of his wife where a limited divorce has been granted; to the Committee on Veterans' Affairs.

By Mr. PASSMAN:

H. R. 6011. A bill to amend the Federal Alcohol Administration Act with respect to labeling and advertising certain domestic whisky as aged; to the Committee on Interstate and Foreign Commerce.

By Mr. PATMAN:

H. R. 6012. A bill to provide for the issuance of a special postage stamp in commemoration of Fiorello H. LaGuardia; to the Committee on Post Office and Civil Service.

By Mr. PETERSON:

H. R. 6013. A bill to amend an act fixing the price of copies of records furnished by the Department of the Interior; to the Committee on Public Lands.

By Mr. WHITTINGTON:

H. Res. 326. Resolution authorizing and directing the Committee on Public Works to conduct surveys of certain works of improvement; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mrs. DOUGLAS:

H. R. 6014. A bill for the relief of Conrad R. Fanton; to the Committee on the Judiciary.

H. R. 6015. A bill to legalize the admission to the United States of Arthur Liu McCartney; to the Committee on the Judiciary.

By Mr. HELLER:

H. R. 6016. A bill for the relief of Hirsch Teper; to the Committee on the Judiciary.

H. R. 6017. A bill for the relief of Francesco Carresi; to the Committee on the Judiciary.

By Mr. LICHTENWALTER:

H. R. 6018. A bill for the relief of Lubomir Mikulik and Viliam Krajcirovic; to the Committee on the Judiciary.

By Mr. MANSFIELD:

H. R. 6019. A bill to authorize the Secretary of Agriculture to convey certain land in Montana to George G. E. Neill upon payment of the fair market value; to the Committee on Public Lands.

By Mr. SASSCER:

H. R. 6020. A bill for the relief of Richard H. Sears; to the Committee on the Judiciary.

By Mr. SHEPPARD:

H. R. 6021. A bill for the relief of F. E. Thibodo; 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:

1412. By Mr. SMITH of Wisconsin: Petition of sundry citizens of Broadhead, Wis., and outlying rural communities, protesting against S. 1581, National Health Act of 1949, which would disrupt the effective services now being provided by the Food and Drug Administration and further dismember the Children's Bureau; to the Committee on Interstate and Foreign Commerce.

1413. By Mrs. ST. GEORGE: Petition favoring the prohibition of transportation of alcoholic beverage advertising in interstate commerce and the broadcasting of alcoholic beverage advertising over the radio; to the Committee on Interstate and Foreign Commerce.

1414. By the SPEAKER: Petition of Mr. Walter C. Peterson, city clerk, Los Angeles, Calif., relative to urging that immediate statehood be granted to the Territories of Hawaii and Alaska; to the Committee on Public Lands.

1415. Also, petition of American Urological Association, Atlantic City, N. J., requesting that it be placed on record as being against any form of compulsory health insurance or any system of political medicine designed for bureaucratic control; to the Committee on Interstate and Foreign Commerce.

SENATE

WEDNESDAY, AUGUST 17, 1949

(Legislative day of Thursday, June 2, 1949)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

Rev. Robert N. DuBose, D. D., of the Association of American Colleges, Washington, D. C., offered the following prayer:

Lord of life, Creator of all men, regenerate our wills, purify our aspirations, and refine our ambitions that we may be used of Thee. Unbind our spirits that circumstances may never become our master. Give us ingenuity and resourcefulness and, by the pattern of Thy love, make our lives meaningful.

May the vision of the future challenge those of us gathered here in this great lawmaking body and cause us to make strong and yet stronger the resolution which makes for the better way of life.

May these, our leaders, be given wisdom as they face the problem of strife and discord in our own Nation and in our international relations.

In simple faith and trust, in loyalty and self-abnegation, in humility and gratitude, we pray. Amen.

THE JOURNAL

On request of Mr. WHERRY, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, August 16, 1949, was dispensed with.

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 August 13, 1949:

S. 1323. An act to declare that the United States holds certain lands in trust for the Pueblo Indians and the Canoncito Navajo group in New Mexico, and for other purposes.

On August 15, 1949:

S. 1278. An act to fix the United States share of project costs, under the Federal Airport Act, involved in installation of high intensity lighting on CAA-designated instrument-landing runways.

On August 16, 1949:

S. 1918. An act to authorize the Commissioners of the District of Columbia to appoint contracting officers to make contracts in amounts not exceeding $3,000.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed, severally with an amendment, the following bills of the Senate, in which it requested the concurrence of the Senate:

S. 331. An act for the relief of Ghetel Pollak Kahan, Magdalena Linda Kahan (wife), and Susanna Kahan (daughter, 12 years old);

S. 520. An act to authorize and direct the Secretary of the Interior to issue to Leo Farwell Glenn, a Crow allottee, a patent in fee to certain lands; and

S. 1361. An act to authorize and direct the Secretary of the Interior to issue to John Grayeagle a patent in fee to certain land.

The message also announced that the House had passed the following bills and joint resolution in which it requested the concurrence of the Senate:

H. R. 587. An act for the relief of the estate of Dick Walook, Alfred L. Woods, and Edward Kimoktoak;

H. R. 715. An act for the relief of Manuel Uribe;

H. R. 1024. An act for the relief of Jacob Brown;

H. R. 1106. An act for the relief of King V. Clark;

H. R. 1484. An act for the relief of Mrs. Mary Capodanno and the legal guardian of Vincent Capodanno;

H. R. 1485. An act for the relief of Josephine Lisitano;

H. R. 1600. An act for the relief of Gustav Schilbred;

H. R. 2075. An act for the relief of Frank G. Moore;

H. R. 2266. An act for the relief of Morris Tutnauer;

H. R. 2758. An act for the relief of the Fisher Brewing Co.;

H. R. 3081. An act for the relief of the estate of Maurice G. Evans;

H. R. 3405. An act for the relief of Vivian Newell Price;

H. R. 3498. An act for the relief of the Gluckin Corp.;

H. R. 3499. An act to confer jurisdiction upon the United States District Court for the Central Division of the Southern District of California to hear, determine, and render judgment upon the claim of Mabel Colliver;

H. R. 3769. An act for the relief of Doris M. Faulkner;

H. R. 3804. An act for the relief of Fred B. Niswonger;

H. R. 3810. An act for the relief of Cecil E. Gordon;

H. R. 3863. An act for the relief of Carl C. Ballard;

H. R. 3864. An act to convey certain lands taken from W. W. Stewart by the United States;

H. R. 4165. An act for the relief of Katherine H. Clagett;

H. R. 4556. An act for the relief of the estate of Elmo Sodergren;

H. R. 4563. An act for the relief of Mrs. Sarah E. Thompson;

H. R. 4777. An act for the relief of J. D. Lecky;

H. R. 4889. An act for the relief of Mrs. Jack J. O'Connell;

H. R. 5149. An act for the relief of Fernando Aboitiz;

H. R. 5319. An act granting a renewal of patent No. 40,029, relating to the badge of the Holy Name Society;

H. R. 5353. An act for the relief of Max Schlederer;

H. R. 5375. An act for the relief of Mrs. Hilda De Silva;

H. R. 5539. An act for the relief of Mrs. Claudia Weitlanner;

H. R. 5582. An act for the relief of the Belle Isle Cab Co., Inc.;

H. R. 5777. An act for the relief of Joe D. Dutton;

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

H. R. 5851. An act for the relief of Mrs. Toshiko Keyser; and

H. J. Res. 281. Joint resolution to authorize the President to issue posthumously to the late John Sidney McCain, vice admiral, United States Navy, a commission as admiral, United States Navy, and for other purposes.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the President pro tempore:

S. 555. An act for the relief of Eiko Nakamura;

S. 622. An act for the relief of Isaiah Johnson;

S. 787. An act for the relief of William (Vasilios) Kotsakis;

S. 855. An act to authorize a program of useful public works for the development of the Territory of Alaska;

S. 1026. An act for the relief of Roman Szymanski and Anastosia Szymanski;

S. 1949. An act to authorize the lease of the Federal correctional institution at Sandstone, Minn., to the State of Minnesota;

S. 1962. An act to amend the cotton and wheat marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended;

S. 1977. An act to extend the time within which legislative employees may come within the purview of the Civil Service Retirement Act;

S. 2170. An act for the relief of W. P. Bartel;

S. 2391. An act to authorize the construction, operation, and maintenance of the Weber Basin reclamation project, Utah; and

S. J. Res. 3. Joint resolution to provide that any future payments by the Republic of Finland on the principal or interest of its debt of the First World War to the United States shall be used to provide educational and technical instruction and training in the United States for citizens of Finland and American books and technical equipment for institutions of higher education in Finland, and to provide opportunities for American citizens to carry out academic and scientific enterprises in Finland.

LEAVES OF ABSENCE

On request of Mr. HUMPHREY, and by unanimous consent, Mr. PEPPER was excused from attendance on the session of the Senate today because of public business.

On request of Mr. WHERRY, and by unanimous consent, Mr. BUTLER was excused from attendance on the sessions of the Senate today and to and including next Wednesday.

Mr. LONG asked and obtained consent to be absent from the Senate on Thursday, August 18, and Friday, August 19.

Mr. BALDWIN asked and obtained consent to be absent from the Senate tomorrow, August 18, and Friday, August 19.

Mr. HICKENLOOPER asked and obtained consent to be absent from the Senate tomorrow, August 18.

COMMITTEE MEETINGS

On request of Mr. HUMPHREY, and by unanimous consent, the Committees on Armed Services and Foreign Relations, sitting jointly, were authorized to meet this afternoon during the session of the Senate.

The following order was inadvertently omitted from the RECORD of Tuesday, August 16, 1949:

On request of Mr. O'MAHONEY, and by unanimous consent, the Committee on Interior and Insular Affairs was authorized to meet tomorrow during the session of the Senate.

CALL OF THE ROLL

Mr. WHERRY. Mr. President, I renew my suggestion of the absence of a quorum. I also suggest that inasmuch as we are under a limitation of time, the quorum call be charged to both sides equally.

The PRESIDENT pro tempore. Without objection, that will be done. The clerk will call the roll.

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

Cain	Hickenlooper	Neely
Donnell	Holland	Russell
Ellender	Humphrey	Schoeppel
Ferguson	Ives	Taylor
Flanders	Johnston, S. C.	Watkins
Gillette	Kerr	Wherry
Graham	McClellan	Withers
Green	McKellar	Young
Hendrickson	Martin	

The PRESIDENT pro tempore. A quorum is not present. The clerk will call the names of the absent Senators.

The legislative clerk called the names of the absent Senators, and Mr. KEM, Mr. THYE, Mr. WILEY, and Mr. WILLIAMS answered to their names when called.

The PRESIDENT pro tempore. A quorum is not present.

Mr. HUMPHREY. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDENT pro tempore. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. MCFARLAND, Mr. FREAR, Mr. STENNIS, Mr. CAPEHART, Mr. SPARKMAN, Mr. TYDINGS, Mr. KILGORE, Mrs. SMITH of Maine, Mr. MUNDT, Mr. O'CONOR, Mr. MCCARTHY, Mr. TAFT, Mr. HILL, Mr. HOEY, Mr. THOMAS of Utah, Mr. DOUGLAS, Mr. LUCAS, Mr. MAYBANK, and Mr. ANDERSON entered the Chamber and answered to their names.

Mr. BALDWIN, Mr. CHAPMAN, Mr. DULLES, Mr. FULBRIGHT, Mr. HAYDEN, Mr. JOHNSON of Texas, Mr. MCCARRAN, Mr. ROBERTSON, Mr. SMITH of New Jersey, and Mr. VANDENBERG also entered the Chamber and answered to their names.

Mr. LUCAS. I announce that the Senator from Virginia [Mr. BYRD], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Texas [Mr. CONNALLY], the Senator from California [Mr. DOWNEY], the Senator from Mississippi [Mr. EASTLAND], the Senator from Georgia [Mr. GEORGE], the Senators from Wyoming [Mr. HUNT and Mr. O'MAHONEY], the Senator from Colorado [Mr. JOHNSON], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Louisiana [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], the Senator from Idaho [Mr. MILLER], the Senator from Montana [Mr. MURRAY], the Senator from Pennsylvania [Mr. MYERS], and the Senator from Oklahoma [Mr. THOMAS] are detained on official business in meetings of committees of the Senate.

The Senator from Rhode Island [Mr. MCGRATH] and the Senator from Connecticut [Mr. MCMAHON] are absent on public business.

The Senator from Florida [Mr. PEPPER] is absent by leave of the Senate on public business.

Mr. WHERRY. I announce that the Senator from Vermont [Mr. AIKEN], the Senator from Nebraska [Mr. BUTLER], and the Senator from Kansas [Mr. REED] are absent by leave of the Senate.

The Senator from Maine [Mr. BREWSTER] is necessarily absent.

The Senator from New Hampshire [Mr. TOBEY] is absent because of illness.

The Senator from Ohio [Mr. BRICKER], the Senator from New Hampshire [Mr. BRIDGES], the senior Senator from Oregon [Mr. CORDON], the Senator from Montana [Mr. ECTON], the Senator from South Dakota [Mr. GURNEY], the Senator from Indiana [Mr. JENNER], the Senator from California [Mr. KNOWLAND], the Senator from North Dakota [Mr. LANGER], the junior Senator from Massachusetts [Mr. LODGE], the Senator from Nevada [Mr. MALONE], the Senator from Colorado [Mr. MILLIKIN], the junior Senator from Oregon [Mr. MORSE], and the senior Senator from Massachusetts [Mr. SALTONSTALL] are detained on official business at meetings of committees of the Senate.

The PRESIDENT pro tempore. A quorum is present.

TRANSACTION OF ROUTINE BUSINESS

Mr. HUMPHREY. Mr. President, I ask unanimous consent that Senators be permitted to present petitions and memorials, introduce bills and joint resolutions, and incorporate matters into the RECORD and the Appendix of the RECORD, without debate.

The PRESIDENT pro tempore. Without objection, it is so ordered.

WORLD FEDERATION—PETITION

Mr. MYERS. Mr. President, I present for appropriate reference a petition signed by Roy Stauffer and 17 other citizens of Scranton, Pa., praying for a world federation, and I ask unanimous consent that it be printed in the RECORD without the signatures.

There being no objection, the petition was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, without the signatures, as follows:

SCRANTON, PA., *August 4, 1949.*

The Honorable FRANCIS J. MYERS,
United States Senate,
Washington, D. C.

DEAR MR. MYERS: We in this area believe that the most important problem facing the anthracite region, or any other region in this country, is the problem of securing world peace.

We have studied this problem and believe that the best solution lies in pending legislation in the Senate, in the form of the world-federation resolution introduced in the Senate July 26, 1949, by Senator CHARLES W. TOBEY, with the bipartisan support of 13 Senators.

For your convenience we quote the wording of the resolution, which is as follows:

"Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that it should be a fundamental objective of the foreign policy of the

United States to support and strengthen the United Nations and to seek its development into a world federation open to all nations, with defined and limited powers adequate to preserve peace and prevent aggression through the enactment, interpretation, and enforcement of world law."

We, the undersigned, representative of both political parties, urge you to work for an early hearing of this resolution. We urge you, beyond that, to enlighten your fellow Senators concerning the advantage of the stronger world-federation resolution compared to other similar resolutions which might be introduced, and to fight for its passage on the floor of the Senate.

In our opinion, you will be doing a great service to your constituents and to your country.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HUMPHREY, from the Committee on Labor and Public Welfare:

H. R. 3829. A bill to provide assistance for local school agencies in providing educational opportunities for children on Federal reservations or in defense areas, and for other purposes; without amendment (Rept. No. 929).

By Mr. O'MAHONEY, from the Committee on Interior and Insular Affairs:

H. R. 2517. A bill directing the Secretary of the Interior to convey certain land to Palm Beach County, Fla.; without amendment (Rept. No. 930);

H. R. 4073. A bill to provide for the conveyance to the State of New York of certain historic property situated within Fort Niagara State Park, and for other purposes; without amendment (Rept. No. 931); and

H. R. 4208. A bill to add certain surplus land to Petersburg National Military Park, Va., to define the boundaries thereof, and for other purposes; without amendment (Rept. No. 932).

