the application of the two-thirds rule, I should like to point out that it is necessary that only one more than one-half of the Senators present shall vote for a measure in order to assure its passage by a majority. The two-thirds rule requires that there shall be at least two Senators in favor to each one who is opposed when the roll is called. The difference between the votes of 49 and 64 Senators is not just 15 votes. It is much more than that, because the actual effect is to transfer the balance of power to influence the result from 1 Senator to 15 Senators, thereby making it 15 times more difficult to secure favorable action. With but 66 Senators present and 30 absent, the difficulty is at least tenfold, because the majority of 34 must be expanded to 44.

Whatever the number of Senators who may be present when a vote is taken, the two-thirds rule places a sufficient handicap upon precipitate action.

To show that the requirement of a two-thirds majority is not unreasonable or unprecedented, I beg leave to direct attention to the fact that the organic law under which our Federal Government functions imposes that same requirement in eight different instances. To demonstrate that fact, I quote from the citations made by the late Senator John H. Overton, of Louisiana, at the cloture hearing held 2 years ago. I read from his statement:

> A two-thirds vote is not an uncommon procedure in the Congress of the United States. The Constitution, as well as amendments thereto, impose the rule of a two-thirds majority in quite a number of instances. I shall refer to those instances briefly:
>
> No person shall be convicted on impeachment without the concurrence of two-thirds of the Senators present (art. 1, sec. 3).
>
> Each House, with the concurrence of two-thirds, may expel a Member (art. 1, sec. 5).
>
> A bill returned by the President with his objections may be repassed by each House by a vote of two-thirds (art. 1, sec. 7).
>
> The President shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur (art. 2, sec. 2).
>
> Congress shall call a convention for proposing amendments to the Constitution on the application of two-thirds of the legislatures of the several States (art. 5).
>
> Congress shall propose amendments to the Constitution whenever two-thirds of both Houses shall deem it necessary (art. 5).
>
> When the choice of a President shall devolve upon the House of Representatives, a quorum shall consist of a Member or Members from two-thirds of the various States of the Union (amendment 12).
>
> A quorum of the Senate, when choosing a Vice President, shall consist of two-thirds of the whole number of Senators (amendment 12).
>
> The Constitution, therefore, does not give recognition, in all cases, to the right of the majority to control.

At the time when rule XXII was adopted, there were 34 Members of the Senate who had had previous service in the House of Representatives. Frequent reference is made to the great differences

which exist between the rules that have been adopted to regulate procedure in the two bodies at either end of the Capitol. It is obvious that time will not permit 435 Representatives to have the same freedom of debate as can be accorded to 96 Senators. Of the 96 Senators at that time, 34 of them, as I have said, were former Members of the House of Representatives. I have no doubt that many of them felt as I did when I first came to this body from the House of Representatives. I must frankly confess that I did not like the way the Senate carried on its business. I had been for 15 years in the other body, and I had come to rely upon its very able leadership, which took care of what was to happen. Afterward, in thinking it over, I reached the conclusion that I must have arrived at the same state of mind as did the German people when the result of the First World War relieved them of domination by the Kaiser. They had become so accustomed to being told what they could do and what was "verboten" that they did not know what to do with the liberty and freedom which had been thrust upon them; and when Hitler came along to tell them that he was the one to do their thinking for them, they welcomed him with great relief.

That situation is similar to the one in which I found myself; and it took me some time to realize the freedom which I had as a United States Senator. I would come upon the floor of the Senate expecting to offer an amendment to a bill, but would find some other Senator occupying the floor for an hour or two before I could have an opportunity to say anything or do anything about what I had in mind. Perhaps I would even have to wait a day. That could not happen in the House of Representatives. But as time went on, I became firmly convinced that I was mistaken, and that there is value in the rules here in the Senate.

In his argument before the Committee on Rules and Administration, the junior Senator from Oregon [Mr. MORSE] indicated his firm conviction that the custom of courtesy and consideration for the rights of all Senators which became well established during the long period of time when there was no limitation of debate in the Senate will remain unimpaired as a strong bulwark to protect the opportunity of any minority in the Senate to fully and freely state its position before a vote is taken on any pending legislation. Therefore, he favors a majority rule. It does not require much imagination to determine how that custom of senatorial courtesy and consideration was originally established and why it has remained in effect down to this day. More than a century ago, when a new Senator came into this body, it did not take him long to learn that there were other Senators who not only had the ability to point out what they deemed to be flaws in his reasoning and errors in his statement of the facts upon which his conclusions were based, but, above all that, the other Senators could take whatever time they thought was necessary to fully expose the flaws in his reasoning and the errors in what he had presented as the facts. There was no way available to him to stop the criticism of his ideas by other Senators so long as they desired to do so. That was a right that they possessed, which he was compelled to respect, and from it there very naturally followed respect and consideration for all Senators, each of whom had that right. It is inherent in human nature to have respect for power. The new Senator also soon found out that he also had the same right as other Senators to use whatever time he might need to express his own opinions and to discuss contrary opinions, and that he had their respect because he possessed that right.

That is undoubtedly how the custom of courtesy and consideration upon which the junior Senator from Oregon relies was originally established in the Senate and is now so old as to be looked upon as fixed tradition in this body. The question is whether, with the destruction of the basis upon which it was founded, that custom or tradition will continue to prevail in the Senate during the years to come.

If the 25 to 50 Senators who happen to be present may at any time determine that they want to hear no more talk and can compel a vote to be taken then and there, will courtesy and consideration for the minority continue to prevail in this body? A parliamentary procedure of that kind automatically reduces the power and the influence of every individual Senator. It takes nothing but common sense to know that there will inevitably be a corresponding reduction in the courtesy and consideration which Senators will extend to each other.

In conclusion, let me repeat what I said in the beginning that all the Committee on Rules and Administration recommends is that the present rule XXII be made effective. It is not criticizing the principles upon which that rule was founded. Members of the committee agree to the wisdom of the Senators who wrote the rule. That they made an error in 1917 by not making it broad enough to cover all situations is obvious. That is all we are trying to do at this time—to make a rule applicable under any and all circumstances. But it will be a two-thirds rule; it will be a rule that will permit any Senator, even after cloture is adopted, to express his views upon any question before a final vote is taken.

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

Mr. HAYDEN. I yield for a question.

Mr. LUCAS. Did I correctly understand the Senator to say the Senators who were responsible for the rule realized its ineffectiveness at the time they adopted it?

Mr. HAYDEN. There is no question about it. I have demonstrated that over and over again—to my own satisfaction, at least—that they thought they were adopting an effective rule.

Mr. LUCAS. At the proper time, I shall challenge that position. I should like to ask the Senator this one question, if I may, on the Senator's time.

The VICE PRESIDENT. Does the Senator yield to the Senator from Illinois for a question?

Mr. HAYDEN. I yield for the question he is asking.

Mr. LUCAS. I should like to ask the Senator this one question: Former Senator La Follette was one of the three Senators who voted against that resolution; was he not?

Mr. HAYDEN. That is correct.

Mr. LUCAS. Senator La Follette said:

> So far as I am concerned, I will never by my voice or vote consent to a rule which will put an end to the freedom of debate in the Senate.

Does the Senator believe that Senator La Follette knew what he was talking about when he made that statement?

Mr. HAYDEN. My argument, in that respect, as set forth in the committee report, if the Senator will permit me to read it to him, is:

> That such a result was not intended—

That is, the result, which Senator VANDENBERG has declared to be in final analysis, that the Senate has no effective rule at all—

> That such a result was not intended is further substantiated by the fact that no statement by any Senator who was a Member of the Senate in 1917 has been found which would indicate that he supported the change made at that time in rule XXII because he was aware that the rule had loopholes in it which made it of no value as a means of bringing debate to an end. Upon the contrary all of the arguments advanced by Mr. La Follette, of Wisconsin, Mr. Sherman, of Illinois, and Mr. Gronna, of North Dakota, the three Senators who voted against the adoption of the resolution offered on March 8, 1917, by Mr. Martin, of Virginia, were all based upon the assumption that the adoption of that resolution would result in effective cloture, and no other Senator indicated to them that such a change in rule XXII would not accomplish that purpose.

It was perfectly clear to me that Senator La Follette thought, at that time the Senate of the United States was adopting a cloture rule, it would be applicable on all occasions.

Mr. LUCAS. That is correct.

Mr. HAYDEN. There can be no doubt about that at all.

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

The VICE PRESIDENT. Does the Senator yield to the Senator from Massachusetts for a question?

Mr. HAYDEN. I yield.

Mr. SALTONSTALL. The Senator stated in the early part of his argument that he believes rule XXII, with the amendment as proposed, is basically sound, if I remember his words.

Mr. HAYDEN. That is correct.

Mr. SALTONSTALL. The Senator then went on to a considerable discussion of the two-thirds rule. Of course, the committee makes no recommendation of a change in the two-thirds part of rule XXII. My question is, Does the Senator believe that the rule, with the amendment, leaving the two-thirds vote as it is, is basically sound, or does he recommend that proposal because he believes it is the practical thing to do?

Mr. HAYDEN. I think that rule XXII is basically sound. There is no question about that, if we stop to consider the problem. Senators do not represent population. The popular vote is cared for at the other side of the Capitol. Sen-

ators represent States, large States, small States. There could not have been a Union, had not each State been given an equal representation in this body. It is easy to conceive the time when one more than one-half the Senate, representing a very minor fraction of the population, would be in a position to do serious injury to the most populous parts of the country.

For all those reasons it is sound that the rule should be two-thirds. It should be a two-thirds majority in order to protect the interest of Senators themselves in their freedom of debate. I believe in the rule as written, the way it was reported by the committee. It should be adopted without any change. I mean by that to say that it is basically sound in all its features.

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

Mr. HAYDEN. I yield.

Mr. KNOWLAND. I should like to ask the able Senator from Arizona, the chairman of the Committee on Rules and Administration, whether, if the Senate adopts Resolution 15 as reported from the committee, he feels satisfied that that will close all the loopholes that may exist in rule XXII? In other words, this is a question that, had it been asked in 1917, might at least have prevented us from getting into this difficulty. Does the Senator now feel that this closes all the loopholes?

Mr. HAYDEN. We have consulted the best parliamentarians that were available, and as I understand it, at the suggestion of the Senator from Ohio [Mr. TAFT], the words "or the unfinished business" were inserted for good measure. The way the rule is written, it is tight enough and strong enough to do the work expected of it.

Mr. SALTONSTALL. Mr. President, will the Senator yield for a question that perhaps he has already answered but which I should merely like to emphasize for the purposes of the record?

Mr. HAYDEN. I yield for a question.

Mr. SALTONSTALL. Does the Senator feel that the present suggested change should be tried out because he believes that by the application of the cloture rule in that form the ability of the Senate to act will be legitimately furthered?

Mr. HAYDEN. I do. Suppose some measure, some motion, some subject, is pending before the Senate. The Senate has the right, upon the filing of a petition signed by 16 Senators, to determine by a two-thirds vote whether debate shall be closed.

Mr. SALTONSTALL. I tried to bring that out in order to emphasize that the Senator believes that it is a basically sound rule, rather than the constitutional majority rule, and that he voted for it not only in theory, but because he believes that it is the right thing to do rather than merely the practical thing to do.

Mr. HAYDEN. The Senators who took the time and trouble, after 2 years of study, to devise rule XXII in 1917 were wise legislators and they did a satisfactory piece of work, except that they did not look beyond the difficulties which had theretofore confronted them. Necessity is the mother of invention. After that action had been taken, someone else found that in order to accomplish his purpose and permit unlimited debate he could use other means. We are trying to produce a good, sound rule under which in no circumstances will it be possible to prevent the filing of a cloture petition for the purpose of closing debate.

Mr. WHERRY obtained the floor.

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

Mr. WHERRY. I will yield with the understanding that I shall not lose the floor.

The VICE PRESIDENT. The Chair cannot guarantee that.

Mr. HOLLAND. Mr. President, it was my purpose, if permitted by action of the Senate, to call for a quorum.

The VICE PRESIDENT. The Senator having the floor cannot yield for that purpose.

Mr. HOLLAND. Will the Senator ask for unanimous consent of the Senate to permit me to suggest the absence of a quorum?

Mr. WHERRY. I believe I will not yield for that purpose, for the reason that the distinguished occupant of the chair has laid down the strict rules, and I think we should proceed with the debate accordingly.

The VICE PRESIDENT. Does the Senator from Nebraska decline to yield?

Mr. WHERRY. I do, Mr. President. I thank the Senator from Florida, however, for his effort.

Mr. President, the Senate of the United States is the strongest citadel for freedom in the whole world. It is a great honor to be a Member of the Senate, and it is also a great responsibility.

The Members of the Senate have a glorious heritage to carry forward; and I am sure that the Members of this Congress are fully aware of our responsibilities, and fully appreciate the many burdens that are being thrust upon us.

Certainly, in the last few years, the duties of a United States Senator have been greatly increased. The growth of our country from within, and the place it has taken in leadership among the nations of the world, have brought up many vital and complex problems to solve. While I do not wish to infer that Senators back in history had little to do, yet, certainly, all can agree that during the last quarter of a century there has been a large increase in the work of the Senate. Much of this has been self-made by expanding the powers of the Federal Government.

With Congress now in session most of each year, as compared to the length of the sessions in past years, when for many months the Congress was not in session, it requires no elaboration to point out that the duties of a United States Senator, and of the entire membership as a whole, have been vastly increased.

It is quite obvious, too, that our responsibility in helping to shape a lasting peace for the world has greatly expanded our duties.

Mr. President, I make reference to the greatly expanded activities of the Senate as part of the background for the observations I desire to make in support of the motion by the senior Senator from Arizona [Mr. HAYDEN] now pending before the Senate; that is the immediate consideration of Senate Resolution 15 to amend subsection 2 of Senate standing rule XXII, relating to cloture.

There are those who say there is nothing new that can be said on the subject of cloture. That is an observation which is usually made by observers as they are on the run.

I am sure my colleagues will agree with me, when I say that the pressure upon the Senate for decisions during recent years has been increasing at a tremendous rate. Certainly as the acting majority leader for the past 2 years, I know something about that pressure.

Regardless of these pressures, it would be tragic beyond description if this body ever adopted a rule of procedure that would deny to any Senator an opportunity to be heard on any matter brought before the Senate. I would never be in favor of that.

The Senate has been frequently referred to as the greatest deliberative body in the world. I know I speak the sentiments of every Senator when I say we all hope that it shall forever maintain that reputation. In no legislative body in the whole world is that right to deliberate more fully protected and guarded than it is in the Senate.

The minority has rights that are just as inviolable as are those of the majority. The truth of that statement goes to the very form and substance of our republican system of government.

We can cite many instances in our way of life to support that statement. Great reforms or great steps forward for our people often begin through the advocacy of small minorities that gradually, through the years, swell into majorities. In time, ideas for advancement that were almost universally frowned upon in years past come to be taken for granted as right and proper.

There have been notable instances in which waves of enthusiasm for legislation or actions by the Senate have given way to waves of enthusiasm for their rejection after the proposal had been thoroughly debated, thoroughly discussed, and understood by the people.

Therefore, plainly, we should take no action for revision of the rules that would in any way foreclose wholesome and necessary debate and thorough exploration of controversial questions that come before us. Upon that proposition I feel sure every Member of this body fully agrees.

I do not want the Senate rules to permit the odious steamroller to crush the right of minorities to be heard and to be given the opportunity to persuade others to conversion to their views. In recent years we had a striking example of how the freedom of debate and freedom of deliberation in the Senate serve as a bulwark against revolutionary changes in our Government. I refer to the so-called Supreme Court-packing proposal was made in 1937.

It was not my honor and privilege to be a Member of this body at that time, but that great moment in our history is fresh in all of our minds. It is conceivable that similar proposals disastrous

to our republican way of life, may be made in the future. Some of them are on our doorstep today. But I remind Senators that the most unfortunate Supreme Court-packing proposal never reached the stage in the Senate where resort to cloture was invoked.

The historic processes of the Senate committee hearings and full publicity, worked so well that that threat to our form of government was averted by utter rout of the forces that had advocated the proposal.

I have an abiding faith in the confidence and wisdom of the Senate to adhere to its traditional character. Ours is a unique body as governments are constituted.

It has been said time and again, and I believe it is true, that the framers of the Constitution of the United States were divinely inspired.

The drafters of the Constitution gave to the Senate, a vital part in the making of our Nation's foreign policy. It is quite apparent to all of us that the work of the Senate in connection with foreign affairs has been greatly increased in recent years, until today its ramification and impact dominates largely what we do in regard to domestic matters.

In discussing Senate Resolution 15, the so-called Hayden-Wherry resolution, my views are in no way influenced by partisan considerations. We are considering now rules of procedure, to provide fair and equitable consideration and action, upon matters that come before the Senate for determination. We are considering rules of the game—so to speak. These are rules for fair play like the ethics of conduct for citizens in our Republic and like the rules that govern in the field of sport.

We are now considering rules to be handed down through the years, and I believe that the more we exclude partisan consideration, the better will we do our work. It was with that thought in mind, after 2 years of searching investigation by the Senate Committee on Rules and Administration, I joined the senior Senator from Arizona [Mr. HAYDEN] in sponsoring Senate Resolution 15.

This matter of amending the cloture rule transcends all party considerations. Partisanship went out the window when the Senate, in 1917, as has already been stated by the majority leader, adopted standing rule XXII. It was a committee of Republicans and Democrats who drafted the rule. It was adopted by a vote of 76 to 3, March 8, 1917, with Senators from every section of the country voting for it—from the North, the South, the East, and the West.

Much will be said during debate upon the pending motion pro and con, on the wisdom of application of the cloture rule at various times since its adoption. Statistics will be given to prove or disprove arguments. The melancholy history of filibusters will be retold; precedents will be cited, and there will be disputes over their bearing on present circumstances.

For my part, I should like to consider Senate Resolution 15 in connection with conditions today—now—and with thought to the future.

Today, we do not have any effective rule to invoke cloture on any legislation or treaty that may come before the Senate for its determination. I make that positive, affirmative statement, we do not have an effective cloture rule today. Standing rule XXII, the so-called cloture rule, is now a dead letter. It is utterly ineffective in view of the ruling made by the President pro tempore [Mr. VANDENBERG] in the Senate on August 2, 1948.

The senior Senator from Michigan made the ruling according to his lights. He ruled as he saw the precedents and as he construed the language of standing rule XXII—those two little but decisive words—pending measure. That was his duty and he honorably carried out his responsibility, regardless of his personal opinion, on any legislation that might be affected by his ruling. Some of us may differ with his ruling that the present cloture rule cannot be invoked to terminate debate upon a motion to consider legislation, but the ruling that a motion to consider is not a pending measure, and therefore not subject to the present cloture rule stands and we are confronted by a condition and not a theory.

Mr. RUSSELL. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Georgia?

Mr. WHERRY. I am glad to yield to the Senator for a question.

Mr. RUSSELL. I should like to ask the Senator from Nebraska if he does not recognize that the ruling of the distinguished Senator from Michigan was in accord with all the precedents, and that there was no precedent to the contrary.

Mr. WHERRY. Yes; I just stated that in my remarks.

Mr. RUSSELL. The Senator indicated that he differed with the Senator from Michigan in his ruling.

Mr. WHERRY. No; I did not say I differed with him. I said that with his own lights, and with the precedents before him, I could not see how he could make any other ruling. I certainly did not mean to criticize the ruling. But I do say that since he has handed down the ruling, we have no effective cloture rule in the United States Senate.

Mr. RUSSELL. Will the Senator yield for a further question?

Mr. WHERRY. I am glad to yield for a question.

Mr. RUSSELL. I should like to ask the Senator whether or not he is familiar with the statements made from time to time by Senators who were present when the cloture rule was adopted, which clearly demonstrate that they never intended that the rule should apply to a motion to take up a measure.

Mr. WHERRY. In answer to that question, I am glad to tell the Senator—and I shall refer to it a little later in my remarks—that he can have his own viewpoint about it, but my view is that those Senators did not contemplate the loopholes. If they had, they would have taken care of them in 1917.

Mr. RUSSELL. I should like to ask the Senator, then, if he has read the CONGRESSIONAL RECORD for November 19, 1919, wherein it is shown that Senator Underwood, who was present when the rule was adopted, stated that it was a poor excuse for a rule because it did not apply to everything, and where Senator Hitchcock of Nebraska is reported to have made the statement that in his opinion the proposed cloture rule did not even apply to a treaty which might be pending before the Senate. In those two instances Senators who were present when the rule was adopted clearly indicated that they did not intend that it should apply to anything but substantive legislation.

Mr. WHERRY. My answer to the Senator from Georgia is that I think at some time I have read the complete RECORD. I know that as chairman of the subcommittee of the Committee on Rules and Administration I considered the matter, and we studied all the discussions we could find, and my positive statement is that, in view of the ruling of the senior Senator from Michigan [Mr. VANDENBERG], we have no effective cloture rule.

My further thought on the question asked by the Senator from Georgia is that it was the thought of those who adopted the cloture rule by a vote of 76 to 3 that they were adopting an effective cloture rule, but situations have arisen, such as motions to amend the Journal and the precedent now established that it is not possible to invoke cloture on a motion to take up a measure, which have nullified their intent. It is to meet such conditions that the resolution was offered by the Senator from Arizona [Mr. HAYDEN] and myself, so as to close those loopholes, and make it possible to have an effective cloture petition not only upon pending legislation, on the subject matter, but on any motion, regardless of rule III or rule VI.

Mr. LUCAS. Mr. President, will the Senator from Nebraska yield for a question?

Mr. WHERRY. I am glad to yield for a question.

Mr. LUCAS. Did I understand the Senator to say that he believed the Vandenberg ruling to be correct?

Mr. WHERRY. I say that in light of the precedents I do not see how he could have made any other ruling. But in making that ruling, I should like to say to the distinuished majority leader, the Senator from Michigan absolutely set up a precedent, so that unless we change Rule XXII we have not any effective cloture rule, and that is what we are debating here today. The question is not one of majority vote or of freedom. I am just as much for freedom as is any other Member of the Senate. The question is, do we want an effective cloture rule If we do, let us have one. If we do not, let us continue as we have been proceeding, because under the Vandenberg ruling, we have no effective cloture rule. That is the whole story in a nutshell.

Mr. LUCAS. Mr. President, will the Senator yield further?

Mr. WHERRY. I yield.

Mr. LUCAS. Did the Senator feel the same way about the Vandenberg ruling

7 months ago, when he signed a petition for cloture?

Mr. WHERRY. I was as much in favor of terminating debate under cloture as any other Member of the Senate, but that does not indicate that because I signed the petition I was going to be in agreement or disagreement with what the Senator from Michigan [Mr. VANDENBERG], as President pro tempore, ruled. I was for a cloture petition to shut off debate on the then pending measure. That is why I signed the cloture petition.

Mr. LUCAS. Mr. President, will the Senator further yield?

Mr. WHERRY. I yield.

Mr. LUCAS. Am I correct in my understanding that when the Senator signed the cloture petition he had definite reason to believe that his position was correct, and that the debate could be shut off by a cloture petition?

Mr. WHERRY. Yes.

Mr. LUCAS. On a motion to take up a measure?

Mr. WHERRY. I signed the petition for that reason. That was the first time there had been a decision on the question, although it had been raised many times in the Senate. Statements had been made about it. I remember the very fine statement made by the Senator from Tennessee [Mr. MCKELLAR] in 1946, when his opinion was that on a point of order he believed the precedents existed, and his answer would be that the rule did not apply to a motion, that it applied only to pending legislation. But when the Senator from Michigan [Mr. VANDENBERG] made his ruling, that was the first precedent we had, through a decision by a Presiding Officer, that cloture did not apply to a motion, but only to pending legislation. I say again, I do not see how he could have ruled otherwise, in the light of what had been said in years gone by with reference to the loopholes to be found in Rule XXII.

Let me say once again, and I say it in all sincerity, that the ruling made by the Senator from Michigan, whether one agrees with it or not, has definitely established a precedent under which we today do not have an effective cloture rule. That is all there is to that. We simply do not have an effective cloture rule today. Unless we amend the rule we can file a cloture petition today, but cloture will not be invoked because of the loopholes existing in the rule.

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

Mr. WHERRY. Oh, Mr. President, I wish to continue.

Mr. RUSSELL. Very well, if the Senator prefers not to yield.

Mr. WHERRY. I yield, Mr. President.

Mr. RUSSELL. I should like to ask the Senator from Nebraska if he does not think his statement is in error in saying that the Senator from Michigan was the father of this ruling? I thought the Senator from Michigan made it very clear that had the matter been presented to him de novo his ruling might have been different, but that he found himself bound by the rulings which had been made by a number of distinguished Presiding Officers who had preceded him.

Mr. WHERRY. Mr. President, I said that in the light of the precedents cited by the Senator from Michigan, and in the light of the observations he made on the subject, I could not see how he could do otherwise than decide as he did on the appeal. That does not mean that the Senator from Georgia or I agree with him. I gained the impression from what the Senator from Michigan said when he made his decision that he would have liked very much to have the Senate decide the question; that he would rather have the Senate decide it than have the President pro tempore decide it at that time. I shall come to that point later in my statement. I think the question should be decided by the Senate itself. Instead of placing the responsibility on the present occupant of the chair, I believe what we ought to do is to debate the question and vote on it, and if we want to amend the rule let the Senate vote to amend it, and let us not have an interpretation of the rule by the Presiding Officer.

Mr. RUSSELL. Mr. President, will the Senator yield for one more question?

Mr. WHERRY. Yes; I am glad to yield.

Mr. RUSSELL. The Senator makes his points with such rapidity that, even though he speaks with clarity, it is a little difficult to keep up with him. Did I understand the Senator from Nebraska to say that the sole issue before the Senate now was the question of the two-thirds cloture?

Mr. WHERRY. No. What I said was that the sole issue before the United States Senate this afternoon is: Do we want a cloture rule or do we not? The present cloture rule is inoperative, it is ineffectual; made so by the precedents I have just cited. We do not have a cloture rule today. It is impossible to invoke cloture, in my opinion, under the present rulings. If we want a cloture rule, I think the Senate should debate the subject, vote on the question, and adopt such a rule. It has already been nullified. We might as well wipe it off the books. The present cloture rule is of no avail, in my opinion.

The question of a majority or a two-thirds vote might be raised. I shall deal with that subject later on in my discussion. Personally, I favor a two-thirds vote. I think the Senator knows I do. I wish to make my position on that point clear and positive. But, so far as cloture is concerned, we do not have an effective cloture rule today. The real question is not whether we believe in cloture by majority vote or by two-thirds vote; the real question is whether we want a rule at all.

Mr. RUSSELL. I wonder if the Senator from Nebraska would be good enough to explain to the Senate how he would prevent the adoption of majority cloture rule if the resolution under discussion is laid before the Senate and a majority of the Senators present support an amendment to gag the Senate when a majority of Senators desire.

Mr. WHERRY. I cannot guarantee to the Senator from Georgia that at any time during the debate, if the resolution finally comes before the Senate and amendments to it are offered, an amendment providing for cloture by majority vote will not be offered in place of a two-thirds-vote provision. The Senator from Georgia knows I cannot guarantee any such thing. But I think that the Members of the Senate are so sensible and so reasonable, as I shall expect to point out later on, that they would be glad to adopt the two-thirds rule if they can close up the loopholes which now make the rule ineffective, and thereby give us a cloture rule which would be effective on vote of two-thirds of the Members of the Senate. That is all we are trying to do by the resolution. That is the only issue before us. We do not want to be distracted from it.

There are those who believe in cloture by majority vote. Those who do have a perfect right so to believe. But there are those of us who believe in cloture by a two-thirds vote, and we have a perfect right to our belief. It does not make any difference whether one believes in vote by majority or by two-thirds. If we do not place an effective cloture rule on the books we will not have a chance to invoke cloture anyway.

Mr. RUSSELL. If I understand the Senator's position correctly he is for a cloture or a gag rule; it makes no difference whether it is by two-thirds vote or majority vote.

Mr. WHERRY. Mr. President, I think the Senator from Georgia is one of the finest men I know. He has always been very reasonable. But I believe he is going out of his way when he calls this a gag rule, and so forth, and so on. When the time comes when two-thirds of the Members of the Senate feel that a specific matter of legislation has been so thoroughly debated that the two-thirds are willing to terminate debate, I do not believe that if they vote their convictions at such time their action should be designated as a gag rule. I believe the Senator from Georgia is hurting his own case when he says it is a gag rule when those of us who believe in cloture by a vote of two-thirds of the Senators, after a thorough debate has been held for days on an issue, after an exhaustive and complete debate has been had, vote to adopt a rule. It is not gag rule. In other words, it would be placing something sensible into a rule which will permit a vote up or down on an issue, whereas if we continue as we are now going, it will mean merely action after sheer exhaustion of physical effort by reason of the existence of a filibuster.

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

Mr. WHERRY. I yield.

Mr. RUSSELL. I should like to ask the Senator if he did not misunderstand me. The Senator from Nebraska, despite the powerful position he occupies, will not be in control of the action of the Senate, or of any other vote than his own, whenever a majority cloture provision is offered. If such a rule is adopted in the Senate, it would undoubtedly be a gag. Although the Senator may be in favor of a two-thirds rule, if the measure comes before the Senate for us to vote on it, the Senator could not guarantee, as he well knows, that an

amendment in the nature of a gag rule would not be adopted. In my own view, cloture could be adopted by such a rule without the minority ever having a chance to speak, because a cloture petition could be filed, a motion could be made to adjourn until 5 minutes before the time that the vote is to be had on the cloture, and then just a mere majority here, if they were so disposed, could wipe out and obliterate completely the opportunity of any Senator to rise up on the Senate floor and make a speech against a proposition.

Mr. WHERRY. I might answer that question by asking the Senator from Georgia a question, if I do not thereby lose the floor.

The VICE PRESIDENT. The Chair would like to admonish the Senator from Nebraska that he can yield only for a question.

Mr. WHERRY. Then, if I obtain unanimous consent not to lose the floor thereby, I should like to answer the question asked by the Senator from Georgia by asking him one.

The VICE PRESIDENT. Very well.

Mr. WHERRY. I ask the Senator from Georgia this question: Would the Senator be in favor of closing up the two loopholes I have spoken of if he could be sure that a two-thirds-vote provision would stay in the measure?

Mr. RUSSELL. I will be perfectly frank with the Senator from Nebraska and say no, I would not, because I think that the Senate of the United States is the last forum of free discussion on earth, the last citadel of individual rights, the last hope of the rights of the small States, the last refuge of oppressed minorities, and that there should be a right here to discuss matters before cloture or a gag rule can be applied. In my opinion, these loopholes have never hurt in any way. The Senator cannot refer to any case wherein they have done harm.

The VICE PRESIDENT. The Senator from Georgia is not now asking a question.

Mr. RUSSELL. Mr. President, the Senator from Nebraska asked me a question.

Mr. WHERRY. Mr. President, I do not want to lose the floor.

Mr. RUSSELL. The Senator from Nebraska asked unanimous consent that he might answer me by asking me a question.

The VICE PRESIDENT. Under the interpretation of the rule which the Chair would make, the Senator who has the floor has no right to ask questions of another Senator while he is making his speech.

Mr. WHERRY. Mr. President, I asked unanimous consent that I might be permitted to ask the Senator from Georgia a question.

Mr. RUSSELL. And it would be quite queer, it seems to me, if, when under such circumstances the Senator from Nebraska asked me a question I would not be permitted to answer him.

The VICE PRESIDENT. The Chair did not understand the situation to be such as the Senator has described it.

Mr. WHERRY. I do not object to the Senator from Georgia making his statement, if I do not lose the floor thereby.

The VICE PRESIDENT. Every Senator who has the floor can protect himself if he wants to.

Mr. WHERRY. Mr. President, as I said, I do not object to the Senator making a statement providing I do not lose the floor thereby.

The VICE PRESIDENT. The Senator from Nebraska runs the risk if he yields for any other purpose than for a question.

Mr. WHERRY. Then I shall continue.

The VICE PRESIDENT. If the Senator from Nebraska asks unanimous consent to be allowed to ask the Senator from Georgia a question, and that the Senator from Georgia may answer it, the Chair will put the question. Is there objection to the request of the Senator from Nebraska? The Chair hears none, and it is so ordered.

Mr. RUSSELL. Mr. President, before this parliamentary discussion arose I was pointing out that despite all the talk concerning the great loopholes in the rules of the Senate——

Mr. WHERRY. Two loopholes.

Mr. RUSSELL. Which would prevent the Senate from acting, that there are only two cases in all the history of the Senate of the United States——

Mr. WHERRY. I will cover that in my speech. If the Senator will allow me to cover that question in my time, I will tell him all about it. The Senator asked a question, and I answered it.

Mr. RUSSELL. The Senator from Nebraska asked a question——

Mr. WHERRY. I asked the Senator from Georgia if he would fold up if it could be guaranteed that the two-thirds vote would be protected, and the Senator said no.

Mr. RUSSELL. Yes——

Mr. WHERRY. It is desired by some to preserve the loopholes. That is what we want to get at. As the Senator from Georgia well knows, with the present privilege of debating an amendment to the Journal, against which a cloture petition cannot lie, it is impossible to bring debate to a close in the Senate. Under the ruling by the Senator from Michigan, the only way we could have an effective cloture rule would be to adopt the Hayden-Wherry resolution, which closes the two loopholes but still preserves the right to every Senator to vote for the two-thirds rule if he so desires. He should have that right. The Senator from Georgia well knows that I believe in the two-thirds rule.

Mr. RUSSELL. Mr. President, the Senator from Nebraska asked me a question and then undertook to answer it. I assume that he has answered it to his own satisfaction, but it certainly is not to my satisfaction.

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

Mr. WHERRY. First I yield further to the Senator from Georgia.

Mr. RUSSELL. Mr. President, am I to be permitted, under the unanimous consent obtained by the Senator from Nebraska, to answer the Senator's question? The Senator from Nebraska asked unanimous consent to ask a question, and that I be permitted to answer it. The Senator from Nebraska asked the question and then answered it himself. I should like to be permitted to fulfill my part of the unanimous-consent agreement and answer the question.

The VICE PRESIDENT. The Chair has no control over the Senator from Nebraska. He can permit the Senator to answer his question or not.

Mr. RUSSELL. The Senator from Nebraska asked unanimous consent that I be permitted to answer the question.

Mr. WHERRY. I have no objection.

Mr. RUSSELL. I heard no objection interposed.

Mr. WHERRY. I am not objecting.

The VICE PRESIDENT. The Chair heard no objection, and so stated.

Mr. RUSSELL. Of course, the Senator can cite hypothetical cases in which great injury might result from this rule. As a matter of fact, actual experience in the period since 1917, when this rule was adopted, reveals that, with the exception of one or two occasions, there has never been a time when a motion to amend the Journal was debated or when a motion to take up a bill was debated, when we did not eventually come to a vote on cloture. Therefore I submit that the experience of the Senate shows that a motion to take up a bill, or a motion to amend the Journal, when used as a device by the minority who wish to get their case before the country, has not been abused. Under the proposed change in the rules, of which the Senator is a coauthor, the minority might be rendered absolutely helpless, and prevented from being heard, because a motion might be made to take up a bill, a cloture petition might be filed, and then the majority leader might say, "I move that the Senate adjourn until day after tomorrow at 12:55," and we would be confronted with a vote on cloture without any Senator having had an opportunity to speak.

That is the reason why those who drafted this rule did not make it apply to anything except pending legislation before the Senate. They had some respect for the rights of the minority. They had some proper concept of the dignity of the Senate in our scheme of government. They knew that free debate in the Senate would be the last hope of preserving this country in the form in which it was handed down to us by the founding fathers.

Mr. WHERRY. Mr. President, I appeal to the Senator and ask him if he does not think he has taken sufficient time to answer the question?

Mr. RUSSELL. Mr. President, I will subside if the Senator desires. I would not like to cause him to lose the floor.

Mr. WHERRY. The Senator from Georgia completely evades my question. The question is this: If the Senator were assured that the two-thirds vote would be preserved, would he fold up and permit us to amend rule XXII so as to close the loopholes? His answer was "No."

Mr. RUSSELL. The Senator asked me one of those "Have you stopped beating your wife?" questions, and did not let me complete my answer.

Mr. WHERRY. Mr. President, I submit in all sincerity and reasonableness that many of the reasons why we could not obtain a vote on a cloture petition are to be found in the rules themselves. The Senator from Georgia well knows that even though at times we have endeavored

to invoke cloture, the opponents used the device of a motion to amend the Journal, so that it was impossible to obtain a direct vote on the subject matter. The only thing that can be accomplished after a long filibuster is make arrangements to withdraw this or that, and then proceed with the work of the Senate.

If we close the loopholes and provide that cloture shall be made applicable to all motions, as well as pending measures, then we shall have an opportunity to terminate debate after the question has been debated on the floor of the Senate, under the remainder of the rule, which provides for a vote on cloture on the second day after the filing of the petition, and that each Senator shall have an hour. Debate on the question may continue, and the minority is not cut off at all.

The only thing we seek to do is to close the two loopholes which now render the cloture rule, rule XXII, ineffective. I ask Senators to bear that point in mind and not be confused by the question of a majority vote or a two-thirds vote, or any other issue. Today we have no effective cloture rule.

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

Mr. WHERRY. I yield.

Mr. KNOWLAND. In view of the Senator's answer to the question asked by the Senator from Georgia, I should like to ask the Senator from Nebraska this question: The Senator is familiar, is he not, with the fact that there is a considerable body of opinion in the Senate to the effect that cloture does apply to a motion to take up a bill?

Mr. WHERRY. Oh, yes.

Mr. KNOWLAND. I think there is ample justification for the Senate itself determining that rule XXII, adopted in 1917, was intended to mean that the Senate should have an effective cloture rule.

Mr. WHERRY. That is my position exactly. I have already stated it. I do not know whether the Senator was in the Chamber at the time. I invited the attention of the Senate to what was intended in 1917.

I also stated that at the time the Senator from Michigan handed down his decision, there were Senators who felt that cloture should apply to a motion as well as to a pending measure. So strongly did I support that argument that the Senator from Georgia thought I was taking exception to the ruling of the Senator from Michigan. However, I went further and stated that in view of the precedents I could see no other ruling that could be made than that which was made by the Senator from Michigan on the point of order last year.

I agree that there are Members of the Senate who are just as serious about a constitutional majority vote or a simple majority vote to close debate as are those who believe in the two-thirds rule. However, I think the Senator from California will agree with me that that question is not involved in this resolution. What we are seeking to do is close the loopholes. If we are to reduce the vote from a two-thirds vote to a majority vote, that is another question. It is entirely outside the resolution before us.

It is to correct that loophole and others in standing rule XXII that Senate Resolution 15 is directed. From a reading of the debate on standing rule XXII back in 1917, when it was adopted by the Senate, there is no doubt in my mind that the Senate deliberately intended that when two-thirds of the Members of the Senate present are agreed that ample debate has occurred and an issue has been thoroughly developed, two-thirds of the Senate should be able to terminate the debate and bring the issue to a vote. Whether it is a motion to take up or whether it is a piece of legislation, or what not, I am satisfied that that was what was in their minds when they adopted the rule.

That was the tenor of the remarks made by Senators who spoke upon the cloture resolution when it was pending before the Senate in March 1917. That appears to have been the understanding of the three Senators who voted against adoption of the rule. They thought it was effective. They said, "If this proposal is adopted, it will cut off debate." They knew what they were talking about.

It is quite plain from the remarks of illustrious Senators during debate on the cloture rule at that time that they understood the purpose of the rule to be a termination of any debate, on any subject or motion, when two-thirds of the Senate present and voting so determine.

I thank the Senator from California for bringing that point to my attention.

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

Mr. WHERRY. I yield.

Mr. FULBRIGHT. Is it the Senator's view that the country has suffered great harm and damage because of this loophole?

Mr. WHERRY. I am quite satisfied that the Senator from Arkansas has been present during my entire discussion. The basis for my remarks in supporting this resolution is the fact that the work of the Senate has multiplied to such an extent that unless we can adopt the two-thirds rule and have a firm, positive, effective cloture, it is my opinion that legislation will be held up which ought to be passed, not only to meet our domestic needs but to implement our foreign policy and solve great problems across the water.

Mr. FULBRIGHT. Mr. President, if the Senator will yield further, let me say that I know he is deeply interested in having the Congress pass legislation putting into effect the program of the administration, but I was thinking more of the past. Does the Senator feel that great injury has been done in the past, and does he have in mind any instances or illustrations to show the Senate why this rule has been such a great evil?

Mr. WHERRY. As I said at the beginning of my remarks, instances both pro and con can be cited.

One of the finest statements I ever heard made on this subject was made 2 years ago, I believe, during the debate on the proposed FEPC legislation, by the Senator from Georgia [Mr. RUSSELL]. As I recall his words, he said: "Finally, all good legislation is passed."

I may not quote the Senator exactly, but that is an approximate quotation of what he said. In other words, he was pointing out that possibly it is a good thing to have some legislation held up by minorities.

Yet the Senator from Arkansas will agree with me, I am sure, that after legitimate debate is had and after the issue is joined and the various points at issue have been thoroughly discussed, then the proponents, even though they may be in the minority, have a right to have a vote taken. Some of the finest suggestions ever made have come from minorities.

Let me mention here the statement made by the late Senator Overton, of Louisiana, relative to the provisions of the Constitution requiring two-thirds majorities.

By way of illustration, let me say that if the proposed oleomargarine legislation were before the Senate, I am sure the Senator from Arkansas would wish to have a vote taken on that measure, and not have it put aside because of some loophole in the rule. However, under the situation existing today, a vote could not be obtained on that proposed legislation because of the lack of an effective cloture rule. Does not the Senator agree with me as to that?

Mr. FULBRIGHT. Mr. President, in the first place, I do not think the oleomargarine legislation is finally killed.

Mr. WHERRY. I did not say it is killed. But my judgment is that, with the cloture rule we now have in the rule book and with the precedents which have been established, a vote could not even be obtained on that proposed legislation, because advantage would be taken of these loopholes and a vote on such proposed legislation would never be reached.

Mr. FULBRIGHT. Mr. President, if I may be permitted to interrupt, let me say I do not agree; I do not think that measure is of the type of legislation which people feel so strongly about that they——

Mr. WHERRY. Very well; I thought the Senator from Arkansas was intensely interested in that measure. He asked for an illustration of what I have in mind, and I gave him one.

Mr. FULBRIGHT. I am intensely interested in it. I think perhaps the greatest injury that has ever come to the country from this rule is the delay in the enactment of the oleomargarine legislation.

I think it is pertinent to have the Senator cite to those of us who are very deeply interested in his reasoning just what injuries have come to the country from this rule, because I think we can cite some great benefits which have come from it.

Mr. WHERRY. The Senator's own President has said the change must be made. The Senator asks me to discuss the importance of the matter, but the President himself has said—just today, I believe—that unless something is done about the rule, the Administration's program will be seriously handicapped, if not held up entirely.

In this connection, I remember a statement by the late President Wilson. When the armed-merchant-ship resolution was before the Senate, President Wilson said that it would be impossible

to get that measure passed, because there was no effective cloture rule in the Senate. However, because he found another device by which he might arm the merchant ships, he did not have to rely upon the cloture rule. Later he said that if the cloture rule were to be effective, this proposed step must be taken.

Let me say that if President Truman has any effective, strong program—and after 60 days, I am beginning to doubt that he has—then this proposed change must be made if his program is to be made effective.

Mr. FULBRIGHT. Let me inquire whether the Senator from Nebraska thinks any proposed legislation was ever of sufficient importance to justify the invoking of cloture.

Mr. WHERRY. Mr. President, the Senator is repeating and repeating that question. If that is all he has in mind in questioning me—in other words, to delay me and to interrupt my remarks—then I refuse to yield further.

The PRESIDING OFFICER (Mr. McGRATH in the chair). The Senator from Nebraska declines to yield further.

Mr. WHERRY. Mr. President, I am glad to yield for relevant questions; but if all the Senator from Arkansas intends to do is to ask me again and again whether I have in mind any legislation of sufficient importance to warrant the invoking of cloture, I shall decline to yield further. If the Senator wishes to know what legislation has been of sufficient importance in that connection, let him consider the various pieces of legislation himself.

It is now quite apparent to all of us that according to the ruling of the President pro tempore last August, the Senators of 1917 left loopholes as wide as a barn door—loopholes that in the future would strike down their high purposes in the interest of orderly government. Certainly, those Senators had no intention to leave such loopholes, because when the cloture rule was adopted the Senate had just been held tightly in the grip of a filibuster. That is exactly what happened. That filibuster caused the defeat of President Wilson's so-called armed-merchant-ship resolution, which was brought up in the Senate only a few hours before the adjournment of the Congress sine die. Senators who had bitterly opposed that resolution, and had joined in the filibuster, later voted for the cloture rule, and the support came from every section of the Nation.

The device of filibustering against a motion to consider is a recent development, a recent discovery.

Students of Senate procedure running back through the years, say that prior to the discovery of the motion-to-consider loophole, it was not the practice to filibuster against a motion to consider a bill or a resolution. The marathon talking was applied after a bill or resolution was formally before the Senate. That was the procedure at that time.

The Hayden-Wherry resolution would close the loophole permitting filibusters against motions to consider, and it would permit two-thirds of the Senators to apply cloture, notwithstanding Rule III of the Standing Rules of the Senate, which provides that a motion to amend or correct the Journal shall be deemed a privileged question and proceeded with until disposed of. The Hayden-Wherry resolution, it will be noted, also provides that a motion signed by 16 Senators to bring debate to a close may be presented at any time, notwithstanding the provisions of rule 6, which provides that all questions and motions arising or made upon the presentation of credentials shall be proceeded with until disposed of.

In other words, the Hayden-Wherry resolution would permit cloture to be invoked against any motion as well as any measure that may be pending before the Senate. That is the end result of what we wish to achieve by the proposed change in the rule.

Another defect in standing rule XXII that was overlooked by the Senators of 1917 is the loophole allowing filibusters to be made on the question of approval of the Journal. That became apparent in November 1922, when motions to amend the Journal were debated for several days, and thus consideration of an antilynching bill was prevented, and the bill was finally laid aside.

There have been suggestions that the Senate should have a cloture rule which could be applied only during a national emergency. There has been a great deal of talk about that for the last 3 or 4 weeks. Such a situation is difficult to define for the purpose of classifying the bills and other measures that come before the Senate.

The thought is entertained by some persons that a small group of Senators—perhaps 5 or 10, or some such small number—might at some time in the future conduct a filibuster long enough to prevent emergency action by the Government necessary to the life and security of the Nation.

Mr. President, it seems to me that a state of national emergency as a condition precedent to the application of cloture would be virtually impossible to define in these days of crises and emergencies and pressures for world-affecting decisions.

Under those circumstances, every bill introduced would be labeled "For the National Emergency." Who could define what a national-emergency bill would be; who could say exactly where the line should be drawn in that connection? I think it is not only impracticable but impossible for much of our legislation these days to be handled in such a way. Much of our legislation on foreign affairs these days comes under the heading of emergency to stop the threat of onrushing communism. Practically any bill can be said to relate to a national emergency.

It is my belief that should the day ever come—God forbid—when our national security is suddenly threatened by imminent attack, the force of public opinion would be so unanimous and so strong and the danger so obvious to all that no Senator, having sworn to uphold and defend the Constitution, would resort to action that would amount, to my mind, to treason. That is my answer to that particular argument.

The Hayden-Wherry resolution amply and sufficiently would cover such a remotely possible situation by enabling two-thirds of the Senate to close debate on a pending measure or any motion before the Senate of the United States. In other words, it would help, not hinder, if we did have a national emergency.

The right of Senators—the right they now have—to obtain the floor of the Senate and speak as long as they desire and even until they drop from sheer exhaustion, is a right, I believe, that has been overemphasized. It is a right that can be carried to the length of absurdity when one realizes that we live in a republic. As a practical matter the Senate, and the American people are fully aware of the importance of thorough discussion of issues in the Senate before they are voted upon. Both sides, all sides, under our republican system of government have a right to be heard, but when legitimate debate on the merits of an issue has been exhausted, the ends to be sought through argument have been attained.

When the outright filibuster stage is reached, the Senate no longer is a legislative body. It is the springboard for a mockery of republican processes.

I think the time has come when it should be altered.

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

Mr. WHERRY. I am glad to yield.

Mr. LONG. Does the Senator see any emergency requiring a change in the rule at this particular time?

Mr. WHERRY. I think it is necessary to have an effective cloture rule, not only for one piece of legislation but for many others that might come up. The very things the Senator has in mind today, on which he possibly thinks it unnecessary to have a cloture petition filed might not be at all what he would want a cloture petition for tomorrow. Certainly if there has ever been a need for a cloture rule, there is a need now, for we have much more legislation than has ever heretofore been brought to the Senate or to the House. If there ever was a need, there is a need now, more than ever before.

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

Mr. WHERRY. I am glad to yield.

Mr. LONG. Does the Senator think it fair to change the rules of the Senate for the purpose of passing one or two particular pieces of legislation?

Mr. WHERRY. No, I do not. I shall answer that. I have it in my speech. I shall come to it in a few moments. That is a very good question, and one that should be answered. Usually these things come as a result of pressure in connection with some particular piece of legislation. I agree with the Senator that what we are doing is adopting a permanent rule, a rule which should function not only in national emergencies, but which should work in years to come, not for a particular piece of legislation, but for all legislation.

Mr. LONG. Mr. President, will the Senator yield for one further question?

Mr. WHERRY. I am glad to yield.

Mr. LONG. Does the Senator realize that at the time the rule to which he is referring was adopted in 1917, there was no controversy before the Senate as to which a cloture petition was submitted,

and that therefore all Senators could easily agree that the rule was not to be used in such a manner that one group or another could take advantage of it?

Mr. WHERRY. If I am correct as to its history, it was probably in the interest of the national emergency, or growing out of it, that the cloture rule finally was adopted.

That is, it started in 1916, but it culminated in 1917, as the Senator knows. I am inclined to agree with the Senator on his premise that we should not change a rule merely for the sake of making it possible to pass one particular piece of legislation; and I am not trying to do that. I am advocating a permanent cloture rule which will be effective, no matter what legislation may come before the Senate.

Mr. LONG. Mr. President, will the Senator yield for one further question?

Mr. WHERRY. I am glad to yield.

Mr. LONG. Does the Senator know there are in this country very powerful groups who are desirous of having this rule changed for the express purpose of making possible the passage of substantive legislation, obtaining to themselves an advantage thereby?

Mr. WHERRY. That is correct. I suppose that is true. I may say to the Senator I am glad he is present because the responsibility is going to be upon his shoulders. I like his approach, and I compliment him upon it. The pressure groups are here. We have big business, we have big labor organizations, we have big government, and believe me, the time is here when we must stand up and defend the principles of good government and the interests of the American people. For that reason, I think a permanent cloture rule is needed in order to head off pressure groups, if possible, in some of the outlandish pieces of legislation they are attempting to force upon the Senate. I, for one, am not suggesting this resolution with the thought in mind that it will permit the passage of any particular piece of legislation. What I want is a permanent rule which will work fairly to the advantage of all Senators—a rule of the game applicable every minute, every hour, every day of the week, as we debate matters on the Senate floor. That is all I am asking.

Mr. LONG. Mr. President, will the Senator yield for one further question?

Mr. WHERRY. I am glad to yield.

Mr. LONG. Does the Senator not realize that such a rule as he proposes would in effect play right into the hands of pressure groups, by enabling them to force at almost any time a vote on any measure in which they might be interested?

Mr. WHERRY. I think, directly to the contrary, it will work in exactly the opposite way. I think with the existing loopholes, a small minority can use the procedure to further the desires of the minority to a greater extent than would be possible under the permanent rule I advocate. That is my opinion. I certainly am not referring to legislation of particular interest to the South or to the North. I am making that positive, general statement. The situation must be cleaned up. We do not have an effective cloture rule today. We cannot end debate in the Senate. We must adopt some other rule if we are to terminate what appears to be endless debate, which becomes at times a mockery.

The Senator knows that on important questions under debate I should not favor cutting off debate by anybody; I do not believe in that. I believe in letting everyone have his say. But the Senator will agree with me that when a matter has been thoroughly discussed and debate has been concluded, both minorities and majorities have a right to a straight up-and-down vote on whatever legislation is proposed. That is all I am asking this afternoon as I urge clarification of the rule.

It may be argued that even the extraneous droning that prevails when a filibuster is in full bloom serves a useful purpose by halting action so as to give the people more time to deliberate upon an issue and make known their matured will to the Senate.

However, the practical effect of having available a cloture rule such as standing rule XXII, with the amendments provided by Senate Resolution 15, would not be a sudden move for termination of debate because of the deeply embedded traditions and reasonableness of the Senate.

During the 32 years that rule XXII has been in effect it has been invoked only 19 times. On only 4 occasions has the two-thirds necessary for closing debate been obtained. Cloture was applied by the Senate on the Treaty of Versailles resolution, World Court, and branch banking resolutions, and on a resolution referring to creation of a Bureau of Customs and Bureau of Prohibition. So it is plain from the infrequent times that cloture has been resorted to, and the few times it has been actually applied by the Senate, that it is an instrument even an overwhelming majority of the Senate is loath to use, except in the most extreme circumstances, when it is generally apparent, that the legislative process is being hamstrung through filibuster tactics by a small minority. That is my position. Certainly it is plain. We must correct it, and the only way that can be done is to do what we started out to do with the pending resolution.

So deeply appreciated by the Senate is the right of free speech that cloture has never been resorted to until filibusters have been well established beyond anyone's reasonable doubt.

I give no weight to the argument that the Hayden-Wherry resolution would become an entering wedge for cloture to be applied by a simple majority of the Senate. I do not say that will not be attempted, but I say I do not give any weight to it. Cloture by a majority of the Senate could be accomplished only by an agreement to that end, under existing rules, among two-thirds of the Senators, were rule 22 amended by adoption of Senate Resolution 15.

This is my opinion.

It is true that only a majority vote of the Senate is necessary for a change in the rules, or for adoption of an entirely new rule. But the only way that debate on such a proposal could be limited, would be by applying the cloture rule, and that would require a two-thirds majority. What could be fairer than that?

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

Mr. WHERRY. I am glad to yield.

Mr. LONG. Will the Senator explain to me why a minority should be required to have the agreement of an entire one-third of the Senate, in order to guarantee themselves the right to be heard on the floor of the Senate?

Mr. WHERRY. Because we have the two-thirds requirement laid out in so many rules, in order to protect constitutional processes under our republican form of government. I was convinced of that fact by the late Senator Overton, and I am going to insert in the RECORD, references to such matters as the two-thirds vote required on a treaty. Certain requirements and reservations were made, amply so, and which should have been made. I shall come to that in a few minutes, if the Senator will permit me. He is anticipating what I intend to say.

As I see it, that is the practical answer to those who look with dread upon cloture by a two-thirds vote as an entering wedge for cloture by a rough-shod majority.

And permit me further to point out that under rule XXII, as it is now proposed to amend it by Senate Resolution 35, there would still be opportunity for further debate that could run for days. I refer to the language that permits any Senator a maximum of 1 hour on the measure, motion, or other matter pending before the Senate, after cloture has been applied.

The practical experience is that after cloture has been applied few Senators have availed themselves of the privilege of speaking another hour. The issue under dispute by that time has been thoroughly explored, and minds have been made up.

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

Mr. WHERRY. I yield.

Mr. LONG. It has been called to my attention that there are possibly three pieces of proposed legislation before the Senate in regard to which cloture may be applied. It has also been called to my attention that we shall have changed the rules and violated our traditions three times in one session.

Mr. WHERRY. I do not believe it would be a violation of the rules. I think the very spirit of the rule which was adopted in 1917 was that when the Senate had reached a point at which two-thirds of the Senate wanted to vote, they had a right to vote on any pending measure before the Senate of the United States. It is my opinion that they did not see these loopholes which have been disclosed. It was not their intention that cloture could be defeated by the use of the device of amending the Journal or other motions to which cloture petitions do not apply. My feeling is that, in their wisdom, in full reflection upon the freedoms of other people and upon the constitutional process, each and every Senator who voted in 1917 for the measure voted with the idea in mind that the Senate was being in no way jeopardized in its right to a two-thirds vote, and it

was not whittling away, little by little, our freedoms, which some people contend will happen if the rule be adopted.

I have changed my mind about some things since I have come to the Senate of the United States. That is one of the reasons why I am in favor of the two-thirds rule. If the Senator will permit me to say so, I think the Senator will change his mind on a few questions if he remains in the Senate for a while, as I hope he will.

Mr. LONG. Mr. President, will the Senator yield for another question?

Mr. WHERRY. Yes.

Mr. LONG. Does the Senator realize that 2 years after rule XXII was changed it was called to the attention of the Senate, in regard to a treaty before the Senate, that the rule did not apply except to the pending measure before the Senate?

Mr. WHERRY. A point of order was made.

Mr. LONG. The fact that 88 Senators did not see fit to change the rule must have made some impression on the Senator from Nebraska that the rule was not intended to apply to preliminary motions.

Mr. WHERRY. I think that is a pretty strained interpretation of what was thought at that time. I do not think those Senators thought they were leaving the rule incomplete at all. My opinion is that they voted their convictions, that they felt, when they voted as they did, that they had adopted a cloture rule which would be effective for years to come. It is my opinion that they did not anticipate motions to amend the Journal, or any other loophole, such as those which have sprung up through the action of some very smart Members of the Senate since that time.

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

Mr. WHERRY. Yes. I am not filibustering.

Mr. LONG. Does it occur to the Senator that those Senators voted for the change in the rule because of the imminence of war at that time, and possibly, except for that fact, they would not have voted for it?

Mr. WHERRY. That is another interpretation which the Senator can make if he wishes. But that is merely an instance of why they changed the rule, just as the legislation now before us makes it important to change the rule. What I am trying to do, after 2 years of research, is to do the least possible and at the same time have a cloture rule which is effective and operative and yet which preserves the rights which Senators in 1917 thought they were preserving when they voted for rule XXII.

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

Mr. WHERRY. I yield.

Mr. LONG. The Senator has stated that the Senate now has before it legislation which makes a change of the rules imperative.

Mr. WHERRY. No. The Senator misunderstood me. I said that when changes are suggested to the rules they are usually occasioned by legislation——

Mr. LONG. Did not the Senator say the legislation before the Senate?

Mr. WHERRY. I do not think I said that. But that is all right; I will accept the amendment. Much of the legislation proposed by Mr. Truman will have to have the cloture rule applied, or it will not be passed, judging from what the President is reported in the press to have said this morning.

Mr. LONG. Mr. President, will the Senator yield further?

Mr. WHERRY. I refuse to yield further.

The PRESIDING OFFICER. The Senator from Nebraska declines to yield.

Mr. WHERRY. If the Senator is going to proceed on that line, I shall not yield. I believe the rule is for the good of both parties. If I did not so believe I should never have joined in the resolution. I believe it is good in the interests of the East, West, North, and South.

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

Mr. WHERRY. I refuse to yield further.

Mr. President, I want to discuss what I believe to be the vital importance of adopting the pending motion by the senior Senator from Arizona [Mr. HAYDEN] for direct action upon the Hayden-Wherry resolution. I believe that the question of perfecting rule XXII so that it will be effective in carrying out the purposes for which it was adopted is of paramount importance to the Senate, to our country, and to the world.

We live in fateful, crucial times. The problems that confront us are of tremendous importance to us and to our children. The course that we take as a Senate on many matters that are clamoring for our determination depends very largely upon the action that we take upon the motion before the Senate today. Failure to adopt this motion may have a vital bearing upon the course of legislation, the course of our country upon paramount foreign affairs. Thus, the action we take or fail to take in the responsibility that now confronts us may shape the course of history around the world.

Much is said of the right of free and unlimited speech in the Senate; much is said about protecting the rights of minorities, but let us also bear in mind that an overwhelming majority of the Senate, such as two-thirds, also have rights, and so do the people whom they represent. Much is also said about the Senate as the world's foremost forum for debate, but let us also remember that the Senate has the constitutional duty, the responsibility to legislate. That is our job. I do not mean that I shall be in favor of every proposal which comes before the Senate, but I think the time is here when every Senator should have an opportunity to vote on the question.

It should also be borne in mind in considering the rights of minorities against actions by an overwhelming or two-thirds majority of the Senate, that minorities are protected in large measure in the Constitution by the powers of the Supreme Court to pass upon the constitutionality of acts of the Congress. Of course, every 2 years there is an election in which the people pass upon the record of the expiring Congress.

I do not support the Hayden-Wherry resolution with any thought of trampling upon the rights of even one United States Senator when his actions square with the principles of our Constitution and our republican way of life.

I know there are among us Senators who believe that in order to have the procedure of the Senate in line with majority rule, that we should have rules which would permit a simple majority of our 96 Senators to effectuate their will, which the Senator from California has mentioned.

However, that argument of majority rule, complete and absolute, in the Senate, in my opinion, has its defects from a governmental standpoint, because we all know that under the Constitution of the United States there are matters specified that can be done only by a two-thirds majority of the Senate.

In the report from our Committee on Rules and Administration, Report No. 69 (h), as submitted by the senior Senator from Arizona [Mr. HAYDEN] with my concurrence, it will be noted that there is cited several matters that require for adoption approval by two-thirds of the Senate. The list was concisely prepared by the late Senator John Overton, of Louisiana. It will be found on page 4 of our committee report. I wish Senators would get it and read it.