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, August 17, 1949, he presented to the President of the United States the following enrolled bills and joint resolution:

S. 555. An act for the relief of Eiko Nakamura;

S. 622. An act for the relief of Isaiah Johnson;

S. 787. An act for the relief of William (Vasilios) Kotsakis;

S. 855. An act to authorize a program of useful public works for the development of the Territory of Alaska;

S. 1026. An act for the relief of Roman Szymanski and Anastosia Szymanski;

S. 1949. An act to authorize the lease of the Federal correctional institution at Sandstone, Minn., to the State of Minnesota;

S. 1962. An act to amend the cotton and wheat marketing-quota provisions of the Agricultural Adjustment Act of 1938, as amended;

S. 1977. An act to extend the time within which legislative employees may come within the purview of the Civil Service Retirement Act;

S. 2170. An act for the relief of W. P. Bartel;

S. 2391. An act to authorize the construction, operation, and maintenance of the Weber Basin reclamation project, Utah; and

S. J. Res. 3. Joint resolution to provide that any future payments by the Republic of Finland on the principal or interest of its debt of the First World War to the United States shall be used to provide educational and technical instruction and training in the United States for citizens of Finland and American books and technical equipment for institutions of high education in Finland, and to provide opportunities for American citizens to carry out academic and scientific enterprises in Finland.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

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

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. 2446. A bill for the relief of Maria Enriquez; to the Committee on the Judiciary.

By Mr. TYDINGS:

S. 2447. A bill for the relief of Mrs. Maud E. Raymond, widow of Alcide Raymond; to the Committee on Armed Services.

By Mr. LODGE (by request):

S. 2448. A bill to authorize the filling of Tully Reservoir, Mass., for recreational purposes; to the Committee on Public Works.

By Mr. McCARRAN (for himself and Mr. JOHNSTON of South Carolina):

S. 2449. A bill to amend the District of Columbia Teachers' Salary Act of 1947; to the Committee on the District of Columbia.

By Mr. LANGER:

S. 2450. A bill to clarify the provision of section 6 (b) of the act of August 24, 1912, relating to the payment of compensation to Government employees restored to duty after erroneous removal or suspension; to the Committee on Post Office and Civil Service.

S. 2451. A bill for the relief of Abdul Whab; to the Committee on the Judiciary.

By Mr. HOEY:

S. 2452. A bill for the relief of Artemissia Robert Batis; to the Committee on the Judiciary.

By Mr. CONNALLY (for himself and Mr. THOMAS of Oklahoma):

S. J. Res. 128. Joint resolution to authorize the President to lend to the Food and Agriculture Organization of the United Nations funds for the construction and furnishing of a permanent headquarters, and for related purposes; to the Committee on Foreign Relations.

INTERIOR DEPARTMENT APPROPRIATIONS—AMENDMENT

Mr. MURRAY submitted an amendment intended to be proposed by him to the bill (H. R. 3838) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1950, and for other purposes, which was ordered to lie on the table and to be printed.

NATIONAL MILITARY ESTABLISHMENT APPROPRIATIONS—AMENDMENT

Mr. KILGORE submitted an amendment intended to be proposed by him to the bill (H. R. 4146) making appropriations for the National Security Council, the National Security Resources Board, and for military functions administered by the National Military Establishment for the fiscal year ending June 30, 1950, and for other purposes, which was ordered to lie on the table and to be printed.

AMENDMENT OF NATIONAL HOUSING ACT—AMENDMENT

Mr. CAIN. Mr. President, on behalf of the Senator from Ohio [Mr. BRICKER] and myself, I submit an amendment in the nature of a substitute intended to be proposed by us jointly to the bill (S. 2246) to amend the National Housing Act, as amended, and for other purposes.

I sincerely invite the attention of the chairman of the Banking and Currency Committee [Mr. MAYBANK], the Senator from Alabama [Mr. SPARKMAN], and the majority leader [Mr. LUCAS] to this proposal and what it seeks to do.

I have already submitted three amendments to S. 2246 and have indicated the wide differences of opinion which exist on the subject matter contained in this bill as it stands on the Senate Calendar at the present time. I have pointed out the uncharted areas and new departures in housing legislation which S. 2246 contains, and I have no further wish to argue those points at this time.

However, I share the concern which the Senator from Alabama [Mr. SPARKMAN] expressed on the floor of the Senate on August 11, when a proposed unanimous-consent agreement concerning a legislative schedule was under discussion. Senator SPARKMAN had this to say, and I quote from page 11247 of the CONGRESSIONAL RECORD:

> I am in complete sympathy with the unanimous-consent request which has been made, but in connection with what the Vice President has said I should like to ask whether the effect of the proposed agreement would not be to arrange a schedule which would become unchangeable except by a later unanimous-consent agreement. My reason for asking the question is that the Senate Committee on Banking and Currency today is reporting a housing bill, to provide for the continuance and the extension, in some respects, of the present Federal Housing Act, and other features which have been asked for by the housing agency. I call attention to the fact that the FHA authority under title 1 and title 6 will expire on the last day of this month. It seems to me that if this agreement does set a fixed schedule of legislation we may be caught in a jam in getting some measure considered by the Senate which we may have to have considered before the time indicated.

The majority leader [Mr. LUCAS] replied as follows:

> With respect to deadlines we have to meet, it would be necessary to secure unanimous consent to lay everything aside to consider legislation that had a deadline, and which we thought was important enough to pass.

Mr. President, the proposed substitute which Mr. Bricker and I are offering will deal very adequately with the expiration dates for titles I and VI of the National Housing Act to which Senator SPARKMAN alluded. It also will increase the authorization of funds for title I, title II, title VI and the Federal National Mortgage Association in exactly the same manner and the same amounts as the corresponding provisions contained in title I of S. 2246. The substitute bill merely extends and amplifies already existing FHA and RFC provisions which are working very well and which the Banking and Currency unanimously agreed to when those sections of S. 2246 were voted on in executive session.

But with the sole exception of the lifting of the 50 percent limitation on Fannie Mae purchases for certain types of mortgages on low cost homes—which is also contained in S. 2246 as it stands on the calendar—no substantive change in existing law is contained. Therefore, it seems only logical to me, in view of the crowded legislative calendar, that this noncontroversial substitute be enacted. In this way, time limitations and absence of adequate funds will not hamper the effective functioning of the Federal Housing Administration and the FNMA at the end of this month. And in this manner a complete study, investigation, and debate of the remainder of S. 2246 can be delayed for a more propitious time.

The PRESIDENT pro tempore. The amendment will be received, printed, and lie on the table.

PRINTING OF REVIEW OF REPORT ON ARKANSAS RIVER AND TRIBUTARIES (S. DOC. NO. 107)

Mr. HOLLAND. Mr. President, on behalf of the distinguished Senator from New Mexico [Mr. CHAVEZ], I present a letter from the Secretary of the Army, transmitting a report dated May 13, 1949, from the Chief of Engineers, United States Army, together with accompanying papers and an illustration, on a review of report on the Arkansas River and tributaries, and I ask unanimous consent that it may be referred to the Committee on Public Works and printed as a Senate document.

The PRESIDENT pro tempore. Without objection, it is so ordered.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and joint resolution were severally read twice by their titles, and referred, as indicated:

H. R. 587. An act for the relief of the estate of Dick Walook, Alfred L. Woods, and Edward Kimoktoak;

H. R. 715. An act for the relief of Manuel Uribe;

H. R. 1024. An act for the relief of Jacob Brown;

H. R. 1106. An act for the relief of King V. Clark;

H. R. 1484. An act for the relief of Mrs. Mary Capodanno, and the legal guardian of Vincent Capodanno;

H. R. 1485. An act for the relief of Josephine Lisitano;

H. R. 1600. An act for the relief of Gustav Schilbred;

H. R. 2075. An act for the relief of Frank G. Moore;

H. R. 2266. An act for the relief of Morris Tutnauer;

H. R. 2758. An act for the relief of the Fisher Brewing Co.;

H. R. 3081. An act for the relief of the estate of Maurice G. Evans;

H. R. 3405. An act for the relief of Vivian Newell Price;

H. R. 3498. An act for the relief of the Gluckin Corp.;

H. R. 3499. An act to confer jurisdiction upon the United States District Court for the Central Division of the Southern District of California to hear, determine, and render judgment upon the claim of Mabel Colliver;

H. R. 3769. An act for the relief of Doris M. Faulkner;

H. R. 3804. An act for the relief of Fred B. Niswonger;

H. R. 3810. An act for the relief of Cecil E. Gordon;

H. R. 3863. An act for the relief of Carl C. Ballard;

H. R. 4165. An act for the relief of Katherine H. Clagett;

H. R. 4556. An act for the relief of the estate of Elmo Sodergren;

H. R. 4563. An act for the relief of Mrs. Sarah E. Thompson;

H. R. 4777. An act for the relief of J. D. Lecky;

H. R. 4889. An act for the relief of Mrs. Jack J. O'Connell;

H. R. 5149. An act for the relief of Frenando Aboitiz;

H. R. 5319. An act granting a renewal of patent No. 40,029, relating to the badge of the Holy Name Society;

H. R. 5353. An act for the relief of Max Schlederer;

H. R. 5375. An act for the relief of Mrs. Hilda De Silva;

H. R. 5539. An act for the relief of Mrs. Claudia Weitlanner;

H. R. 5582. An act for the relief of the Belle Isle Cab Co., Inc.;

H. R. 5777. An act for the relief of Joe D. Dutton; and

H. R. 5851. An act for the relief of Mrs. Toshiko Keyser; to the Committee on the Judiciary.

H. R. 3864. An act to convey certain lands taken from W. W. Stewart by the United States; and

H. J. Res. 281. Joint resolution to authorize the President to issue posthumously to the late John Sidney McCain, vice admiral, United States Navy, a commission as admiral, United States Navy, and for other purposes; to the Committee on Armed Services.

ADDRESS BY SENATOR MYERS BEFORE ANNUAL STATE CONVENTION OF THE AMERICAN LEGION, DEPARTMENT OF PENNSYLVANIA

[Mr. MYERS asked and obtained leave to have printed in the RECORD the address delivered by him before the annual State convention of the American Legion, Department of Pennsylvania, in the Syria Mosque, Pittsburgh, Pa., on August 11, 1949, which appears in the Appendix.]

EXPANSION OPPORTUNITIES FOR RAILROADS, EXCERPTS FROM ADDRESS BY SENATOR MYERS

[Mr. MYERS asked and obtained leave to have printed in the RECORD excerpts from an address delivered by him on the Labor and Industry Day program of the centennial anniversary observance of Altoona, Pa., which appears in the Appendix.]

PEOPLE ALWAYS REMEMBER THE BAD ONES AND NEVER TELL YOU ABOUT THE GOOD ONES—RETIREMENT OF SCRANTON WEATHER OBSERVER RALPH C. WEST

[Mr. MYERS asked and obtained leave to have printed in the RECORD an article published in the Scranton (Pa.) Times of June 10, 1949, relative to the retirement of Scranton Weather Observer Ralph C. West, which appears in the Appendix.]

HAPPENINGS IN WASHINGTON—BROADCAST BY SENATOR MARTIN

[Mr. MARTIN asked and obtained leave to have printed in the RECORD a broadcast entitled "Happenings in Washington—Program No. 5," made by him on August 15, 1949, which appears in the Appendix.]

UNION OF EUROPEAN STATES—ARTICLE BY DOROTHY THOMPSON

[Mr. FULBRIGHT asked and obtained leave to have printed in the RECORD an article by Dorothy Thompson, entitled "European Order of Sovereign Nations Called As Obsolete As Greek City States," which appears in the Appendix.]

INDIAN CLAIMS COMMISSION—COMMENTS ON HOOVER COMMISSION RECOMMENDATIONS

Mr. McCLELLAN. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a statement which I have prepared, including comments of the Chief Commissioner of the Indian Claims Commission with reference to the Hoover Commission's recommendations affecting that agency.

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

STATEMENT OF SENATOR JOHN L. M'CLELLAN, CHAIRMAN, SENATE COMMITTEE ON EXPENDITURES IN THE EXECUTIVE DEPARTMENTS

Senator JOHN L. MCCLELLAN, chairman of the Senate Committee on Expenditures in the Executive Departments, released today a letter from Edgar E. Witt, Chief Commissioner of the Indian Claims Commission, with reference to recommendations contained in the Hoover Commission reports which affect that agency.

Commissioner Witt pointed out that the Indian Claims Commission was created as an independent agency reporting direct to the President as a temporary organization limited to an existence of 10 years, from April 10, 1947. He is, therefore, opposed to that section of the Hoover Commission's concluding report amending its recommendations in the report on social security, education, and Indian affairs, to the effect that the "Indian Claims Commission should be attached to the Indian affairs service as an appeal board with independent powers of review on Indian claims."

In explaining the position of the Indian Claims Commission in reference to its disagreement to this recommendation, Commissioner Witt stated:

"This Commission is endeavoring to perform the work of hearing and determining the claims of Indian tribes, bands and other identifiable groups of American Indians, in strict accordance with the provisions of the law under which it was created. It has established and promulgated rules of procedure governing the presentation, hearing and determination of said claims. Many petitions have been filed pursuant to the statute and in compliance with the rules of procedure, and numerous hearings have been held. Rulings have been made on a variety of subjects, a number of claims have been determined, formal opinions have been written and published, and in several instances appeals have been taken from the Commission's decisions to the Court of Claims in accordance with the provisions of the law establishing the Commission. If this Commission's functions are changed to those of an appellate or reviewing body, another establishment necessarily must be created to conduct the proceedings which this Commission shall review. This Commission is now functioning in an orderly manner in the carrying out of the duties with which Congress has charged it, and it is our opinion that no good purpose would be served in making the change recommended in the concluding report above referred to."

The Commission had no specific comments relative to other reports of the Hoover Commission, inasmuch as its activities are restricted to functions which are judicial in character and of a temporary nature, and, therefore, are relatively simple.

The letter from the Chief Commissioner of the Indian Claims Commission follows:

INDIAN CLAIMS COMMISSION,
Washington, D. C.

Hon. JOHN L. MCCLELLAN,
Chairman, Committee on Expenditures in the Executive Departments, United States Senate, Washington, D. C.

DEAR SENATOR MCCLELLAN: Your letter of May 23 has been received together with the enclosed two printed documents based on reports and task-force appendixes of the Commission on Organization of the Executive Branch of the Government. We have noted the request in your letter for a report from this establishment relative to the application of the various recommendations and textual discussions in the Commission reports which affect our establishment either directly or indirectly, and have also noted your statement that you are interested in obtaining our comments relative to prospective implementation of recommendations contained in such reports.

The printed documents above referred to which were enclosed in your letter do not contain any reference to the Indian Claims Commission or any recommendations which appear to affect it.

The Indian Claims Commission is judicial in character and is a temporary organization, limited to an existence of 10 years from April 10, 1947. Public Law 726, Seventy-ninth Congress, chapter 959, second session, by which the Commission was created and established provides that the Commission shall have jurisdiction to hear and determine certain designated claims against the United States on behalf of any Indian tribe, band, or other identifiable group of American Indians residing within the territorial limits of the United States or Alaska.

When the enacting clause of the bill creating the Indian Claims Commission was originally drawn, it contained a provision that "there is hereby created and established an independent agency of the executive branch of the Government, to be known as the Indian Claims Commission." (Hearings before the Committee on Indian Affairs, House of Representatives, 79th Cong., 1st sess., p. 140.)

This was amended by Congress by striking out the above underscored language, with the explanation for this amendment as follows:

"The amendment here suggested would delete language which appears to have no legal significance and is not entirely consistent with the functions of the proposed Indians Claims Commission. The Commission would in effect serve as the agent of the Congress to pass upon the merits of Indian tribal claims, and its final determinations would be embodied in reports to the Congress. Its work would be abjudicatory in character, its procedures would follow those of the legislative courts established by the Congress, and its determinations would not be subject to executive control."

The Indian Claims Commission is a small agency at present, comprising but 11 persons, including the three Commissioners. Its personnel, supply, and accounting activities are relatively simple, and do not appear to require a change from present methods.

The concluding report of the Commission on Organization of the Executive Branch of the Government, submitted to the Congress on May 20, 1949, contains on page 71 the following:

"M. SOCIAL SECURITY, EDUCATION, INDIAN AFFAIRS

"We recommend that the Federal Security Agency be abolished and that a new department of Cabinet rank be created to include the following activities:

* * * * *

"3. A service to include the activities of the Bureau of Indian Affairs to be transferred from the Interior Department. The Indian Claims Commission should be attached to the Indian Affairs Service as an appeal board with independent powers of review on Indian Claims." A footnote states, "This recommendation is made here for the first time and does not appear in any other Commission report."