Instead of reading the list, I ask unanimous consent that the observations made by the late Senator John Overton relative to the two-thirds requirement be printed at this point in my remarks as a part of the statement I am making.

The PRESIDING OFFICER. Is there objection?

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

A two-thirds vote is not an uncommon procedure in the Congress of the United States. The Constitution, as well as amendments thereto, impose the rule of a two-thirds majority in quite a number of instances. I shall refer to those instances briefly:

No person shall be convicted on impeachment without the concurrence of two-thirds of the Senators present (art. I, sec. 3).

Each House, with the concurrence of two-thirds, may expel a Member (art. I, sec. 5).

A bill returned by the President with his objections may be repassed by each House by a vote of two-thirds (art. I, sec. 7).

The President shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur (art. II, sec. 2).

Congress shall call a convention for proposing amendments to the Constitution on the application of two-thirds of the legislatures of the several States (art. V).

Congress shall propose amendments to the legislatures of the several States (art. V).

Congress shall propose amendments to the Constitution whenever two-thirds of both Houses shall deem it necessary (art. V).

When the choice of a President shall devolve upon the House of Representatives, a quorum shall consist of a Member or Members from two-thirds of the various States of the Union (amendment 12).

A quorum of the Senate, when choosing a Vice President, shall consist of two-thirds of the whole number of Senators (amendment 12).

The Constitution, therefore, does not give recognition, in all cases, to the right of the majority to control.

Mr. WHERRY. Thus it will be noted, Mr. President, that the principle of majority rule is not absolute.

The stipulation requiring two-thirds majorities in these various matters obviously was made to make doubly sure that far-reaching actions would not be taken by the Senate without the most careful weighing of their consequences. This is an aspect of the great design of checks and balances in our Republican Government. The suggestion is made that since a simple majority is all that is required to declare war, the most fateful action that can be taken, that therefore all other matters being of less gravity certainly can be decided by a majority vote of the Senate. I have heard that argument many times.

With that line of reasoning I disagree. My disagreement is based upon the glorious record of our country when the issue of war has been presented to the Congress. Not a single Member of Congress voted against the declaration of war in the Second World War and in the First World War only six Senators voted against the declaration that a state of war existed. And they did not filibuster.

Declaration of war can be safely left to a majority, because we know that the American people always have been extremely patient and considerate and desirous of invoking every possible alternative to war before they have resolved there was no other way left than resort to arms in defense of our country.

In fact, the two-thirds principle is woven through our Congressional procedure on so many vital, far-reaching matters that no one, I believe, is suggesting in this body that the two-thirds principle be abolished in the instances cited by the late Senator Overton, which have now been printed in the RECORD, as I requested a moment ago.

So, Mr. President, we are today confronted with conflicting opinions on what should be done. Some philosopher has observed that perfection is a combination of opposites. It seems to me that philosophy applies to our present situation and that we should be practical.

It all boils down to a question of whether the Senate shall have its constitutional power to legislate, or whether we shall continue with a filibuster club poised at us from a closet, and from time to time find ourselves emulating woodpeckers and beating our arguments from tree to tree in a forest of clatter.

I hasten to emphasize that I cast no aspersions upon any Senator who avails himself of the filibuster club while the Senate rules permit him to do so. He acts honorably and within his rights as a Senator. But it is up to us, who believe that a two-thirds cloture rule is a conservative application of Republican principles, to see that a small minority shall not become more powerful than an overwhelming majority and, at critical times, make the Senate about as useful as half a pair of scissors.

With standing rule XXII shot through with loopholes, the Senate today can be controlled by a small handful of Members who through their veto power can absolutely and effectively thwart any action on legislation that may be demanded as reasonable and just by more than two-thirds of the Senate. According to the argument advanced by the Senator from Georgia and just a moment ago by the Senator from Louisiana, it works exactly that way.

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

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Louisiana?

Mr. WHERRY. I prefer to finish my statement, and then I shall yield, if that is satisfactory to the Senator.

The question before the Senate today should be answered in the affirmative, before the Senate proceeds to the consideration of any other matter save, of course, such emergency matters as can be quickly disposed of and not serve to perpetuate the present void in our rules of procedure.

Since my party is temporarily in the minority in this body I could take the road of obstruction and seek to preserve the present chaotic situation, in which a few men can tie Senate procedure into knots. That could be a useful opportunity were I so blind to my duty and responsibility as a Senator representing not only my State of Nebraska but, in a sense, the whole Nation.

I am trying to be objective, and view the matter of cloture as a permanent Senate fixture that shall be available down through the years and be available for whatever situation may arise—situations that now only can be imagined. That is my purpose in joining in offering the new rule.

It seems to me that our guiding purpose should be to see that we have rules of procedure that facilitate the consideration of matters that are properly brought before us—to consider rules for sensible and fair expedition in the disposal of those matters. It has often been said that great issues are usually decided by compromise and that none of us has his own way completely on any far-reaching legislation. We must give a little in order to take a little, but it has always been my purpose, as a Senator and servant of the people, to adhere to what I believe to be principles, and I shall endeavor never to compromise so as to violate those principles.

Senate Resolution 15 violates no principles of good government. It adheres to the principle that the Senate should have a rule, a workable rule, that can be applied when necessary to effectuate the will and desires of an overwhelming majority of its Members.

A two-thirds majority for application of cloture, in my opinion, is fair. It affords wholesome protection against pressure groups that seek to railroad legislation through the Senate and protection against unsound proposals concocted in waves of hysteria.

I hesitate to use the word "railroad" because, knowing Members of the Senate as I do, I know that they have the wisdom and the ability to expose any such tactics, and I also know how quickly the American people respond, once the facts become known to them.

Mr. President, I could speak at considerable length upon the possibility that our present Vice President, the President of the Senate, whom we all respect most highly, is eager and willing to reverse the ruling made by the President pro tempore of the Senate on August 2, 1948. I do not say he is; I say I could speak at more length of the possibility. That ruling was made, of course, by the senior Senator from Michigan [Mr. VANDENBERG].

It seems clear from the remarks made by the Vice President when he was majority leader of the Senate that he did not agree with the ruling by the President pro tempore on August 2, 1948. However, I see no profit in speculating on what the present President of the Senate would say, if the question were presented to him for official action. The Rules and Administration Committee in reporting the Hayden-Wherry resolution has accepted the fact as it stands today. Adoption of Senate Resolution 15 is imperative if standing rule XXII is to be an effective instrument against rule by a small minority.

I am hopeful that Senators, all of us, will conclude that the merit of Senate Resolution 15 to enable our Senate to function, and to act upon the many problems that are confronting us, will heavily outweigh all other considerations.

Let us debate the Hayden-Wherry resolution. Let us hear the arguments. And then let us vote. That is the American, that is the Republican way.

Matters of tremendous importance are crowding the Senate for decision. We should be free to dispose of them and not be gagged and tied by any small minority. The question before the Senate at this moment transcends all others. It should be answered by the yeas and nays in order that the way may be paved for free consideration of important matters that are in the offing.

Therefore, Mr. President, I shall oppose any attempt to sidetrack this paramount issue of cloture, except for some contingency that requires swift action. Let us get a vote on what is before the Senate.

I disagree with the reported policy of the majority leader [Mr. LUCAS] to treat this vital cloture as a stepchild, to be put on and off the Senate stage, as time rushes by and the flood of appropriation bills and other measures to keep the Government going pours in upon us. In that I humbly disagree with the distinguished majority leader, whom I highly respect, if what I have read as a statement by him was correct.

If I read the report correctly, I got that impression. I want the distinguished majority leader, whom we all respect, to know that, so far as I am concerned, I think we should debate the pending question, and, after it is fully debated, we should have a vote on it, and that it should not be sidetracked by anything, unless a dire emergency should arise which would make that necessary.

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

Mr. WHERRY. Yes, I am glad to yield to the majority leader. I have refused to yield to two or three other Senators before concluding my statement, but I will yield to the Senator from Illinois, because I think the point now being made is an important one.

Mr. LUCAS. The Senator's statement is partially correct and partially incorrect. There was a statement given out by the majority leader with reference to the necessity in the future of moving to set aside the cloture amendment in order to act upon vitally important matters. I had in mind those matters concerning which there is a deadline when existing legislation expires. But insofar as the Senator from Illinois is concerned, I agree with the Senator from Nebraska that we are going to stay here from now on until we finally get a disposition of this rule. And it is going to be a successful disposition, in my judgment.

Mr. WHERRY. I thank the distinguished Senator from Illinois, the majority leader, for his observation. I might not have interpreted correctly all of his statement, but whether I did or did not is beside the point. We now have the positive statement made by the majority leader that except for some dire emergency requiring legislation, or legislation necessary to be enacted by reason of the approach of a deadline, or something of that kind, we will proceed with this debate until it is concluded, and I want to compliment the Senator from Illinois in advocating such procedure.

Mr. President, there is a difference between the resolutions that have been presented to the Rules and Administration Committee from time to time, attempting to close up the two loopholes which made rule XXII inoperative. I am speaking about the Knowland resolution, the Saltonstall resolution, the Ives resolution, the Myers resolution, and other resolutions.

The resolutions that were considered by the Rules and Administration Committee in 1946 and in 1947 all contained not only the attempt to close up the loopholes but in addition required that the two-thirds vote be reduced to a majority vote.

And it is my feeling that those who introduced the resolutions were just as anxious then as they are now to reduce the vote from two-thirds to majority as they were to close up the loopholes.

Their resolutions were over-all, inclusive, and attempted to make rule XXII operative by not only closing the loopholes but also they desired to reduce the vote on a cloture petition to end debate on a majority vote.

Therefore, the difference between what is up for consideration this morning and that which has been introduced in resolutions that have been considered by the Rules and Administration Committee in the past simmers down to this one point in issue. I stated it in the beginning and wish to restate it, and I hope the Senate will not get away from this one issue.

Does the Senate want an effective cloture rule or does it not? It is not a question of whether the two-thirds vote shall be reduced to a majority. It is simply this one issue. Does the Senate want an effective cloture rule? And I say that because the decision of Senator VANDENBERG, found in the CONGRESSIONAL RECORD, August 2, 1948, at page 9602, sums up all the precedents, reasoning, and discussion relative to accomplishing this result.

I quote from that decision:

> There has been no direct ruling upon the specific question whether a motion to take up a bill is subject to cloture. It has been recognized and understood that such is not the case, on the ground that a motion cannot be reasonably construed to be a pending measure within the meaning of the cloture rule.

Certainly that is final. Certainly we have no cloture rule today. That is my opinion, Mr. President.

And, so, as this issue is debated today, it should ever be kept in mind that all the Rules and Administration Committee attempted to do 2 years ago and is attempting to do now is to close up two loopholes, and make rule 22 effective.

One is to apply cloture to a motion as well as a pending measure and the other is to do this regardless of rule 3 or rule 6 of the Senate Rules.

If this can be accomplished, then cloture can be invoked on the subject matter provided two-thirds of the Senate feels that debate should be limited and the subject matter should be brought up for debate and finally for a vote or for a limitation of debate.

WHETHER OR NOT THE RIGHTS OF THE MINORITIES ARE BEING WHITTLED AWAY BY CLOSING UP THESE TWO LOOPHOLES

By considering that this is a first step to accomplish that, it seems to me to be begging the question. Because if the Senate which adopted cloture rule 22 in 1917 meant what they said, they simply meant that at that time the Senate felt that a cloture rule should be or might be invoked when and if the two-thirds of the Senate felt the time had come to limit debate and the loopholes have grown up since that time, such as amending the Journal or the precedents that now have been established by the decisions of Senator VANDENBERG on August 2, 1948, that a cloture petition does not lie on a motion but only on pending legislation. This makes it mandatory that this Senate decide whether or not they want an effective cloture rule or do not want it.

As it stands today we have no effective cloture rule. It can be circumvented by amending the Journal. It cannot be had on the subject matter up for consideration. Therefore rule 22 is nullified.

As the ranking minority member of the Committee on Rules and Administration and as one who had this under consideration for the past 2 years, it is my opinion that the Senate and not a Presiding Officer should make the decision as to whether or not a cloture rule should be one of the rules of the Senate. The Senate alone should make that decision and not the presiding officer through an appeal.

The precedents that have been established have been precedents that have been laid down by rulings of Presiding Officers and not precedents that have been established by the vote of the Senate itself.

For that reason, more than ever, we should not rely on technical proceedings involving the Chair in decision after decision that might change the precedents. The Senate should literally take the bull by the horns and make its own decisions and decide now whether or not it wants an effective cloture rule. That can be decided here by a vote and by debate. If two-thirds of the Senate feel it should have such a rule, it should be adopted. If two-thirds feel it should not be a rule, we should wipe rule 22 off the books and proceed without any cloture rule at all.

Mr. President, I agreed to yield first to the Senator from Connecticut for a question.

Mr. BALDWIN. Mr. President, the question is this. In order properly to put the question I may seem to be violating the rule that I can rise only to ask a question, but the question does require somewhat of a previous statement. I notice in the hearings of the committee, and I remember from the history of my own State, that on one occasion the distinguished Senator from Connecticut, Frank B. Brandegee, raised a very interesting point in connection with cloture, and I quote from him briefly—

> So I say that this—
>
> Meaning the Senate—
>
> is the forum of the States. This is a federated government, in which the States reserved the right of equal suffrage in the Senate of the United States, and made that the only provision of the Constitution which never should be subject to amendment.

And that clause of article V does indeed provide that no State, without its consent, shall be deprived of its equal suffrage in the Senate.

I now ask the Senator from Nebraska, what is the answer to the question: Does the proposed cloture rule deny the States the equal right of suffrage in the Senate? Is there any way that it impinges upon that right?

Mr. WHERRY. I will say to the Senator from Connecticut that I do not think it does. Cloture has been invoked four times. In the times it was successfully invoked, if I remember correctly, the smallest number of Senators voting was 85, and the greatest number of Senators voting was 94. I believe when a vote was taken on the question cloture was not invoked seven times. On four of those seven occasions the number of Senators voting was from 70 to 82. On the other three occasions the number was slightly greater. I believe every State of the Union was represented by Senators who voted on the question of cloture, when that question came to a vote. Each State was represented in the vote. Therefore I contend that the people of all the States were represented in such votes.

Mr. BALDWIN. I may say that I am very sympathetic with, tremendously interested in, and inclined to favor, the proposed change in the rule. But is it fair to say that this particular change in the rules applies equally to all the States?

Mr. WHERRY. Oh, yes.

Mr. BALDWIN. So it does not deprive one State or another of the same opportunity on the floor of the Senate. Every State is subject to the same rule.

Mr. WHERRY. That is absolutely correct. I thank the Senator for bringing up the point.

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

Mr. WHERRY. I yield.

Mr. KNOWLAND. I should like to ask the Senator a question relating to the point which was raised earlier regarding the possibility that either the present Presiding Officer or a future Presiding Officer might reverse the precedents of the Senate. Is it not the opinion of the Senator from Nebraska that even if a subsequent ruling should reverse the prior precedents of the Senate, it would still be desirable to amend the rules and close these loopholes?

Mr. WHERRY. I agree with the Senator. That is one of the things for which I have been pleading. Ninety-six Senators ought to make the rules. I am not saying that the Presiding Officer might not be just as forceful. However, instead of having a difficult situation, with the decision to be made by the Presiding Officer, the Senate itself should make the rules.

I do not know how the Senator from Michigan felt about the appeal from his decision, but I got the impression from what he said when he made his decision that he would like to have the Senate vote on the question, rather than be obliged to make the decision himself, for the very reason which the Senator from California has suggested. We are the ones who should make the rules.

Mr. President, I yield the floor.

AMERICAN FOREIGN POLICY

Mr. LANGER. Mr. President, around the world America stands today as the last sanctuary of human decency and freedom. It must be obvious to all Americans why we still stand against the forces of tyranny and degradation as a free and sovereign people.

It is because we have always been jealous to defend and protect our magnificent American traditions and those Christian principles of decency, justice, and human liberty in which our American traditions are rooted.

Therefore during the recent anniversary of that great statesman, soldier, and patriot, our first American President, we have acted wisely in recalling once more the profound wisdom which arises ever new in each succeeding generation from Washington's magnificent Farewell Address.

There is one particular admonition contained therein to which I want to call the attention of my colleagues during these dangerous and trying days. This warning, which runs throughout George Washington's final counseling with his fellow countrymen, is pointed up in the following words:

> Against the insidious wiles of foreign influence * * * the jealousy of a free people ought to be constantly awake, since history and experience prove that foreign influence is one of the most baneful foes of republican government.
>
> But that jealousy, to be useful, must be impartial else it becomes the instrument of the very influence to be avoided, instead of a defense against it.
>
> Excessive partiality for one foreign nation, and excessive dislike for another, cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other.
>
> Real patriots who may resist the intrigues of the favorite are liable to become suspected and odious, while its tools and dupes usurp the applause and confidence of the people to surrender their interest.

In keeping with the spirit of this magnificent advice I want to present a very brief account of exactly what has been happening for the past 3½ years following the end of the war, because this administration has completely forsaken George Washington's counsel.

I refer to the outrageous Morgenthau plan, which calls for the destruction of the German-speaking peoples in central Europe, a plan which is still the basic policy of this Government, a plan which continues to operate because the vicious and perverted minds of the hate artists in this country have suppressed the real truth and immediately attack anyone who demands that America repudiate this policy of vengeance—a plan which plays directly into the hands of the Communists all over the world, a plan which betrays American interests and principles—indeed, our whole Christian heritage—and a plan which, while it is peddled to the American people as a great boon and blessing, actually impoverishes and exploits our country, for the benefit of others who seek to destroy us.

Mr. President, I hope that every Senator on the Democratic side of the aisle who is now advocating the continuation of the Marshall plan and the giving away of more billions of the taxpayers' money will listen carefully to the two succeeding pages.

As conclusive proof of the impartial basis of fact upon which these charges rest, I want to present the following objective analysis of the way in which we, the American people, are being exploited to further the destruction of our own vital interests, by those who claim to be serving our interests and strengthening our security by following this senseless policy of destruction.

Mr. President, what would George Washington think of the following impartial picture of how we are being betrayed, which shows the direct consequences on the economy of Europe of the deliberate American policy of destroying German industry?

These facts, while they deal with Italy and Denmark exclusively, give a grim picture of how the other European countries are also directly affected.

Mr. President, the following facts indicate that the value of the food lost to Germany from Italy, and manufactured articles lost to Italy, as a result of our planned destruction of German industrial plants, is costing American taxpayers an estimated $100,000,000 a year.

In 1936, commonly used as a standard for the proper level of industry in Germany, she imported 400,000 tons of food from Italy, valued at $27,290,000. At today's values, this would be worth at least $55,000,000. Now after 3 years of military government, Bizonia imported from Italy for the first 8 months of 1948, goods, all goods including food, valued at $6,917,000, or at the rate of about $10,000,000 annually. Since western Germany is the big food-deficit section, it is reasonable to assume that all Germany would not import much more, possibly 50 percent more, or, for all Germany, $15,000,000 against a 1936 tonnage which would be worth $55,000,000. That leaves a food deficit of $40,000,000, a large part of which must be supplied from the United States.

But that is only half the story. In 1936 Germany exported to Italy 420,000 tons of manufactured articles valued at $50,000,000. That today, especially if replaced in the United States, is equal to a minimum of $100,000,000. I ask any Senator who voted for the Marshall plan the following question: Against this, what is Germany supplying Italy today under the military government regime? For the first 8 months of 1948, total exports from bizonal Germany to Italy, almost entirely coal, amounted to only $12,867,000. For 12 months that would be some $20,000,000, and one might add another $5,000,000 in order to compare it properly with prewar Germany. Thus, total exports are running at the rate of about $25,000,000 a year, against a volume for 1936 equal to over a hundred million dollars just for manufactured goods. Thus, the total exports are running at the rate of about $25,000,000 a year, against a volume in 1936 equal to over $100,000,000 for manufactured articles alone. The difference—$75,000,000—represents Italy's deficit in manufactured goods due solely to the destruction of the German industrial machine. The threats to Italy's standard of living and its political repercussions were largely responsible for the Marshall plan. In the first year's allocations, ECA is giving to Italy, at the expense of the American taxpayers, industrial goods worth $59,300,000, made in America, in place of what Italy formerly bought from Germany and paid for. Italy used to pay for that which she now is receiving at the expense of the American taxpayers.

Moreover, Italy gets $82,400,000 worth of coal from the dwindling coal supplies of the United States of America. How closely this allocation of industrial machinery replaces German exports may be shown even in individual items. Under ECA, $1,700,000 is allocated for agricultural machinery, as against $800,000 supplied by Germany. In electrical equipment, under ECA, $7,000,000 is allocated, as against Germany's $5,336,000. In chemicals, under ECA, $10,000,000 is given, as against Germany's $7,800,000.

But, Mr. President, at the same time we are furnishing Italy the means to increase her production we are engaged in ruining her best customer for the surplus, namely, Germany. Eighty percent of the food furnished Germany by Italy—more than 300,000 tons—was made up of perishable fruits and vegetables. When these seasonal perishables are available for export—oranges, tangerines, lemons, and so forth—the domestic consumption has already reached the saturation point, beyond which the people will not and cannot eat such foods. People cannot live solely on oranges or cauliflower. Unless the surplus can be exported, it largely becomes sheer waste.

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

Mr. LANGER. I yield for a question.

Mr. EASTLAND. Can the Senator tell me what the calorie intake of the German population is at the present time?

Mr. LANGER. It is less than 2,000 calories.

Mr. EASTLAND. Will the Senator yield for another question?

Mr. LANGER. I yield for a question.

Mr. EASTLAND. Is there any starvation in Germany at the present time?

Mr. LANGER. There is, especially in the part which contains the so-called Sudetenland, and also among the 15,000,000 expellees who came from the neighboring countries when Stalin entered them. The result was that 15,000,000 of those persons went into the American, British, and French zones of western Germany. Some 5,000,000 of those persons are dead. The remaining 10,000,000, the reports show, are in a starving condition.

Mr. EASTLAND. Will the Senator yield for a further question?

Mr. LANGER. I yield.

Mr. EASTLAND. Why was it that the Displaced Persons Commission did not approve the entry of some of those persons into the United States, as provided under the Displaced Persons Act which the Congress passed last year?

Mr. LANGER. I had quite a consultation, lasting several hours, with Mr. Carusi and Mr. O'Connor, of the Displaced Persons Commission. They maintain that under section 12 of the Displaced Persons Act they have no jurisdiction whatsoever so far as expellees are concerned; they maintain that that is entirely a matter for the Department of State.

I then took up the question with the Department of State, and I quoted some letters written by some of the Department's legal counsel. Their legal staff had written that under the IRO constitution, persons from the Sudetenland are not included. However, the Department of State later wrote me a letter stating that those persons are included. But at the present time, very few, if any, of those persons have come to the United States under the Displaced Persons Act.

Mr. EASTLAND. Mr. President, will the Senator yield further?

Mr. LANGER. I yield.

Mr. EASTLAND. I am interested in the Senator's statement relative to the Displaced Persons Commission's saying that such persons are not eligible to enter the United States under that act.

Mr. LANGER. Yes.

Mr. EASTLAND. Did not the Senator's amendment provide that they should be admitted to this country under that act?

Mr. LANGER. I certainly thought that section 12 of the act permitted them to enter, because I used the same language which was used in the IRO Constitution—namely, "Germans of ethnic origin." Frankly, I cannot agree at all with the Department of State, which has been excluding them.

Mr. EASTLAND. Will the Senator kindly tell me the reasons the State Department had and the reasons Mr. Carusi had for taking that position?

Mr. LANGER. Mr. Carusi maintained that he was entirely helpless, and that under section 12 the State Department was directed to take care of the expellees. On the other hand, the State Department gave the reason that there is no legal definition of "Germans of ethnic origin."

Mr. EASTLAND. He could not read the English language; is that the case?

Mr. LANGER. I do not know whether he could read the English language or not, but that is the excuse they gave.

Mr. EASTLAND. Do I correctly understand from the Senator that no persons of German ethnic origin who were expelled from areas now behind the iron curtain have been admitted to this country under that act, even though Congress authorized their admission?

Mr. LANGER. Very few, if any, have been admitted.

Mr. EASTLAND. If I correctly understand the Senator—if he will yield for another question——

Mr. LANGER. I yield.

Mr. EASTLAND. I understand that even though the United States Congress ordered it, Mr. Carusi and certain officials of the State Department have refused to carry out the mandates of that act.

Mr. LANGER. That is exactly correct, except that Mr. Carusi claims he has no jurisdiction, and that the matter is one for the State Department to handle, and that he and the other two members of the Displaced Persons Commission are helpless.

At the present time the Department of State is looking around for a defense.

Mr. EASTLAND. Is it the Senator's opinion that the will of Congress is being flouted by Mr. Carusi?

Mr. LANGER. Not by Mr. Carusi, but by the Department of State, because section 12 directs that 27,000 of those persons immediately be brought to this country.

Mr. EASTLAND. Can the Senator tell me the population of the three western zones of Germany before the war?

Mr. LANGER. About 80,000,000.

Mr. EASTLAND. That is, of all Germans?

Mr. LANGER. Yes. Later that was increased somewhat; but in the American and British zones today the population is larger by some 5,000,000 or 6,000,000 than it was before the war.

Mr. EASTLAND. Is it not 12,000,000?

Mr. LANGER. It is at least 5,000,000 or 6,000,000. The 12,000,000 figure includes the population of the French zone.

Mr. EASTLAND. Can the Senator tell me whether the three western zones of Germany before the war produced about 60 percent of their food requirements?

Mr. LANGER. They produced 80 percent.

Mr. EASTLAND. That was the case for all of Germany?

Mr. LANGER. No; the three western zones of Germany produced 80 percent of all the food that Germany produced.

Mr. EASTLAND. Today, with five or six million more persons, as the Senator has said—or, in reality, I think the records will show that there are 12,000,000 more persons there—and with a tremendous shortage of fertilizer, and with the land being depleted of humus matter and plant food, can the Senator tell me about what percentage of their food requirements those persons are able to produce at this time?

Mr. LANGER. I regret that I cannot do so, but I know it is much lower than it was before the war.

Mr. EASTLAND. Mr. President, will the Senator yield for another question?

Mr. LANGER. Yes; I yield for a question.

Mr. EASTLAND. The Senator realizes that Germany is primarily an industrial nation, and must export industrial materials, and must use the funds thus obtained to buy food, on the basis of dollar exchange or sterling exchange or whatever may be the monetary unit applying to the funds thus received for the industrial goods manufactured in Germany. Will the Senator state the postwar standard of living of the people if they are held to the industrial level of 1936, when at this time there are living there several million more people than lived there before the war?

Mr. LANGER. There could be only one result if that situation continues, and that is starvation and more suffering.

Mr. EASTLAND. The effect would be to starve the people.

Mr. LANGER. That is correct.

Mr. EASTLAND. Will the Senator not say it is more gruesome than that? People are not going to starve, with Russia and communism standing by with welcoming arms to take them behind the iron curtain.

Mr. LANGER. Of course. There can be no doubt of the fact that if this situation continues, the German people who are there will embrace communism.

Mr. EASTLAND. Will the Senator yield for another question?

Mr. LANGER. I yield.

Mr. EASTLAND. If the German people should embrace communism, does not the Senator believe that if Germany were Communist all Europe would go Communist?

Mr. LANGER. There is not the least doubt of it in my mind.

Mr. EASTLAND. In fact, is it not the Senator's opinion that the battle for Germany is the battle for the European economy?

Mr. LANGER. I think that is stated exactly right.

Mr. EASTLAND. Is it the Senator's opinion France could defend herself?

Mr. LANGER. France could not defend herself, in the opinion of the military experts with whom I have discussed the matter.

Mr. EASTLAND. Mr. President, will the Senator yield for another question?

Mr. LANGER. I yield.

Mr. EASTLAND. If Europe were Communist, the United States in the light of what reasonably may happen on the Asiatic continent, would be isolated, would she not?

Mr. LANGER. That is correct.

Mr. EASTLAND. Then the only choice we would have would be to fight; is that correct?

Mr. LANGER. That is correct.

Mr. EASTLAND. Mr. President, will the Senator yield for another question?

Mr. LANGER. I yield.

Mr. EASTLAND. Does not the Senator think the policy of holding a great people to the industrial level of 1936, when their standard of living was not so

high, at a time when there were millions more mouths to feed, is brutal and inhumane?

Mr. LANGER. I agree that that is true, and I do not think words are strong enough to express it.

Mr. EASTLAND. Mr. President, will the Senator yield further?

Mr. LANGER. I yield.

Mr. EASTLAND. Does not the Senator feel that our Government, in pursuing such policies, sacrifices the best interests of the American people?

Mr. LANGER. There can be no doubt about it.

Mr. EASTLAND. Does not the Senator believe that American blood at some time must pay for blunders in our foreign policy at the present time?

Mr. LANGER. That is correct.

Mr. SALTONSTALL. Mr. President, will the Senator yield for a question, if the Senator from Mississippi is through?

Mr. LANGER. I yield.

Mr. SALTONSTALL. I should like to correct what the Senator has said, as it seems to me. Perhaps I misunderstood him. The Senator has said the State Department and the Immigration Department are not living up to the terms of the Displaced Persons Act.

Mr. LANGER. That is correct.

Mr. SALTONSTALL. Is it not true that in the immigration report, Mr. Carusi, the Displaced Persons Commissioner, said the terms of the act make it practically impossible to carry it out?

Mr. LANGER. No. The Commission said they had nothing to do with section 12, referring to the so-called expellees, that that was solely a matter within the jurisdiction of the State Department.

Mr. SALTONSTALL. But the feeling is that the law must be amended, in order that we may really bring in the people we want to bring in under the terms of the act. Is that not true?

Mr. LANGER. If we are to bring in more than the 13,500 expellees, that would simply be necessary.

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

Mr. LANGER. I yield.

Mr. EASTLAND. Will the Senator please explain how it would be possible to express a thought clearer in the English language than the Senate expressed it in section 12 when we authorized the admission of expellees to this country?

Mr. LANGER. In my opinion, the language could not be more explicit.

Mr. SALTONSTALL. Mr. President, I could not hear what the Senator said. Will he kindly repeat it?

Mr. LANGER. In section 12 the Department of State is directed immediately to open the quotas to Germany and Austria, which would be 27,000 a year, and it was further directed immediately to make one-half of those available to the so-called Volksdeutsche, or expellees.

Mr. SALTONSTALL. But only under the terms of the Displaced Persons Act; am I not correct in that?

Mr. LANGER. It amended the immigration law.

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

Mr. LANGER. I yield.

Mr. EASTLAND. The Senator said "under the terms of the Displaced Persons Act." What are those terms? I do not understand.

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

Mr. LANGER. I yield.

Mr. SALTONSTALL. As I understand, the person to be admitted must be assured a home, he must have an occupation, and so on.

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

Mr. LANGER. I yield.

Mr. EASTLAND. The Senator did not understand those terms to apply to expellees; did he?

Mr. LANGER. They do not apply.

Mr. SALTONSTALL. I did not understand they do not apply.

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

Mr. LANGER. I yield.

Mr. EASTLAND. I should like to have the attention of the Senator from Massachusetts, for so long as he is involved, we southerners will not be accused of engaging in a filibuster. If I understand the Senator correctly, Mr. Carusi takes the position that the Displaced Persons Commission has nothing to do with the admittance of expellees. Is that correct?

Mr. LANGER. That is exactly correct.

Mr. EASTLAND. He takes the position they should receive a visa from the State Department in the regular course; is that correct?

Mr. LANGER. That is correct.

Mr. President, the threat to Italy's standard of living and its political repercussions were largely responsible for the Marshall plan, under which in the first years' allocation ECA is giving Italy industrial goods worth $59,300,000, made in America, in place of what she formerly bought from Germany and paid for. That is, Italy used to pay Germany the $59,300,000. Now, instead of doing that, the taxpayers of the United States pay the $59,300,000. Furthermore, Italy gets $82,400,000 worth of coal from our dwindling coal supplies.

How closely this allocation of industrial machinery replaces Germany's exports may be shown even in individual items. Under ECA $1,700,000 is allocated for agricultural machinery against $800,000 supplied by Germany. In electrical equipment, ECA $7,000,000 against Germany's $5,336,000, in chemicals ECA $10,000,000 against Germany's $7,800,000.

But at the same time that we are furnishing Italy the means to increase her production, we are engaged in ruining her best customer for this surplus, Germany. Eighty percent of the food furnished Germany by Italy, more than 300,000 tons, were perishable fruits and vegetables. When these seasonal perishables are available for export, oranges, tangerines, lemons, vegetables, and so forth, the domestic consumption has already reached a saturation point, beyond which people cannot and will not eat. People cannot live solely on oranges or cauliflower. Unless this surplus can be exported it becomes largely sheer waste.

A surplus fruit and vegetable region in north Africa, strikingly similar to Italy, faced with the loss of exports, has reduced its production drastically, changing, in one season, from a territory which exported hundreds of thousands of tons of food, into a region not raising enough vegetables even for local consumption.

On the other hand, no such control can be exercised over fruits such as oranges.

In Italy and Sicily oranges were going begging in 1944 because the central European countries were cut off. We face a similar condition now with Germany out of the market in large measure. Such a situation permits England to buy the Sicilian orange and lemon crop for prices ruinous to the producers, principally because German demand is cut off. So when we keep Germany down we are injuring much of the rural economy of Italy and creating the very dissatisfaction which the Marshall plan set out to correct.

All these things hold true of a country like Denmark, on the other side of the Continent. In 1936 Germany imported from Denmark food alone valued at $42,000,000, worth today at least $85,000,000. Under the military government administration of western Germany all imports from Denmark, not only food, are running at the rate of only $3,000,000 annually. That deficit of more than $80,000,000 is made up by the United States, or in a reduced German diet and resulting reduced production. To make myself clear, let me say that before we entered upon this program Denmark sent to Germany $85,000,000 worth of food. Today she sends only $3,000,000 worth, and the American taxpayer is paying the difference.

But this is the other half of the picture. German exports merely of manufactured goods were valued at $51,000,000, which in today's values would be some $100,000,000. What is bizonia doing now under military government? For the first 8 months of 1948 total exports, including coal, amounted to $14,558,000, which for 1 year would be equivalent to about $10,000,000. Subtracting the value of the coal, it leaves $6,600,000. To make it comparable to the above figures for the whole of Germany, we might add about 50 percent to this figure, arriving at an outside figure of $15,000,000, leaving $85,000,000 as Denmark's deficit in manufactured goods, which she formerly obtained from Germany.

Again ECA has come to the rescue, allocating Denmark $47,800,000 of manufactured goods from America.

The German shortage in food and the Danish shortage in manufactured articles add up to a figure well over a hundred million dollars which America is asked to give as a bonus to those who have so skillfully destroyed the industrial potential of Germany. This is merely to handle the deficit in the interchange between Germany and a little country of 4,000,000 people.

Of course, production in Denmark follows the usual economic laws and declines. It gives Great Britain a chance to buy more. But this itself presents a critical problem for Danish producers. In the year 1937, for example, Germany

imported 206,503 tons of food from Denmark against 357,113 tons imported by Britain. The loss of this huge German market has a serious effect on farmer's prices and consequently on Danish food production. The British were the principal buyers of Danish surplus foods. Eliminate one large buyer and it more or less puts the producer at the mercy of the other. The farmers have only one answer to this—reduce production. And again the United States makes up the difference, not only for Germany but for many other European countries.

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

Mr. LANGER. I should like to finish my statement, first. Then I shall be glad to yield.

On the other hand, Danish businessmen point out that now they have to pay more for everything that goes into production. England's prices, even before the war, were commonly higher. Now with her principal competitor gone, she can charge all that the market will stand. So Denmark is getting the short end two ways. She has to pay higher prices and even then is not able to get the manufactured articles that she needs.

For more than 3 years now, leading European economists, studying the situation in Germany, have been pointing out that the destruction of Germany's production would drastically reduce the standard of living of most of the European countries. We are proving they are right when we appropriate the ECA billions as a gift to a Europe whose reduced living standards invite communism.

Mr. EASTLAND. Mr. President, will the Senator yield for a question at that point?

Mr. LANGER. I yield.

Mr. EASTLAND. The Senator spoke of the way Germany and Denmark have been affected. Does the Senator realize how the United States has also been affected?

Mr. LANGER. Certainly.

Mr. EASTLAND. Does the Senator realize that our own country has sold more farm products to Germany than we have sold to Latin America of both industrial and agricultural products combined?

Mr. LANGER. That is correct.

Mr. EASTLAND. And it is very necessary that we have greater production and economy on American farms. Does the Senator agree with that statement?

Mr. LANGER. There can be no doubt about that.

These facts have covered only two countries of Europe. Between them and Germany they are presenting a bill, just for 1 year, of $200,000,000. It is an outrageous penalty that we are paying for the privilege of seeing Germany and the German peacetime production potential reduced to its present state.

By pushing coal exports and drastically reducing the export of manufactured articles, we are magnifying enormously Germany's foremost problem of getting foreign exchange to meet her dire need for food and raw materials. If we compare the present with 1936, this is clearly brought out.

I hope the distinguished Senator from Mississippi, interested as he is in agriculture, will listen carefully to this, and I hope that every other Senator upon the floor, and those who are in favor of the Marshall plan, will also listen carefully.

In 1936 a ton of manufactured articles shipped to Italy averaged $119 a ton compared with $3.70 for a ton of coal. Germany obtained from Italy 32 times as much for a ton of manufactured goods as for a ton of coal. On exports to Denmark she got 34 times as much.

But this is nothing to many of the great export items for which Germany was world famous. German skilled craftsmen took coal, worth for export to Denmark only $3.58 per ton, and iron plates worth $88 a ton and, out of these materials, made machine tools for Denmark worth $818 a ton, electrical machinery worth $1,439, precision and optical instruments worth $3,608, hardware worth $245 a ton, and watches and clocks worth $2,157 a ton.

In 1936, of these five items alone, she exported to Denmark 17,878 tons worth $8,167,800 with which she bought her high protein foods. The same amount of coal would have given her $64,100, not even one-hundredth as much.

This same thing is going on with all countries from which Germany got her food supply. These same five items which were exported to Italy in 1936, bought food worth $14,568,000. The same number of tons of coal brought $123,757, again less than a hundredth as much. These items would have paid for 200,000 tons of food. The coal would have paid for less than 2,000.

Mr. President, these facts alone are sufficient to prove the economic insanity that underlies our outrageous policy toward these defeated peoples. There is no quicker way in the world to spread a festering cancer in the heart of Europe than to continue to ignore the desperate need for a complete about-face in our German policy.

Not only is this economic insanity undermining the whole social structure of central Europe, not only is it contributing directly to permanent unemployment and unrest, but it is also playing directly into the hands of the Communists who are directing their assault on these United States from the Politburo in Moscow.

The following figures ought to be sufficient to silence those who continue to demand that we go through with this savage, senseless policy because we have made agreements which must be honored. These agreements, Mr. President, which have been deliberately removed from the jurisdiction of the Congress of the United States, now amount to nothing less than a criminal betrayal of our national security, a criminal betrayal which borders on treason.

Oh, how I wish, Mr. President, that every GI, every veteran, could know those figures and realize how America has been betrayed.

Recent figures released by the British themselves in Berlin reveal that of the 598,000 tons of machinery and other equipment which has been dismantled in the British zone, 162,896 tons have been shipped to Russia, 18,618 tons have been shipped to Czechoslovakia, 45,135 tons have been shipped to Yugoslavia, and 2,799 tons have been shipped to Albania.

Oh, yes; our Department of State is fighting Russia, but the Secretary sat in the Committee on Foreign Relations without lifting his voice and said that 162,896 tons have been shipped to Russia!

Mr. EASTLAND. Mr. President, will the Senator yield for a question at that point?

Mr. LANGER. Let me complete this thought, and then I shall be glad to yield. But, Mr. President, in a special report to the London Times on December 20, 1948, it was revealed that the British are still dismantling and shipping to Russia the Borbeck plant of the Krupp steel works.

The report in the Times reads as follows:

> The Borbeck plant was the most modern steel plant in Europe. It started production in May 1929. In 1945 it was awarded to the Soviet Union. Under the direction of a Russian commission especially stationed in Essen for that purpose, the dismantling was accomplished at the greatest speed by several hundred German workmen. The Berlin blockade and the differences existing between West and East Germany have in no way halted dismantling of this Krupp plant. For many months freight train after freight train, loaded with parts of the plant, has left Essen in the direction of Hamburg, where the equipment was transshipped on Russian ships. The destination in Russia is unknown. A further allocation of Krupp plants by the Interallied Reparations Agency has taken place in favor of Yugoslavia. This country will receive a 15,000-ton steel press, the largest in Europe, from Krupp.

I now yield to the Senator from Mississippi.

Mr. EASTLAND. Does the Senator have the figures about the dismantling in the French zone?

Mr. LANGER. I have them in my office; I do not have them here.

Mr. EASTLAND. Would the Senator be kind enough to place those figures in the RECORD?

Mr. LANGER. The following figures show what is going on in the French dismantlement program. According to the Allied allocations for the French zone, 84 plants were marked for dismantlement, of these 62 plants have been dismantled, 4 have been sent to Russia, 58 have been delivered to the Interallied Reparations Agency and 22 await delivery to specific consignees.

The value of these plants has been determined at the figure of 150 to $200 millions. This figure was based on the 1938 replacement value, less war damage, and less depreciation, which means that the actual value is at least 10 times as great as the figure that has been set by the French.

Mr. EASTLAND. Does the Senator understand that the French Government, in the French zone in Germany, are taking title to business and industry?

Mr. LANGER. That is my understanding.

Mr. EASTLAND. Does the Senator understand that the French Army stationed there is consuming a large part of the food produced in the French zone?

Mr. LANGER. That is correct.

Mr. EASTLAND. Does the Senator think that there is any justice in the

United States giving hundreds of millions of dollars, under a Marshall aid plan, to France or to any other country, and permitting that country, by unjust means, to beat down the people there, which in the long run will harm the United States?

Mr. LANGER. It is bound to harm the United States.

Mr. EASTLAND. Does the Senator think we should place strings on the Marshall plan aid which we give France, and make them follow a more humane policy in regard to their zone in Germany?

Mr. LANGER. It is my belief that the United States should be withholding money from any country pursuing that sort of policy over those they have conquered.

Mr. EASTLAND. Does the Senator think the Senate Committee on Foreign Relations should go into those questions?

Mr. LANGER. I do. They should go into them very carefully, and I have not the least doubt they will, under the leadership of the able and distinguished Senator from Texas [Mr. CONNALLY], who is chairman of that committee.

On top of all of these facts, Mr. President, I want to call the attention of the Members of the Senate, of the American people, and particularly the American farmers, to what is happening to the agricultural resources of central Europe as a result of the criminal deforestration program that is being carried on both by the British and the French, supported by the American taxpayers' dollars. It is a fact that Great Britain owns or controls 27 percent of the world's forests and timber reserves. It is also a fact that in the whole of Germany there is only four-tenths of 1 percent of the world's forest reserves. Yet since the end of the war, this vicious deforestation program is making a mockery of all the claims that Germany can become a self-supporting agrarian people.

Mr. President, I hold in my hand five pictures of the tragic consequences which are following this deforestation program. I call the attention of my colleagues to the erosion in the Luneburger Heide in Germany, in the British zone, which is destroying the fertility of the soil upon which the German people are more absolutely dependent than ever before in their history.

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

Mr. LANGER. I yield.

Mr. EASTLAND. On how many acres have trees been cut too closely in Germany?

Mr. LANGER. I have the figures here, and in a moment will give the Senator the information.

The following figures reveal how far this deforestation program has gone when we realize that these figures are based on 100 as the base figure of the timber cutting program of 1936:

	1946	1947	1948
United States zone	169	201	188
British	405	368	227
Total bizone	235	248	199
The French zone	181	293	379

100=1936 100 percent index.

Mr. President, how could facts more conclusively prove that this senseless policy, this Morgenthau plan, this scorched-earth madness, this pro-Communist betrayal of America's principles and security, is the direct consequence of our having forsaken George Washington's warning that foreign alien interests and influence are the greatest foes of republican government and that—

> Excessive partiality for one foreign nation, and excessive dislike for another, cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other.

And now, Mr. President, this senseless policy of destruction and vengeance has led us into an impasse where these outrageous facts finally are being recognized for what they are.

On February 17, 1949, Mr. Stewart Alsop revealed in the Washington Post that the question of what constitutes the real objectives of American policy in Germany has now become the most significant and crucial issue before us. Mr. Alsop further revealed that—

> It is highly significant that at long last the United States Government is now making a serious effort to find an agreed and intelligent answer.
>
> An attempt is now being made to draft a whole series of agreed policy papers dealing with all aspects of American policy in Germany. The preliminary drafting is being done by a four-man committee, which is now quietly meeting two or three times a week in the State Department.
>
> Chairman of this committee is George Kennan, brilliant chief of State Department planners. Richard M. Bissell, able deputy ECA Administrator speaks for the ECA, which has a vital interest in the German problem. Robert Blum, special assistant to Secretary of Defense Forrestal, represents Forrestal and the Defense Dapartment. The Army and Gen. Lucius Clay, American commander in Germany, are represented by Assistant Secretary of War Tracy Voorhees, who may succeed William Draper as Under Secretary of War and chief Washington spokesman for Clay.

So the Senator will see that at long last the problem is being recognized, but the dismantling is still continuing.

In order to answer the question of the Senator from Mississippi, I refer to figures which I wish to call to his attention. It is my understanding that four-tenths of 1 percent of the world's reserve is held by Germany, against 27 percent held by Great Britain. While I have not the figures as to the number of acres, roughtly three-fourths of the deforestation area is now subject to erosion.

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

Mr. LANGER. I yield.

Mr. EASTLAND. Which country is responsible for that, Great Britain or France?

Mr. LANGER. I blame America for it.

Mr. EASTLAND. Why?

Mr. LANGER. I blame America, together with Great Britain and France, because the committee over there agreed to this policy.

Mr. EASTLAND. Which committee.

Mr. LANGER. The Interallied Committee on Reparations which has charge of all three zones.

Mr. EASTLAND. Does not the Senator think that the matter is of such grave importance that it should be investigated by the Foreign Relations Committee?

Mr. LANGER. Yes, I do; and I do not have the least doubt that the committee will investigate it. Governor La Follette has just returned from Germany. He was in New York last week and there addressed 150 of the leading men in New York City. I understand he is on his way to Washington, and intends to appear before the Foreign Relations Committee and to give that committee a full and complete report of what is going on in Germany.

Mr. EASTLAND. Mr. President, will the Senator again yield?

Mr. LANGER. I yield.

Mr. EASTLAND. What became of the timber that was cut from the land?

Mr. LANGER. Most of it was shipped out of the country.

Mr. EASTLAND. Shipped to other countries?

Mr. LANGER. Shipped to other countries.

Mr. EASTLAND. Was it done in order to use the proceeds to buy food for Germans?

Mr. LANGER. I do not know why the timber was shipped away. It was simply taken as dismantled plants have been taken.

Mr. EASTLAND. Am I to understand from the Senator that three-fourths of the forest lands are in the condition as shown by the pictures exhibited by the Senator?

Mr. LANGER. Yes.

Mr. EASTLAND. The Senator does not mean three-fourths of all the land in Germany?

Mr. LANGER. No. Germany has four-tenths of 1 percent in forest reserves, and of that three-fourths is as represented by the pictures.

These four men will not, of course, make German policy independently. The policy papers they draft will be referred back to the organizations and individuals they represent, including General Clay. Moreover, each preliminary paper will be sifted through another higher committee. This committee consists of Secretary of State Acheson, as chairman; ECA Chief Paul Hoffman; and Secretary of War Royall. If Acheson's committee approves a paper, it will be referred in turn to the National Security Council and the President for final decision.

What this means is simply that the period of improvising policy in Germany is coming to an end.

Mr. President, welcome as these new developments are to every American who is interested in decency and justice, it would be tragic indeed if the policies of the past, in the formulation of which the United States Senate has been ignored, should be continued. I believe the time has come when the Congress of the United States, rather than leaving the future to chance, as we have left the past, ought to stand up on its own feet and put an end once and for all to this senseless, outrageous policy of destroying not only the peacetime industrial potential

but the agricultural resources of the German-speaking peoples as well.

Mr. President, I now yield the floor.

AMENDMENT OF CLOTURE RULE

The Senate resumed the consideration of the motion of Mr. LUCAS to proceed to the consideration of Senate Resolution 15, amending the so-called cloture rule of the Senate.

Mr. RUSSELL. Mr. President, I dislike to suggest the absence of a quorum, but if it is proposed that the Senate continue the present debate, I shall feel obliged to suggest the absence of a quorum.

The VICE PRESIDENT. The Senator from Georgia suggests the absence of a quorum. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Ives	Murray
Anderson	Jenner	Myers
Baldwin	Johnson, Colo.	Neely
Brewster	Johnson, Tex.	O'Conor
Bricker	Johnston, S. C.	O'Mahoney
Broughton	Kefauver	Pepper
Butler	Kem	Reed
Cain	Kerr	Robertson
Chavez	Kilgore	Russell
Connally	Knowland	Saltonstall
Cordon	Langer	Schoeppel
Donnell	Lodge	Smith, Maine
Douglas	Long	Smith, N. J.
Downey	Lucas	Sparkman
Eastland	McCarran	Stennis
Ecton	McCarthy	Taft
Ellender	McClellan	Taylor
Flanders	McFarland	Thomas, Utah
Fulbright	McGrath	Thye
George	McKellar	Tobey
Gillette	Magnuson	Tydings
Hayden	Malone	Vandenberg
Hendrickson	Martin	Watkins
Hill	Maybank	Wherry
Hoey	Miller	Wiley
Holland	Millikin	Williams
Humphrey	Morse	Withers
Hunt	Mundt	

The VICE PRESIDENT. Eighty-three Senators having answered to their names, a quorum is present.

Mr. GEORGE. Mr. President, I do not know how long the majority leader wishes to hold the Senate in session tonight. I dislike to speak at this late hour, although I do not intend to discuss this question at great length at this time.

Mr. President, I think this is a memorable debate. Of that I have not the slightest doubt. No one has the capacity to look very far into the future; but the issues here raised and the methods here adopted are bound to have repercussions hereafter. It is simply inevitable. Immediately the work of the Congress is slowed down, because it is impossible to attend committee hearings and to conclude committee hearings which are in their final stages, and also meet the demand to be present on the floor at all times. So, Mr. President, I am conscious of the fact that this is a memorable debate. No man can quite see at this time the results which may flow from it.

I wish to begin my address with a further statement. In my judgment the ordinary rules of parliamentary procedure do not and should not apply in the Senate of the United States. I know that the Senate is a legislative body in part. I know that it must handle legislative matters which come from the House, or which originate here and go to the House. But the Senate is a distinct institution within itself, a continuing body, only one-third of the membership of the Senate being elected every 2 years. It is not a body which expires. Its primary function is not legislation in the strict sense. Its primary and main function, indeed, in certain important matters, partakes of the nature of conference and negotiation between sovereignties.

Be it remembered, Mr. President, that the Federal Government did not create the States. On the contrary, the States created the Federal Government. They gave it all the power it has, except such power as has subsequently been given by the people under amendments to the Constitution, or certain powers which perhaps have resulted, let us say, from unavoidable decisions of the courts of the land.

Not only is the Senate a continuing body, but under the Constitution the Senate is to be composed of an equal number of Senators—two—from each State, wholly without regard to the population of the State, wholly without regard to the ratio of the population of the State to the total population of all the States. Not only is that so, but under the Constitution no State can be deprived of its equal representation in the Senate, save by its own consent—not by a two-thirds vote, not by the majority that is always infallible, in the judgment of many of our good friends here; but no State can be deprived of equal representation in the Senate, save by its own consent. In other words, the Constitution cannot even be amended—short of a revolution—in regard to that provision which gives to the Senate a distinct character.

Now let us suppose, if we can do so, that before the formation of the Constitution the several States which formed the Union had met in conference to decide some important matter affecting all of them, and let us suppose that someone had suggested a limitation on debate. How long would that conference have lasted under those circumstances? The representatives of those States would have marched away, and there would have been a dissolution of the whole effort to reach any agreement whatever.

Let me say to the distinguished Senator from Connecticut [Mr. BALDWIN] that Senator Frank Brandegee, a Senator from Connecticut from 1905 to 1924, in a debate in the Senate some years ago very nearly covered this whole case when he made this statement:

> Mr. President, I look at this right of debate not as a right, much less a privilege, which we are conferring upon ourselves as a matter of favor. I look upon it as a right which attaches to the sovereign States of this Union, each of which is represented here by two Senators, and whose sole method of putting its case before the people of the United States and before this body is through the voice of its two Senators.
>
> So I say that this is the forum of the States. This is a federated Government, in which the States reserved the right of equal suffrage in the Senate of the United States, and made that the only provision of the Constitution which never should be subject to amendment.

Yet, Mr. President, Senators here debate whether we should adopt a rule which will shut off debate by a so-called constitutional majority or by an actual majority and before this debate ends, the Senate will have an opportunity, no doubt, to vote upon such a proposal. If we begin the whittling-away process, we may be certain that we shall whittle away the substance of the rights of the States in a federated union with respect to many of their most important functions and powers.

Mr. President, our Constitution is a direct limitation on the power of the majority. If there was anything the framers of the Constitution really understood, if there was any principle ever practiced by government anywhere which they thoroughly despised, it was the doctrine of absolutism. We can have absolutism in a legislative body; we can bring about an absolutism in the Congress, if by a gag rule and by whittling away the rights of the representatives of the States to be here heard and here make themselves felt, we reduce this body to the level of a simple legislative body, with no power except that of a simple legislative body and without any necessity to do so, because there are only 96 Senators, and that is not an unreasonably large number to confer together and to debate at great length on any subject of importance.

Senate Resolution 15 is a grant of power. It is a grant of power to stop debate or to foreclose resistance so as to bring before this body any measure the proponents of which wish to bring before it. Of course we must assume, as has been said by a distinguished Senator on a previous occasion when the amendment of the rules of the Senate was under consideration, that a grant of power will be used. It may be used many times without doing harm. It may be used many times in such a way as not to result in unnecessary harm to the freedom of full debate. But it may be used on occasion in a way to do a great deal of harm. If we grant the power, we assume its use; and ultimately it will be used, and ultimately it will also be used to perpetrate a great wrong.

But it is said, "Why cannot the majority here bring any subject before the Senate"—any measure that is on the Senate's calendar, of course—"and have it heard"? Why, Mr. President? Because the smallest State in this Union has an equal place in this body; of right it is here, and of right it can say what it wishes to say, at least if it can make its voice heard in accordance with such rules as the Senate itself has lived under for almost a century and a half, with but few particular exceptions, and they arising out of special circumstances.

We cannot close our eyes to what this motion means. This proposed grant of power affects a series of bills which have been proposed by group interests and have entered into the politics of this country, to the enactment of which the political parties have pledged themselves. Therefore, Mr. President, when the curtain which shadows the driving power behind this proposal to grant power over the minority of the States represented in this body is so transparent, we have a right to look behind it and see the power that is sought to be conveyed.

Mr. President, I do not favor cloture in the Senate of the United States; I do not favor the closing of debate in the Senate, but I can conceive—indeed, I know—that unlimited and abused privileges of debate often result in very great hardship to Senators, and, of course, in some hurt, in public opinion, to the Senate and its reputation. I understand that, and yet I undertake to say that I am entirely justified in filibustering against—and I have never made any lengthy speeches in this body; I do not now intend to do so—and in speaking at length and voting against a proposal to close debate on the merits of a question, if that question is so revolutionary as to shock the sensibilities of a decent Senator. In that event any Senator is justified in resisting every effort to bring such a question before the body.

What proposed legislation would be affected? One is a proposal to abolish the poll tax, in the teeth of the textual provisions of article II of the American Constitution. No political party can bind any honorable man to vote for a measure which he conscientiously believes to be contrary to the Constitution of his country. There must be majority cloture, or something closely approaching it, in order to push through the poll-tax measure, the poll tax having disappeared in all but six States, as I recall, and it is on its way out even in those States. Yet the power the Senate is asked to exercise is textually in the very teeth of the American Constitution, in the second paragraph following the preamble where the standard is fixed. It is not so much a matter of States' rights nor reserved rights; it is a matter of an express provision in the Constitution which fixes the standard for voting qualifications for representatives in the Congress. Likewise, subsequently, in the seventeenth amendment, in the same identical language, with respect to the election by the people of Senators the same standard is fixed, namely the standard adopted in each State for electors of the most numerous branch of the State legislature. May a Senator who is conscious that that is a constitutional provision not say he has a right to resist the bringing forward of a proposal which would fly in the face of the Constitution?

What is the next? Antilynching legislation. With all the vigor of my soul I deplore mob violence in any form; I have stood against it all my life, even when it hurt. But the Federal Government cannot be given power to prevent the commission of crime by mob violence in the States, unless it be asserted that the Federal Government possesses total and absolute police power. Do Senators want to say that? If a man's soul recoils from such a proposition as that, is he not justified in saying that, so long as he can prevent it, it shall not even be submitted to the Congress of the United States for decision, either by a simple majority vote, or a constitutional majority vote. There are some persons in this country—I am sure there are none in the Senate—who would repeal the Bill of Rights by a simple majority, or a constitutional majority, if they had the power to do so, when basically the Bill of Rights is nothing but the assertion by the States themselves, when they created the Federal Government, of the existence and retention and full right of enjoyment of those immemorial rights of freemen which are above all governments, State as well as Federal. Yet there are those who would repeal the Bill of Rights, who would abolish the Declaration made by the representatives of the States in creating the Union itself, or in formulating its Constitution, which subsequently was ratified by the people of the United States as provided in the Constitution.

The States knew and the representatives of the States there present knew that they could trust themselves not to violate the immemorial rights of freemen in America, because they had been respecting those rights—freedom of speech, abstention from the making of any law that would prohibit religion in any form or its free exercise; the denial to the Government of the power to quarter troops in the homes of the humblest citizens in times of peace without their consent; the preservation inviolate of the homes and persons of the freemen in America from unreasonable searches and seizures; and all the rest. Yet there are some who would repeal them, and they would do so by mere majority vote, if they could; I have no doubt about that. They would certainly bring them here and submit them to the Senate and ask the Senate, under a reformed rule of procedure, to exercise its power to cut off debate, and let us have done with this thing. The Constitution is a direct limitation upon the power of government and upon the power of the Congress itself to take away the fundamental rights of the people.

Let us look at another of these so-called civil rights which constitute the things immediately back of this movement for cloture. The American people know what it means. The so-called FEPC bill is another one. There is a plain effort to say to a man, "You shall not select your personal associates nor your business associates." That represents a complete undercutting of the most fundamental liberty the American people have ever enjoyed. As Donald Richberg says, it is like saying to a Christian publishing house issuing tracts and Bibles, "You must employ an atheist to peddle your goods." Every man under the American Constitution has the right to choose his associates, the men and women with whom he will meet and associate daily. Do not say to me, "You are unduly alarmed, and you are overstating it." Within a fortnight an independent judge in the State of Kentucky has said that he would not give sanction to the right of certain petitioners to join social clubs and take membership in golf clubs, because these are rights that each citizen has the power to determine for himself.

So, Mr. President, I have not the slightest doubt, so far as I am concerned, of the absolute unconstitutionality of the so-called anti-poll-tax bill, of the so-called antilynch bill, and of the FEPC bill, if it be carried beyond the mere machinery for the adjustment of differences which may arise in business organization itself. Having no doubt of the unconstitutionality of these measures, I assert my right, as one Senator from a State which has the absolute right of having two Senators in this body and can be deprived of that right only by its own consent, to vote against taking up measures which I feel, beyond peradventure of a doubt, so far as I am concerned, are offensive to the American Constitution. I am, therefore, opposed to amending the rule so as to enable a temporary majority in the Senate, which, under the shifting tides of political emotionalism, if I may use that term, may be a majority today and may be a minority tomorrow. There is no more stability in it than that. The appeal to me that the majority has the right to shut off debate in order to legislate simply does not address itself to my reason and to my judgment.

Therefore, Mr. President, I shall vote against any amendment to the rule. I shall vote against it because I am convinced that in this high, deliberative body, when a measure possesses any real merit, there will never be a filibuster against its consideration, and there may or may not be any prolonged debate against final vote upon it. The only instance, in my recollection at least, in which opposition has been raised to the taking up of a measure for consideration is the class of measures which I have been discussing—measures which must address themselves to many of us as being entirely repugnant to the Constitution which we have sworn, with no reservation whatever, to uphold and to defend so far as in our power lies.

Furthermore, Mr. President, I have long been of the opinion that some things in America cannot be settled by legislation. I have long been of the conviction that one of the great fallacies in America is that anything can be settled if only some legislature will pass an act to that effect. That cannot be true. In all proposed legislation which is even akin to the so-called fair employment practice measure, the effort is made to control the judgment, the emotions, the choice, and, if you please, the prejudices of our people. Prejudices may be ugly; they may be regrettable; but they cannot be controlled in that way. If they could be so controlled, the distinguished gentleman whose name once marked the masthead of the prohibition legislation enacted in this country would have controlled them. Mr. Volstead would have ended all question about obedience to the law. Prejudice, desire, wish, and choice would have had nothing to do with it.