We respect the services rendered by the Commission on the Organization of the Executive Branch of the Government but we are constrained, respectively, to disagree with this recommendation. This Commission is endeavoring to perform the work of hearing and determining the claims of Indian tribes, bands, and other identifiable groups of American Indians, in strict accordance with the provisions of the law under which it was created. It has established and promulgated rules of procedure governing the presentation hearing, and determination of said claims. Many petitions have been filed pursuant to the statute and in compliance with the rules of procedure, and numerous hearings have been held. Rulings have been made on a variety of subjects, a number of claims have been determined, formal opinions have been written and published, and in several instances appeals have been taken from the Commission's decisions to the Court of Claims in accordance with the provisions of the law establishing the Commission. If this Commission's functions are changed to those of an appellate or reviewing body, another establishment necessarily must be created to conduct the proceedings which this Commission shall review. This Commission is now functioning in an orderly manner in the carrying out of the duties with which Congress has charged it, and it is our opinion that no good purpose would be served in making the change recommended in the concluding report above referred to.

It is the desire of this Commission to cooperate with you and the above comments are respectfully submitted in line with this desire.

Sincerely yours,

EDGAR E. WITT,
Chief Commissioner.

AMENDMENT OF VETERANS' PREFERENCE ACT OF 1944 RELATING TO CERTAIN MOTHERS OF VETERANS

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 974) to amend the Veterans' Preference Act of 1944 with respect to certain mothers of veterans, which was, on page 2 line 3, to strike out "legally."

Mr. TYDINGS. Mr. President, the message which the Chair has laid before the Senate concerns a private bill dealing with a matter upon which the Senate has already acted. One word has been changed by the House, which has no widespread effect. I therefore move that the Senate concur in the House amendment.

Mr. WHERRY. Mr. President, will the Senator explain the amendment in more detail?

Mr. TYDINGS. This is a bill which gives a preference to a widow who has lost her only son in the service of the United States. The House struck out the word "legally," which means if she is separated from her husband, and depending on herself only for support, she gets the preference.

Mr. WHERRY. I have no objection.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Maryland.

The motion was agreed to.

PATENT IN FEE TO LEO FARWELL GLENN

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 520) to authorize and direct the Secretary of the Interior to issue to Leo Farwell Glenn, a Crow allottee, a patent in fee to certain lands, which was, on page 2, line 5, after "acres" to insert a colon and the following proviso:

Provided, That when the land herein described is offered for sale, the Crow Tribe, or any Indian who is a member of said tribe, shall have 90 days in which to execute preferential rights to purchase said tract at a price offered to the seller by a prospective buyer willing and able to purchase.

Mr. O'MAHONEY. Mr. President, this is a House amendment to a Senate bill granting a patent in fee to a Crow Indian. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

PATENT IN FEE TO JOHN GRAYEAGLE

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 1361) to authorize and direct the Secretary of the Interior to issue to John Grayeagle a patent in fee to certain land, which was, in line 9, after "25" insert a colon and the following proviso:

Provided, That when the land herein described is offered for sale, the Standing Rock Sioux Tribe, or any Indian who is a member of said tribe, shall have 90 days in which to execute preferential rights to purchase said tract at a price offered to the seller by a prospective buyer willing and able to purchase.

Mr. WHERRY. Mr. President, reserving the right to object, will the distinguished Senator inform the Senate what this bill is?

Mr. O'MAHONEY. It is a Senate bill to authorize the Secretary of the Interior to issue a patent in fee to an Indian.

Mr. WHERRY. I have no objection.

Mr. O'MAHONEY. Mr. President, I move that the Senate concur in the House amendment.

The motion was agreed to.

ADDITION OF CERTAIN LANDS TO BIG BEND NATIONAL PARK, TEX.

Mr. O'MAHONEY. Mr. President, I submit a conference report on House bill 2877, to authorize the addition of certain lands to the Big Bend National Park in the State of Texas, and I ask unanimous consent for its immediate consideration.

The PRESIDENT pro tempore. The report will be read for the information of the Senate.

The report was read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2877) to authorize the addition of certain lands to the Big Bend National Park, in the State of Texas, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the language inserted by the Senate amendment insert the following: "*Provided, however,* That the aggregate

cost to the Federal Government of properties acquired hereafter and under the provisions hereof shall not exceed the sum of $10,000"; and the Senate agree to the same.

JOSEPH C. O'MAHONEY,
J. E. MURRAY,
CLINTON P. ANDERSON,
HUGH BUTLER,
E. D. MILLIKIN,
Managers on the Part of the Senate.

J. HARDIN PETERSON,
JOHN R. MURDOCK,
KEN REGAN,
FRED L. CRAWFORD,
WM. LEMKE,
Managers on the Part of the House.

The PRESIDENT pro tempore. Is there objection to the present consideration of the conference report?

There being no objection, the report was considered and agreed to.

Mr. WHERRY subsequently said: Mr. President, may I inquire about the nature of the report.

Mr. O'MAHONEY. It relates to the Big Bend National Park in Texas. The Senate amended the House bill so as to provide that the land purchased should not involve more than $10,000; and the conferees on the part of the House accepted the amendment, with a little adjustment.

SALE OF PUBLIC LANDS IN ALASKA

Mr. O'MAHONEY. Mr. President, I submit a conference report on House bill 2859, to authorize the sale of public lands in Alaska, and I ask unanimous consent for its immediate consideration.

The PRESIDENT pro tempore. The report will be read for the information of the Senate.

The report was read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2859) to authorize the sale of public lands in Alaska, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses, as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same.

JOSEPH C. O'MAHONEY,
ERNEST W. MCFARLAND,
E. D. MILLIKIN,
GUY CORDON,
Managers on the Part of the Senate.

J. HARDIN PETERSON,
LLOYD M. BENTSEN, JR.,
FRED L. CRAWFORD,
Managers on the Part of the House.

The PRESIDENT pro tempore. Is there objection to the present consideration of the conference report?

Mr. WHERRY. Mr. President, reserving the right to object, will the distinguished Senator from Wyoming give us a brief statement regarding this matter?

Mr. O'MAHONEY. Yes. The bill authorizes the Secretary of the Interior to sell public lands in Alaska. When the bill came to the Senate, and was referred to the Committee on Interior and Insular Affairs, the committee felt that the proposed grant of authority was a little broader than should be made. So the committee rewrote the bill so as to limit the power to the sale of tracts not to exceed 160 acres in the aggregate. The House has accepted the Senate amendment.

Mr. WHERRY. I have no objection.

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

There being no objection, the report was considered and agreed to.

PREMIUM PAYMENTS IN PURCHASE OF CERTAIN GOVERNMENT ROYALTY OIL—CONFERENCE REPORT

Mr. O'MAHONEY. Mr. President, I submit a conference report on Senate bill 1647, to eliminate premium payments in the purchase of Government royalty oil under existing contracts, and I ask unanimous consent for its immediate consideration.

The PRESIDENT pro tempore. The report will be read for the information of the Senate.

The report was read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1647) to eliminate premium payments in the purchase of Government royalty oil under existing contracts entered into pursuant to the act of July 13, 1946 (60 Stat. 533), having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of section 3 proposed to be stricken out by the Senate insert the following:

"SEC. 3. The Secretary of the Interior is hereby authorized under general rules and regulations to be prescribed by him to issue leases or permits for the exploration, development, and utilization of the mineral deposits, other than those subject to the provisions of the act of August 7, 1947 (61 Stat. 913), in those lands added to the Shasta National Forest by the act of March 19, 1948 (Public Law 449, 80th Cong.), which were acquired with funds of the United States or lands received in exchange therefor: *Provided*, That any permit or lease of such deposits in lands administered by the Secretary of Agriculture shall be issued only with his consent and subject to such conditions as he may prescribe to insure the adequate utilization of the lands for the purposes set forth in the act of March 19, 1948; and *Provided, further*, That all receipts derived from leases or permits issued under the authority of this act shall be paid into the same funds or accounts in the Treasury and shall be distributed in the same manner as prescribed for other receipts from the lands affected by the lease or permit, the intention of this provision being that this act shall not affect the distribution of receipts pursuant to legislation applicable to such lands."

And the Senate agree to the same.

JOSEPH C. O'MAHONEY,
ROBERT S. KERR,
GUY CORDON,
Managers on the Part of the Senate.

CLAIR ENGLE,
KEN REGAN,
FRANK A. BARRETT,
Managers on the Part of the House.

The PRESIDENT pro tempore. Is there objection to the present consideration of the conference report?

There being no objection, the report was considered and agreed to.

REORGANIZATION PLAN NO. 2, 1949—TRANSFERRING THE BUREAU OF EMPLOYMENT SECURITY

The Senate proceeded to consider the resolution (S. Res. 151) disapproving Reorganization Plan No. 2 of 1949.

Mr. WHERRY. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. WHERRY. Does not the unanimous-consent agreement include a provision that the time is to be apportioned equally between the proponents and the opponents of Senate Resolution 151?

The PRESIDENT pro tempore. That is correct.

Mr. WHERRY. May I inquire who is in charge of the division of the time?

The PRESIDENT pro tempore. The Senator from Arkansas [Mr. MCCLELLAN] is in charge of the time for those Senators who favor the resolution and the Senator from Minnesota [Mr. HUMPHREY] is in charge of the time for those who are opposed to the resolution.

Mr. HUMPHREY. I understand the debate is to be concluded in time to vote at 5 o'clock.

The PRESIDENT pro tempore. That is correct.

Mr. MCCLELLAN. Mr. President, I believe there will be 2½ hours at the disposal of each side.

The PRESIDENT pro tempore. The Senator is correct.

Mr. MCCLELLAN. I yield 30 minutes to the senior Senator from New York [Mr. IVES].

The PRESIDENT pro tempore. The Senator from New York is recognized for 30 minutes.

Mr. IVES. Mr. President, because I am speaking against time, and because the thought in my presentation is rather closely knit, I shall not yield for questions until the completion of my prepared address. Then, time permitting, I shall be very glad to yield to such questions as any Senator may desire to ask, and I hope that I may be able to answer any questions which may be propounded.

Mr. President, no question is likely ever to come before the Senate on which the pros and cons seem, at casual glance, to be so evenly matched as would appear to be the case in Reorganization Plan No. 2.

At the outset, it is recognized generally that the United States Employment Service and the Unemployment Insurance Service should be within the same agency of Government. Furthermore, it is recognized that at this particular time everything which can be done appropriately to strengthen and improve the status of the Department of Labor should be done.

It should be pointed out, however, that the recommendations of the Chief Executive contained in Reorganization Plan No. 2 do not constitute the complete transfer of agencies and functions to the Department of Labor as recommended by the Commission on Organization of the Executive Branch of the Government, commonly known as the Hoover Commission. In its report to the Congress the Commission recommended, in addition to the transfer of the Bureau of Employment Security—including the Bureau of Veterans' Reemployment Rights or the Veterans' Employment Service, as it is also termed, the merger of which with the Employment Service itself can be effected within the Federal

Security Agency and without the adoption of any reorganization plan—the transfer of the following agencies:

First. The Bureau of Employees' Compensation—from the Federal Security Agency.

Second. The Employees' Compensation Appeals Board—from the Federal Security Agency.

Third. The Selective Service System, including the appeals boards—independent.

Fourth. Enforcement of labor standards—from contracting departments and agencies.

Fifth. Determination of minimum wages for seamen—from the United States Maritime Commission.

Sixth. Prevailing wage research—centered in the Bureau of Labor Statistics.

Seventh. Certain components of the Division of Industrial Hygiene—from the Bureau of State Services of the Public Health Service in the Federal Security Agency.

With one exception, I agree with these seven recommendations of the Hoover Commission, none of which is included in Reorganization Plan No. 2. Reasons for them are briefly stated in the Commission's own language, as follows:

> There are cogent reasons why these agencies and functions should be transferred to the Department of Labor. They are more nearly related to the problems of labor than those with which they are now associated, and their transfer accords with the Commission's first report, which recommended that agencies be grouped according to their major purpose.

The exception I take to these seven recommendations is expressed in the dissent filed with that recommendation which would place the Selective Service System, including the appeals boards, within the Department of Labor.

It is to be noted, moreover, that in submitting Reorganization Plan No. 2, the Chief Executive not only failed to include a substantial portion of the Hoover Commission's recommendations pertaining to this plan, but he added new provisions not contained in the Commission's recommendations. The Commission did not recommend the abolition of the Veterans' Placement Service Board, but recommended the merger of the functions of the Veterans' Employment Service with the Employment Service of the Bureau of Employment Security, of which it is a part. Furthermore, the Commission made no recommendation concerning the Federal Advisory Council, which is incorporated in Reorganization Plan No. 2.

It seems to me most advisable in instances where only certain portions of a particular recommendation of the Hoover Commission's recommendations are proposed for adoption and others are ignored, that each one of those proposed should be carefully evaluated on its own merit. In this connection, it should be emphasized that on one other occasion the present Chief Executive proposed the transfer of the Employment Service and the Unemployment Insurance Service from the Federal Security Agency to the Department of Labor and the proposal was vetoed by the Congress.

In favor of Reorganization Plan No. 2 is an appealing array of arguments. Former President Hoover himself recommends it, and it constitutes a part of the over-all recommendations of the Hoover Commission, as I have already stated, pertaining to the transfer of agencies to the Department of Labor. The field of Employment Service, alone and of itself, would seem more properly to belong in the Department of Labor than in any other agency of Government; for in theory, at least, the Department of Labor, in fulfilling its statutory obligation to foster, promote, and develop the welfare of the wage earners of the United States and to advance their opportunities for profitable employment, would seem naturally to be the appropriate instrument of Government to administer the placement functions of the Employment Service.

On the other hand, it seems to me that right now the weight of argument favors retention of the Employment Service and the Unemployment Insurance Service in the Federal Security Agency. Reorganization Plan No. 2, as I have indicated, complies only in part with the recommendations of the Hoover Commission, and was not specifically recommended by the task force of that Commission which stated its position as follows:

> The nature of this issue regarding the proper location of the Federal agency administering the Employment Service and unemployment compensation precludes its settlement on a purely factual basis, and in the last analysis this judgment must be exercised by the duly elected representatives of the people.

There is just as good reason, moreover, for keeping the Unemployment Insurance Service in the Federal Security Agency as for placing the Employment Service in the Department of Labor. After all, unemployment insurance would seem to be most definitely a part of our over-all social-security system.

Unemployment insurance constitutes one feature of an almost completely integrated social-security program now lodged in the Federal Security Agency. This agency, which deals with the individual citizen as a human being, is interested in improving health and educational opportunities, and in furthering economic security. It would seem only natural, therefore, that all functions which concern the social welfare of our citizens as individual human beings properly belong in a single agency.

Collectively, and as related to employment, compensation in the event of unemployment, compensation during temporary disability due to accident or sickness, extended disability benefits if provided, old-age insurance, survivors benefits, and assistance for those not eligible for insurance benefits are inevitably closely related and provide in effect such economic security as is thus far available through the instrumentality of our Government. They form, moreover, component parts of what would be a single integrated program.

When we examine further into the issues in dispute in this matter, we can appreciate more fully the weight of the argument in behalf of the retention of the Unemployment Insurance Service in the Federal Security Agency for the time being at least. Unemployment insurance is not merely a system of tax collection and benefit distribution from the funds thus accumulated. It is, and has become more and more, an insurance system which it very properly should be in our free competitive enterprise economic structure.

This fact having been recognized 14 years age, what is known as experience rating was adopted as an important element in unemployment insurance. In brief, experience rating is that mechanism by which the rate of tax or contribution by employers is determined by the employers' record in maintaining stability of employment—the greater the stability, the lower the rate of contribution. This system of graduated tax or contribution consists primarily of a standard requirement of a 3-percent tax on pay rolls paid by employers, one-tenth of which is a fixed charge payable to the Federal Government for administrative purposes, the other nine-tenths of which may be reduced on the basis of experience with respect to unemployment or other factors bearing a direct relation to unemployment risk, as provided in section 1602 of the Internal Revenue Code.