That is not comparable with this situation at all, because here is the bald assertion that the American in business and even in his social affairs is not free to choose his associates, the persons with whom he wishes to visit, the persons with whom he wishes to associate, the persons with whom he wishes to carry on his business. I warn the Senate that the real driving force back of FEFC is complete social rights, not merely the right to hold a job in business. Are we to sit here and vote to place a gag in our own mouths at the will of two-thirds or a constitutional majority or a bare majority of Senators on measures of this kind?

The greatest service we could render to these United States would be to make the bold and unqualified declaration that we will not shackle the States which are here represented on the basis of absolute equality, with respect to matters which offend against not merely tradition, but all their cultural institutions and all their deep convictions. That would be what we could say. We should say that, regardless of pressure groups, we would follow that course.

We had read here on the 22d day of this month the Farewell Address of George Washington. Let my colleagues read it, and see if he did not stress, perhaps as his final entreaty and appeal to his countrymen, that they guard against the baneful influences of parties.

Take this step, put the whole head of the camel under the tent, if you will, and you will come to majority rule in the Senate of the United States. That would mean that the political party which had one majority, or two, would be able to do as it pleased, and that at a time when human governments were undergoing rapid and fundamental changes, when civilization indeed was unsteady in every part of the globe. It would mean that a bare majority here, a party majority, whether Democrat or Republican, or some other party which obtained temporary advantage, could stop debate, write the laws, and do much as it pleased. Is that what is desired? Do Senators wish to gamble on that? I do not.

Mr. President, I think I know the drift that has been going on in this country for many years. It is a definite, a certain, a decided and almost irresistible drift toward a larger and larger concentration of power in the Federal Government. Now the desire is to give to the Federal Congress the right to regulate the suffrage of the States. Now it is desired that the Federal Government be given the power to exercise absolute police power within the States. Now some Senators wish to give to the Federal Government the power to say to the men and women of America, "You have not any right to choose your own associates and business partners upon any other basis than the basis which we shall prescribe as a condition for your choice."

Mr. President, I do not fear great corporations. They are often vulnerable, and there are hundreds of agencies operating always to control them. There are influences in America always ready to control them and to prevent finally their doing great harm to America. But if the Federal Government is builded so strong as absolutely to take over the primary and fundamental functions of the State and local governments, if the Federal Government shall step beyond the bounds of the Constitution which undertook originally to limit its power, to properly direct it—if that happens, then there is nothing that can save America from the tyranny so many other people, one time free, have suffered in this world.

Mr. President, here is a proposal to grant the power, and here is the plausible plea, "Why fear taking up in the Senate the measures to which I have referred?" The answer is that these proposals are outrageous. If they are essentially revolutionary, then we have the right to resist the grant of power to muzzle and to manacle the representatives of the States in this body who come here with equal rights, under the guaranty in the common Constitution which makes it impossible, except through revolution, in my opinion, ever to take away the equality of representation in the Senate.

So, Mr. President, we resist. Not only do we resist, but we might as well be perfectly candid about it, and say that what is done here in this debate and at the end of it will have its influence on the politics of America. That is not a threat; I do not make threats. It is a plain declaration of what may be expected.

I, myself, greatly regretted to see my own party, which through a long period in the Nation's history stood for economy and for rigidly honest administration of government, thereby commanding the respect if not the majority vote of the people at the polls—I, myself, have very keenly felt that the very leadership of the party to which so many of us have given allegiance through all the years should take the initiative and undertake to undo that which is vital to so large a part, though it be a minority part, of the United States.

Let me repeat, in closing, the language of Washington, which we all heard read here but a few days ago, when he earnestly pleaded to his countrymen, through all generations to come, to avoid the baneful influence of party spirit, particularly formation of political policies along sectional lines. He used the language north and south, and east and west. Why is it not possible for freemen, representing free States in this distinctive legislative government, to say that we will not, by any additional grant of power, put the emphasis upon political divisions in the United States along sectional lines?

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

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from California for a question?

Mr. GEORGE. I will yield for a question. I beg the Senator to be brief with his question.

Mr. KNOWLAND. I shall be. I should like to invite the attention of the able Senator from Georgia, who has made an excellent presentation relative to the danger in majority cloture—and I want to say that on that phase of the matter I agree with him—to page 114 of the hearing on Tuesday, February 18, 1947, before the subcommittee of the Committee on Rules and Administration which was held on the subject of amending the Senate rule relating to cloture, and to ask if the Senator recalls this statement which he made during the course of his testimony:

> At the outset I concede that the rule may properly be made applicable to any pending motion, question, or measure. This, of course, involves a change in the rule and a substantial change in point of fact, but, nevertheless, it is a change which I think should be made in the Senate rules.

In view of the statement made by the able Senator from Georgia during the Eightieth Congress before the Committee on Rules and Administration, I should like to ask him in all sincerity, if he felt assured that Senate Resolution 15 would be adopted by the Senate in precisely the form it is now before the Senate, and that there was no danger of it being amended so as to provide for majority cloture, would he feel today as he felt during the time he testified before the subcommittee of the Rules Committee in 1947?

Mr. GEORGE. I would feel very much better if there were anybody who could give the assurance that we will not be called upon to vote upon the resolution offered by the distinguished Senator from Pennsylvania [Mr. MYERS], the resolution offered by the distinguished Senator from Oregon [Mr. MORSE], and upon other proposals which even go beyond theirs. But I realize that nobody can give me or give the country such assurance.

Therefore I reiterate the position which I took when I appeared before the committee, I believe it was 2 years ago, or some years back. The primary burden of my statement and the primary purpose of appearing before the committee then was to oppose a majority cloture rule.

I recognized, of course, that the Senate could, by amending the rule, have brought forward, at least for debate, any of these controversial matters. But I may very respectfully suggest that many things have happened since that time. We have had an election in these United States. We have had tremendous pressures from minority groups. Certainly I do not need to remind Senators of that fact.

Therefore, Mr. President, my conclusion now is that it would be dangerous and unwise to extend the cloture rule as proposed in the resolution which is now under debate.

PROGRAM FOR SENATE SESSIONS—RECESS

The VICE PRESIDENT. Does any Senator desire recognition?

Mr. RUSSELL. Mr. President, a number of Senators desire to address themselves to this question. It is customary on occasions of this kind for the majority leader to make some announcement as to the length of time he proposes to have the Senate remain in session; whether we are to have night sessions, and how late we are to be in session today.

Mr. LUCAS. Mr. President, I made no announcement at the beginning of the debate as to how late we would sit. Some Senators expected to leave between 5 and 5:30. Under the circumstances I think I shall move that the Senate now take a recess until tomorrow. From now on, I may say, we are going to remain in session until 6 o'clock every afternoon and, as the debate proceeds from day to day, we may sit even later than that, I may say to the Members of the Senate and to the President of the Senate.

I now move that the Senate take a recess until tomorrow at 12 o'clock noon.

The motion was agreed to; and (at 5 o'clock and 15 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, March 1, 1949, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 28 (legislative day of February 21), 1949:

COLLECTOR OF INTERNAL REVENUE

William E. Davis, of Huntsville, Ala., to be collector of internal revenue for the district of Alabama, to fill an existing vacancy.

IN THE ARMY

Maj. Gen. Herman Feldman, O5724, United States Army, for appointment as the Quartermaster General, United States Army, under the provisions of section 9, National Defense Act, as amended, and title V, Officer Personnel Act of 1947.

WITHDRAWAL

Executive nomination withdrawn from the Senate Monday, February 28 (legislative day of February 21), 1949:

POSTMASTER

Robert W. Garrison to be postmaster at Frankfort in the State of Ohio.

HOUSE OF REPRESENTATIVES

MONDAY, FEBRUARY 28, 1949

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Thou Almighty God, from whom we come and to whom we return, grant that we may go forth today, not in criticism nor despondent mood, but in faith, sharing our sympathies in common service. With understanding minds we would realize our opportunities and our duties which we owe our country and our brother man.

We pray that in this complex world we may ever be free and loving hearts, copartners in a great cause; walking not in selfish ways nor forgetting the ties which bind us one to another like the moving waves of the sea, yet bound by the shore lines that unite them. Let every door which is barred by hate and revenge open to the living forms of cooperation and fellowship. Through Christ. Amen.

The Journal of the proceedings of Thursday, February 24, 1949, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McDaniel, its enrolling clerk, announced that the Senate had passed without amendment a bill and joint resolution of the House of the following titles:

H. R. 54. An act to retrocede to the State of New Mexico exclusive jurisdiction held by the United States over lands within the boundaries of the Los Alamos project of the United States Atomic Energy Commission; and

H. J. Res. 92. Joint resolution to continue the authority of the Maritime Commission to sell, charter, and operate vessels, and for other purposes.

CERTIFICATE OF ELECTION

The SPEAKER laid before the House the following communication, which was read by the Clerk:

FEBRUARY 23, 1949.

The Honorable the SPEAKER,
House of Representatives.

SIR: A certificate of election in due form of law, showing the election of the Honorable LOUIS B. HELLER as a Representative-elect to the Eighty-first Congress from the Seventh Congressional District of the State of New York, to fill the vacancy caused by the death of the Honorable John J. Delaney, is on file in this office.

Very truly yours,

RALPH R. ROBERTS,
Clerk of the House of Representatives.

SWEARING IN OF MEMBER

Mr. HELLER appeared at the bar of the House and took the oath of office.

EXTENSION OF REMARKS

Mr. MILLS asked and was given permission to extend his remarks in the RECORD and include an article written by J. Carson Adkerson, which appeared in the November 1948 issue of Made in America Monthly, entitled "Wanted! A Manganese Policy."

MANGANESE

Mr. MILLS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks by including a tabulation.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas [Mr. MILLS]?

There was no objection.

Mr. MILLS. Mr. Speaker, manganese is the "starch" in steel. There is no substitute for manganese in the manufacture of steel. Without manganese our steel mills will close down.

Dependence on Russian manganese is leading the United States into an increasingly dangerous situation. During the year 1948 the United States consumed approximately 1,500,000 tons of manganese ore. Domestic production was 116,000 tons. Imports into the United States during the year totaled 1,256,646 short tons from foreign sources as follows:

	Tons
U. S. S. R.	427,230
Union of South Africa	216,576
India	213,455
Gold Coast	132,971
Brazil	143,916
Mexico	61,614
All other countries	60,894

Instead of building up on our stock piles, we are digging into industry stocks to meet current demands.

It is estimated that we have in stock pile in the United States little more than a year's supply of ore—just enough to fill our lines leading to the steel mills. A year without imports or domestic production and we scrape the bottom of the barrel.

The press recently announced that shipments from Russia are being tapered off and threatened with extinction. More recent reports indicate that no increase in shipments can be expected from Brazil. They will conserve their own manganese for their own needs.

We are allocating scarce steel to Canada to build railroad cars to carry manganese-bearing ores from South African mines to tidewater—and more scarce steel to build mining machinery to help develop manganese production in other foreign countries; production which may or may not come forward years from now.

We are talking of putting our Government into the steel business when we have no guaranty that we will have sufficient manganese to supply the furnaces now in operation.

We are spending many millions of dollars through the ECA to develop mines abroad with little or no assurance that ores will be delivered to the United States for some years to come, and even should ores in time be delivered, then at an overall cost probably greater than the cost of domestic ores.

According to testimony before the Public Lands, Mines, and Mining Subcommittee of the House, the United States needs to build up a stock pile of 8,638,000 tons for emergency needs.

We should get every ton possible from foreign sources with utmost speed and stock-pile it in the United States, but we must likewise speed developments within the United States.

We have an abundance of manganese ores in the United States, with deposits in 27 States. The properties are undeveloped and milling plants are required to concentrate the ores. No money is yet available for domestic developments.

Far-reaching steps are needed to insure us adequate and dependable sources of supply of manganese without delay. Time is essential.

To help solve this problem I have introduced H. R. 2767, which proposes the purchase of domestic ores containing 15 percent or more of metallic manganese and provides for the concentration or beneficiation of the ores, if necessary, to meet any specifications desired by the Munitions Board. I have every reason to know that immediate enactment of this bill will greatly relieve our impending shortage of manganese ore. I know of no other solution for the immediate future.

The schedule of prices provided in H. R. 2767 is indicated in the following table:

Schedule of manganese ore prices

Percentage of manganese content in ore	Price per unit of manganese	Price per long ton of ore	Price per pound of manganese contained in ore
15	$1.00	$15.00	$0.0446
16	1.02	16.32	.0455
17	1.04	17.68	.0465
18	1.06	19.08	.0473
19	1.08	20.52	.0482
20	1.10	22.00	.0491
21	1.12	23.52	.0500
22	1.14	25.08	.0509
23	1.16	26.68	.0518
24	1.18	28.32	.0527
25	1.20	30.00	.0536
26	1.22	31.72	.0545
27	1.24	33.48	.0553
28	1.26	35.28	.0562

Schedule of manganese ore prices—Continued

Percentage of manganese content in ore	Price per unit of mangahese	Price per long ton of ore	Price per pound of manganese contained in ore
29	$1.28	$37.12	$0.0571
30	1.30	39.00	.0580
31	1.32	40.92	.0589
32	1.34	42.88	.0598
33	1.36	44.88	.0607
34	1.38	46.92	.0616
35	1.40	49.00	.0625
36	1.42	51.12	.0634
37	1.44	53.28	.0643
38	1.46	55.48	.0652
39	1.48	57.72	.0661
40	1.50	60.00	.0670
41	1.52	62.32	.0679
42	1.54	64.68	.0687
43	1.56	67.08	.0696
44	1.58	69.52	.0705
45	1.60	72.00	.0714
46	1.62	74.52	.0723
47	1.64	77.08	.0732
48	1.66	79.68	.0741
49	1.68	82.32	.0750
50	1.70	85.00	.0759
51	1.72	87.72	.0768
52	1.74	90.48	.0777
53	1.76	93.28	.0786
54	1.78	96.12	.0795
55	1.80	99.00	.0804
56	1.82	101.92	.0813
57	1.84	104.88	.0822
58	1.86	107.88	.0830
59	1.86	110.92	.0839
60	1.90	114.00	.0848
61	1.92	117.12	.0857
62	1.94	120.28	.0866
63	1.96	123.48	.0875
64	1.98	126.72	.0884
65	2.00	130.00	.0893
100	2.70	270.00	.1205

Note basis of long tons—unit of manganese 22.4 pounds

Mr. Speaker, these and not lower prices will develop production of domestic manganese ores in quantities essential to civilian and defense needs.

THE TAFT-HARTLEY LAW

Mr. JACOBS. 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 Indiana [Mr. JACOBS]?

There was no objection.

Mr. JACOBS. Mr. Speaker, Fulton Lewis, Jr., has brought to poll taking a new technique—a technique infinitely more accurate than Dr. Gallup's.

He radios 19 Taft-Hartley questions to the people. They are asked to write their answer, "Yes" or "No," to their Congressmen.

I have received 91 answers, 70 of which answered "No" to question 14, which reads as follows:

Do you believe it should be unlawful for a worker to be prevented from performing his job, by the use of violence, force, or intimidation?

In short, the fact that 70 out of 91 people said "No" the law should not forbid violence, proves that the poll takers are deadly accurate and crystal clear.

Perhaps that was a mock election we had last year and the poll takers were right after all.

EXTENSION OF REMARKS

Mr. BRYSON asked and was granted permission to extend his remarks in the RECORD and include an address delivered by Mr. Field before the American Patent Law Association.

Mr. HÉBERT asked and was granted permission to extend his remarks in the RECORD and include a resolution from the New Orleans Property Owners Association; also, to extend his remarks in two separate instances and include extraneous matter.

Mr. PHILBIN asked and was granted permission to extend his remarks in the RECORD and include two editorials.

Mr. LANE asked and was granted permission to extend his remarks in the RECORD in three instances; in one to include a letter, in another to include an interesting article from the Boston Sunday Post, and in the third to include an address which he made before the Lithuanian Society.

SPECIAL ORDER GRANTED

Mr. LANE. Mr. Speaker, I ask unanimous consent that, upon the completion of all business on the Speaker's desk and any previous special orders granted, I may address the House today for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. LANE]?

There was no objection.

RESERVE COMPONENTS OF THE ARMY, AIR FORCE, AND NAVY

Mr. SIKES. 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 Florida [Mr. SIKES]?

There was no objection.

Mr. SIKES. Mr. Speaker, I am today introducing legislation which is intended to place the Reserve components of the Army, Air Force, and Navy on a footing more in keeping with their great services to this Nation.

First is a bill to create additional secretaries of the armed services for Reserve components.

The purpose of this bill is to create an additional Assistant Secretary for Reserve affairs in each of the departments in the armed services, to wit, the Army, the Navy, and the Air Force.

Within the history of our country no such proposal has ever been accomplished. Perhaps the principal reason for this failure has been the lack of emphasis on the importance of strong and well-trained Reserve forces. In the past the major emphasis has been placed on maintaining an adequate force of Regulars and even in this instance the lethargy of national thinking permitted the Regulars to deteriorate to less than 130,000 troops immediately prior to the outbreak of World War II.

There can be no question that, in the incurrent thinking of the general public, the Congress, and even the responsible officials of the National Defense Establishment, it is imperative to establish and maintain an adequate Reserve strength, both as to numbers and competency, for each of the armed services.

On the basis of past history and particularly in view of the unfortunate attitude of some responsible members of the armed services, it is considered highly unlikely that any plan for the creation of adequate Reserves will succeed unless the plans receive the consideration and dignity which would result from the appointment of Assistant Secretaries as contemplated in the proposed legislation.

Next is a bill to establish a committee for Reserve components within the Department of the Army and the Department of the Air Force.

This bill is for the purpose of creating a Reserve advisory committee to the Secretary of the Army, comparable to the Reserve committee of the Department of the Navy.

At present a committee authorized under section 5 of the National Defense Act, operates on the General Staff level. It is considered that the Reserves, who compose 98 percent of our forces in time of war should be represented on the policy level of the Secretary of the Army and to the Secretary of the Air Force.

Only by maintaining a Reserve force, available in time of war or national emergency, can our national security be insured.

Only by having available to the Secretary of the Army, and to the Secretary of the Air Force, the advice based upon the study and experience of mature Reserve officers, can an adequate Reserve program be prepared and executed.

This proposed legislation would make available this valued counsel.

Finally, there is a bill to establish a bureau of Reserve Affairs in the Department of the Army and the Department of the Air Force.

The purpose of this legislation is to create a bureau for Reserve Affairs similar to that of the National Guard Bureau.

This bill would provide an operating agency necessary for a sound Reserve program.

It is a matter of public knowledge that the Reserve program of the Army and Air Force are close to failure at this time.

By having an operating agency such as a Reserve Bureau, the Reserves can be made effective.

PERMISSION TO ADDRESS THE HOUSE

Mr. EVINS. 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 Tennessee [Mr. EVINS]?

There was no objection.

[Mr. EVINS addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. GOLDEN asked and was given permission to extend his remarks in the Appendix of the RECORD and include an address delivered by Hon. Carroll Johnson, a former Member of the House.

Mr. PERKINS asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial from the Washington Post of February 23.

Mr. BURDICK asked and was given permission to extend his remarks in the Appendix of the RECORD and include some figures on the profits of large corporations.

Mr. KEATING asked and was given permission to extend his remarks in the Appendix of the RECORD regarding a bill he is today introducing.

Mr. ARENDS asked and was given permission to extend his remarks in the Appendix of the RECORD.

Mr. MICHENER asked and was given permission to extend his remarks in the Appendix of the RECORD concerning Siena Heights College, an article by Jane I. Collins.

Mr. JENKINS asked and was given permission to extend his remarks in the Appendix of the RECORD and include an article written by one of his constituents.

HEART DISEASE

Mr. KEEFE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a magazine article.

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

There was no objection.

Mr. KEEFE. Mr. Speaker, heart disease continues to be the No. 1 killer of our people. In hearings recently held before the Subcommittee on Appropriations dealing with appropriations for public health we conducted long hearings on the subject of funds to implement the National Heart Act. I know that due to the impetus given this subject by the passage of the National Heart Act in the Eightieth Congress and the campaign that is going on all over this country under the direction of the National Heart Association, the people of America are aroused to this great menace. One of the dangers is that many people will perhaps become morose and distracted on the subject, and many will worry over symptoms that do not always indicate serious heart involvement.

One of the best witnesses before our committee was Dr. Paul D. White, one of the founders of the National Heart Association, a professor of medicine at Harvard University, and a world-renowned authority on disease of the heart. Yesterday there appeared in the magazine section of the Sunday Star an article by Dr. Paul White entitled "Good News About Your Heart." I think this is one of the best articles that has been published. It should be read by every Member of Congress and every citizen of the United States. I hope you will read it. It will do you good to know that something is being done to thwart and stop this No. 1 killer of mankind.

The article referred to follows:

GOOD NEWS ABOUT YOUR HEART

IT MAY BE SOUNDER THAN YOU THINK, SAYS THIS WORLD-FAMOUS SPECIALIST—HERE HE EXPLODES SOME MYTHS THAT CAN CAUSE NEARLY AS MUCH AGONY AS HEART DISEASE ITSELF

(By Dr. Paul D. White, as told to John E. Pfeiffer)

There is no sure-fire symptom of heart disease. But try telling that to amateur experts—people who preserve old-fashioned notions and pass on these notions to worried friends as sage advice. A person may have pain in the chest, palpitation or shortness of breath—or even all three—and the chances are still heavily in his favor.

It would be foolishness to dodge the fact that heart disease accounts for more deaths in the United States than any other single cause. But that's no excuse for clinging to hair-raising myths which frequently produce the worst of all suffering—the agony of gnawing, unvoiced fear. Silly ideas about heart disease have worried thousands of persons. Men and women who were too frightened to visit their doctors have endured years of needless anguish—even died before their time.

Take the case of Joe Brown, a New England chicken farmer. At 3 o'clock one morning he turned off the alarm clock and dragged himself out of bed. He groped his way to the incubators and started turning the eggs over to make sure they'd be heated evenly on all sides. Then he noticed a pressing, slowly mounting pain in his chest, just behind the breastbone. The attack lasted half a minute or so, but Joe finished his chore and went back to bed.

An hour or two later the eggs had to be shifted again and Joe got up fearing a second spell. When nothing happened he heaved a sigh of relief and forgot about the incident. But a few weeks later he had another pain in the same place and a fortnight or so after that still another.

That worried look

Finally he came to my office with the worried look of a man who's convinced he has heart disease.

But there was nothing the matter with Brown's heart. A careful examination revealed that spasms of the esophagus, the 9-inch tube leading from the vocal cords to the stomach, were causing the pain in his chest. This sort of muscular cramp may come from any irritation of the nerves at the base of the neck—it can be caused by excessive smoking, indigestion, or even too much coffee, tea, or alcohol. In Brown's case it was simply overwork. After he hired a man to do the night work, the pain disappeared.

Such cases are familiar to all heart specialists. The idea that every pain in the chest means heart disease ignores the facts of everyday medical experience. Actually, in more than 8 out of 10 cases it's a sign of an entirely different illness, generally not a serious one.

Unfounded fears can conceivably hurt a patient more than his sickness. Shortness of breath is a good example: the odds are about nine to one that it's asthma, a lung ailment, or any one of a dozen other troubles rather than heart disease. One retired businessman went South during the winter and on one of his early morning walks, gradually found himself panting as if he'd just run half a block. When the shortness of breath continued, he visited a busy local physician who listened to his heartbeats and, since the sounds were unusually faint, quickly concluded he had a weak heart, prescribed digitalis.

Complete check-up

Now thoroughly scared, the patient did what he should have done in the first place—he had a complete medical check-up by his own doctor. It turned out that his shortness of breath was a result of bronchitis. Penicillin proved more helpful than digitalis.

The heart-murmuring myth is even more prevalent. A mother came into my office, leading her reluctant 8-year-old son. They had traveled more than a thousand miles because he had "noises in the heart." As things turned out, I didn't have to do anything for the child—he had a perfectly healthy heart. But the mother was a problem. I had to spend a good deal of time with her, so that the boy wouldn't develop a morbid fear of a heart disease he didn't have.

Palpitation, dizziness, faintness, swollen feet—these possible heart symptoms are more often than not signs of other ailments. In fact, we see many people who have nearly every possible symptom on the list, and they are almost always suffering from "anxiety neurosis." These patients are worried and high-strung. We don't yet know just what's wrong with them, but their heart muscles are all right.

Not that you should go to extremes and ignore the way you feel. It cannot be overemphasized that, although the odds are against it, any one of the symptoms mentioned above may be a sign of heart trouble. Any delay in going to a doctor and finding out is foolish, especially when you consider that the average car owner can't hear an unfamiliar wheeze in the motor without dashing to the nearest garage.

New techniques

Specialists have developed new techniques to help spot heart trouble. There's the ballistocardiograph, a "table" on which the patient lies and which is suspended so delicately that it recoils with the force of the heartbeat and spurt of blood through the arteries. This instrument provides a rough indication of the heart's output. A much more important device is the electrocardiograph, which picks up the tiny electrical currents that accompany heart action and represents the impulses as wavy lines on graph paper. Such records have to be interpreted carefully, and unusual patterns are not always signs of heart trouble. These and other recent techniques are never substitutes for a thorough examination, and are used only to supplement other evidence.

The three most prevalent causes of heart trouble are high blood pressure, rheumatic fever, and coronary artery disease. The last condition results from thickening of the wall of the heart arteries, and a characteristic symptom is angina pectoris, pain in the chest, coming as a result of effort. The pain may be confined to the breastbone region or radiate to one or both arms, usually the left arm.

It's an interesting fact that the heart muscle itself is not commonly injured directly. Angina pectoris and many other symptoms are caused by damage to the arteries that lead to the vital organ and its valves. The heart is probably the strongest muscle in the body. It has to beat 2,500,000,000 times during a 70-year lifetime and pump 5 to 10 tons of blood a day. No emotion, however intense, has ever broken a healthy heart—not even love.

Even when the heart does behave abnormally, it's not always dangerous. It used to be thought that an unusually slow pulse always indicated damage to the nervous or muscle fibers regulating the heart rate. But at the time he was breaking records in the mile run, Glenn Cunningham had a pulse in the low forties. And the Navy was doubtful about Leslie MacMitchell, New York University's star miler, because his heart beat only 38 times a minute. (He was later accepted after careful study.)

A rest cure

At the other extreme, a 50-year-old housewife had occasional attacks of tachycardia, a condition in which the heart may jump from a normal 70 to 160 beats a minute. She was so worried that, to hide her trouble from the rest of the family, she tried to keep on working. Result was that the attacks lasted 3 or 4 hours. When she finally saw her doctor, he told her to drink less coffee and lie down whenever spells came. The rest alone reduced the attacks to half an hour. Also, she had fewer of them and is in good shape today.

When unusual symptons actually mean major heart disease, however, the patient naturally has to modify some of his habits more radically, depending on what he's suffering from. He may have to smoke less or cut tobacco out entirely; cocktails now and

then are usually perfectly safe, but it's wise to reduce his alcohol intake if he's a heavy drinker.

The diet treatment

High-blood pressure is sometimes treated by low-salt diets and fewer calories; overeating should be avoided in the case of hypertension or diseases of the heart arteries. In all cases, a patient should lose weight if he's carrying extra poundage.

But the idea that a person has to stop all work, retire and die quietly is wrong. Moderate activity is just as necessary for a heart patient as it is for anyone else. It keeps the circulation active by maintaining good muscle tone throughout the body. Well-exercised legs, for example, help squeeze the blood back up through the veins to the heart and lungs. If we could keep the muscles and blood vessels functioning properly, heart disease might be less of a problem.

Another fallacy

The dread of climbing stairs is another fallacy that ought to be set straight once and for all. Actually, walking, not running, up stairs is usually good for the heart, as long as you don't place such a strain on it that failure might occur. Most people who have elevators installed in their homes to avoid the exertion are wasting their money. Often they would be smarter to go on fishing trips, take occasional hikes, and keep working at their jobs.

Golf is an ideal game for many heart patients, despite the scare publicity that tells all about the man who dropped dead the other day on the seventh fairway. Just as likely as not, he would have died 10 years earlier if he'd stayed at home in his easy chair.

How to invite trouble

What can a healthy person do to avoid heart disease? For one thing, a moderate amount of activity is always important. But that doesn't mean overdoing it. High-pressure businessmen and others who are always on the go are inviting trouble. The head of a large corporation once said that he paid his executives $100,000 a year to compensate for the fact that their jobs would probably kill them within 10 years. The same risk holds for anyone who works so hard that he neglects his health.

The man who plows through the week's work, eats heavily at lunch and dinner, and then expects to make up for the strain on his days off may very well be visiting a heart specialist sooner or later—and probably sooner. Relaxing isn't simply a matter for week ends, and the go-getter usually can't take it easy even then. He's likely to play golf the way he works, going around the course as if he had a $10 bet on every hole.

Most of us take our vacations at the wrong time. The traditional 2 weeks in the summer don't make much sense from a medical standpoint, because business naturally slackens during the hot weather and you need rest most when work loads are heavy. According to Mayo Clinic studies, deaths from heart failure are most frequent in December, January, and February in the North—and if you have only 2 weeks, the cold-weather months are the best time to get away from it all. Furthermore, it's better to take a few days off every now and then than to use up the entire 2 weeks or more in one trip.

When it comes to diet, the big problem in the United States is overeating. Many office workers develop bay windows because they eat as much as they used to when they played college football 20 or 30 years ago. There's accumulating evidence that extra weight injures the heart. It puts a greater strain on the circulation and is certainly bad for general health.

Fat can hurt you

What may actually initiate certain heart trouble is too much fat in the diet, whether it stays on the body or not. Fats may filter into the walls of the blood vessels and, after chemical break-down, form calcified deposits on the inside. Such deposits may not only lead to hardening of the arteries but actually narrow them to a point where important organs, including the heart, fail to obtain enough blood. One reason that women get less heart disease than men is possibly because their metabolism is different and retards the formation of deposits in the arteries.

But for a person who does develop heart trouble—and such conditions are often a matter of simple aging—the outlook is anything but hopeless. I'll never forget one patient who came to see me a few months after he'd had a coronary thrombosis, a clot in one of the arteries of the heart. He was 53 years old, and ran a silver-fox farm on Prince Edward Island off the coast of Canada. He fully expected to die within a year or two.

The only thing to do was to keep him under observation. We knew that a clot had blocked a branch of one of the arteries that nourished the heart muscles, cutting off the blood supply to a small portion of tissue. We hoped that the heart would establish a "collateral circulation" on its own—in other words, that the damned-up blood would find "space" blood vessels and thus detour the clotted artery and set up new supply lines.