Over the years, experience rating has been adopted in all 48 States of the Union. It has become an established policy in unemployment insurance. It has served as an incentive to employers to provide steady employment. Its use has demonstrated the justification for its existence, although it has become more and more evident that not all plans of experience rating are equally sound. Employers, with few exceptions, favor the principle of experience rating and have come to oppose any move on the part of Government which would seem to threaten its existence.

At the same time, organized labor has not appeared for the most part to favor any form of experience rating. I can appreciate labor's attitude in this connection, for I can well understand labor's apprehension. Labor fears in the first instance that careless operation of or inadequate provisions in any experience rating formula could jeopardize the solvency of unemployment insurance funds. Furthermore, labor feels that chances for liberalizing the benefit provisions in unemployment insurance are less with experience rating than without it. I cannot share labor's apprehension in this latter connection, for the amount and duration of benefits have been increasing rather than decreasing; but I do fully recognize the danger of fund-impairment where formulas or administration are inadequate or inefficient. I am constrained to observe, however, that placing the Unemployment Insurance Service in the Department of Labor can provide no greater assurance regarding the sanctity of the unemployment insurance funds.

Possibly because of these conditions Secretary Tobin has stated that the policy of the Labor Department with respect to the retention or abolition of the experience rating system has not been determined, and that he would not care to give a decision on this matter until—he has—studied the facts more fully. This attitude on the part is understandable, but it nevertheless appears to occasion considerable apprehension among

employers who, in spite of the fact that the Federal Security Agency has advocated the abolition of experience rating, would seem to prefer that the Unemployment Insurance Service remain in the latter agency. I assume that these employers feel that the Department of Labor might be more aggressive and might be able to exercise more influence upon the Congress than would the Federal Security Agency.

Be the situation as it may appear to be, a number of important facts remain which are incontrovertible where the proposed transfer of these two services to the Department of Labor is involved.

First. Rightly or wrongly, employers do fear the consequences of such a transfer. They seem to feel that the status of unemployment insurance itself, and especially experience rating, would be in jeopardy.

Second. Administrative interpretation, applicable to the term "other factors" in section 1602 of the Internal Revenue Code, could virtually eliminate experience rating, or the possibility of an experience rating plan worthy of the name, from nearly every State in the Union. While the law provides that experience rating systems or plans may be established according to general specifications, it leaves with the administrative agency the actual determination of the "factors" to be considered in the establishment of these systems. This broad latitude for interpretation which is thus given to the administrative agency, emphasized as it is by the vast number of regulations which already have been promulgated by the Federal Security Agency in dealing with the matter, indicates the power of determination which the law itself actually vests in the Administrator or the administering agency.

Third. Unemployment insurance, while created principally for the benefit and protection of employees, is of equal concern to management and ownership who constitute its chief contributors. It is the product of partnership between workers, management, and ownership, the primary purpose of which is to protect the workers through cooperative support by management and ownership. In effect and in reality, unemployment-insurance funds belong as much to management and ownership as to the workers themselves.

Fourth. A basic controversy is now taking place in the country with regard to the future status of unemployment insurance. Should it remain as it is, partly in the Federal Government and partly in the States? Should it be operated and administered exclusively by the Federal Government? Or should it be returned wholly to the States? Presumably some States with substantial unemployment-insurance funds would prefer to have this governmental service returned to them; presumably other States, whose funds may be impaired or depleted, would desire that it remain in status quo, or even be taken over entirely by the Federal Government. Thus far there seems to be no predominant opinion in this controversy.

Fifth. Rightly or wrongly, employers seem to feel also that, if the proposed transfer were to be made, the value of the Employment Service would be damaged, due to an ensuing lack of cooperation between the Department and employers where placement is concerned. They believe that in administering the Employment Service, the administrator or administering agency would assume even greater discretion and would be able to exercise even greater control in directing the State systems than would be the case in the matter of Unemployment Insurance. I do not join in or dispute the provocation for this attitude on the part of employers, but as witnesses at the hearing pointed out, the important fact is that the attitude exists and that it might constitute a detriment to the satisfactory functioning of the Employment Service.

Sixth. The placement function in the Employment Service primarily fulfills the purpose of the Department of Labor to advance opportunities for profitable employment, but the fact remains that private employers and not the Department of Labor must provide the employment and that, unless there is a cooperative attitude between employers and the Employment Service, this service cannot function effectively or successfully.

Seventh. Regardless of present dispute or controversy concerning alleged advantages or disadvantages in placing the Employment Service and the Unemployment Insurance Service in the Department of Labor, the indisputable fact stands out that the functioning of these services, located as they have been and are at the present time, appears to have occasioned no reasonable criticism concerning their administration by the Federal Security Agency, and the proposed change seems clearly to be advocated for the main purpose of increasing the functions and activities of the Department of Labor.

Eighth. Placing the Employment Service and the Unemployment Insurance Service in the Department of Labor would undoubtedly enhance the prestige of that Department, but failure thus to act would in no way jeopardize the existence of the Department itself. There may be those who would like to see the Department of Labor abolished, but I have never heard advocacy of such action by any Member of the Congress, and all of us know that any attempt to eliminate the Department of Labor would meet with overwhelming opposition in the Congress.

Ninth. Obvious indications are that the Department of Labor is not now prepared to undertake in full the administration of the Unemployment Insurance Service. Testimony by the Secretary of Labor reveals beyond question that the attitude of the Department toward the status of this particular agency of Government is very much in doubt.

Tenth. There is no indication that the proposed transfer of these services would be conducive in any way to economy in administration. To the contrary, there is evidence that the net cost of administration in such event would actually increase. Clearly, this proposed move cannot be construed as one which should be made in the name of economy.

There may be some who will dispute the accuracy of these 10 statements of fact as I see them to be, but I believe that these statements are substantially correct.

Last year I opposed an Executive order which would have accomplished the results which are sought in Reorganization Plan No. 2. I had felt that this question required further and more intensive study. It seemed to me that the Congress should await the recommendations of the Hoover Commission. I had hoped to be able to support these recommendations wholeheartedly. I have felt that it would be advisable ultimately to place the Employment Service and the Unemployment Insurance Service in the Department of Labor. I have hoped that when the time might arrive for making this transfer, the Department of Labor would be in a position properly to receive these two services and to supervise their functioning.

However, as I have stated, we now find that the Department of Labor, instead of being prepared to receive the Unemployment Insurance Service, contemplates a study of the whole question of unemployment insurance, presumably for the purpose of ascertaining what position the Department should take with respect to experience rating and perhaps with regard to the question of the complete federalization of unemployment insurance itself. In other words, the Department of Labor does not appear to be prepared to assume the responsibility entailed in this proposed transfer.

Moreover, as I have pointed out, Reorganization Plan No. 2 follows only in limited degree the Hoover Commission's recommendations. In fact, the Commission's task force, after careful analysis, appears to have reached no final conclusion beyond advising that "judgment must be exercised by the duly elected representatives of the people."

Furthermore, the Senate's rejection yesterday of Reorganization Plan No. 1 leaves the status of the Federal Security Agency substantially unchanged. And yet, as was indicated during the debate on plan No. 1 and by action already taken by the Senate Committee on Expenditures in the Executive Departments with respect to Senate bill 2060, there is every indication that the Federal Security Agency's status will be changed in a future year, perhaps relatively near at hand. Disapproval of the precise plan submitted by the Chief Executive does not mean at all that there is no general need or desire for reorientation where the welfare and health and education services of our Government are concerned. I feel sure that efforts in this direction will continue, and I feel equally sure that they will result finally in appropriate action of the type indicated.

In the meantime, because of the continuing status of the Federal Security Agency, and because of the presently apparent uncertainty on the part of those in charge of the Department of Labor, and because of the attitude of one of the

chief parties in interest, the employers, and withal, because no question of economy is involved, it would seem only sensible and in the best public interest to continue the United States Employment Service and the Unemployment Insurance Service in their present position in our governmental structure until the controverted issues shall have been satisfactorily resolved.

For these reasons, I shall vote in favor of Senate Resolution 151.

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

Mr. IVES. I yield.

Mr. VANDENBERG. I have such profound respect for the Senator's views in this area of legislation that I desire to submit two questions to him for my information, first stating that I would do nothing to jeopardize merit rating under any circumstances in connection with unemployment compensation.

Will the Senator indicate to me to what extent State control is autonomous in respect to merit rating?

Mr. IVES. To the extent that any plan or system devised by any State is approved by the Federal Security Agency, as represented in this particular agency by the Social Security Board.

Mr. VANDENBERG. What could happen to any existing merit-rating system which has already been approved?

Mr. IVES. At the present time the Federal Security Agency permits several plans to which the State systems must conform. Were the existing policy or formula to be changed in any fundamental manner, presumably the States would have to conform in carrying out their functions where this policy is concerned.

Mr. VANDENBERG. That brings me to my other question. Could the Department of Labor possibly be any more hostile to merit rating than the Federal Security Agency has demonstrated itself to be?

Mr. IVES. I think probably the Federal Security Agency, in its attitude of opposition to experience rating, has gone as far as it can go. But I should like to bring out this point: we do not know what the position of the Department of Labor might be; we have no idea; but we do know that the Department of Labor's chief interest rests with the worker, as it should. We know that any viewpoint which might be expressed by the Department of Labor presumably would be in favor of the worker, as it should. That being the situation, I doubt that it could be hoped that the attitude of the Department of Labor would be any more favorable toward experience rating than that of the Federal Security Agency. As a matter of fact, I think the employers' attitude in this connection with regard to the Federal Security Agency is founded on the idea that, as nearly as may be possible, the Federal Security Agency itself is a neutral body. It may be prejudiced in this way or that way with regard to the work it is doing, but it is not tied in to any parent group which definitely has a prejudice under the law. That is why, as I see it, presumably a great number of employers are fearful about this possible change.

The PRESIDENT pro tempore. The time of the Senator from New York has expired.

Mr. McCLELLAN. I yield 10 minutes more to the Senator from New York.

Mr. VANDENBERG. Then, Mr. President, if the Senator will yield, I should like to ask a further question.

Mr. IVES. I yield.

Mr. VANDENBERG. Would the Senator concede that a reasonably persuasive argument could be made that we are actually rescuing merit rating when we take it from a nonhostile supervision and turn it over to an institution whose attitude is at least unknown?

Mr. IVES. No; I do not think that could very well be derived from the statement I have made in my presentation. I have thought considerably about that particular point. I think the unwillingness on the part of the Secretary of Labor—I do not like to bring personalities into these matters, but in this particular instance I think I must—to indicate his attitude with respect to experience rating, at the time of the hearing, shows that presumably he is not too favorably inclined. I say that advisedly. After all, he was not appointed Secretary of Labor yesterday. He has been there quite a number of months now. He knows something about labor statutes and labor law. From that experience he has at least some definite knowledge with regard to unemployment insurance and experience rating. If he did not derive it from that experience, he certainly should have derived it from his experience as Governor of the great Commonwealth of Massachusetts. It would really be impossible for any chief executive of any State of the Union within the past 10 or 12 years, at least, not to know what unemployment insurance is and what experience rating is, especially when, as I indicated, all States have experience rating at this time. Consequently, I could only construe his reluctance in that instance as indicating or presumably showing on his part a basic opposition to the idea of experience rating.

Mr. VANDENBERG. I thank the Senator for his very frank statement. I should like to say to him that all my inclinations would be to agree with his point of view respecting leaving the services where they are. I so voted in the Eightieth Congress as did the Senator from New York.

Against that, I find it necessary today to weigh the rival consideration that here is the first highly controversial reorganization plan under the Hoover reports, which, so far as it goes, is in harmony with the Hoover reports. I am sure the Senator from New York recognizes the difficulty encountered by one who wishes to be as loyal as humanly possible to the Hoover reports——

Mr. IVES. I so expressed myself.

Mr. VANDENBERG. Yes, as the Senator from New York himself has indicated—when we have to choose between an argument which is, since it is only an argument, necessarily not conclusive respecting the hazard to merit rating under the proposed change. We have to choose between that and a clear and distinct veto of the first controversial Hoover report which has come before us.

Mr. IVES. Let me answer in this way, because my process of mental effort probably travels somewhat along the lines followed by that of the distinguished Senator from Michigan. I wish to support these Hoover recommendations; but I tried to point out in my prepared statement that where there is a substantial deviation—even though what is presented, insofar as it goes, may constitute a part of the Hoover recommendations—it seems to me very definitely that, separately and of itself, the proposal should be examined on its own merits.

That is what I have done in this case. If all these other proposals had been incorporated in the plan, with the exception of putting Selective Service in the Department of Labor, I presume it very likely that I would favor the plan. Such an arrangement would provide an integrated set-up.

The plan before us is not integrated. It is piecemeal, only in part. Yesterday we rejected plan No. 1. That plan, even though it is not directly connected with the plan now before us, certainly has a very definite bearing where the Federal Security Agency is concerned.

In view of all that, it seems to me it would be just as well for us to delay, for the time being, until some of these differences of opinion and some of these doubts can be removed, so that we can know more definitely what we are doing in making these changes.

Mr. FLANDERS. Mr. President, I hope to get in my question before the hammer strikes.

Mr. IVES. I beg the Senator's pardon. I yield to him now.

Mr. FLANDERS. I should like to ask whether this plan will result in a possible economy, in that the Bureau of Labor Statistics can then take over more completely in this field, with the result that the compiling of the exceedingly important statistical material which comes from this agency or administration can be handled under the auspices of one administration, instead of two at the same time.

Mr. IVES. Very definitely, there is an economy in that respect, but very definitely there is an extravagance somewhere else. As the distinguished Senator from Vermont may recall, last year the Department of Labor, I think, closed 12 of its regional offices. The chances are that the greater portion of those offices would have to be reopened.

A year ago, when this same proposal was before us, some of us went to a considerable extent into the matter of expenditures or cost. My recollection is that, as nearly as we could ascertain, it would cost about $500,000 more to make the transfer that is proposed in this instance. Probably that is the gross figure; and probably, as has been indicated, savings of $150,000 or $200,000, or something approximating those figures could be made. I have conceded that it is neither plus nor minus, and I do not think the question of economy enters even remotely into this proposal.

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

Mr. IVES. Certainly.

Mr. FERGUSON. The Senator has indicated that the State has the right to draw up a plan of compensation——

Mr. IVES. That is correct.

Mr. FERGUSON. And that it is then submitted to the Federal agency, which has the right to approve or disapprove.

Mr. IVES. That is true.

Mr. FERGUSON. Does that mean that the agency itself has the power now to change or alter the plan drawn up by the State?

Mr. IVES. Presumably, if some of the insurance funds encounter difficulties, as I think some of them will if we run into a serious condition of unemployment, we may find ourselves in a serious condition where the agency will have to change its plans and its set-up, as they are now established; and in this case, although in general the States presumably would not have to repeal their statutes, yet they probably would have to conform.

Mr. FERGUSON. Is there anything in the law which would require that?

Mr. IVES. No; there is nothing in the law, according to my recollection of it, which would force them to repeal those laws.

Mr. FERGUSON. Then, so far as the law at the present time is concerned, are we to understand that the State has an option in respect to controlling experience rating, and so forth?

Mr. IVES. The State has no option at all in controlling it. The State can only submit a plan which has been adopted by its own legislature, which must meet the terms of the statute, under section 1602—and I think, section 1601 of the Internal Revenue Code is also involved to some extent—and finally be approved by the Federal Security Agency.

In that connection I should like to point out that I have with me all or a substantial number of the regulations which have been worked out controlling this very thing. They have been worked out by the Federal Security Agency. They indicate the great latitude of interpretation which can be placed on the term "other factors in the law."

Mr. FERGUSON. The Agency in Washington then has a considerable control over the funds, and a considerable power to dictate how they shall be used in the State? Is that correct?

Mr. IVES. Very definitely.

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

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Illinois?

Mr. IVES. I yield.

Mr. DOUGLAS. Will the able Senator from New York State whether, once a plan has been adopted by a State, the Federal Security Agency has ever asked the State to change its plan?

Mr. IVES. No, not to my knowledge. I do not think it has ever been done. But in all probability, I may say to the distinguished Senator from Illinois, if a situation arises, as it might arise by changing the plans, States might be obliged, in the final analysis, to amend their plans. If a State plan is found to be going to pieces and it becomes necessary to revise the whole set-up, that might easily happen.

Mr. DOUGLAS. But, to date, no such change has ever been ordered; is that correct?

Mr. IVES. That is correct.

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

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Alabama?