A turkey every year

That's actually what happened, as it does in most cases, although we didn't understand the process so well in those days. The patient wanted to know whether he could go back and run his fox farm. I told him he might shorten his life if he didn't. Privately I thought he'd live 5 or 6 years if he followed my advice, and perhaps not so long if he stopped work completely. Before the patient left the hospital he shook hands and said: "Dr. White, I'm going to send you a turkey every year as long as I live." That was in 1924. I received turkeys from that man for 24 consecutive years.

Of course, many people with heart trouble don't live 20 years longer (or send me turkeys when they do). After all, heart disease often comes in the late 50's or 60's. But I have seen over 30,000 patients since I started treating heart disease in 1920, and such long-lived cases are far more common than they once were thought to be.

The road ahead

We've learned a good deal since then. For example, we used to think that the intense chest pains of angina pectoris meant a life expectancy of only about 4 years. Now we know that it's more than double that figure.

Research to discover more about the fundamental causes of heart disease is steadily increasing. It gives promise of leading in the next generation to the prevention of much of the heart disease which is still too prevalent among young and middle-aged persons.

THE LATE WILLIAM E. TATE

Mrs. ROGERS of Massachusetts. 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 gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, everyone who has had close contact with veterans' affairs and with the representatives of the veterans' organizations here in Washington was shocked and grieved on Thursday morning to learn of the sudden death of William E. Tate, the national director of claims for the Disabled American Veterans.

Those of us who have served as members of the Committee on Veterans' Affairs learned to depend upon Mr. Tate's wide knowledge of the veterans' problems, especially in the field of rehabilitation and compensation claims. Few men had a closer touch with the veteran suffering from service-connected disabilities. He knew without reference the complex regulations of the Veterans' Administration and in his frequent testimony before our committee his judgment was invariably called upon and accepted.

Thousands of veterans will mourn his passing, for he had given more than 30 years of his life in service to them. He was the national commander of the Disabled American Veterans in 1927 and served as assistant national adjutant of the organization for many years.

The Disabled American Veterans has been singularly unfortunate in the past few months in the loss of competent, able personnel. Only a few weeks ago the organization sustained a heavy blow in the passing of Dr. Clayton E. Wood, its national medical director, a veteran who, also, gave of the most of his life to service for disabled veterans. With the loss of Mr. Tate the Washington office of the DAV will carry on with other disabled veterans who give cheerfully of their strength and time to further the cause of those who sacrificed their health to preserve our country. Theirs is a real service.

The following information shows the many years of loyal active service given by William E. Tate for our disabled veterans:

WILLIAM E. TATE

Born in Mullens, S. C., in 1893. Was educated in the public schools and later was graduated from the School of Pharmacy, Furman University, Greenville, S. C.

Bill enlisted in the Medical Corps of the Army, Served for 1½ years during World War I. Shortly after discharge was hospitalized for disabilities incurred during his service for a period of some several years in Government hospitals in North Carolina.

During this period of hospitalization he became interested in the activities and program of the Disabled American Veterans and the American Legion. During his ambulant hours he devoted the greater part of his time to assisting his buddies in hospital cots in the preparation of their claims for Government benefits, in matters of insurance, vocational training and compensation. From this voluntary unselfish hobby, Bill Tate developed into one of the outstanding best-informed advocates for disabled veterans and their dependent benefits in our country.

His physical circumstances were such that his doctors had little hope of his surviving the early twenties. While on the other hand, the newly formed veterans groups in North Carolina called more and more on him.

He is one of the few veterans' leaders in the Nation who have served as State Commander of the DAV in two States, North Carolina and Georgia. Before attaining State leadership he had been an adjutant and commander of the largest American Legion Post in North Carolina and secretary of the first 40 and 8 organization in that State. While still a patient, in the hospital at Oteen, N. C., Bill represented his State at the national convention of the DAV held in Salt Lake City, where he won for himself the first platoon of what, down through the years, has developed

into an army division of disabled veteran friends and admirers. Shortly thereafter he moved to Atlanta and became the first national service officer of the DAV in the fifth district. He was the general chairman of the sixth annual national convention held in Atlanta, Ga., in 1926, and the following year the delegates in attendance at the national convention held in El Paso, Tex., elected him as the seventh national commander of the organization.

As national commander, Bill Tate demonstrated his devotion to the cause of the disabled man, not only with his natural ability but with an unselfish devotion that saved the organization from floundering into bankruptcy. As a chief executive of the Disabled American Veterans, he traveled much of his time at his own expense, was personally responsible for the financing of the national activities to the point that at the close of his year it carried the organization out of the red and into the black.

Bill Tate was one of the founders of the DAV service foundation and has served during its twenty-odd years of existence as a continuous officer and has been its president for the past some several years. After having received the highest honors a veterans' organization could bestow on him, he retired to the ranks of the organization and continued continuous and constant activities, having been called upon from time to time to again serve in various expert and executive capacities.

During one short period he left the active duties of the DAV to become an executive of the State of Georgia's Veterans' Welfare Department and was then drafted again to serve as a national service officer in Atlanta, Ga. Later he became assistant national adjutant at national headquarters in Cincinnati, where he served until his health made it necessary for him to retire for a short period of time, when he was again drafted to become an assistant to Millard W. Rice, in charge of the Washington office of the organization. With the reorganization of the Washington office by the Chicago national convention, Bill Tate became director of claims and has been more responsible than any other man in the development of the organization's outstanding service officer and claims division activity.

Bill was married to Mrs. Myrtle Baggett on March 5, 1930, in Atlanta, Ga.

COMMUNISM IN EUROPE

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

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

There was no objection.

Mr. JENKINS. Mr. Speaker, when the Herter committee visited Europe in the fall of 1947 we had occasion, of course, to give special study to communistic activities in the various countries over there. I visited most of the countries except those behind the iron curtain.

In Italy we met the man who is considered to be the most astute Communist leader operating outside of Russia. In my opinion, he must have graduated at the head of his class in the school in Moscow that gives training to persons wishing to become Communist leaders. I refer to Palmiro Togliatti.

A few days ago Maurice Thorez, who is head of the Communist movement in France, and Palmiro Togliatti, the head of the Communists in Italy, both declared that if it should develop that Russia should need any assistance from the Communists in France or Italy, Russia can depend upon the full support of all Communists in those two countries.

In other words, these two agents of Joe Stalin lay down the challenge to us and they want us to know what we can expect in case we get into trouble with Russia. And these two leaders no doubt have supervised the distribution of millions of dollars of relief money furnished by the United States while they have not had one dollar from Stalin for distribution. The American people do not like this situation. It is strange how the Communists can permeate our country and all the countries of the world while we have difficulty even in distributing our own relief in these countries dominated by Communists and in many countries not dominated by Communists such as France and Italy.

As a part of my remarks I include the following editorial on this subject:

A QUESTION FOR COMMUNISTS

Palmiro Togliatti, the Communist leader in Italy, now joins Maurice Thorez, his opposite number in France, in stating that in event of a war in which Soviet Russia was engaged it would be the duty of Italian Communists to aid the Soviet Army if it appeared on Italian soil. Both Communist leaders qualified the conditions under which they said loyal Communists should act—pursuit by the Red Army of an aggressor across the borders of their countries—but the connotation of their remarks is clear. It is that a Communist's first loyalty is to Moscow and not to his own country.

Now that the two leading Communist leaders in west Europe have spoken, it seems in order to address a question to the leaders of the Communist Party in the United States and in other countries. In the case of the American Communists the question might be put this way: What would be your attitude if Soviet Russia should charge Canada with aggression, land an army there and pursue Canadian forces across the border of the United States; would American Communists have the evident duty, as Signor Togliatti put it, of aiding in the most efficient way the Soviet Army? The event is, we hope, wildly improbable, but we have a right to know the answer.

What the purpose was of the French and Italian Communists leaders in making their statements at this time is not clear. Some cantonal elections are coming up in France and the Italian Communists have been called out to make a nation-wide demonstration today. The statements may have been intended as an incitement to militancy on the part of present party members. Surely they could not have been intended to persuade any non-Communists to join the party. The normal effect on the normal Frenchman or Italian would seem to be the opposite. It is doubtful even if the rank-and-file Communists in either France or Italy would like to see their countries occupied by the Red Army. And what aggressor are Thorez and Togliatti thinking of? A new Hitler in Germany or Marshal Tito?

Whatever the purpose of the statements, Frenchmen, Italians, and Americans who are loyal to their own governments, to their democratic ways of life, who prefer what they have to what they would get under Red Army occupation, should welcome this clear drawing of the lines. It neatly disposes of the theory that British Communists, say, could ever comprise His Majesty's Loyal Opposition, that American communism is only twentieth-century democracy. If this is not the proper interpretation of the remarks of M. Thorez and Signor Togliatti, then it would seem incumbent of the leaders of Communist Parties elsewhere to clarify the situation. In the absence of a forthright explanation, the assumption must be that the two European Communists have stated the clear intent of Communists averywhere.

EXTENSION OF REMARKS

Mr. REED of New York asked and was given permission to extend his remarks in three instances in the Appendix of the RECORD and include extraneous matter.

Mr. D'EWART asked and was given permission to extend his remarks in the RECORD and include two memorials adopted by the State Legislature of Montana and an article of his own regarding rural electrification.

Mr. BYRNES of Wisconsin asked and was given permission to extend his remarks in the Appendix of the RECORD in two instances, in one to include a resolution passed by the Board of Supervisors of Outagamie County, Wis., and in the other to include a progress report on the cooperative sea lamprey investigation on the Great Lakes prepared by Dr. John Van Costen, chairman, Great Lakes Sea Lamprey Committee.

Mr. REES asked and was given permission to extend his remarks in the Appendix of the RECORD and include a newspaper article.

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks in the Appendix of the RECORD in two instances and include extraneous matter.

Mr. GROSS asked and was given permission to extend his remarks in the Appendix of the RECORD and include an article upon farm support prices.

Mr. HOEVEN asked and was given permission to extend his remarks in the RECORD and to include a statement by a prominent constituent in his congressional district.

Mr. MILLER of Nebraska asked and was given permission to extend his remarks in the Appendix of the RECORD on socialized medicine and also to extend his remarks in the Appendix of the RECORD and include an article on the progress of health insurance in England.

Mr. DAVIS of Wisconsin asked and was given permission to extend his remarks in the Appendix of the RECORD in two instances, in one to include an editorial and in the other a letter.

Mr. SANBORN asked and was given permission to extend his remarks in the Appendix of the RECORD and include a memorial from the Legislature of the State of Idaho.

Mr. DAVIS of Georgia asked and was given permission to extend his remarks in the RECORD and include a letter.

PRESIDENT TRUMAN'S STATEMENT AS REPORTED UNBECOMING TO THE DIGNITY OF THE OFFICE OF PRESIDENT

Mr. REES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. REES. Mr. Speaker, it is regrettable that the President saw fit to utter

the statement he is reported to have made at a public gathering on Tuesday evening.

Regardless of his reasons for being irked, and irrespective of the individual involved, it is unbecoming and beneath the dignity of the office of the President of the United States to use such language. The least the President should do is to make an apology to the people for having permitted himself to give vent to the statement charged to him.

I had hoped that on his Nation-wide hook-up Thursday night he would make such apology, but no such statement was forthcoming. Mr. Truman still has an opportunity to make a public expression of regret. Not to do so is a reflection upon the highest office in our land. The stigma attached to his statement should be removed.

EXTENSION OF REMARKS

Mr. COX asked and was given permission to extend his remarks in the RECORD.

Mr. PATMAN asked and was given permission to extend his remarks in the RECORD.

Mr. HART asked and was given permission to extend his remarks in the RECORD and include an address by the Attorney General.

COMMITTEE ON THE JUDICIARY

Mr. McMILLAN of South Carolina. Mr. Speaker, I ask unanimous consent that the subcommittee of the Committee on the Judiciary on matters relating to the District of Columbia be permitted to sit this afternoon during general debate.

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

There was no objection.

RELIGIOUS FREEDOM

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

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

There was no objection.

Mr. CHESNEY. Mr. Speaker, religious freedom—you may worship your own God—are these rights being eliminated from the face of this earth? Are we going back to the dark ages of religious persecution? What is occurring in this modern century makes me wonder. The list of suppression of religious freedom is growing from day to day. Where will it stop?

The bigoted heads of communism have attacked the Protestant, Catholic, and Jew. The present slogan of the Communists is to purge, and to continue to purge, until the last minister, priest, and rabbi is imprisoned or exterminated.

This brutal attack upon Cardinal Mindszenty, Bishop Ordass, and the Protestant clergyman in Bulgaria is an unerasable blot upon humanity. These unjust and imposed trials are not exceptional instances, it is not only in Hungary, Yugoslavia, Poland, and Bulgaria that the Communist form of justice is intended for—others will follow. The present situation is even more menacing than the worst of our past ordeals.

It is foolish to dream of progress and peace for the world when a dark shadow overcasts the international horizon. The trouble is that in our lifetime everything that came to be an appalling reality seemed a hoax and a fable only shortly before it came to pass. It is only natural that human minds assess the future in terms of past experiences. They fail to see even the present. Thus by sheer force of habit we have pretended to see things as they were and not as they are.

This attack upon religious freedom is a warning to every American to protect his moral and spiritual values. May we stand firmly and rebuke the encroachment of our freedom—and above all guaranties of religious worship.

VETERANS' PENSION BILL

Mr. SABATH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. SABATH. Mr. Speaker, within the last few days I have received many communications from Members inquiring when hearings on the so-called Rankin veterans' pension bill will be held. I wish to announce now that the Committee on Rules will start holding hearings on that bill this coming Wednesday. I have been unable to answer all the inquiries that have come in by mail, so I take this opportunity to make the announcement in order that the Members will be informed.

COMMUNISM WINNING ITS "COLD WAR" HERE IN WASHINGTON

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks and include excerpts from speeches I made in the past.

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

There was no objection.

Mr. RANKIN. Mr. Speaker, communism may be losing the "cold war" in Europe, but it seems to be winning its "cold war" here in Washington, especially against the white people of the District of Columbia.

Beginning with the nauseating spectacle of a mixed dance of whites and Negroes at the so-called Inaugural Ball, the Reds have moved on to other conquests.

Just a few days ago Mr. Julius A. Krug, head of the Department of the Interior, capitulated to their demands and issued an order driving the white children from the tennis courts in the public parks of the District of Columbia.

He called it wiping out segregation, but he, and everyone else, knows that it simply meant driving the white children out of the 18 tennis courts they have been using, and turning them over to the Negroes.

Stalin must have smiled behind his mustache when he read of that communistic order.

Again this morning we are told by the press that Secretary of Labor Maurice J. Tobin has taken another lengthy step along the communistic line with a recommendation advocating the passage of the infamous FEPC bill which Joe Stalin fathered in 1920.

I wonder what the next step is going to be.

What nonsense it is to pour American money by the billions, and tens of billions into the sinkholes of Europe, Asia, Africa and Israel under the pretense of fighting communism abroad, and then permit these communistic drives against the white people of America including the white children of the District of Columbia, right under our very noses.

The truth is, this whole alleged civil-rights program is simply a communistic movement to destroy the white man's civilization, to wreck this country, and to drag America down into the mire of race amalgamation, financial bankruptcy, and internal chaos.

God save our country from such a fate.

Remember that this FEPC monstrosity was set up by Executive order, and when it was exposed on the floor of the House, the Congress killed it as dead as a door nail by refusing to appropriate money to continue its vicious persecution of the white businessmen of America.

I participated in that debate, and read into the RECORD a list of individuals that composed this economic gestapo.

Under permission granted me to extend my remarks in the RECORD, I am going to insert that speech, together with the names of the parties selected to operate this communistic outfit, which I hope every Member of Congress will take the time to study carefully.

The matter referred to reads as follows:

Mr. RANKIN. Mr. Chairman, the passage of a law at this time legalizing this so-called FEPC would be a betrayal of the white people of the country. If every individual in the United States could understand just what it means, there would be such a roar of protest coming from every State in this Union that it would never see the light of day.

If every Member of Congress would screw his courage to the sticking place and vote his convictions on this so-called FEPC, it would not get 50 votes out of the entire membership of 435.

It is a most dangerous and brazen attempt to fasten upon the white people of America the worst system of control by alien or minority racial groups that has been known since the crucifixion.

When I read the names of the personnel of this outfit you will understand what I mean.

To sanctify this organization by law would give the lie to everything we have told our American boys they were fighting for. Instead of coming back to liberty, freedom, and democracy, they would find themselves sold into this bondage, herded, humiliated, and regimented by alien influences directed by a foreign comintern representing the deadly doctrine of Karl Marx that is based upon hatred for Christianity and for everything that is based on Christian principles.

It is a manifestation in legislative form of that infidelity that has closed thousands of Christian churches in Europe and has been

responsible for the murder of untold millions of Christian human beings.

This measure is not directed altogether at the white people of the South. If it were, you folks in the North would not have so much ground for alarm. We in the South know how to combat subversive elements. As Henry Grady once said, we wrested the South from such domination "when Federal drum beats rolled nearer and Federal bayonets hedged closer to the ballot box of the South than it ever will again in this Republic."

But you people in the North have not had that training, and this FEPC is likely to bring grief, strife, hatred, race riots, and chaos in your northern cities if this vicious agency is perpetuated and sanctioned by your votes.

Do not forget that the returning servicemen know what this thing means, and they are going to call you to account next year—beginning with the primary. They are not going to wait until the general election.

Do not forget that every businessman, every farmer, every professional man, and every other independent individual whose blood glows with the instinct of American liberty, is going to join these men, and those other patriotic forces that are fighting to save American institutions for which these boys have been fighting and dying upon every battlefield in the world.

If every man and every woman in the United States could just read the list of individuals that compose the personnel of this crazy FEPC, and its subdivisions throughout the country, I dare say there would not be enough of you left who vote for it, even if nominated in the primaries next year, to form a corporal's guard.

For your information, and for the information of the American people generally, I am going to read you the official personnel as it exists today. Remember, this list is taken from the official record. This is the group that wants to nose into and control every business in the United States. Remember, they can search the files and records of every business establishment in America where some disgruntled individual is willing to trump up a charge of discrimination. They can drag them all over the country and try them, and in that way destroy any ordinary business concern.

The next thing they are going to try to do is get control of your schools and force their communistic henchmen into the schools and teach your children their subversive doctrines.

Read these lists carefully, which, as I said, are taken from the official records here in Washington, and you will see that not 1 out of 10 on these rolls is a white gentile American.

Here is the official list:

Committee on Fair Employment Practice, Washington, D. C., Office of the Chairman

Incumbent	Title	Race	Salary
Ross, Malcolm	Chairman	White	$8,000
Johnson, George M.	Deputy Chairman.	Colored	8,000
Hubbard, Maceo	Hearings examiner.	do	5,600
Bloch, Emanuel	do	White	5,600
Copper, Evelyn	do	do	5,600
Berking, Max	Assistant to Chairman.	do	3,800
Alexander, Dorothy	Secretary to Chairman.	Colored	2,600
Clifton, J. Jeanne	Secretary to Deputy.	do	2,000
Brooks, Mary	Clerk-stenographer.	do	1,800
Banting, Myra	do	White	1,800

You will note that in this office of the chairman, consisting of 10 people, there are 5 Negroes and 5 white people, most of whom have foreign names. One of the whites is a stenographer who receives the smallest salary of anyone on the list.

Remember that the members of this group preside over the destiny of every business enterprise in America, and are using their assumed powers to harass white Americans out of business.

This is the organization Members of Congress are being asked to perpetuate by the passage of this bill.

FIELD OPERATIONS

Here is the Division of Field Operations:

Field operations

Incumbent	Title	Race	Salary
Maslow, Will	Chief	White	$6,500
Mitchell, Clarence	Principal fair-practice examiner.	Colored	5,600
Davidson, Eugene	do	do	5,600
Beall, W. Hayes	Senior fair-practice examiner.	White	4,600
Mercer, Inez	Fair-practice examiner.	do	3,800
Rogers, Eleanor	Clerk-stenographer.	Colored	1,800
Saito, Otome	do	Japanese-American.	1,800
Thompson, Mildred	do	Colored	1,800
Cornick, Emma	do	do	1,620

You will note that it consists of nine people—five Negroes, one Japanese, and three others—two of whom have records of affiliations with Communist-front organizations, according to the reports of the Dies committee.

Imagine this group going about over the country riding herd on the white American businessmen of the Nation, telling them whom they shall employ, whom they shall promote, and with whom they may associate.

It would be interesting, and probably enlightening, to check up on these people and see how many of them are native-born Americans.

Members of Congress had better do this now, before they get caught in this trap, because this question of un-American activities is going to be an issue in every congressional district next year, beginning with the primaries.

The people are not going to wait until the general election for someone who holds a commission as a result of the pernicious activities of Sidney Hillman and his gang to wrap the party cloak about him and shout to the people of his district that "I am a Republican" or "I am a Democrat."

More than 2,000,000 young men have already been discharged in this war, and they are organizing now to try to save America for Americans. They are going to read your records, and they are likely to ask you some very embarrassing questions when you get home.

REVIEW AND ANALYSIS DIVISION

Now look at this list and see who reviews all these records of racial discrimination when they come to Washington, and you will understand how the editor of the Dallas News felt and how other white gentiles feel, including Cecil B. DeMille, the great American movie producer, when they are harassed out of business.

Here is the list:

Review and Analysis Division

Incumbent	Title	Race	Salary
Davis, John A	Chief	Colored	$5,600
Lawson, Marjorie	Research analyst.	do	3,800

Review and Analysis Division—Continued

Incumbent	Title	Race	Salary
Golightly, Cornelius	Compliance analyst.	Colored	$3,200
Hemphill, India	do	do	2,600
Coan, Carol	do	White	2,600
Davis, Joy P	do	Colored	2,600
Hoffman, Celia	Clerk-stenographer.	White	1,800
Spaulding, Joan	do	Colored	1,800

You will note that it consists of six Negroes and two white people, one of whom is named Carol Coan and the other Celia Hoffman, a white stenographer receiving the lowest salary on the list.

Now, if you sign the petition to bring out this bill or vote for this monstrosity, do not forget that when you get home those white American businessmen who help to sustain this Nation in time of peace and whose sons are fighting its battles in time of war are going to want to ask you some questions that you may not be able to answer.

LEGAL DIVISION

But if you want a real laugh, look at this legal division.

Legal Division

Incumbent	Title	Race	Salary
Reeves, Frank D	Attorney	Colored	$4,600
Stickgold, Simon	do	White	4,600
Gordon, Jernevive	Clerk-stenographer.	Colored	1,800

You will note that this so-called Legal Division consists of two Negroes and a Simon Stickgold.

INFORMATION DIVISION

Now we come to the Information Division. If you want information about this outfit, write to this Division:

Information Division

Incumbent	Title	Race	Salary
Bourne, St. Clair	Information specialist.	Colored	$3,800
Whiting, Margaret	Clerk-stenographer.	do	1,800

You will note that it consists of two Negroes, one registered as an information specialist and the other as a clerk-stenographer.

BUDGET AND ADMINISTRATION

Now we come to the Budget and Administration Division. This Division not only makes up the budget but administers the regulations. Here is the list:

Budget and Administration

Incumbent	Title	Race	Salary
Jones, Theodore	Chief	Colored	$5,600
Jeter, Sinclair	Assistant administrative officer.	do	3,200
Baker, Vivian D	Clerk-stenographer.	do	2,000
Jackson, Bosales A	Clerk-typist	do	1,620
Paynter, Minnie A	do	do	1,620
Hollomon, Irving	Clerk	do	1,440
Selby, Ralph R	Chief, fiscal	do	2,600
Ross, Sylvia B	Voucher auditor	do	2,000
Nelson, Otelia	Accounting clerk	do	1,620
Carpenter, Elizabeth.	do	do	1,620
Brent, Pearl T	do	do	1,620

This outfit, which is composed of 11 Negroes, and no whites at all, not only makes

up the budget for financing this aggregation, but it seems to have the power of administration. I hope you will read this list to your white businessmen, farmers, and ex-servicemen at home when you get back and ask for renomination in the primaries next year.

MAIL AND FILES DIVISION

Now, here are the ones that have control of the mails and filing system:

Mail and Files

Incumbent	Title	Race	Salary
Douglas, Lela	Chief, Mail and Files.	Colored	$2,000
Welch, Selena	Docket clerk	do	1,800
Gamble, Jessie	File clerk	do	1,620
Phillips, Rose	do	do	1,440
Reed, Charles	Messenger	do	1,380
Mitchell, Regina	File clerk	do	1,440

You will note that this Division is composed entirely of Negroes—six Negroes, and no whites at all. I wonder why they discriminated against the white race in setting up these two powerful branches of this most dangerous agency?

REGIONAL OFFICE, NEW YORK

Now, let us turn to the regional offices and see who is going to harass the business people back in the States. Here is the list for the State of New York:

Regional office, New York

Incumbent	Title	Race	Salary
Lawson, Edward H.	Regional director.	Colored	$5,600
Jones, Madison S.	Fair-practice examiner.	do	3,800
Jones, Robert G.	do	do	3,800
Donovan, Daniel R.	do	White	3,800
Irish, Miriam	Clerk-stenographer.	Colored	2,000
Asepha, Tillie	do	White	1,620
Schwartz, Sonia	do	do	1,620

This is the list that is going to help Governor Dewey harass the white American businessmen of the Empire State. You will note that it is composed of four Negroes and three white people. Please read the names of the three white people and see if you can figure out their antecedents.

Businessmen of New York are going to have a hard time after this war without having all this communistic conglomeration to deal with, to say nothing of the one which Governor Dewey and his political henchmen have now heaped upon them.

REGIONAL OFFICE, PHILADELPHIA

Now, let us turn to Philadelpia, the birthplace of the Constitution—the City of Brotherly Love. At the risk of causing glorious old Benjamin Franklin to turn over in his grave, I read you the list:

Regional office, Philadelphia

Incumbent	Title	Race	Salary
Fleming, G. James	Regional director.	Colored	$5,600
Greenblatt, Mildred.	Fair-practice examiner.	White	3,800
Manly, Milo A	do	Colored	3,800
Risk, Samuel R	do	White	3,800
Grinnage, Willard	do	Colored	3,200
Gorgas, Helen	Clerk-stenographer.	do	1,800
Klinger, Karyl	do	White	1,800
Brown, Grayce	do	Colored	1,440

You will note that it is composed of eight individuals—five Negroes and three whites, Mildred Greenblatt, Samuel R. Risk, and Karyl Klinger.

Don't you know there will be some brotherly love when that crowd gets going on the businessmen of the Philadelphia area?

REGIONAL OFFICE, WASHINGTON, D. C.

Now, here is the regional office in Washington, D. C., the National Capital, where there has been so much persecution of white gentiles in the last few years. Here is the list:

Regional office, Washington, D. C.

Incumbent	Title	Race	Salary
Evans, Joseph	Regional director.	Colored	$5,600
Houston, Theophilus.	Fair-practice examiner.	do	3,200
Kahn, Alice	do	White	2,600
Chisolm, Ruby	Clerk-stenographer.	Colored	1,800
Urback, Dorothy	do	do	1,620

You will note it consists of four Negroes and Alice Kahn. Just what chance a white gentile will have with this group is entirely problematical, to say the least of it.

REGIONAL OFFICE, CLEVELAND

Now, let us move out where the West begins and take a look. Here is the list in the Cleveland regional office:

Regional office, Cleveland

Incumbent	Title	Race	Salary
McKnight, William.	Regional director.	Colored	$4,600
Abbott, Olcott R.	Fair-practice examiner.	White	3,800
Glore, Lethia	do	Colored	3,200
Kelley, Berniza	Clerk-stenographer.	do	1,620
Wasem, Edna	do	White	1,800

You will note that this group is composed of three Negroes and two whites, Olcott R. Abbott and Edna Wasem.

"Don't you know the white people of Cleveland will enjoy being dominated by them?"

CINCINNATI REGIONAL OFFICE

Cincinnati seems to be largely under the jurisdiction of the Cleveland office since it only has two people:

Cincinnati

Incumbent	Title	Race	Salary
James, Harold	Fair-practice examiner.	White	$4,600
----------	Clerk-stenographer.	----------	1,800

DETROIT REGIONAL OFFICE

Now let us move on to Detroit, Mich. Here is the regional office for Detroit:

Detroit

Incumbent	Title	Race	Salary
Swan, Edward	Examiner in charge.	Colored	$4,600
Sese, Doris K	Clerk-stenographer.	Japanese-American.	1,620

You will note that it is composed of one Negro and one Japanese. I know the businessmen of Detroit are grateful for this consideration.

I should like to hear some of the comments they will make to you gentlemen from Detroit when you get home next summer, if you support this vicious measure.

REGIONAL OFFICE, CHICAGO

Here is a list of the regional office in the Windy City:

Regional office, Chicago

Incumbent	Title	Race	Salary
Henderson, Elner	Regional director.	Colored	$5,600
Gibson, Harry H. C.	Fair-practice examiner.	do	3,800
Schultz, Joy	do	White	3,800
Williams, Le Roy	do	Colored	3,200
Zeidman, Penny	Clerk-stenographer.	White	1,800
Ingram, Marguerite S.	do	Colored	1,620

You will note it is composed of four Negroes, Joy Shultz, and Penny Zeidman. I am told that a representative of this group went into the office of Swift & Co. and asked how many Negro members they had on their board of directors. The answer was, "We have no Negro members on our board of directors." Then the question came back, "Why haven't you?" This just shows what this supergovernmental set-up is driving at. They want to communize America and destroy everything which our glorious ancestors have left us and for which our boys are now fighting and dying all over the world.

REGIONAL OFFICE, ATLANTA

Here is a list of the Atlanta office:

Regional office, Atlanta

Incumbent	Title	Race	Salary
Dodge, Witherspoon.	Regional director.	White	$4,600
Hope, John	Fair-practice examiner.	Colored	3,800
McKay, George D.	do	White	3,200
Chubb, Sally	Clerk-stenographer.	do	2,000
Ingram, Thelma	do	Colored	1,800

You will note that it consists of two Negroes and three whites; the most important post in this office, that of examiner, is held by a Negro. I wonder how the people of Georgia enjoy the domination of this group. I may have more to say about them later.

REGIONAL OFFICE, KANSAS CITY

Here is the list of the Kansas City office:

Regional office, Kansas City

Incumbent	Title	Race	Salary
Hoglund, Roy A	Regional director.	White	$5,600
Ormabee, Eugene	Fair-practice examiner.	do	3,800
Jones, Mildred	Clerk-stenographer.	Colored	1,620
Schlien, Helene G.	do	White	1,620

You will note that this office force consists of three whites and one Negro. You can read the list of whites yourself and then judge how many of them really represent the people of that area.