Mr. IVES. I yield.

Mr. SPARKMAN. I wonder whether the Senator cares to comment on this: There seems to be a great deal of dissatisfaction with the idea of placing the agency in the Department of Labor; yet is it not true that when the act was originally passed, the agency was placed in the Department of Labor, and, as a matter of fact, over a major portion of the time it has been in operation it has been in the Department of Labor?

Mr. IVES. That is correct. What comment does the Senator want? I have a document which throws light upon the reason for the shift.

Mr. SPARKMAN. If the experience in the Department of Labor has been good thus far, why is a fear so often expressed in connection with placing it back in the Department?

Mr. IVES. Let me merely indicate in the first instance that only the United States Employment Service itself ever was in the Department of Labor. Unemployment Insurance itself never was a part of the Department of Labor. I think that will clear up the point the Senator has in mind. But I call attention to the message of the President of the United States, dated April 25, 1939, at which time he placed the proposal before the Congress regarding the question of the Federal Security Agency, the matter of social security generally, and, as I tried to indicate in my prepared remarks, the need for having all these agencies in one agency of the Government. He said:

> I find it necessary and desirable to group in a Federal security agency those agencies of the Government, the major purposes of which are to promote social and economic security, educational opportunity and the health of the citizens of the Nation.
>
> The agencies to be grouped are the Social Security Board, now an independent establishment; the United States Employment Service, now in the Department of Labor; the Office of Education, now in the Department of the Interior; the Public Health Service, now in the Treasury Department; the National Youth Administration, now in the Works Progress Administration; and the Civilian Conservation Corps, now an independent agency.

He then goes on with further reasons, which I shall not take the time of the Senate to read. What I have read indicates the purpose of an integrated set-up, and, as I indicated in my preliminary remarks, there is certainly just as strong a reason for having the Unemployment Insurance Service in the Social Security Agency as there is for having the Employment Service itself in the Department of Labor. Senators may take their choice. If it is desired to get down to brass tacks in argument, the question can be argued one way just as completely as the other.

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

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Washington?

Mr. IVES. I yield.

Mr. MAGNUSON. Perhaps I misunderstood the Senator from New York. I understood him to say, in answer to a question by the Senator from Michigan, the State must conform to the plan. Is that correct?

Mr. IVES. Absolutely; otherwise the State plan is not approved. I know something about that. I helped set it up in New York State. The Senator has probably had a similar experience. We submitted several plans before we finally got one that held water, because we were trying out something new.

Mr. MAGNUSON. But the reason for all the books which have been brought into the Chamber is the fact that the States took the initiative in submitting plans; is it not?

Mr. IVES. That is correct.

Mr. MAGNUSON. There is no particular rule of uniformity, but the plan, of course, must be approved, and that is why we have this stack of books; is it not? Would the reorganization plan change at all the existing system in that respect?

Mr. IVES. It may or it may not. It would depend.

Mr. MAGNUSON. Then are we not speaking of a fear of a different type of administration?

Mr. IVES. That is exactly what I was talking about in what I had to say. I did not say I shared the fear. I say the fear exists, and there is no way in the world by which we can eliminate it. Only experience can determine whether it is justified or otherwise.

Mr. MAGNUSON. But, using the same argument, we could just as well justify ourselves in saying that it may be improved through the change, could we not?

Mr. IVES. I am not trying to justify ourselves. I am trying to indicate some of the reasons why it is extremely doubtful at this particular time, when this thing is entirely in a process of flux, to make this particular change. If the Senator will recall correctly, I stated earlier in my prepared remarks that ultimately I think some kind of plan must be worked whereby the system can be placed in the Department of Labor. But I doubt exceedingly whether this is the time to do it.

Mr. MAGNUSON. I thank the Senator.

Mr. IVES. If there are no further questions, the Senator from New York thanks the distinguished Senator from Arkansas for allowing him so much time.

Mr. HUMPHREY. Mr. President, the report of the Committee on Expenditures in the Executive Departments and the able presentation by my good friend, the distinguished senior Senator from the State of New York, have, it seems to me, reduced Resolution No. 151 to two very basic issues. The first is whether the Department of Labor can administer the

Bureau of Employment Security impartially. The second is whether greater efficiency and economy can result from the transfer of the Bureau of Employment Security to the Department of Labor. Those are the same two issues that were pointed out by the Brooklyn Institution in its study.

I say these are two issues presented by the opponents of Reorganization Plan No. 2; but I do not believe, Mr. President, there are in fact two issues involved here. I believe there is only one issue, and even it is not the same as the one presented in the committee report. The one basic issue, to my mind, is whether greater efficiency and effectiveness can result from placing the Bureau of Employment Security in the Department of Labor. That is the one major issue.

The transfer proposed by Reorganization Plan No. 2 must first of all be viewed on its merits, consulting facts and not unfounded charges or imputations of prejudice. When the entire record before the committee is examined on this basis, Mr. President, I think the conclusion is inescapable that Reorganization Plan No. 2 is soundly supported by reason and logic and by orderly principles of Government organization. Charges of bias or prejudice on the part of the Department of Labor can then be seen as they really are.

We must look to see what the facts are. They indicate not any prejudice on the part of the Department, but that the charges are actually a reflection of bias existing in the minds of certain groups which have presented their feelings to the committee as a substitute for facts. In the same way, the charge that the Bureau of Employment Security will cost the Government more money when it operates as a part of the Department of Labor shows up on the record as wholly contrary to the uncontradicted evidence before the committee. I intend to address myself to the interrogation from the Senator from Vermont [Mr. FLANDERS] with reference to the use of statistical material and the possibility of any economies which may be effected by the reorganization.

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

Mr. HUMPHREY. I shall yield for a question. I desire to stay with my prepared text, and yield at the end of my remarks; but I shall be glad to yield now to the Senator from Massachusetts.

Mr. LODGE. In connection with the statement which the Senator has made as to economies to be achieved by Reorganization Plan No. 2, is it not correct that former President Hoover is on record in the hearings as saying, in response to a question, that he believed this transfer would result in economy?

Mr. HUMPHREY. He is on record to that effect.

Mr. President, I propose to review the entire record before the committee on Reorganization Plan No. 2, and from this record I intend to show the truth of every statement I have made concerning this plan.

In 1947 the Eighteth Congress enacted a law to create a Commission on Organization of the Executive Branch of the Government. To my mind, that is one of the finest pieces of legislation ever passed by the Eightieth Congress or by any other Congress. A preliminary purpose of this Commission was to make recommendations for consolidating services, activities, and functions of a similar nature of the executive branch.

The Hoover Commission, despite its popular name, was not a Republican commission, nor was it a Democratic commission. I think it is well to bring out that fact, since we are in the spirit of good-fellowship. It was a truly bipartisan Commission. As is well known, its Chairman was the Honorable Herbert Hoover, our distinguished elder statesman, and its membership was drawn from Members of the Congress in equal numbers from both sides of the aisle, as well as some outstanding citizens in public life.

Another interesting thing about this Commission, Mr. President, is the fact that it included two employers, two very distinguished men with experience in meeting pay rolls. But none of the members of the Commission represented employees or the ranks of organized labor.

I think it is particularly pertinent in the discussion of Reorganization Plan No. 2 that we make note of the fact that the Commission did have in its membership two distinguished gentlemen who were well-known employers, who had to meet pay rolls, who had to deal with the Employment Service, who were affected obviously by the tax for unemployment compensation, who were intimately acquainted, on the practical basis of business experience, with the Department of Labor and the Federal Security Agency; and the record is quite clear that those two employers, along with all their colleagues on the Hoover Commission, supported the transfer of the Bureau of Employment Security to the Department of Labor. I shall point out that this was one of the few recommendations with reference to the Department of Labor that was unanimous.

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

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

Mr. IVES. Would the Senator rather have me ask my question at the end of his remarks?

Mr. HUMPHREY. I would rather the Senator would wait until I complete my remarks, because I am sure there will be many questions Senators will want to ask.

The members of the Hoover Commission spent almost 2 years and almost $2,000,000 studying in detail the organization of the executive branch of the Government. To carry out the great responsibilities imposed upon it, the Commission selected 25 different task forces to make special studies and surveys of the various departments and activities of the Government. The Commission drafted into the service of the Nation some 350 outstanding citizens to serve on the task forces, in almost all cases without any compensation whatever. The Brookings Institution also assisted the Commission in making its study.

A few months ago the Hoover Commission made its report to the Congress. This report contained approximately 318 different recommendations and findings representing its collective good judgment and wisdom. One of the recommendations provided for the transfer of the Bureau of Employment Security from the Federal Security Agency to the Department of Labor. That recommendation was arrived at unanimously, with wholehearted support on the part of Republicans and Democrats. The Commission stated that it made this recommendation because the Bureau of Employment Security carried on activities closely related to the employment and labor functions of the Department of Labor and not closely related to the retirement and old-age-assistance or educational programs of the Federal Security Agency.

The recommendation was made after a very detailed analysis of the Department of Labor and the Federal Security Agency.

Both political parties have made pledge after pledge, year after year, in platform after platform, that they are going to strengthen the Department of Labor. I must say to my distinguished friend, the senior Senator from New York, that we cannot constantly keep making that promise and not do something about it. We cannot constantly say, "Now is not the time." On any issue we can always say that this is not the time; we can always say that we need more information; but, frankly, the information which could be obtained has already been obtained. I submit that when the Congress spends $2,000,000 to obtain information on the reorganization of the Government, when 350 prominent citizens are mustered into Government service, when 318 reports are made, when task forces are sent into the field and exhaustive studies are made, what more information do we need?

As I have said, the Commission stated that it made its recommendation as to the transfer of the Bureau of Employment Security from the Federal Security Agency to the Department of Labor because the Bureau of Employment Security carried on activities closely related to the employment and labor functions of the Department of Labor and not closely related to the retirement and old-age assistance or educational programs of the Federal Security Agency.

I think our colleagues would be interested in what goes on in the State of New York with reference to this matter. I have in my hand a copy of "Labor Laws and Their Administration and Discussion, Bulletin No. 107, Year 1949, of the United States Department of Labor, Bureau of Labor Standards." On page 118, reporting from a conference with Mr. Corsi, who is, I believe——

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

Mr. HUMPHREY. I yield.

Mr. IVES. I should like to set the Senator straight on that. Mr. Corsi is the industrial commissioner of New York. I happen to know that Mr. Corsi

favors the plan we are discussing. I respect him very highly, and for him I have a very high regard, but I do not always agree with him.

Mr. HUMPHREY. I appreciate the comment of the distinguished Senator from New York. We do hold many men in high respect with what we do not agree. That is one of the enjoyable phases of American politics. However, I thought I would quote what I am about to read, because I was sure it would have some bearing on the question before us. Mr. Corsi, said:

> We in New York have stuck very consistently through the years, and certainly more so in recent years, to the idea that a State government must have under one roof all government activities pertaining to wage earners as wage earners. That doesn't mean only safety inspection or wages and hours; it means unemployment insurance, employment service, workmen's compensation, labor boards, mediation, and everything else.

It appears to me that this pattern has been pretty well established in most of the States, and I shall bring evidence for this a little later.

Neither the Hoover Commission nor its chairman, former President Hoover, nor anyone else, has claimed that the proposed transfer would sharply decrease the costs of government. In other words, we are not talking about saving billions of dollars by the sort of transfer proposed. The Commission and its chairman were, however, in agreement that the recommended transfer would necessarily increase the effectiveness and the efficiency of Government operations. This was the only claim, and that is why I state that the only issue before the Senate today is whether or not the Bureau of Employment Security can operate more effectively and efficiently in the Department of Labor.

I point out that this is the question which the Senator from Vermont [Mr. FLANDERS] placed before us, and propounded to the Senator from New York. I believe the question of the Senator from Vermont was along this line, "Is it not possible that there would be some increase in efficiency? Is it not possible that there might be some decrease in cost?"

Mr. IVES. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. IVES. I do not care to keep interrupting my distinguished colleague, but in view of the fact that the question was asked of me, I would point out that the Senator from Vermont was indicating a specific function, and asking whether there would not be some savings in that connection; and in that connection there would be.

Mr. HUMPHREY. The junior Senator from Minnesota merely desires to underwrite the very accurate observations of the Senator from Vermont, and to point out by facts, and by the report of the task force what they had to say.

I give my colleagues now references from the task force report on public welfare—appendix P—prepared for the Commission on Organization of the Executive Branch of the Government, January 1949, a paragraph entitled "Statistics of Employment." This is what the task force has to say:

> The separation of the Department of Labor from the present Federal Security Agency presents another difficulty with respect to statistics of employment, current, short-run, and long-run. The importance of these statistics under modern economic conditions is obvious. It can hardly be questioned that better and less costly statistics could be obtained if the Bureau of Labor Statistics, the Employment Service, unemployment compensation, and possibly old age and survivors insurance were in the same department. Then the head of that department could have a thorough study made of the whole problem, preferably in cooperation with the State agencies and with the assistance of the Statistical Standards Unit of the Budget Bureau, and recommend to Congress the arrangements best suited for an efficient and economical system.

Mr. President, I bring this to the attention of the Senate because the task force, which made a close examination, not only says it would be more efficient, but it also frankly says that it would be less costly, and would provide a coordinated type of statistical research.

Immediately after the Reorganization Act of 1949 became effective last June, the President sent to the Congress on June 20, 1949, some seven plans for the purpose of carrying out as many of the recommendations of the Hoover Commission as possible during the present session of the Congress. I believe the President pointed to the fact that 60 days of almost continuous session would be required before the plans could come into effect, and since the Legislative Reorganization Act points toward adjournment at the end of July very little time, it seemed to the President, remained for putting the recommendations into effect this year. Here is the reason, and I believe the only reason, why more plans have not been submitted to the Congress. There is no indication whatsoever that the President disagrees with other recommendations of the Hoover Commission, or that he does not intend to carry out the other recommendations as soon as circumstances permit.

Mr. President, Reorganization Plan No. 2 clearly carries out the recommendation of the Hoover Commission. It not only transfers the Bureau of Employment Security to the Department of Labor but also enables the complete merger of the Veterans Employment Service with the United States Employment Service under the Bureau of Employment Security. I wish to emphasize this point.

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

Mr. HUMPHREY. Let me complete this statement, and we may discuss it at the end of my remarks, because I think my explanation may convince even the Senator from New York.

Mr. IVES. The Senator from New York merely desired to say to the Senator that what he has just suggested can be done now.

Mr. HUMPHREY. The junior Senator from Minnesota was about to make the observation that it can be done under the reorganization plan.

Mr. President, I wish to emphasize that the plan would enable the complete merger of the Veterans' Employment Service with the United States Employment Service under the Bureau of Employment Security. I wish to emphasize this point, Mr. President, because the committee report seems to imply that the plan fails to provide for this merger.

I should like to make my position quite clear. I say the committee report seems to imply that the plan fails to provide for this merger. This implication is, of course, contrary to the provisions of the plan, and I quote from section 1 of the plan, as follows:

> The functions transferred by the provisions of this section shall be performed by the Secretary of Labor or, subject to his direction and control, by such officers, agencies, and employees of the Department of Labor as he shall designate.

Under this provision of the plan it should be perfectly clear to all Senators that the Secretary of Labor has the power to carry out the merger recommended by the Hoover Commission, a merger which both the senior Senator from New York (Mr. IVES) and the junior Senator from Minnesota would agree can be made, and it surely can be made under Reorganization Plan No. 2. All the Secretary of Labor has to do is to place the administration of the Veterans Placement Service in the same officers and employees of the Bureau of Employment Security who administer the United States Employment Service. In this way the recommendations of the Commission will be carried out in full.

The report of the Senate committee also seems to imply that the reorganization plan goes way beyond the Hoover Commission in abolishing the Veterans' Placement Service Board. It must be understood, however, that the merger recommended by the Hoover Commission, that is, of the Veterans' Placement Service with the United States Employment Service, could not in any way be accomplished unless this Board is also abolished. The Veterans' Placement Service Board is now under the chairmanship of the Administrator of the Veterans' Administration and is composed of various executive officers of the Government, including the Secretary of Labor. This Board has the statutory duty to formulate policies for administering the Veterans' Employment Service. This Board is entirely outside of the United States Employment Service and the Bureau of Employment Security. Under these circumstances no complete merger would be possible unless the policy-making functions of the Board were to vest in the same officers of the Government who shape the policies for the Bureau of Employment Security and the United States Employment Service. Under the plan this officer would be the Secretary of Labor, and, therefore, the only way in which the Hoover Commission recommendations may be carried out is by vesting this policy-making function of the Veterans' Placement Service Board in the Secretary of Labor. Such a step would be taken by Reorganization Plan No. 2, thereby hoeing the line to the exact pattern established by the Hoover Commission.