ST. LOUIS REGIONAL OFFICE

Here is the list of the regional office at St. Louis:

St. Louis

Incumbent	Title	Race	Salary
Theodore Brown	Examiner in charge.	Colored	$3,800
Morris Levine	Examiner	White	3,200
Armatha Jackson	Clerk-stenographer.	Colored	1,620

You will notice that it consists of two Negroes and Morris Levine. Just how they came to select these particular individuals to preside over the destiny of the white businessmen of the great State of Missouri I cannot understand.

REGIONAL OFFICE, DALLAS, TEX.

The members of the regional office at Dallas are as follows:

Regional office, Dallas

Incumbent	Title	Race	Salary
Castenada, Carlos	Regional director.	White	$4,600
(Vacancy)	Fair-practice examiner.		3,200
Gutleben, Willetta	Clerk-stenographer.	White	1,800

You will note there is one vacancy. Last year that position was held by a Negro, namely, Roy V. Williams. The other two members, Carlos Castenada, the regional director, and Willetta Gutleben, seem to be in charge of the office at the present time. This is the regional office that attacked the Dallas News last year for carrying an advertisement for a Negro janitor. This fellow Castenada, the director, held the same position that he holds now. If this set-up is made permanent, then I presume the rest of the white American businessmen in Texas may expect to be harassed just as the Dallas News was.

REGIONAL OFFICE, NEW ORLEANS

The regional office at New Orleans consists of the following members:

Regional office, New Orleans

Incumbent	Title	Race	Salary
Ellinger, W. Don	Regional director.	White	$3,800
Morton, James H	Fair-practice examiner.	Colored	3,200
Ronning, Evelyn	Clerk-stenographer.	White	1,800

You will note that there are two whites and one Negro in this office. As the Negro is the fair-practice examiner, just what the decent people of Louisiana may expect at the hands of this outfit is something to contemplate.

REGIONAL OFFICE, SAN FRANCISCO

The San Francisco office consists of the following individuals:

Regional office, San Francisco

Incumbent	Title	Race	Salary
Kingman, Harry L	Regional director.	White	$5,600
Rutledge, Edward	Fair-practice examiner.	do	4,600
Ross, Bernard	do	do	3,800
Seymour, Virginia	Administrative assistant.	do	2,000
Marzen, Jewel	Clerk-stenographer.	do	1,800

This is the only office we have found yet that consists entirely of white (?) people. Just what the background of each one of them is, I am unable to say.

LOS ANGELES REGIONAL OFFICE

The Los Angeles regional office consists of the following:

Los Angeles

Incumbent	Title	Race	Salary
Hunt, A. Bruce	Hearings examiner.	White	$5,600

Los Angeles—Continued

Incumbent	Title	Race	Salary
Brown, Robert E	Fair-practice examiner.	Colored	$3,600
Lopez, Ignacio	do	White	3,800
Vetter, Vera G	Clerk-stenographer.	do	1,800
Lerna, Marie	do	do	1,620

You will note that there are four whites and one Negro in this office, the Negro being the fair-practice examiner. I do not know what consideration the white businessmen of Los Angeles are receiving at the hands of this group, but from what I can hear there is considerable gnashing of teeth over the situation.

Mr. Chairman, this FEPC is a supergovernment of commissars, with more power for evil than any other agency that has ever been created in this country. If Congress should ratify it and make it the law of the land, then we will have sacrificed and destroyed that sacred freedom for which our brave men are now fighting and dying on every battle front in the world.

We have no right to pass such a drastic, revolutionary measure that literally changes our way of life, as well as our form of government, while these boys are away from home in uniform, fighting to sustain American institutions.

As I said before, we are going to carry this battle against such un-American activities into every congressional district in the United States next year, in the primary, so that no one can crawl behind the party cloak and claim immunity at the hands of any segment of our people.

This is a battle for the survival of free constitutional government, for the survival of the American way of life, for the survival of free enterprise, for the survival of American liberty itself.

It is a battle to save America for Americans.

EXTENSION OF REMARKS

Mr. ALLEN of Illinois asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. WOODRUFF asked and was given permission to extend his remarks in the RECORD in two instances and include in one an editorial and in the other an article.

Mr. HOFFMAN of Michigan asked and was given permission to extend his remarks in the RECORD on two subjects and include extraneous matter.

Mr. BATTLE asked and was given permission to extend his remarks in the RECORD and include an editorial and some other information on the Atlantic Pact.

Mr. MANSFIELD asked and was given permission to extend his remarks in the RECORD.

PANAMA CANAL

Mr. LYLE. Mr. Speaker, I call up House Resolution 44 and ask for its immediate consideration.

The Clerk read the resolution as follows:

Whereas it is the responsibility of the Congress of the United States to establish the policy to be followed in prescribing the tolls that shall be levied for the use of the Panama Canal; and

Whereas there have been substantial changes in economic conditions since Congress last established such policy, including the effect of such tolls upon American shipping: Therefore be it

Resolved, That the Committee on Merchant Marine and Fisheries or any duly authorized subcommittee thereof is authorized to make a full and complete study and analysis of the financial operation of the Panama Canal with particular reference to the proper accounting and allocation of costs attributable to—

(a) the transit of the Canal by commercial, governmental, and military vessels of United States and foreign nations;

(b) military activities of the United States in and connected with the Canal Zone;

(c) United States civil government, including, but not limited, to sanitation, public schools, playgrounds, hospitals, and so forth;

(d) business operations conducted under the supervision of the Governor General of the Panama Canal by the various business units of the Panama Canal and Panama Railroad Company;

and to recommend to the Congress concerning what elements of cost should be properly used in the future as the basis of a policy to be followed in establishing and levying tolls for the use of the Panama Canal for transit purposes.

The committee shall report its findings, together with its recommendations for such legislation as it may deem advisable to the House at the earliest practicable date, but not later than June 30, 1949.

The committee or any subcommittee thereof is authorized to sit and act at such times and places within or without the United States whether the Congress is in session, has recessed, or is adjourned; to hold such hearings as it deems necessary; to employ such consultants, specialists, clerks, or other assistants; to travel and authorize its assistants to travel; to utilize such transportation, housing, or other facilities as any governmental agency may make available; to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents; to administer such oaths; to take such testimony; and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per 100 words. The expenses of the committee, which shall not exceed $15,000, shall be paid from the contingent fund of the House upon vouchers authorized by the committee, signed by the chairman thereof, and approved by the Committee on House Administration; and be it further

Resolved, That the President of the United States be, and hereby is, requested to defer until after submission of the committee's report any change in tolls currently levied for the use of the Panama Canal.

Mr. LYLE. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN] and yield myself such time as I may consume.

Mr. RANKIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RANKIN. How much general debate will there be on the bill after the rule is adopted?

The SPEAKER. This is not a bill, this is a resolution. There will be 1 hour of debate.

Mr. RANKIN. Will the resolution be subject to amendment?

The SPEAKER. Not unless the gentleman from Texas yields for that purpose.

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

Mr. LYLE. I yield for a question.

Mr. RANKIN. I have a bill pending to abolish the Canal tolls for coastwise trade. No foreign country can engage in our coastwise trade. The American people paid for this Canal, and are keeping it up. I think they ought to be permitted to use it without being put on the same footing as foreign countries, which have nothing invested in it.

Our people should be permitted to use our own Panama Canal without having to pay tolls.

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

Mr. LYLE. I yield.

Mr. BLAND. It would appear that the gentleman has shown the reason for this resolution which we are now considering. That is one of the things that will be taken into consideration by the committee.

Mr. RANKIN. Mr. Speaker, if the gentleman will yield, I was not criticizing the committee, I will say to my distinguished friend the gentleman from Virginia. I was just asking for information.

Mr. BLAND. The gentleman from Virginia is not sensitive as to that at all.

Mr. LYLE. Mr. Speaker, perhaps it will be helpful to the House if I explain briefly the resolution before us.

In March 1949, pursuant to, as and authorized by, section 411, title 2 of the Canal Zone Code, the President issued a proclamation which would have effected changes in the toll rates levied by the Government of the United States for use of the Panama Canal. Those changes would have become effective October 1, 1948—Proclamation No. 2775 of March 26, 1948. In September 1948, the President by further proclamation prescribed that such changes in the toll rates would not be made effective until April 1, 1949, thereby permitting the Congress to investigate and make recommendations concerning the entire question of operations at the Canal. I quote the pertinent sections of the latter proclamation:

> Whereas it now appears that the Congress may be called upon to give consideration to the entire question of the cost of operation of the Panama Canal and the tolls to be levied for the use thereof; and
>
> Whereas it appears consistent with the public interest to postpone the effective date of the said Proclamation No. 2775 until April 1, 1949, so as to permit continuance of the present tolls until the Congress shall have had opportunity for such consideration.

Following these proclamations the Chairman of the Committee on Merchant Marine and Fisheries introduced House Resolution 44. The committee was of the opinion that the subject matter was of such importance, involving as it does a national policy on the operation of and tolls to be charged for use of the Panama Canal, that the House should have complete and up-to-date information before any changes were made. This resolution permits the Committee on Merchant Marine and Fisheries, or any duly authorized subcommittee thereof, to make a full and complete study and analysis of the financial operation of the Panama Canal. It grants them the power to request by subpena or otherwise the attendance of such witnesses and documents as are required. The entire purpose of the resolution is to provide helpful and factual informaton in a report to the House so that we may approve a general policy for the operation of the Panama Canal that is consistent with good management.

I thought it particularly timely that this resolution should come before the Congress. A very interesting article appeared February 19, 1949, in the Saturday Evening Post, prepared by Ernest O. Hauser and entitled "Richest Ditch on Earth." It was a story of the Suez Canal. I commend it to you for study and thought. Perhaps, even, it will be useful to the committee or subcommittee making the investigation authorized by the resolution. I was rather startled to realize how little I, as a United States Representative, knew about the operation of the Panama Canal, a canal that has played such a vital part in the development of our country and which looms so important in the future. I am sure that the committee report will be useful and will result in helpful changes.

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

Mr. LYLE. I am pleased to yield to the gentleman.

Mr. CAVALCANTE. Will the committee, in submitting their information to the Congress, include therein, for the purpose of our guidance here, any information that is obtained pertaining to the Suez Canal, as to what tolls are charged at that canal, and the way it is managed when our shipping wants to go through the Suez Canal?

Mr. LYLE. While I am not a member of the Committee on Merchant Marine and Fisheries, as the gentleman knows, I am sure that the committee will bring to the House a helpful and full and useful report.

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

Mr. LYLE. I yield.

Mr. BLAND. While I do not know that I will head up the subcommittee, I have no doubt that every fact that is connected with the imposition of tolls will be brought to the attention of the House, and certainly any matter which any Members of the House desires to bring before the committee will be considered by the committee.

Mr. LYLE. I am sure that the gentleman and his committee will bring in, as I said, a useful and helpful report which will enable the House to make an intelligent decision on this important matter.

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

Mr. LYLE. I yield.

Mr. BLAND. May I say that the committee has had jurisdiction of the Panama Canal since 1935. At that time the jurisdiction of the Panama Canal was transferred to the Committee on Merchant Marine and Fisheries by action of the House, after an agreement that had been worked out between the Speaker of the House, who was then chairman of the Committee on Interstate and Foreign Commerce, and myself as chairman of the Committee on Merchant Marine and Fisheries.

The committee, as such, has not made any study of the Panama Canal tolls, because at that time, as will appear from the first order of the President, a law had been passed fixing the tolls. I have been trying to find out if there was any investigation made by the committee. I do not think so. I certainly doubt whether the question of tolls was gone into very carefully by the Committee on Interstate and Foreign Commerce, of which our distinguished Speaker was then chairman.

We want to go into all of these matters and determine them finally.

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

Mr. LYLE. I yield to the gentleman from Georgia.

Mr. COX. The high character and general standing and patriotism of the chairman of the committee that would do this job ought to be enough insurance that it will be well done. I understand that there is not any opposition whatever to the resolution. If there be none, why can we not move forward and make a determination of the problem?

Mr. LYLE. The gentleman is correct. However, the resolution must be amended to comply with the rules of the House. I will offer an amendment to strike out certain portions later.

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

Mr. LYLE. I yield.

Mr. SABATH. As usual, when the gentleman from Texas presents a resolution for consideration here, he gives very careful study and consideration to the resolution and to what it intends to accomplish and the ends to be met. Consequently, being prepared as he always is, I feel that he should not be deprived of the opportunity of explaining more fully the provisions of the resolution, because I know it will be of value to the Members and at the same time it will be an example to others to prepare any resolutions or bills that they may present to the House.

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

Mr. LYLE. I yield.

Mr. COX. I must disclaim any intention of shutting the gentleman off, because I know he knows what he is talking about. He has examined this whole question very carefully, and he is prepared to give information to anyone who may be in doubt as to the position they should take on the matter.

Mr. LYLE. I am grateful to the gentleman from Illinois [Mr. SABATH] and the gentleman from Georgia [Mr. COX] for their statements.

Mr. Speaker, I ask unanimous consent that I may revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. LYLE. I reserve the remainder of my time.

Mr. ALLEN of Illinois. Mr. Speaker, there is no objection to this resolution at this time, provided the prerogatives of the Committee on House Administration are protected by amendments, whereby the Committee on House Administration decides as to the amount of expenditure to be made.

I reserve the remainder of my time.

Mr. LYLE. Mr. Speaker, I have no further requests for time.

Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LYLE. At what time would an amendment be proper? Now, or after the previous question has been ordered?

The SPEAKER. An amendment to the body of the resolution should be offered now.

Mr. LYLE. I offer an amendment, Mr. Speaker, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. LYLE:

On page 3, line 6, after the word "oaths" and the semicolon, insert the word "and."

On page 3, line 7, after the word "testimony", strike out the semicolon and the words "and to make such expenditures as it deems advisable."

Page 3, line 8, after the word "advisable", strike out the period and the remainder of the paragraph down to and including the word "administration" in line 14.

The SPEAKER. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on agreeing to the resolution as amended.

The resolution as amended was agreed to.

Mr. LYLE. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LYLE: Page 1, strike out the preamble of the resolution.

The amendment was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. KILBURN asked and was given permission to extend his remarks in the Appendix of the RECORD and include therein a resolution and two editorials.

Mr. COLMER asked and was given permission to extend his remarks in the Appendix of the RECORD.

Mr. EDWIN ARTHUR HALL asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial from the New York Times.

The SPEAKER. Under the previous order of the House, the gentleman from Illinois [Mr. VURSELL] is recognized for 20 minutes.

THE ADMINISTRATION'S LABOR LEGISLATION

Mr. VURSELL. Mr. Speaker, today I want to briefly discuss the possibility of the enactment of labor legislation in the Eighty-first Congress. I say "possibility" because after all of the noise and campaign promises, nothing has yet happened.

The Congress has been in session 57 days. The administration has a majority of 91 Democrats in the House and 12 Democrats in the Senate. The committee handling labor legislation in the House has a majority of 16 Democratic members to 9 Republican members. The Senate Committee on Labor has 8 Democrats and 5 Republicans.

In the campaign the President and some big labor leaders who joined him promised the laboring men they would repeal the Taft-Hartley law. I rise to ask the question: Why have they not done it by now? They have not even written a bill for consideration.

Mr. Speaker, the House and Senate committees have enough Democratic votes on each committee to report a bill at any time to the floor of the House or Senate to repeal the Taft-Hartley law. There are enough Democrats in the House and Senate to pass this legislation without a Republican vote, and thus keep the campaign promises they made to the laboring people, if and when they want to do it.

Their excuse now is that the Republicans are blocking this legislation. That is nothing less than a conspiracy on the part of the labor leaders and administration leaders to dodge their own responsibility, and to deceive the laboring men.

Tell me—are the Republicans so much smarter, or so much more powerful that a small minority of them can prevent a heavy Democratic majority from reporting out, or passing labor legislation?

The Republican Eightieth Congress, with a much smaller majority than the Democrats now hold, was held responsible for the passage of the Taft-Hartley law, even though a majority of the Democratic Members of the House and Senate joined with the Republicans to override the President's veto. Certainly, the laboring men who have been promised by the labor leaders and the party in power that they would repeal the Taft-Hartley law forthwith will now blame the administration for not making a real attempt to repeal the law. They have the ball now, and plenty of players on their team. They cannot blame their failure on us few Republicans.

Mr. Speaker, the real reason is that they are beginning to hear from the rank and file of labor, and from the people back home generally, who now begin to realize that the Taft-Hartley law is a good law, under which labor and everyone has prospered as never before; a law that has brought labor and management into a more harmonious relationship than at any time in the past 16 years. The general public of over 80,000,000 people also know that this law helps to protect their rights, and has been in part responsible for the greatest production and the greatest prosperity in the past 2 years this Nation has ever witnessed.

There is another reason why they have not rushed a bill out to the floor of the House to keep their promise to repeal the Taft-Hartley law. That reason is that they have offered nothing worth while in its place. They know the people will not accept nothing in a law for something that has worked well for the past 2 years. The proposed new law recommended to the committee, if enacted, would be worse than no law at all.

The representatives of the people, both Democrats and Republicans, by a majority in the House and Senate, will not go back to the one-sided Wagner Act, and will not turn the wheels of government back to the former strikes and chaos they know will result, unless legislation is provided to follow the Taft-Hartley law that will be fair and helpful to all—to the rank and file of labor, to business, agriculture, and to all of the people of this Nation.

Mr. Speaker, the laboring men themselves are beginning to realize that the Taft-Hartley law contains many essential provisions for the protection of the individual laboring man — protection from management on the one hand and protection from some dictatorial labor bosses on the other hand.

Many laboring men would prefer that from 13 to 18 of the principal provisions of the Taft-Hartley law be written into any legislation that takes its place.

Mr. Speaker, in an effort to sample the opinion of the laboring men in two of the strongest unionized cities in my district as to what they would like in labor legislation, I mailed out 2,000 questionnaires recently to card-carrying union men representing shop workers, railroad men, members of the buildings trades, shoe-factory workers, and so forth, and asked them to fill out the questionnaire and give me any suggestions as to other legislation they think should be written into the new labor bill. I must admit that I was a little surprised when the questionnaires began to come back to me on the 16 provisions contained in the Taft-Hartley law.

Approximately 90 percent of the returns urged that all of the 16 provisions now in the Taft-Hartley law be retained in any legislation the Congress may write.

I do not contend that if all persons contacted had replied that the percentage ratio would show such a heavy majority. In fact, one could hardly hope even a majority would so express themselves when for 2 years the labor leaders and labor papers have every week told them the Taft-Hartley law is a slave-labor law, and should be repealed. I think the returns do indicate that possibly a majority who understand the law would want most of the provisions of the act written into any new legislation.

Mr. Speaker, I make this statement because several magazines during the past 2 years have made general Nation-wide polls among union men, asking their opinion on most of the provisions I have listed. The general consensus of these polls, including a poll made by Look magazine, show that 60 to 78 percent generally approved these provisions in the Taft-Hartley law. Their prejudice had been built up much more against the law, than against its actual effect on the workers as contained in its provisions.

Mr. Speaker, I ask unanimous consent to include the questionnaire as a part of my remarks.

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

There was no objection.

Mr. VURSELL. Mr. Speaker, I have deleted the name; however, here is the way about 90 percent of the laboring men filled out the questionnaire:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., January 19, 1949.

DEAR FRIEND: The present Taft-Hartley law will either be repealed or rewritten. It is my hope that the new legislation enacted

will be fair and just to both labor and management, and in the best interest of all the people of the Nation.

As your Representative in Congress, I am anxious to have your opinion on the following provisions which were written into the present law for the sole purpose of protecting the rights of you individuals of the rank and file of labor. If you want them continued in the new legislation, write "yes" after each provision. If you do not, write "no" after each provision.

PROVISIONS IN PRESENT LAW

1. Recognizes your constitutional right to quit your job at any time. Yes.

2. Protects you against being forced out of your job by union officials so long as you pay your dues. Yes.

3. Protects you against discrimination or threats by your employer or your union officials. Yes.

4. Helps to drive Communists out of union leadership by requiring union officials to make sworn statements that they are not members of the Communist Party. Yes.

5. Prohibits your union officers from spending your dues by making donations to political candidates. Yes.

6. Gives you the right to vote secretly on all union questions. Yes.

7. Prohibits "check-off" of dues from your pay without your written consent. Yes.

8. Prevents waste of your dues by compelling union officials to give each member at the end of each year a financial statement showing the amount of money taken in, how spent, and to whom. Yes.

9. Gives you the right to ask for an election to determine if union continues to represent a majority of the employees. Yes.

10. Protects you from personal financial liability through any judgments rendered against your union. Yes.

11. Protects you from loss of pay by prohibiting secondary boycotts and jurisdictional strikes. Yes.

12. Gives you the right by secret ballot to determine whether or not a strike shall be called. Yes.

13. Provides for a union shop, but requires that any employee, within 30 days, must become a member of the union if a bargaining agreement is in effect between the employer and the employees. Yes.

14. Gives you the right as an individual to appeal to the National Labor Relations Board for protection of your rights and privileges. Yes.

Not one of the above provisions which now give the individual members of a union more freedom and greater protection was contained in the Wagner Act. You can now express yourself fully on the floor of your union without fear of being discriminated against or being forced out of a union by any union officer. These provisions are for the protection of the rank and file of labor in the locals.

15. In view of these facts, do you favor the outright repeal of the Taft-Hartley law and that the old Wagner Act containing none of these provisions for your protection be instituted in its place? No.

Please give me your opinion on the following provisions also contained in the present law by writing in "yes" or "no":

1. The present law provides that the Government, on a recommendation of the President, can obtain an injunction for a period limited to 80 days against strikes which would imperil the health and safety of the Nation. Should we retain this provision? Yes.

2. The present law gives the employers the right of free speech in labor-management disputes, so long as they do not threaten or promise anything. Do you believe management should continue to have this right that was denied them under the Wagner Act? Yes.

If you will check the above provisions and mail this letter back to me, giving me your opinion, it will be helpful, and I will appreciate it. Your name will be held in strict confidence and not disclosed.

I shall be glad to have any other suggestions you care to make with reference to this legislation. Please feel free to write me.

Sincerely yours,

C. W. VURSELL,
Member of Congress.

Please sign here: _____
(Name)

_____
(Address)

Practically every labor paper since the day the Taft-Hartley bill was passed, and many of the big labor leaders who saw their power slipping away from them and being given back to the rank and file, and to the little locals of the Nation, kept up a drumfire for months that the Taft-Hartley law was a slave-labor bill.

LABOR'S IRON CURTAIN

Can it be that the real reason the labor leaders have tried to hold down the "iron curtain" to keep the laboring men from knowing what was in the bill was because for the first time in 16 years the rank and file of labor was being given protection and freedom from the dictatorial power of some labor bosses?

Mr. Speaker, I am not interested in the name of Tafty-Hartley bill. I do not care what you may call the act that succeeds it. I am interested in the combined welfare of labor, agriculture, little and big business, because I know, and everyone should know, that any legislation that is passed should be fair and just to all of these great segments of industry, and it should be in the interest of over 80,000,000 people that are not classified as either employers or employees.

I know, and every right-thinking person knows, from the laboring man up to the big-business man, that all of these groups must be encouraged with fair and just legislation to work together in an effort to keep wages at a high level; business at a high level; agriculture at a high level; and that we cannot have continuous prosperity in this country unless all of these objectives are achieved.

Mr. Speaker, there are some sections of the Taft-Hartley law, in my judgment, that are not necessary. There are some amendments that should be written into the law that follows it. I am only interested in legislation that will be beneficial to all of the people.

Mr. Speaker, I am equally against any law that will give business too great power or control, and I am against any legislation that will put into the hands of a few labor leaders of this country the power to choke the Nation to its knees, and slow down and endanger the entire economy of the Nation.

EXTENSION OF REMARKS

Mr. JUDD asked and was given permission to extend his remarks in the RECORD in two instances and include in each an article.

Mr. MONRONEY asked and was given permission to extend his remarks in the RECORD and include an article from the Christian Science Monitor regarding Hon. BROOKS HAYS' proposal on civil-rights legislation.

SPECIAL ORDER GRANTED

Mr. WAGNER. Mr. Speaker, I ask unanimous consent that today, following any special orders heretofore entered, I may be permitted to address the House for 5 minutes.

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

There was no objection.

The SPEAKER. Under previous order of the House, the gentleman from Massachusetts [Mr. LANE] is recognized for 15 minutes.

HELP WANTED: A UNITED STATES FOREIGN SERVICE ACADEMY

Mr. LANE. Mr. Speaker, why do we win the wars and lose the peace? The losing of which breeds more wars. Because we train men—career men—in the military arts, but leave our diplomacy to amateurs.

Take a recent trend.

A man has become a successful soldier, a several-starred general. He has learned how to command. Then we appoint him to a diplomatic post where he must exercise the flexible and understanding talent of a conciliator.

It just does not work.

Might as well put a bull in a china shop.

Or a man has wealth, social connections, or political pull. And these are supposed to invest him overnight with an intimate knowledge of international affairs, and all those other special qualities of a profession which requires years of study and experience.

Diplomacy is a vocation, not an avocation. A serious matter. In the United States, however, we have come to regard it as a delayed-action Cook's tour.

We pick a man who is successful and a regular fellow. We put him in charge of an embassy, which is like an island of the United States put down in the strange sea of some foreign country. He knows nothing of the language, customs, political organization, history, or policies of that country. He blunders—unintentially, of course—and ruins the good will we have built up through the sacrifice of many American lives and the expenditure of much American wealth. Then he is transferred. And the people back home begin to suspect that something is lacking in such an arrangement.

It could be special training for the particular job. The State Department is not entirely to blame for this failure of American diplomacy to grow up. Nor is any President to blame. The Commission on Organization of the Executive Branch of the Government, under date line of February 21, 1949, pointed to the trouble, which only the Congress can start to remedy by legislation. The Commission recommended broad revision in this country's machinery for dealing with foreign relations. Among other things, it said President Truman should have a freer hand in directing such relations, and a better set-up for getting sound advice. In calling for a major shake-up of the State Department, the Commission declared that the Department has fallen to a level of low esteem with Congress, the public, the press, and many of its own officials. The State Department's organic statute of

1789 is still its basic charter. Then we were a small, isolated Nation.

Today we are one of the two major nations to whom more than half the world looks for a consistent policy of leadership.

Consistent? The Commission reports that—

> Today the coordinated activities of the State Department and the 45 other units of the executive branch is sine qua non for the effective conduct of the various and numerous foreign-affairs activities.

But the most striking present-day feature of the organization of the Government for the conduct of foreign affairs is the participation in all its phases by other departments and agencies.

First, we need an overhaul of the Department itself, with the insertion of the missing link, namely, the establishment of a United States Foreign Service Academy for the instruction and training of diplomatic cadets in preparation for service as officers in the Foreign Service of the United States.

A bill to this effect, identified as H. R. 471, was introduced by me in the United States House of Representatives on January 3, 1949.

Without the cadre of officers trained at West Point, Annapolis, and the postgraduate war colleges of the respective services, our civilian armies would have been without adequate leadership in World War II, with serious consequences for our Nation.

In fact, this core of highly trained personnel, more than counterbalanced the professional armies and the universal military training of such countries as Germany, Italy, and Japan.

In fact, the British were so impressed with the efficiency of our officer-training academies that they are planning to copy our methods.

Recently, no less an authority than Gen. Carl Spaatz, United States Air Force, retired, in the February 21, 1949, issue of Newsweek, recommends broadening the scope of instruction at West Point and Annapolis so as to train men for interchangeable service in the Army, Navy, and Air Force.

He contends that this would promote unification of the armed forces.

Officers so broadly trained would be of greater value to the country in this age of expanding world responsibilities.

There is also the clue to a solution of our problem in the field of diplomacy.

In this age of expanding world responsibilities we need, in the civilian sense, officers so broadly trained as to be of greater value to the country.

Their basic training shall be in foreign languages, not isolated as such, but woven into a thorough knowledge of the traditions and the outlook, the hopes and the fears of the Russian, the Mexican, the average person in China, or the citizen of Canada, for example.

At the same time they should be careful and objective reporters of the ideologies being forced upon certain unfortunate peoples of this world.

They should be able to help us preserve American security while we work toward world understanding and world security.

What are the chief functions of a Foreign Service officer?

To represent American interests abroad, to report, and to negotiate.

Mind you, we call them "officers" and we refer to them as a "corps."

By the very nature of their duties, they spend most of their lives outside of the United States.

This has created the problem of re-Americanization.

One of the objectives of the Foreign Service Act of 1946, was to insure that it was broadly representative of the American people and fully informed in respect to current trends in American life.

This can be achieved by the medium of a Foreign Service Academy which will make certain that such officers receive a thorough training in the traditions, the history, and the performance of our way of life, as well as that of the countries to which they are assigned.

How many times have we felt that our colleges and universities, as such, were taking the United States for granted, and were failing to provide that awareness of American culture and civilization, with all its accomplishments and its shortcomings, which must serve as the basis of their occupations and their lives?

I submit that we cannot leave our Foreign Service to men and women who are not specially trained in Americanism first.

How many people know that our State Department and the Foreign Service are two distinct organizations, each with its own personnel, appropriations, and administration?

This dual structure makes the United States today the only major power with its foreign affairs organization divided into two segments and often alienated, one from the other.

Our Foreign Service personnel, to keep in touch with their fellow-Americans and the viewpoint of Americans, must serve in the United States for longer periods than actually is the case today.

Does not this signify, in part, lack of a unified, basic training for the Foreign Service.

In this one-world atomic age we cannot rely upon cloistered scholars nor upon those who have acquired most of their formal education in foreign countries to provide the personnel to represent us in diplomacy.

Our own colleges and universities do not offer complete professional training in Foreign Service as a career.

Furthermore, they are limited in their approach because such training is a primary function of the Government and should be provided by the Government.

It is within the permanent structure of the Government, as distinguished from the changing administrations of Government, whether they be Democratic or Republican.

As yet, this concept has not taken root and form through the establishment of a United States Foreign Service Academy which will provide the trained officers necessary to measure up to our new responsibilities as one of the two major powers in world affairs.

To fill this gap, my bill would authorize the Secretary of State to establish or maintain, in or near the District of Columbia, an academy to train men and women for careers in our Foreign Service.

In prescribing the curriculum, the Secretary shall provide that special emphasis be placed on the study of the history, culture, customs, folklore, and language or languages of the nations which the trainees select as a major subject of study.

They shall not only be versed in the ability to understand and report the viewpoints of the governments and the people of the countries to which they may be assigned; they must be able, also, to explain the United States and its people to foreigners.

They must be competent and tactful in the presentation of our informational program and in the art of promoting, in spite of difficult barriers, the development of international understanding and good will.

This will require special talents and special studies.

The opportunity to attend the academy will be open to all Americans of good character who pass the competitive examinations, limited only to that number of the highest marks which may fill a yearly quota.

While in attendance at the academy, tuition, quarters, subsistence, and other necessary expenses shall be paid for by the Government.