The committee report again seems to imply that Reorganization Plan No. 2 should have included seven additional recommendations for strengthening the Department of Labor. I have previously mentioned that. These recommendations, however, involve not only the Federal Security Agency but at least a dozen other Government agencies and involve issues which are for the most part totally unrelated to the transfer of the Bureau of Employment Security. As I have stated, Mr. President, the President has submitted to the Congress only those issues which the Congress could be reasonably expected to dispose of in the limited time available.

There is no reason to believe that the President has any other intention than to carry out these further recommendations as soon as time will permit.

The Senate committee gave a full opportunity for all individuals and all groups to present their views concerning Reorganization Plan No. 2. As other distinguished Senators who are members of the committee will affirm, there were several days of hearings, many written and oral statements presented to the committee, and a host of telegrams and letters, both for and against the plan. I have gone over most of the record, in fact I would say I have gone over once the entire record of the hearings before the committee, and I am convinced that the evidence strongly supports the position taken by the Hoover Commission.

There was a doubt in the mind of the senior Senator from New York whether unemployment compensation was directly related to the Department of Labor's activities. The junior Senator from Minnesota would like to say that the Employment Service surely belongs in the Department of Labor. The work of the Employment Service is to secure jobs for unemployed. The Unemployment Compensation System is a system set up to alleviate strains, difficulties, and poverty during periods of unemployment. We in America are not working under a system whereby we would attempt to see how many people we could keep on unemployment compensation. The job of the Department of Labor and the job of the Government is not to see how many persons can be kept on a $20-a-week unemployment compensation, but to see how many persons can be kept at work in productive employment.

Furthermore, it should be noted that unemployment-compensation beneficiaries, that is, those who receive the compensation, must be listed with the Employment Service, and there is a direct relationship between the Employment Service activities, which helps to find jobs for the unemployed, and the Unemployment Compensation System's activities, which furnishes some means of sustenance during a period of unemployment while a man is seeking a job.

In preparing the minority report, the junior Senator from Minnesota brought out what the Hoover Commission had to say in reference to the Unemployment Compensation Service and the Employment Service being brought together. I should like to read from page 3 of the minority views on Reorganization Plan No. 2 of 1949. I read as follows:

> The Hoover Commission stated that there were cogent reasons why this agency and certain other agencies and functions "should be transferred to the Department of Labor. They are more nearly related to the problems of labor than those with which they are now associated, and their transfer accords with the Commission's first report which recommended that agencies be grouped according to their major purpose."
>
> More specifically as to the reasons for recommending the transfer of the Bureau of Employment Security to the Department of Labor the Hoover Commission stated:
>
> "It is now generally agreed by both Federal and State officials that it is desirable to integrate fiscal and administrative review of the two State programs under the supervision of the same Federal department. The placement operations are the primary objectives of this dual arrangement. The paying of unemployment-compensation claims is a temporary expedient until the eligible worker can be brought back into the productive labor force."

What the Hoover Commission was pointing out so well, was that no matter what we do with the Bureau of Employment Security, the Unemployment Compensation Service and the Employment Service aspects must be transferred together.

The Senate committee, as I have stated, gave all individuals and all groups a full opportunity to present their views concerning Reorganization Plan No. 2. Perhaps the most outstanding fact presented to the committee is the steady increasing of unemployment facing the Nation today. I am one of those who believe that any sound step which this Congress can take to remedy or alleviate the plight of the unemployed should be taken without delay. Now the testimony was clear, Mr. President, that the primary function of the Bureau of Employment Security is to administer funds for maintaining a Nation-wide system for getting jobs for workers. This business of paying cash benefits for unemployment and supervising the use of funds for this purpose is secondary at best. We all know that the emphasis must be on finding the job for the worker. The primary objective of the Government is to obtain jobs. When we do this we reduce the amount which the employers and the public will have to pay as unemployment compensation. We also help the worker because cash benefits, although they may be necessary, are nevertheless a very poor makeshift for the earnings from a steady job.

What agency of the Government, Mr. President, is most concerned with opportunities for employment. Certainly it is not the Federal Security Agency. That agency primarily deals with the welfare of individuals as such. That agency tries to improve the education of our children. It promotes the health of all our people. It is concerned with the cause and cure or control of cancer. It tries to improve or accomplish methods of taking care of babies and growing children. It tries to prevent poisonous foods and dangerous drugs from injuring the public. It aids in the care of the mentally ill. It gives the States the money to take care of the blind, the aged, and dependent or crippled children. It provides pensions for old people who can no longer work.

None of these functions of the Federal Security Agency has any direct relationship to getting jobs for workers. None of these functions bears any direct relation to working people as wage earners in the great labor force of the Nation. Both the Hoover Commission and the Brookings Institution came to this sound conclusion, and the testimony before the committee supports them. The Hoover Commission said that the Bureau of Employment Security is primarily concerned with getting jobs for workers, and therefore should be placed in the Department of Labor, which is the primary agency of the Government dealing with labor problems and with promoting opportunities for profitable employment.

Let me refer to the experience in the respective States, lest some think we are blazing a new trail, or charging off on some uncharted course. This is from the report of the task force of the Hoover Commission, in reference to this type of integrated agency, where unemployment compensation and employment-service activities are carried on in one agency. The Hoover Commission task force has this to say:

> In the States, the employment security agency is not located in the State welfare, health, or education department, but is either located in the State industrial commission or labor department (15 States), in a department with other labor functions (6 States), or in an independent employment security or unemployment compensation commission (30 States). The States thus either consider employment security as an employment function requiring coordination with other such functions, or give it a separate status. They do not merge it with public assistance, health, or education.

The task force making this particular investigation found that throughout the States, the laboratories of our democracy where the Federal-assistance programs are carried out, the pattern of arrangement is not to have the Bureau of Employment Security with a health, welfare, and education agency such as the Federal Security Agency, but to put it into the labor department of the State or the industrial commission of the State, or a separate compensation division or board. I think that should have some controlling effect upon our thinking as to the soundness of approach of the Hoover Commission.

Let me refer to what the Department of Labor would do. The Department of Labor possesses the necessary specialists, the wealth of information on occupations, on employment trends, on wage rates, on working conditions, on labor legislation, and on other matters essential to employment counseling and placement. In this day and age the Employment Service is not merely a matter of registering for a job. In this day and age of specialization, skilled and semiskilled workers, professional workers and semiprofessional workers, in this day and age of mass production, when people do a particular type of specified,

detailed assignment, the Employment Service activity is a highly specialized activity. It requires facts, figures, and statistical analysis. It requires aptitude testing and job placement. The Labor Department of this Government is equipped by experience, tradition, and practice to perform these essential services.

The various bureaus and functions of the Department of Labor were shown by the testimony to be interdependent with the Bureau of Employment Security. The Bureau of Labor Statistics and the United States Employment Service, for example, must work closely together. The local employment office provides the Bureau with the necessary facts on industrial and occupational opportunities, on characteristics of unemployment, on hiring practices, and on labor-market conditions.

Let me digress for a moment. Here is the Bureau of Labor Statistics, under the supervision of the Secretary of Labor. I ask any person in America to what Bureau the average American citizen, the good, God-fearing, decent American citizen who has no special ax to grind, looks for facts? What Bureau of this Government do the consumers of America look to to find out about the cost of living? What Bureau in the Government is General Motors willing to rely upon in establishing a basis for wage rates with the United Automobile Workers? What Bureau of the Government has been able to command the respect of employers, consumers, and everyone else in this Nation? The Bureau of Labor Statistics, under the direct supervision of the Department of Labor.

There is not one iota of evidence to reveal that there has ever been prejudice or bias in the Bureau of Labor Statistics or in the Employment Service when it was under the Department of Labor.

It is an old Anglo-Saxon principle of law which seems to be forgotten these days that a man is innocent until he is proved guilty. All too often around Washington one is guilty until he proves himself innocent. I do not think it is time to start legislating on the basis that someone is going to be guilty merely because someone says he might be, and make the poor fellow come forward and say, "I am not guilty. Let me prove my innocence." God forbid. Anglo-Saxon law is based upon the concept of a man's innocence; and if you want to prove something on him, you had better prove it, and not merely guess about it, or indulge in rumor-mongering. I think that principle could be very well adopted throughout the Government.

That is the Christian, democratic principle that a man is innocent until he is proved guilty. It seems to me that it would be a good idea to assume that the Secretary of Labor, in view of tradition, experience, practice, and record, is going to be impartial, unbiased, honorable, and decent in administering the Bureau of Employment Security with a sense of integrity and public service in the greatest democracy in the world.

Mr. President, that was not in the script. It has been on my mind for a long time.

As I have said, the local employment office provides the Bureau of Labor Statistics with the necessary facts on industrial and occupational opportunities, on characteristics of unemployment, on hiring practices, and on labor-market conditions. This interrelationship which now exists between the Bureau of Labor Statistics and the Bureau of Employment Security is one which even the blind can see. The Bureau of Employment Security cannot be operated without the activities of the Labor Department, unless we wish to establish another set of bureaucrats. Without this interrelationship, we would have to establish another separate agency to gather its own information.

What we are trying to do is to integrate, coordinate, eliminate duplication, and eliminate waste. This is one of the soundest proposals we have had in the process of Government operation.

The same interrelationship exists with respect to the other bureaus of the Department of Labor, including the Bureau of Apprentice Training. Apprentice training has something to do with employment opportunities and the work force. The same interrelationship exists with respect to the Women's Bureau, the Wage and Hour Division, and the Bureau of Veterans' Reemployment Rights. They are all under the Department of Labor. It seems to me that there is no logical argument why the Employment Service and the Unemployment Compensation Service ought not to be where they justly belong.

I do not desire at this time to go into all the ramifications of these interrelationships, enjoyable as it would be. I believe that these questions are quite thoroughly covered in the minority views which I have presented for the observation and study of the Senate. In my opinion the record before the committee overwhelmingly supports the existence of this close relationship, and I doubt that even those who are opposed to the plan will deny its very real existence.

One would think, Mr. President, that the simple logic of placing the Bureau of Employment Security in the Department of Labor would have made some impression upon the committee and on the Senate. Here we have the Brookings Institution saying in fact that the Bureau is closely related to the functions of the Department of Labor and we have the Hoover Commission not only saying the same thing but also recommending the transfer. In addition to that we have virtually uncontradicted testimony to the same effect before the committee but in spite of all this, concludes that the facts offer no assurances of increased efficiency. I merely wish to point out that ex-President Hoover gave these assurances personally to the committee, as the Senator from Massachusetts [Mr. LODGE] so well stated. Ex-President Hoover said:

> I have the faith that this Bureau placed in the Department of Labor and associated with men who are familiar with the problems of labor, will get more economical handling than it will be as a sort of an orphan in the social security, where there are other and much more dominant activities.

I also wish to quote something else ex-President Hoover said about the relationship of these programs to the Federal Security Agency:

> I do not believe that the grants-in-aid feature of agencies creates special affinity on which to set up organization plans. I do not see any more reason why we should any more confine the agency under discussion to the Federal Security Agency because it is a grant-in-aid than that we should put the highways in the Security Agency because they also are grants-in-aid. In other words, the theory that all the grants-in-aid programs ought to be brought together seems to me to be a feeble basis for administrative organization of the Government.

The Senate committee had the assurances of the President of the United States, the Secretary of Labor, the Administrator of the Federal Security Agency, the Director of the Bureau of Employment Security, who will administer this program in the Department of Labor, and other leading citizens, both inside the Government and in private life. In view of these facts and these assurances, I can hardly believe, Mr. President, that the committee can claim that the record offers no assurances of increased efficiency. These facts clearly contradict any such conclusion of the committee. It seems to me that all this evidence which shows the close coordination that will be possible between the Bureau of Employment Security and the other bureaus of the Labor Department, enabling a close day-to-day working relationship, points unmistakably toward more efficient and more effective use out of every dollar invested both in the Bureau of Employment Security and in the other bureaus now in the Department of Labor.

In spite of all this, however, the committee report expresses the opinion that increased cost would result from the transfer. Mr. President, it seems to me that all we are doing here is picking up a bureau of the Government and moving it bodily from one agency to another. The Bureau will operate with the same appropriations and will carry out the same functions which it now discharges. It will be administered by the same Director and through the use of the same personnel. Under these circumstances, and without any facts in support of the contrary proposition, I fail to see how any reasonable man can contend that it will cost more to operate the Bureau of Employment Security under the Department of Labor than it would where it is now situated, particularly when we can thereby consolidate statistical research. The opponents of this plan seem to base their contention of increased costs upon the need of establishing new field offices, once the transfer is made. The evidence before the committee, however, was to the effect that the Federal Security Agency has 12 offices in the field and the Department of Labor has 12 offices in the field. In every case except one, these offices are in identical cities. Since the personal relationship to the Bureau of Employment Security operations would be transferred under the plan, there seems to be no basis for claiming an increase in the cost of field

operations. The argument presented by the opponents of the plan seems to boil down to an expression of opinion that the whole plan should be tossed aside by the Senate because it might require the Department of Labor to establish one field office in the same city in which the Federal Security Agency now maintains that field office. Upon this basis alone, the opponents seem to feel that the recommendations of the Hoover Commission should be ignored. I can think of no weaker reason, Mr. President, for scuttling a worthy recommendation.

Let us be frank concerning the objections raised to this transfer. These objections cannot be based upon the issues of efficiency or effectiveness or economy in the Government. These objections are wholly based upon a vague and unsubstantiated fear that the Department of Labor would administer the Bureau of Employment Security solely in the interests of workers, and would be prejudiced against the interest of employers. Mr. President, I repeat that I share no such view. Herbert Hoover, Chairman of the Commission, does not share that view. He equally discounts this element of prejudice. I quote from Mr. Hoover's testimony:

I do not think any reasonable employer would have prejudice on that account.

Mr. Hoover was speaking of the transfer of the Agency. Then he said:

In any event, I do not see any differences which will arise in the administration of a bureau wherever it is. I do not believe that an employer ought to have any less confidence in the objectivity of the Labor Department than the Federal Security Agency. If there is such criticism the employer ought to realize that these bureaus placed in the Labor Department will be the more vivid searchlight of public opinion than if in the Federal Security Agency, whose major purposes are not related to the subject.

He went on to say:

I do not believe that the Labor Department is a prejudiced Department advocating one aspect of American life any more than the Department of Commerce. We have to believe that the departments of the Government are going to act on behalf of all the citizens of the country, and that the searchlight of public opinion and the action of Congress will keep them on that track. Certainly I do not like to see a poor administrative structure just because of prejudice.

I reviewed the entire record before the committee, and I can assure the Senate that not one case of bias or prejudice on the part of the Department of Labor in the administration of its various statutory duties was brought before the committee. On the other hand, the Secretary of Labor fully assured the committee that the Bureau of Employment Security will be operated in the Department of Labor in the same impartial manner as it now operates, and by the same impartial personnel, including the present Director, Mr. Goodwin, who now operates it.

While I am on this point, I wish to call attention to one factor of this plan which will give added assurance of impartiality, if such assurance is needed. The Federal Advisory Council, created by the Wagner-Peyser Act to advise as to the employment service, would, under the plan, also advise with respect to all the activities of the Bureau of Employment Security. This Council has the statutory job of fluctuating policies and directing problems relating to employment and insuring impartiality, neutrality, and freedom from influence in the solution of such problems. The Council is composed of 35 men and women, representing employers and employees in equal numbers, and also representing the public. Many of the members of the Council are leading citizens of the United States. The Secretary of Labor stated to the committee that he will use this Council actively when he is shaping his policies on the employment service and in employment compensation functions. I am sure, Mr. President, that the Federal Advisory Council in the Department of Labor, operating as it would be required to do under this plan, should lay at rest these vague fears of partiality on the part of the Department.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the list of members of the Federal Advisory Council, with their proper titles.

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

MEMBERS OF THE FEDERAL ADVISORY COUNCIL

PUBLIC REPRESENTATIVES

Dr. William Haber, professor of economics, University of Michigan, Ann Arbor, Mich., Chairman of the Council.

Mr. John J. Corson, circulation director, Washington Post, Washington, D. C.

Mrs. Saidie Orr Dunbar, past president, Federated Women's Clubs, Portland, Oreg.

Dr. Merle E. Frampton, principal, New York Institute for the Education of the Blind, New York City.

Mr. Fred K. Hoehler, executive director, Community Fund of Chicago, Inc., Chicago, Ill.

Mrs. Henry A. Ingraham, former president, national board, YWCA, Brooklyn, N. Y.

Mr. Roscoe C. Martin, bureau of public administration, University of Alabama, University, Ala.

Mr. Ira D. Reid, professor, Haverford College, Haverford, Pa.

Mrs. Anna M. Rosenberg, New York City.

Mr. Max F. Baer, national director, B'nai B'rith Vocational Service Bureau, Washington, D. C.

Dr. Sumner Slichter, professor of economics, Harvard University, Cambridge, Mass.

Dr. Edwin E. Witte, department of economics, University of Wisconsin, Madison, Wis.

MANAGEMENT REPRESENTATIVES

Miss Bess Bloodworth, vice president, the Namm Store, Brooklyn, N. Y.

Mr. Prentiss L. Coonley, business consultant, Washington, D. C.

Mr. John Lovett, general manager, Michigan Manufacturers' Association, Detroit, Mich.

Mr. George Mead, president, the Mead Corp., Dayton, Ohio.

Mr. H. S. Vance, chairman of the board, Studebaker Corp., South Bend, Ind.

Mr. Frank De Vyver, Duke University, Durham, N. C.

Mr. Marion Folsom, treasurer, Eastman Kodak Co., Rochester, N. Y.

Note: At the moment there are two vacancies.

LABOR REPRESENTATIVES

Mr. John Brophy, director, industrial union councils, Congress of Industrial Organizations, Washington, D. C.

Mr. Harry Boyer, president, Pennsylvania Industrial Union Council, Harrisburg, Pa.

Mr. Nelson H. Cruikshank, director, social insurance activities, American Federation of Labor, Washington, D. C.

Mr. James L. McDevitt, president, Pennsylvania Federation of Labor, Harrisburg, Pa.

Mr. H. L. Mitchell, president, National Farm Labor Union, American Federation of Labor, Washington, D. C.

Mr. Paul Sifton, national legislative representative, UAW, Congress of Industrial Organizations, Washington, D. C.

Mrs. Katherine Ellickson, assistant director of research, Congress of Industrial Organizations, Washington, D. C.

Mr. James Brownlow, secretary-treasurer of the metal trades department, AFL, Washington, D. C.

Mr. Joseph M. Rourke, secretary-treasurer, Connecticut State Federation of Labor, Bridgeport, Conn.

VETERANS REPRESENTATIVES

Mr. Robert S. Allen, author, member of American Veterans' Committee, Washington, D. C.

Mr. Lawrence J. Fenlon, chairman, national economic commission, American Legion, Chicago, Ill.

Mr. Omar B. Ketchum, director, national legislative service, Veterans of Foreign Wars, Washington, D. C.

Mr. Millard W. Rice, executive secretary, Disabled American Veterans' Service Foundation, Washington, D. C.

Mr. Edgar Corry, Jr., past national commander, American Veterans of World War II, Washington, D. C.

Mr. HUMPHREY. Mr. President, there is one other point which this argument of partiality completely ignores. It is this: The authority of the Secretary of Labor stems from many different statutes in various fields of activity. For example, he administers the Davis-Bacon Act, the Walsh-Healey Public Contracts Act, the child-labor provisions of the Fair Labor Standards Act, the various statutory provisions creating the Women's Bureau and the Bureau of Labor Statistics, the Veterans' Reemployment Rights defined in the Selective Service Act of 1940, and the Federal Apprenticeship Act. Under all these statutes, the Secretary of Labor must do what the statutes provide. If the Secretary is given responsibility for the Bureau of Employment Security, he must act in accordance with the laws governing that bureau. These laws are the Wagner-Peyser Act, the Social Security Act, and the Federal Unemployment Tax Act. These statutes give the Secretary very little discretion. Under them, his main function is to approve the use of Federal funds for administering State laws. The standards for approving or disapproving a particular State plan for receiving Federal funds are spelled out in the statute itself. These standards, and these standards alone, must guide the Secretary in formulating policies and making determinations with respect to granting assistance to the States.

Mr. President, I am very sorry that at this time the distinguished senior Senator from Michigan [Mr. VANDENBERG] is not in the Chamber, because he asked about the matter of partiality and asked about the authority of the Secretary of Labor and what he could do, for example, with experience-rating systems. I shall point that out. It is crystal clear that the Secretary of Labor must operate

under statutory law. So long as State laws and State operations meet the specific standards prescribed by the Federal law and are approved by the Secretary, Federal aid must be granted to the States.

The Federal law, for example, specifically leaves to the States the question of paying unemployment benefits to strikers. That is in the law. On this point the Secretary of Labor would have no discretion whatever.

Another example arises with respect to the experience-rating system. This is the vital issue. The experience-rating system is a problem which was particularly considered by the business organizations as they testified before the committee. The Federal law is designed to encourage experience-rating systems under State unemployment-compensation laws.

This is how it works. The Federal Unemployment Tax Act provides for a 3-percent tax on employers' pay rolls. All except three-tenths of 1 percent of this tax may be offset by payments made by employers to the State under the State law. In other words, 2.7 percent of this tax can be paid to the State. Three-tenths of 1 percent must go to the National Government for purposes of administration.

In addition the Federal law provides that, even though the payments under the State law do not amount to the total of 2.7 percent, nevertheless the employer shall be allowed credits with respect to a reduced rate permitted by the State law on an experience-rating basis. In other words, the tax can be reduced on an experience-rating basis. The Federal law spells this out clearly. It has definite standards which the State experience-rating system must meet, and when these standards are met, the additional credits must be allowed within the range between zero percent and 2.7 percent. That is left to the States. It is a problem for the State legislatures.

I wish to point out that neither the Federal Security Agency nor the Department of Labor may change the experience-rating system. Neither can legally abolish it. The Congress has written the law, and the Congress alone may change or abolish this protection.

In the minority views, at page 10, we have this to say:

> With regard to experience rating, the testimony was abundantly clear that, for all practical purposes, the State officials can read the provisions of the Federal statute, submit a plan for experience rating, complying with the standards of the statute and that plan must be approved. For example, the Federal Unemployment Tax Act provides for a 3-percent tax on employers' pay rolls. All except three-tenths of 1 percent of this tax may be offset by payments made by the employer under the State law. The Federal law in addition provides that the employer shall be allowed credits with respect to a reduced rate permitted by State law on an experience-rating basis. This is for the purpose of encouraging the experience-rating system. The Federal law spells out clearly defined standards which the experience-rating system must meet. When these standards are met additional credits must be allowed within the range between zero percent and 2.7 percent.
>
> Under the above circumstances it is apparent that no administrative agency can legally abolish the experience-rating system or prevent any State from adopting such a system. The protection for the system has been written by the Congress into the law. Congress alone may change or abolish this protection. Neither the Federal Security Agency nor the Department of Labor may do so.

I am happy to see the Senator to whom I referred returning to the Senate Chamber, and I am going to burden the few loyal colleagues who have remained with me during the discussion to bring this to the attention of the distinguished Senator from Michigan. I am discussing the matter of experience rating, about which the distinguished Senator inquired, and I am sure he is deeply concerned about it. I was pointing out how it operates. I pointed out that the Federal law was designed to encourage the experience-rating system under State unemployment-compensation laws. I pointed out that the Federal Unemployment Tax Act provides for a 3 percent tax on pay rolls, only three-tenths of 1 percent of which goes to the Federal Government, while 2.7 percent can be collected by the State. I pointed out that the State can adjust the tax with employers, on the basis of experience rating. I then went on to point out, from the testimony given before the committee, that neither the Federal Security Agency nor the Department of Labor can change the experience-rating system. Neither can legally abolish it. The Congress has written this into the law, and the Congress alone may change or abolish it. I further stated that the conditions for State compliance with the Federal law are specifically clear-cut under the law. The Secretary of Labor would have very little to say. But I may point out that under the existing system the Federal Security Agency does not approve the experience-rating system. There is no doubt about that. They think the experience-rating systems ought to be abolished.

How about the present Secretary of Labor? What is his record as Governor of Massachusetts? His record as Governor of Massachusetts was not in any way to vitiate the experience-rating system, but to improve it, or at least to defend it. I am sure the distinguished Senator from Massachusetts [Mr. LODGE] will say Massachusetts has a good experience-rating system of unemployment compensation. I think we shall find at least a friendly Secretary of Labor in the present incumbent of that office. But I may say we cannot judge legislation by personalities. Those of us who run for office know how we come and go. Generally, too, those who have been appointed to office know a little about coming and going. What we must think about is whether this is good, sound administrative procedure. It is my judgment it is good, sound administrative procedure.

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

The PRESIDING OFICER. Does the Senator from Minnesota yield to the Senator from Louisiana?

Mr. HUMPHREY. I yield.

Mr. LONG. If concern is evidenced about the experience rating system, would it not be a better idea, rather than hold up a good reorganization plan merely because of the experience rating system, to go ahead, pass a law, and make it clear that any good experience rating system a State wants to put into effect will have to be approved?

Mr. HUMPHREY. I think that is a very good and valid comment.

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

Mr. HUMPHREY. I yield.

Mr. IVES. In reply to the statement of the Senator from Louisiana [Mr. LONG], I think the Senator is familiar with the provision in section 1602 of the Internal Revenue Code, subsection 1, which reads as follows:

> No reduced rate of contributions to a pooled fund or to a partially pooled account, is permitted to a person (or group of persons) having individuals in his (or their) employ except on the basis of his (or their) experience with respect to the unemployment or other factors bearing a direct relation to unemployment risk during not less than the three consecutive years immediately preceding the computation date.

In that connection, I should like to ask the able Senator from Minnesota if he does not believe, in the light of that provision in the law which quite obviously leaves full discretion with the administering agency in regard to the interpretation of the act itself and the formulation of plans under the act, that it would be possible for the administering agency to create a formula whereby experience rating as such would virtually cease to exist, insofar as any State of the Union is concerned, which might be operating under it?

Mr. HUMPHREY. No, I do not. I make the observation that I do not, because the law points out quite specifically, at least, one standard which we have to have for an experience rating, namely, the matter of tax reduction, and——

Mr. IVES. The Senator from New York understands that. Those are basic requirements of the law. Then comes this discretion.

Mr. HUMPHREY. "Or other factors."

Mr. IVES. The Senator from New York further understands that insofar as the States themselves are concerned, no State law can be changed by any act of the Congress itself, or certainly by any administrative act, so far as the Administrator is concerned. But here is the catch. Is it not true that in spite of any State law, in spite of any plan which might have been previously formulated and agreed to on the part of the administering agency, a change in plan or in formula which might be established by the administering agency through action by the administering agency in withholding funds—I am now talking about administrative funds—would, in effect, have the result of forcing this, that, or the other State to change its statute if it were to be able to continue the unemployment insurance experience ratings?

Mr. HUMPHREY. I may say in answer to the distinguished senior Senator from New York that what he is posing as a problem could happen to anyone who is the head of an agency. It could happen in the Federal Security Agency.

Mr. IVES. The Senator from New York is not arguing it; he is simply asking the question.

Mr. HUMPHREY. It is the considered judgment of the Senator from Minnesota that if the law pertaining to the experience-rating system is such that it can be tampered with, we should rewrite the law. But this is not the place in which to rewrite it.

Mr. IVES. The Senator from New York points to the regulations.

Mr. HUMPHREY. Those are the regulations of the Federal Security Agency, the very agency which the Senator from New York wants to have establish an experience-rating program. Apparently the senior Senator from New York thinks the way to preserve the experience-rating program is to have administer it the Agency which has already announced that it does not believe in it.

Mr. IVES. Mr. President, will the Senator further yield?

Mr. HUMPHREY. I yield.

Mr. IVES. In that connection, the Senator from New York would like to point out to the Senator from Minnesota that he is not advocating the extension of unemployment insurance in the Federal Security Agency because the Agency does not believe in it, but he would like to ask the Senator from Minnesota if he knows of any instance in which the Federal Security Agency, up to this time, has done anything to destroy any plan of unemployment-insurance rating as established in a State?

Mr. HUMPHREY. I surely do not. Therefore, I may say to my distinguished friend from New York, let us cease worrying. Here is something which the Agency announced it does not like, but yet it has not done anything to destroy it.

Mr. IVES. There happen to be many thousands of employers in the Nation who are worrying about it.

Mr. HUMPHREY. There are some persons who are never so happy as when they are unhappy. There are other persons who enjoy worrying. They conjure up more ghosts and more bogeymen in an hour than a dog can acquire fleas. They have all kinds of problems on their minds. It is impossible for the Senate of the United States to set at rest all the worries of the "ulcer" groups in this country. Some people are bent on having ulcers and dyspepsia. I do not know of anything as a remedy except Bisodol, or something of that nature.

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

Mr. HUMPHREY. I yield.

Mr. DOUGLAS. In view of the fact that the distinguished and able Senator from New York does not share the fears that the Labor Department would be biased, and which instead he merely expressed and passed on to this body, would it not be the judgment of the junior Senator from Minnesota that the great talents of the senior Senator from New York would be better devoted to removing these false fears on the part of employers, rather than merely passing them on to the Senate, and seeking to influence this body by giving them circulation.

Mr. HUMPHREY. I pay a tribute to my esteemed and devoted friend, the junior Senator from Illinois, for his timely observations which always come to my rescue.

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

Mr. HUMPHREY. I yield.

Mr. IVES. The Senator from New York would merely like to state that that is one of the chief reasons why the Senator from New York feels that delay should be had at this time so some of us can do the job of removing these fears which exist and getting the differences reconciled and straightened out.

Mr. HUMPHREY. I should like to make the observation that when the Senator talks of delay, I know it is foreign to his character. He is a man of ideals, and he is one who likes to go ahead and get things done. This is like performing a necessary operation which has been recommended by the finest diagnosticians of America. Here is a political surgery job which needs to be done. Dr. Hoover and his staff have looked over the patient. There have been relatives pacing up and down, waiting outside for the diagnosis to be reported. The symptoms have been found, and the head surgeon comes in and says to the family of 150,000,000 Americans, "There seems to be, at long last, something we have found in political medicine that is able to receive unanimous agreement. Every surgeon we have, the two employer surgeons, the Republican surgeons, the Democratic surgeons, the chairman and the co-chairman, all agree that there is an operation which needs to be performed. What is the operation? It is that the Federal Security Agency must lose the Bureau of Employment Security, and that Bureau must go to the Department of Labor. There does not seem to be any doubt that if the operation is performed the patient will survive—not only survive, but he may be even happier." Surely he will not be any more unhappy, and his relatives will not be any more unhappy. So I say to the distinguished Senator from New York, let us not worry about these necessary appendectomies and tonsillectomies.

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

Mr. HUMPHREY. I yield.

Mr. IVES. The Senator from New York appreciates very gratefully the tribute paid to him by the distinguished Senator from Minnesota some moments ago, and he tried to express his feeling at that time. However, the Senator from New York would like to point out that, be all of those things as they may or may not be, the fact remains that the Senator from New York has always felt that discretion is the better part of valor.

Mr. HUMPHREY. I should like to concur in that statement. But at a time when there is something necessary to be done, and those who have been called in—and, by the way, called in by the advice and counsel of the Senator from New York; I am sure he voted for it and I am sure he feels as I feel about it, that there is something of such great importance that the matter of partisan politics is set aside—let us go ahead on what the Commission has recommended.

Mr. President, now I wish to conclude, because I have taken more time than I had intended. I wish to summarize by saying that along with this charge of bias on the part of the Department of Labor comes the threat that employers will lose confidence in the Employment Service if it is placed in the Department of Labor. Here, again, there were absolutely no facts to support this serious charge. On the other hand, we have a full record of confidence on the part of employers in both present and prior operation of the Department of Labor. I wish to give the Senate some idea of the scope to which employers now use the Department. One hundred and ten thousand establishments now report employment and pay-roll information each month to the Bureau of Labor Statistics. Between 14,000 and 15,000 retail establishments now report to that Bureau items for inclusion in the Consumers Price Index. Ten thousand establishments are cooperating this year in giving the Bureau of Labor Statistics the information necessary for occupational wage-rate surveys by industry and by community.