In making original appointments of permanent officers in the Foreign Service, preference shall be given to graduates of the academy, after they have served 2 years as temporary employees at foreign stations.

There shall be appointed each year a board of visitors to the academy, which shall consist of five members from the Committee on Foreign Relations of the Senate and five members from the Committee on Foreign Affairs of the House of Representatives, to be appointed by the respective chairmen of such committees.

The board of visitors shall exercise the same functions as is provided in the case of the Board of Visitors to the United States Military Academy.

The Commission on Organization of the Executive Branch of our Government has recently charged that the intelligence unit is the weakest and least effective in the State Department, and that its relationships with the Central Intelligence Agency partake of rivalry rather than cooperation.

The State Department's relationship with the press and other media of public information are extremely weak, the report added.

The Congress, should it authorize a Foreign Service academy, will insist on adequate training of personnel to remedy these deficiencies.

United Nations in swaddling clothes, Truman Doctrine, Marshall plan, cold war, Russian expansionism, satellites, the cancer of communism, propaganda, the stirrings of independence among colonial peoples, in this welter of swiftly changing events, the United States will need the best men to represent our interests.

Diplomacy in the atomic age must grow up.

In the world assembly of the future, men and women who are thoroughly

schooled in the American way of life and in the relationship between our Nation and other nations will be among the most distinguished leaders that our country has produced or will produce.

And I am sure that many of them will be graduates of the United States Foreign Service Academy.

To this end, I ask your support of H. R. 471.

The time to prepare for the future is today.

PULASKI MEMORIAL HOUR ON MARCH 4

Mr. SABATH. 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 Illinois?

There was no objection.

Mr. SABATH. Mr. Speaker, Friday, March 4, 1949, will be the two hundred and first anniversary of the birth of the renowned Polish-American hero, Gen. Casimir Pulaski. I feel it would be proper and fitting in recognition of his services to our country and in respect to his memory that we pay tribute to him in the House on his birthday anniversary.

I therefore ask unanimous consent that immediately upon the conclusion of legislative business on that day that I be recognized for 1 hour for that purpose.

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

There was no objection.

The SPEAKER. Under the previous order of the House, the gentleman from Ohio [Mr. WAGNER] is recognized for 5 minutes.

CINCINNATI AND THE COMMUNISTS

Mr. WAGNER. Mr. Speaker, I happened to have been born and raised in the city of Cincinnati, Ohio, which city has been known throughout the world as the Queen City of the West and as a place of which we are all justly proud.

Our city has an excellent reputation for progressiveness, peace, and quiet. Our community is made up of different groups, such of which have been banded together to help make this the greatest Nation in the world. We have an excellent record with reference to brotherhood, racial and religious relations, and all of us meet together periodically to discuss our problems and work out the same. Class hatred is an unknown quantity in our community.

Commencing on Saturday, February 26, 1949, and throughout the week up to and including Saturday, March 5, we are celebrating Brotherhood Week, a time when we rejoice and are glad that turmoil among groups has never existed in our community.

However, on last Saturday, February 26, 1949, certain individuals who call themselves the Hamilton County Communist Party came out of their hiding places and attempted to disrupt the peaceful people of our community. They attempted to stir up unrest among our people by appealing to religious prejudice through mimeographed sheets which were distributed in certain sections of our fair city. Like rats coming out of sewers they poked their ugly heads out into the open just long enough to attempt to accomplish their purpose and then immediately went back into hiding. None of them had the courage to affix his or her name to the scurrilous literature which they circulated.

In our community also we are very fortunate in having several civic-minded radio stations, among which one of the most informative is WCPO which is owned and operated by one of our city's best newspapers, the Cincinnati Post. Mr. Robert Otto, the news commentator on radio station WCPO, was the person who first brought to light this despicable attempt to inflame our people, and I quote from the broadcast made by Mr. Otto at 4 p. m. on Saturday, February 26, 1949, over radio station WCPO:

> Communists came out of hiding in the Cinti area today in a move obviously designed to inflame members of the Jewish community against Catholics.
>
> Mimeographed letters bearing the heading, "Mindszenty anti-Semite" were circulated among passersby at prominent corners in Avondale. The inflammatory letters ironically were being passed out at the climax to the local observance of Brotherhood Week, on the Jewish Sabbath and on the eve of the Catholic observance of Sunday.
>
> The letters referred to the Catholic primate of Hungary, Josef Cardinal Mindszenty, who now is behind bars in that Communist-dominated land following a so-called trial. The letters through which the local Reds hoped to set Jew against Catholic bear this sentence at the bottom, and we quote: "Hamilton County Communist Party, Avondale Branch, Post Office Box 1483."
>
> Following our broadcast of the Avondale incident, Second District Congressman EARL T. WAGNER, who heard the newscast, said he was going to request the FBI to arrest and prosecute the composers and circulators of the missives. Cinti detective headquarters is also investigating. District 7 police told us that circulation of political or defamatory circulars in the manner used by the Reds is prohibited by city ordinance, but no one was cited in Avondale, however.
>
> The Communist letter attempts to brand Cardinal Mindszenty an arch enemy of the Jews. Yet during the so-called trial of the cardinal the Post carried an interview with an internationally known Jewish figure, Bela Fabian, who said that he personally knew the cardinal and worked with him to save Jewish people from the terror of Hitler and the Reds. Fabian branded as an outright lie any attempt to link the cardinal with anti-Semitism.
>
> The Hamilton County Communists obviously have established a link between themselves and the Red persecutors of Catholics in Europe. Their mimeographed letters, of which we have a copy, are apparently designed to steer Americans from any course critical of Russia.

Needless to say, our people in our community could not be swayed nor influenced in any fashion by this despicable smear and their observance of Brotherhood Week is going forward bigger and better than ever and our record of good fellowship remains unblemished.

In my humble opinion, people of the type who attempt to stir up class and religious prejudice such as this are a dangerous menace to the peace and quiet of this country. If they love the Communist ideals and its methods of treachery, deceit, and law of force, may I respectfully recommend to the State Department that we give them an immediate passport for a one-way trip to the land they love from a distance but which I know they do not want to return to.

EXTENSION OF REMARKS

Mr. DONDERO asked and was given permission to extend his remarks in the Appendix of the RECORD and include an article.

Mr. FENTON asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. ADDONIZIO (at the request of Mr. PRIEST) was given permission to extend his remarks in the Appendix of the RECORD and include a letter.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. TEAGUE (at the request of Mr. PICKETT), for this week, on account of attendance on the joint maneuvers by the Army, Navy, and Air Force in the Caribbean Sea.

To Mr. DAGUE (at the request of Mr. GRAHAM), for this week, on account of death in family.

To Mr. WALSH (at the request of Mr. JACOBS), for 4 days, on account of official business.

To Mr. BURNSIDE (at the request of Mr. RAMSAY), for 3 days, on account of death in family.

To Mr. GATHINGS, for 3 days, on account of official business.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

Mrs. NORTON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill and joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 54. An act to retrocede to the State of New Mexico exclusive jurisdiction held by the United States over lands within the boundaries of the Los Alamos project of the United States Atomic Energy Commission; and

H. J. Res. 92. Joint resolution to continue the authority of the Maritime Commission to sell, charter, and operate vessels, and for other purposes.

ADJOURNMENT

Mr. PRIEST. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 1 o'clock and 18 minutes p. m.) the House adjourned until tomorrow, Tuesday, March 1, 1949, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

277. A communication from the President of the United States, transmitting revised estimates of appropriation for the fiscal year 1950 involving a decrease of $44,832,000 for the Veterans' Administration in the form of amendments to the budget for said fiscal year (H. Doc. No. 85); to the Committee on Appropriations and ordered to be printed.

278. A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting to the Congress a study prepared for the Commission's consideration on the national security organ-

ization in the Federal Government (H. Doc. No. 86); to the Committee on Armed Services and ordered to be printed.

279. A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting its report on the national security organization and, separately, as appendix G, a part of the report of the task force assigned to examine this segment of the executive branch; to the Committee on Armed Services.

280. A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting to the Congress, in typescript, volume II to the study on the national security organization offered for the Commission's consideration by the task force as a supplement to their summary report on this subject; to the Committee on Armed Services.

281. A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting to the Congress, in typescript, volume III to the study on the national security organization offered for the Commission's consideration by the task force as a supplement to their summary report on this subject; to the Committee on Armed Services.

282. A letter from the Comptroller General of the United States, transmitting a draft of a proposed bill entitled "A bill to provide a continuing fund for the payment of claims allowed by the General Accounting Office chargeable to lapsed appropriations"; to the Committee on Expenditures in the Executive Departments.

283. A letter from the Secretary of Commerce, transmitting a draft of a proposed bill to redefine the units and establish the standards of electrical and photometric measurements; to the Committee on Interstate and Foreign Commerce.

284. A letter from the Secretary of State, transmitting a draft of a proposed joint resolution approving an agreement relating to the resolution of conflicting claims to German enemy assets and related protocol and authorizing the President to enter into the agreement or other agreements similar in character with certain countries; to the Committee on Foreign Affairs.

285. A letter from the Director, Administrative Office of the United States Courts, transmitting statistical tables and charts containing data in regard to bankruptcy cases administered in the district courts of the United States in the fiscal year ending June 30, 1948; to the Committee on the Judiciary.

286. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill for the relief of John W. Crumpacker, commander, United States Navy; to the Committee on the Judiciary.

287. A letter from the Under Secretary of the Interior, transmitting a draft of a proposed bill to provide for a Resident Commissioner to the United States from the Virgin Islands; to the Committee on Public Lands.

288. A letter from the Acting Secretary of the Treasury, transmitting a draft of a proposed bill to authorize certain personnel and former personnel of the United States Coast Guard and the United States Public Health Service to accept certain gifts tendered by foreign governments; to the Committee on Foreign Affairs.

289. A letter from the Acting Secretary of the Treasury, transmitting a draft of a proposed bill to regulate the hours of duty and the pay of civilian keepers of lighthouses and civilians employed on lightships and other vessels of the Coast Guard; to the Committee on Post Office and Civil Service.

290. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated March 26, 1948, submitting a report, together with accompanying papers and illustrations, on a review of reports on, and a preliminary examination and survey of, Cape Fear River at and below Wilmington, N. C., authorized by the River and Harbor Act approved on July 24, 1946, and also requested by a resolution of the Committee on Commerce, United States Senate, adopted on February 7, 1946 (H. Doc. No. 87); to the Committee on Public Works and ordered to be printed, with two illustrations.

291. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated April 19, 1948, submitting an interim report, together with accompanying papers and illustrations, on a preliminary examination and survey of Brazos River and tributaries, Texas, covering Leon River, a secondary tributary, authorized by the Flood Control Acts approved on June 22, 1936, and August 28, 1937, and by the River and Harbor Act approved August 26, 1937 (H. Doc. No. 88); to the Committee on Public Works and ordered to be printed, with three illustrations.

292. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated April 19, 1948, submitting a report, together with accompanying papers, on a review of reports on Warroad Harbor and River, Minn., requested by resolution of the Committee on Rivers and Harbors of the House of Representatives adopted on June 19, 1945; to the Committee on Public Works.

293. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated August 4, 1948, submitting a report, together with accompanying papers, on a preliminary examination of Saw Mill River, N. Y., authorized by the River and Harbor Act approved on March 2, 1945; to the Committee on Public Works.

294. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated April 19, 1948, submitting a report, together with accompanying papers, on a preliminary examination of Cedar Bayou Pass, Corpus Christi Pass, and pass at Murdock's Landing, Texas, authorized by the River and Harbor Act approved on March 2, 1945; to the Committee on Public Works.

295. A letter from the Archivist of the United States, transmitting lists or schedules, or parts of lists or schedules, covering records proposed for disposal by certain Government agencies; to the Committee on House Administration.

296. A letter from the Secretary of Commerce, transmitting a draft of a proposed bill to authorize the construction and equipment of a radio laboratory building for the National Bureau of Standards, Department of Commerce; to the Committee on Interstate and Foreign Commerce.

297. A letter from the Acting Attorney General, transmitting copies of orders of the Commissioner of the Immigration and Naturalization Service suspending deportation, as well as a list of the persons involved; to the Committee on the Judiciary.

298. A letter from the assistant to the Attorney General, transmitting a draft of a proposed bill to repeal section 8 of the act of March 3, 1893; to the Committee on the Judiciary.

299. A letter from the Under Secretary of the Interior, transmitting a draft of a proposed bill to revise and repeal certain acts relating to rules of survey to permit departures from the system of rectangular survey when necessary on all public lands, and for other purposes; to the Committee on Public Lands.

300. A letter from the Under Secretary of the Interior, transmitting a draft of a proposed bill to authorize appropriations for roads, trails, and other aids to transportation serving lands and facilities under the jurisdiction of the Bureau of Indian Affairs in Alaska; to the Committee on Public Lands.

301. A letter from the Secretary of the Interior, transmitting a draft of a proposed bill relating to the development of tourist and other public facilities in conjunction with the Alaska Highway, and for other purposes; to the Committee on Public Lands.

302. A letter from the President, United States Civil Service Commission, transmitting a draft of a bill entitled "A bill to amend section 4 (b) of the Civil Service Retirement Act of May 29, 1930, as amended"; to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar as follows:

Mr. GARMATZ: Joint Committee on the Disposition of Executive Papers. House Report No. 165. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mr. GRAHAM: Committee on the Judiciary. H. R. 157. A bill authorizing the Attorney General of the United States to recognize and to award to outstanding courageous young Americans a medal for heroism known as the Young American Medal for Bravery, and for other purposes; with amendments (Rept. No. 166). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. WHITTINGTON:

H. R. 3019. A bill to provide for comprehensive planning, for site acquisition in and outside of the District of Columbia, and for the design of Federal building projects outside of the District of Columbia; to authorize the transfer of jurisdiction over certain lands between certain departments and agencies of the United States; and to provide certain additional authority needed in connection with the construction, management, and operation of Federal public buildings; and for other purposes; to the Committee on Public Works.

By Mr. REED of New York:

H. R. 3020. A bill to regulate oleomargarine, to repeal certain taxes relating to oleomargarine, and for other purposes; to the Committee on Agriculture.

By Mr. STEFAN:

H. R. 3021. A bill to regulate oleomargarine, to repeal certain taxes relating to oleomargarine, and for other purposes; to the Committee on Agriculture.

By Mr. SHAFER:

H. R. 3022. A bill to transfer the Pomona station of the Agriculture Remount Service, Department of Agriculture, at Pomona, Calif.; to the Committee on Agriculture.

By Mr. PRICE:

H. R. 3023. A bill amending Public Law 49, Seventy-seventh Congress, providing for the welfare of coal miners, and for other purposes; to the Committee on Education and Labor.

By Mr. PRESTON:

H. R. 3024. A bill to provide for the discharge from the armed forces of persons who were married at the time of their induction; to the Committee on Armed Services.

By Mr. PATTEN:

H. R. 3025. A bill to amend the Hospital Survey and Construction Act (title VI of the Public Health Service Act), to extend its duration and provide greater financial assistance in the construction of hospitals, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GROSS:

H. R. 3026. A bill to incorporate the Legion of Guardsmen; to the Committee on the Judiciary.

By Mr. GORSKI of New York:

H. R. 3027. A bill to provide pay increases for employees of the Federal Government; to the Committee on Post Office and Civil Service.

By Mr. CAVALCANTE:

H. R. 3028. A bill to provide for a new post-office building in Windber, Pa.; to the Committee on Public Works.

H. R. 3029. A bill to amend the Nationality Act of 1940 to remove racial barriers to naturalization with respect to spouses and children of United States citizens; to the Committee on the Judiciary.

By Mr. BOGGS of Delaware:

H. R. 3030. A bill to amend the act entitled "An act to reclassify the salaries of postmasters, officers, and employees of the postal service; to establish uniform procedures for computing compensation; and for other purposes," approved July 6, 1945, as amended; to the Committee on Post Office and Civil Service.

H. R. 3031. A bill to grant travel and subsistence allowances to the next of kin attending group burials of remains of known individuals returned to the United States for interment; to the Committee on Armed Services.

By Mr. BARRETT of Wyoming:

H. R. 3032. A bill to regulate oleomargarine, to repeal certain taxes relating to oleomargarine, and for other purposes; to the Committee on Agriculture.

By Mr. BENNETT of Michigan:

H. R. 3033. A bill to extend the coverage of the Federal old-age and survivors insurance system, to increase certain benefits payable under such system, to reduce the retirement age, and for other purposes; to the Committee on Ways and Means.

By Mr. BROWN of Georgia:

H. R. 3034. A bill to authorize the improvement of the Savannah River below Augusta, Ga.; to the Committee on Public Works.

By Mr. CARNAHAN:

H. R. 3035. A bill to amend the National Service Life Insurance Act of 1940 with respect to the terms "brother" and "sister"; to the Committee on Veterans' Affairs.

By Mr. CASE of South Dakota:

H. R. 3036. A bill to regulate oleomargarine to repeal certain taxes relating to oleomargarine, and for other purposes; to the Committee on Agriculture.

By Mr. CELLER:

H. R. 3037. A bill to amend section 2680 of title 28, United States Code; to the Committee on the Judiciary.

H. R. 3038. A bill to authorize the Secretary of the Treasury to repair and remodel the Belasco Theater and rent it out to the performing arts; to the Committee on Public Works.

By Mr. FORD:

H. R. 3039. A bill to amend section 302 (c) of the Army and Air Force Vitalization and Retirement Equalization Act of 1948; to the Committee on Armed Services.

By Mr. FURCOLO:

H. R. 3040. A bill to provide for a comprehensive survey to promote the development of hydroelectric power, flood control, and other improvements on the Merrimack and Connecticut Rivers and such other rivers in the New England States where improvements are feasible; to the Committee on Public Works.

By Mr. GATHINGS:

H. R. 3041. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to provide parity for tung nuts, and for other purposes; to the Committee on Agriculture.

By Mr. GRANGER:

H. R. 3042. A bill to provide relief for the sheep-raising industry by making special quota immigration visas available to certain alien sheepherders; to the Committee on the Judiciary.

H. R. 3043. A bill to assist in bringing about a more sound agricultural economy through diversification of its productive resources by providing for research into the basic laws and principles relating to domestically raising fur-bearing animals; to the Committee on Agriculture.

By Mr. HAYS of Ohio:

H. R. 3044. A bill making unlawful the requirement for the payment of a poll tax as a condition precedent to voting or registering to vote in an election for national officers; to the Committee on House Administration.

By Mr. KEEFE:

H. R. 3045. A bill to regulate the registration, manufacture, labeling, and inspection of fertilizer and fertilizer materials shipped in interstate commerce, and for other purposes; to the Committee on Agriculture.

By Mr. KILBURN:

H. R. 3046. A bill to authorize the expansion of facilities at the Cape Vincent, N. Y., fish-cultural station; to the Committee on Merchant Marine and Fisheries.

By Mr. KRUSE:

H. R. 3047. A bill to provide for the construction of a post office at Albion, Ind.; to the Committee on Public Works.

H. R. 3048. A bill to provide that the next of kin of certain persons who died while serving in the armed forces of the United States shall be furnished with monuments, and for other purposes; to the Committee on Public Lands.

By Mr. LARCADE:

H. R. 3049. A bill to amend Public Law 702, Eightieth Congress, to extend assistance to certain veterans with wartime service-connected disability involving the loss or loss of use of certain extremities in acquiring specially adapted housing which they require by reason of the nature of their service-connected disabilities; to the Committee on Veterans' Affairs.

H. R. 3050. A bill to amend Public Law 702, Eightieth Congress, to extend assistance to certain veterans with wartime service-connected blindness in acquiring specially adapted housing which they require by reason of the nature of their service-connected disability; to the Committee on Veterans' Affairs.

By Mr. McGREGOR:

H. R. 3051. A bill to reduce to 10 percent the rate of withholding of tax on wages; to the Committee on Ways and Means.

By Mr. MARTIN of Iowa:

H. R. 3052. A bill to direct the Secretary of Agriculture to announce the parity price of milk, and to direct the Secretary of Agriculture to immediately announce the support price of milk; to the Committee on Agriculture.

H. R. 3053. A bill to regulate oleomargarine, to repeal certain taxes relating to oleomargarine, and for other purposes; to the Committee on Agriculture.

By Mr. MITCHELL:

H. R. 3054. A bill for the purpose of erecting an adequate terminal annex post office in Seattle, Wash.; to the Committee on Public Works.

By Mr. MURRAY of Wisconsin:

H. R. 3055. A bill to regulate oleomargarine, to repeal certain taxes relating to oleomargarine, and for other purposes; to the Committee on Agriculture.

By Mr. PHILLIPS of California:

H. R. 3056. A bill to provide for disposition of lands on the Cabazon, Augustine, and Torres-Martinez Indian Reservations; to the Committee on Public Lands.

By Mr. POTTER:

H. R. 3057. A bill to amend Veterans Regulation No. 1 (a) to provide that certain chronic and tropical diseases becoming manifest within 2 years after separation from active service shall be presumed to be service-connected; to the Committee on Veterans' Affairs.

By Mr. SANBORN:

H. R. 3058. A bill to regulate oleomargarine, to repeal certain taxes relating to oleomargarine, and for other purposes; to the Committee on Agriculture.

By Mr. SHORT:

H. R. 3059. A bill to regulate oleomargarine, to repeal certain taxes relating to oleomargarine, and for other purposes; to the Committee on Agriculture.

By Mr. SIKES:

H. R. 3060. A bill to create additional Secretaries of the armed services for Reserve components; to the Committee on Armed Services.

H. R. 3061. A bill to establish a committee for Reserve components within the Department of the Army and the Department of the Air Force, and for other purposes; to the Committee on Armed Services.

By Mr. SMITH of Wisconsin:

H. R. 3062. A bill to regulate oleomargarine, to repeal certain taxes relating to oleomargarine, and for other purposes; to the Committee on Agriculture.

By Mr. TALLE:

H. R. 3063. A bill to regulate oleomargarine, to repeal certain taxes relating to oleomargarine, and for other purposes; to the Committee on Agriculture.

By Mr. TEAGUE:

H. R. 3064. A bill to authorize waiver of statutory and regulatory limitations in meritorious cases; to the Committee on Veterans' Affairs.

H. R. 3065. A bill to authorize Secretary of the Army to enter into certain contracts for sale of electric power, and for other purposes; to the Committee on Public Works.

H. R. 3066. A bill to authorize the issuance of a stamp commemorative of the seventy-fifth anniversary of the Agricultural and Mechanical College of Texas; to the Committee on Post Office and Civil Service.

H. R. 3067. A bill relating to full-time institutional trade and industrial training for veterans; to the Committee on Veterans' Affairs.

By Mr. TOLLEFSON:

H. R. 3068. A bill to provide for the issuance of a special postage stamp in commemoration of the Lake Washington Floating Bridge; to the Committee on Post Office and Civil Service.

H. R. 3069. A bill to enable certain former officers or employees of the United States separated from the service subsequent to January 23, 1942, to elect to forfeit their rights to civil-service retirement annuities and to obtain in lieu thereof returns of their contributions with interest; to the Committee on Post Office and Civil Service.

By Mr. WERDEL:

H. R. 3070. A bill to amend the Hospital Survey and Construction Act; to the Committee on Interstate and Foreign Commerce.

By Mr. SECREST:

H. R. 3071. A bill to authorize the Secretary of War to purchase certain property in Morgan County; to the Committee on Public Works.

By Mr. SIKES:

H. R. 3072. A bill to establish a Bureau of Reserve Affairs in the Department of the Army and in the Department of the Air Force; to the Committee on Armed Services.

By Mr. DINGELL:

H. J. Res. 178. Joint resolution extending an invitation to the International Olympic Committee to hold the 1956 Olympic games at Detroit, Mich.; to the Committee on Foreign Affairs.

By Mr. FLOOD:

H. J. Res. 179. Joint resolution for the approval for Atlantic Defense Pact; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Montana, memorializing the President and the Congress of the United States for consideration of their House Joint Memorial 6, requesting the introduction and enactment of appropriate legislation for the appropriation of funds for the building of the Custer Battlefield Museum, at Custer Battlefield National Monument, Mont.; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of Idaho, memorializing the President and the Congress of the United States to make available the sum of $2,500,000 for the construction of the Idaho Central Highway from Trude, Idaho, to Mountain Home, Idaho; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of Nebraska, memorializing the President and the Congress of the United States to pass Senate bill 362, which calls for payments in lieu of taxes on federally owned real property so as to reimburse States and local governments, bringing about substantial equity between local and Federal taxpayers with respect to Federally owned real property; to the Committee on Public Lands.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COOPER:

H. R. 3073. A bill for the relief of Loretta Ann Perry and Helen Claire Cherry; to the Committee on the Judiciary.

By Mr. DAVIS of Georgia:

H. R. 3074. A bill to provide for the relief of Elsie Noot; to the Committee on Post Office and Civil Service.

By Mr. HOLMES:

H. R. 3075. A bill to provide for the renewal of patent No. 1,846,542, issued February 23, 1932, relating to carrying bags; to the Committee on the Judiciary.

By Mr. LESINSKI:

H. R. 3076. A bill for the relief of Jerome Hendrik Boogerman; to the Committee on the Judiciary.

By Mr. MITCHELL:

H. R. 3077. A bill for the relief of Mrs. Rebecca Levy: to the Committee on the Judiciary.

H. R. 3078. A bill for the relief of John A. Watson; to the Committee on the Judiciary.

By Mr. PATTEN:

H. R. 3079. A bill providing for the renewal of design patent No. D-95922, issued June 11, 1935; to the Committee on the Judiciary.

By Mr. PRESTON:

H. R. 3080. A bill for the relief of Earl L. Doss; to the Committee on the Judiciary.

By Mr. WERDEL:

H. R. 3081. A bill for the relief of Mrs. Dorothy M. Evans; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

124. By Mr. WILSON of Oklahoma: Memorial of the Oklahoma Legislature, asking Congress to make a suitable appropriation for the care and support of needy and destitute Indians; to the Committee on Appropriations.

125. By Mr. CASE of South Dakota: Memorial of the State Legislature of the State of South Dakota, memorializing the Congress of the United States to provide sufficient funds adequately to aid in a modern way the improvement of the Indian's economic well-being; to the Committee on Appropriations.

126. By Mr. PATTEN: Memorial of the State of Arizona, requesting the decentralization of war industries and calling attention to the advantages of Arizona as a location for war industries; to the Committee on Armed Services.

127. Also, memorial of the State of Arizona, proposing decontrol of rental housing in the State of Arizona; to the Committee on Banking and Currency.

128. By Mr. MANSFIELD: Memorial of the Legislature of the State of Montana, requesting the Eighty-first Congress to introduce and pass the Veterans' Economic Development Act as embodied in H. R. 521 and S. 1652, Eightieth Congress; to the Committee on Banking and Currency.

129. By Mr. HART: Petition of the Hudson County Federation of Holy Name Societies, Jersey City, N. J., severely condemning the action of the Moscow-governed satellite and protesting the effort to destroy religion and liberty throughout the world and calling upon the President and Congress of the United States to disaffirm any recognition of those governments which seek to destroy the God-given liberties of men; to the Committee on Foreign Affairs.

130. Also, petition of Catholic Youth Organization, Hudson County Catholic Youth Center, of Jersey City, N. J., protesting the unjust, unwarranted, and cruel sentence imposed by the Communist-controlled Hungarian Government upon Josef Cardinal Mindszenty; to the Committee on Foreign Affairs.

131. By Mrs. NORTON: Petition of the Reserve Officers Association of the United States, Hudson County Chapter, Jersey City, N. J., condemning the Communist-dominated proceedings which resulted in the sentencing of Josef Cardinal Mindszenty to life imprisonment as a travesty upon justice and an affront to all freedom-loving peoples; to the Committee on Foreign Affairs.

132. Also, petition of the Hudson County Federation of Holy Name Societies, New Jersey, condemning the action against Josef Cardinal Mindszenty by the Hungarian Government and calling upon the President and Congress of the United States to disaffirm any recognition of those governments which seek to destroy the God-given liberties of men; to the Committee on Foreign Affairs.

133. By Mr. PATTEN: Memorial of the State of Arizona, requesting Congress to provide recreational facilities in the Lake Mead National Recreational Area; to the Committee on Public Lands.

134. Also, memorial of the State of Arizona, requesting immediate action with respect to social-security payments to Indians on reservations; to the Committee on Ways and Means.

135. By the SPEAKER: Petition of Frank W. Cronin, secretary, Nebraska Committee for MVA, Omaha, Nebr., petitioning consideration of their resolution urging immediate creation of a Missouri Valley Administration, patterned after the successful Tennessee Valley Authority, also urging congressional investigation of water-development and lobbying organizations, their membership, and financing; to the Committee on Public Works.

136. Also, petition of Mrs. Ella Adams, secretary, Boynton Beach Townsend Club, No. 1, Boynton Beach, Fla., petitioning consideration of their resolution requesting immediate action, consideration, and enactment of the proposed legislation known as the Townsend plan, H. R. 2135, Eighty-first Congress; to the Committee on Ways and Means.

137. By Mr. HILL: Memorial of the State of Colorado, requesting that Congress enact legislation providing for the creation of a Department of Natural Resources, the establishment of regional or branch offices of that and other Federal departments and agencies, and for the location of a United States Military Academy of the Air in Denver; to the Committee on Expenditures in the Executive Departments.

138. Also, memorial of the State of Colorado, requesting the Congress to enact legislation to make Indians citizens of the United States in order that they may be able to vote; to the Committee on Public Lands.

SENATE

TUESDAY, MARCH 1, 1949

(Legislative day of Monday, February 21, 1949)

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

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

Eternal God, Thou knowest our frame and rememberest that we are dust. Thy patience outlasts all the dullness of our apprehension and the dimness of our vision.

Today we come for light enough to walk by. Save us from the futile repetition of old errors and the restoration of old evils. Let not ignorance nor mean partisanship nor selfish greed nor the temptations of privilege block the way to a new order in the world with hope of lasting peace, enlarging brotherhood and increasing opportunities for all Thy children. Amen.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

MEMBERSHIP AND PARTICIPATION BY UNITED STATES IN CERTAIN INTERNATIONAL ORGANIZATIONS

A letter from the Secretary of State, transmiting a draft of proposed legislation amending certain laws providing for membership and participation by the United States in certain international organizations and authorizing appropriations therefor (with an accompanying paper); to the Committee on Foreign Relations.

CONTINUING FUND FOR PAYMENT OF CLAIMS ALLOWED BY GENERAL ACCOUNTING OFFICE

A letter from the Comptroller General of the United States, transmitting a draft of proposed legislation to provide a continuing fund for the payment of claims allowed by the General Accounting Office chargeable to lapsed appropriations (with an accompanying paper); to the Committee on Expenditures in the Executive Departments.

CALL OF THE ROLL

Mr. LUCAS. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.