I wish to point out that much of this information is confidential in nature. If it were released by the Department of Labor to unions or to competitors, the employers would immediately lose confidence in the Department of Labor and the statistics of the Department would become valueless. Yet ever since the creation of the Department, these statistics have been kept in strictest confidence by the Secretary of Labor and his subordinates.

The Secretary of Labor testified befor the committee that more than 40,000 employers have cooperated with the Department of Labor in establishing more than 40,000 apprentice programs for approximately 250,000 apprentices under training. Is this, Mr. President, evidence of lack of confidence by employers in the Department of Labor?

By the way, that is a wonderful program. I think it deserves a word of tribute. I have watched it in my own State, and it is one of the most marvelous programs I ever hope to witness in the field of what I call practical vocational education.

The most telling facts on this matter of confidence in the Department of Labor are disclosed by the record of the United States Employment Service when it was in the Department of Labor. The official records of the Employment Service show that during the years 1945–48, when that Service was in the Department, employers used the Government placement facilities more than at any other peacetime year since the Wagner-Peyser Act was enacted in 1933. From 1945 to 1948 we did not need an employment service

in order to find people jobs. The employers had dragnets out in front of every door, and if one had even as much as a spark of life left in him, he was pretty sure to get work.

I speak with some intimate familiarity with the Employment Service, and perhaps some sentimentality. I helped develop the program for aptitude testing and vocational training in the Employment Service. I helped perfect programs of placement and job placement, and employer and employee relationships, in the Employment Service. I know that the businessmen of our community had confidence in the ability of the Employment Service to perform its task. The only thing which has destroyed that confidence has been the action of Congress in shifting the Service around here, yonder, and every other place. Let us put it back where it belongs—in the Department of Labor.

When the proposal was made in 1947 to place the Employment Service permanently in the Department of Labor not one employer objected to this plan. I might add here, Mr. President, that the Employment Service was administered in the Department of Labor by Mr. Goodwin, who now is Director of the Bureau of Employment Security, and who will continue to be the Director after the Bureau is transferred to the Department of Labor. Even witnesses who opposed this plan before the committee admitted frankly that Mr. Goodwin administered the Bureau with complete impartiality.

Now, I have stated all of the facts in the record before the committee. I believe that these facts fully support Reorganization Plan No. 2. I believe furthermore, Mr. President, that these facts knock into a cocked hat any claim that the Bureau of Employment Security would not be more effective or more efficient in the Department of Labor. These facts do not present any basis whatsoever for claiming that increased costs would follow this transfer. Above all, Mr. President, the record before the committee should dispel for good this unfounded fear of partiality or bias on the part of the Department of Labor.

I call upon the Senate, in the exercise of its wise and prudent judgment, to concur in Reorganization Plan No. 2, to reject Resolution 151, and to say to the American people that we are going ahead with the Hoover Commission recommendations for reorganization of the executive branch of the Government.

Mr. DOUGLAS. Mr. President——

The PRESIDING OFFICER (Mr. KEFAUVER in the chair). Does the Senator from Minnesota yield to the Senator from Illinois?

Mr. HUMPHREY. I am more than happy to yield.

Mr. DOUGLAS. What is the attitude of the two great veterans' organizations concerning Resolution Plan No. 2?

Mr. HUMPHREY. The Veterans of Foreign Wars and the American Legion, through their respective legislative counsel, testified in behalf of Reorganization Plan No. 2.

Mr. DOUGLAS. So that both the Legion and the Veterans of Foreign Wars are in favor of the plan?

Mr. HUMPHREY. That is correct.

Mr. IVES. Mr. President, will the Senator yield on that point?

Mr. HUMPHREY. I yield to the Senator from New York.

Mr. IVES. The Senator from New York would like to inquire of the able Senator from Minnesota if he does not recall that the chief reason why the two great veterans' organizations favor Reorganization Plan No. 2 is because of the merger which is contemplated under it of the Veterans' Employment Service and the Employment Service itself in the Department of Labor, or in one agency of the Government. In that connection the Senator from New York would also like to ask the Senator from Minnesota if he does not realize, as I know he does, that that merger can be effected now, insofar as those two subagencies are concerned, without any Reorganization Plan No. 2.

Mr. HUMPHREY. It is true that the veterans' representatives were primarily concerned with the matter of the Veterans' Placement Service, and also the Advisory Board. However, I think it should be crystal clear that the Reorganization Act of 1949 does permit this regrouping without any legal difficulties, and there is a special public law setting up the Veterans' Placement Service, and there is special law and regulation setting up the Advisory Board. For them to be consolidated and coordinated without too much difficulty, Reorganization Plan No. 2 would be needed.

Mr. IVES. The Senator understands, does he not, that that can be done, nevertheless, without legislation?

Mr. HUMPHREY. I am not sure of that. I would not want to deny it. I am not trying to duck the issue. If later in the discussion we can get together on this, I shall be glad to look into it. I am not informed on that matter.

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

Mr. HUMPHREY. I yield to the Senator from Illinois.

Mr. DOUGLAS. Did the Senator from Minnesota receive large numbers of letters from business groups in his State, as many of us did from our States, demanding that we put into effect immediately the recommendations of the Hoover Commission?

Mr. HUMPHREY. Yes, indeed; I received hundreds of them.

Mr. DOUGLAS. Did those letters please the Senator from Minnesota, as they did the junior Senator from Illinois, as indicating an interest on the part of business groups in behalf of efficiency and economy in our Government?

Mr. HUMPHREY. I would say that the junior Senator from Minnesota was highly pleased, because he was for the Hoover Commission recommendations.

Mr. DOUGLAS. The letters demanded speedy action by us upon the detailed recommendations of the Hoover Commission, did they not?

Mr. HUMPHREY. That is correct.

Mr. DOUGLAS. Has the Senator from Minnesota been impressed with the fact that suddenly many of the same groups who only a few weeks ago were demanding that we take affirmative action upon the recommendations of the Hoover Commission are now writing demanding that these recommendations of the Hoover Commission be rejected?

Mr. HUMPHREY. I have been very much impressed, and let me say a bit confused, and at times disappointed, because of that. I have in my office letters from organizations in my own State and in other areas which have besought me as one individual to support, down the line, the Hoover Commission recommendations. They say, "Do not take out your pet project, Senator. Be careful now how you line up." And all at once we get a couple of reorganization plans, and particularly Reorganization Plan No. 2, and now we find that that plan simply should not be approved.

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

Mr. HUMPHREY. I yield.

Mr. DOUGLAS. In other words many of the same groups which a short time ago demanded that the Hoover recommendations be put into effect en bloc are now all demanding that this particular recommendation of the Hoover Commission be not enacted.

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

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

Mr. HUMPHREY. I yield.

Mr. IVES. The Senator from New York cannot let the statement just made go by without an observation and a question.

Mr. HUMPHREY. I yield for a question.

Mr. IVES. The Senator from New York would like to ask the Senator from Minnesota if he does not recognize that when the petitions, the recommendations, the appeals came in from civic organizations and businessmen and others, those who made the appeals were talking about the Hoover recommendations themselves as integrated entities. They were not talking about isolated matters that might be collected together. They were not talking about partial plans. They were talking about the over-all recommendations made by the Hoover Commission, were they not? So when Reorganization Plan No. 1 was sent to Congress, since it is a plan which did not follow the Hoover Commission's proposals, and when Reorganization Plan No. 2 came to Congress, since it is a plan which follows only in slight degree the Hoover reorganizational proposals, the Senator from New York would like to ask the Senator from Minnesota if he does not recognize that there is a vast difference between the position taken in the first instance by these groups and the position taken now with respect to these particular reorganization plans?

Mr. HUMPHREY. Mr. President, I assume from the Senator's observation and question that he is satisfied that what actually happened was that the American people were for the Hoover Commission and its activities?

Mr. IVES. And recommendations.

Mr. HUMPHREY. On the broad general basis.

Mr. IVES. That is correct.

Mr. HUMPHREY. I am also assuming, from the Senator's statement, that he believes the people in my neighborhood, in my home city of Minneapolis and State of Minnesota did not know about the reports of the task force, did not know about the reports of the Hoover Commission, for example, respecting the Federal Security Agency or the Department of Labor. When the Senator makes that sort of observation he is dead wrong, because the people who have been writing to me have done so in detail concerning the Hoover Commission reports. They have written to me as though they were experts in this field. In fact, some of the men who wrote me from my State were on the task force in the field.

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

Mr. HUMPHREY. I yield.

Mr. LODGE. I should like to suggest this thought to the able Senator from Minnesota. Let us admit that we would prefer it if the first and second steps were proposed in one package. But if that is not done, should not we nevertheless support the first step? Then the responsibility is squarely on the Executive if he does not give us the second step. But if we have turned down the first step, then we have clearly put ourselves in the wrong, it seems to me, and have made it clear that we do not favor the Hoover Commission report, simply because we can get it all in our own way. I ask the Senator from Minnesota if it is not better to get a little bit—half a loaf is better than none—and if we do not follow the precept of half a loaf being better than none do we not put ourselves hopelessly in the wrong?

Mr. HUMPHREY. I commend the Senator from Massachusetts for that observation. The Senator has really tied it all up in one paragraph, and has said exactly what needs to be said. To be sure, I think both the Senator from Massachusetts and I would like to see more of the recommendations which the Hoover Commission made contained in the reorganization plans. As a matter of fact, I was a little disappointed; I thought the President could have gone further. But he did not.

Mr. President, I believe in automobile transportation.

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

Mr. HUMPHREY. I should like to complete the observation I began to make. I should like to have the privilege of having a Cadillac. I believe in automobile transportation. And because I believe in automobile transportation I would not say that I will not drive in a second-hand Ford automobile simply because of the fact that I cannot have a new Cadillac.

Mr. President, we believe in reorganization. We would like to have real reorganization. We know, however, that in 1949 we cannot secure all the reorganization we want. We would like to go further than we are going. But we should not say that we will not take a step forward simply because we cannot go the whole way now. If we took such a position, that would not make any sense. Let us take this forward step, and then say to the President, "We do not want to render lip service only to the reorganizations proposed by the Hoover Commission. Let us get busy and get it all done."

Mr. IVES and Mr. DOUGLAS addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Minnesota yield, and if so, to whom?

Mr. HUMPHREY. I yield first to the Senator from New York. He previously asked me to yield to him.

Mr. IVES. The Senator from New York appreciates the fact that the Senator has yielded to him. The Senator from New York, however, does not quite follow the analogy of the Senator from Minnesota in talking about a Ford and a Cadillac. It seems to me that if we wanted a real analogy with what is now proposed, so far as Reorganization Plan No. 2 is concerned, we might better compare it with lemonade made simply of lemon and water, without any sugar. I believe many of our people feel that all they are getting under this plan is a lemon.

Mr. HUMPHREY. Mr. President, we must be extremely careful as to remarks and observations made respecting various analogies. What I was trying to point out was that we are endeavoring to secure a little part of the whole program that may eventually be presented. I believe we should make an honest effort to take forward steps as quickly as we can.

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

Mr. HUMPHREY. I yield.

Mr. DOUGLAS. Did not the Senator from Massachusetts make a very important point when he implied that if we approve this plan it will give the Executive the courage to go ahead and propose certain further fundamental plans, whereas if we turn this plan down it will be a virtual signal to him that he cannot get anything through Congress?

Mr. HUMPHREY. That is correct.

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

Mr. HUMPHREY. I yield.

Mr. LODGE. Will the Senator from Minnesota, as a medical expert, permit me to ask whether it is not true that the juice of a lemon is valuable in preventing scurvy, and the fact that the body politic takes in a little of that, without the sugar, can nevertheless advance the cause; and is not that what the Senator from Minnesota would describe as a placebo?

Mr. HUMPHREY. I may say to the Senator from Massachusetts that my association with the healing art was strictly on the basis of dispensing, not prescribing. Lest I be guilty of any infraction of the rules relating to the healing art, I shall stay only within that field relating to dispensing. But I can make the layman's observation that the lemon juice which the distinguished Senator from New York is talking about is exactly what the Government needs to sort of pucker it up a little bit. Lemon juice at least contains a little of vitamin C which will put a little more life into the activities of government and a little more efficiency as well.

I think it would be a good thing to permit the Senator from Minnesota to desist from any further discussion of Reorganization Plan No. 2. Others of my colleagues desire to discuss it.

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

Mr. HUMPHREY. I yield.

Mr. IVES. The Senator from Minnesota would not want to let this particular part of the discussion be dropped at this point with the idea that in this instance we are dealing with scurvy?

Mr. HUMPHREY. I wish to make the statement that the observation in question was made by the distinguished Senator from Massachusetts [Mr. LODGE]. It was simply an analogy, or a symbolic observation. To be sure, inefficiency, waste, duplication, and the kind of things which the Hoover Commission was trying to avoid and eliminate, are political scurvy. I am willing to go along with the distinguished Senator from Massachusetts and say that if we have not the courage to enact the Hoover Commission recommendations when there is so little controversy about them as there is with respect to this one, which is unanimously supported, we are willing to underwrite the kind of political scurvy which comes from waste, inefficiency, duplication, and all the other things that go with it.

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

Mr. HUMPHREY. I yield.

Mr. IVES. So long as we have built up the idea of scurvy to a glorified position, the Senator from New York would very much like to ask the Senator from Minnesota if he does not remember that at no time during the hearings did anyone in high authority, either the Secretary of Labor or anyone else who came before the committee, insist or promise, or even hazard a guess that this plan would insure economy or reduce cost. The best we could get out of them was that they thought we might get more efficiency. Nowhere did we find that there was going to be any reduction in actual cost of operation.

Mr. HUMPHREY. Former President Hoover said that we would bring about some economy.

Mr. IVES. He said that we should.

Mr. HUMPHREY. He said that we could and would.

Mr. IVES. He said that we should.

Mr. HUMPHREY. I point out also that the Brookings Institution and the task force said that we could. The Senator from New York may say, "Will you?" I cannot tell the Senator. After all, I think the Secretary of Labor is to be commended for not promising more than he was sure he could deliver.

Mr. IVES. I am not criticizing the Secretary of Labor. I have a very high regard for him.

Mr. HUMPHREY. I am sure that we should both end on that note. We both have a high regard for the Secretary of Labor. I want to say to my good friend, a very able and experienced legislator, as well as administrator, that I am sure he and I both have the same objectives in mind. I have talked with the Senator from New York privately on this

subject. I know that his effort is constructive. I know that he wants to have these recommendations put into effect. It is for the Senate to decide whether or not it should be done now, or whether we need more information.

Personally I think we have sufficient information to make this preliminary move. If it is the judgment of the Senate that we should abide by the evaluation and analysis of the Senator from New York, I am sure that he and I will join at a later date in seeing that this job is done with dispatch and with care. I think the time is now at hand. As has been said, it is a little later than some of us think.

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

Mr. HUMPHREY. I yield.

Mr. LANGER. Was there any testimony in the hearings that if we adopted the various plans there would be a saving of $3,000,000,000 a year?

Mr. HUMPHREY. I must say that so far as I personally know there have been statements to the effect that there could be savings of that amount. I know of no one who has said that there actually would be such savings. It is my personal opinion that if the Commission's recommendations were adopted, we could make substantial savings.

Mr. LODGE. Mr. President, will the Senator yield for one further question?

Mr. HUMPHREY. I yield.

Mr. LODGE. Did not Mr. Hoover say in the hearings categorically that enactment of this plan would lead to savings? He did not mention a specific amount.

Mr. HUMPHREY. Is the Senator referring to Reorganization Plan No. 2?

Mr. LODGE. Yes.

Mr. HUMPHREY. He categorically stated that it could and would lead to savings.

Mr. President, I shall now take my seat.

Mr. DONNELL. Mr. President, I have listened with much interest to the concluding portion of the address of the Senator from Minnesota. I am sure that I should have listened with equal interest to the earlier portion, but I was not in the Chamber during much of it.

I share with him the great admiration which he has so eloquently expressed for Mr. Hoover and for the Hoover Commission. I am pleased to note the eulogy which the distinguished Senator has given to a former President of the United States who happens to belong to a different political party than that to which the Senator from Minnesota adheres.

I do not in any sense indicate by my opposition—and it will be opposition—to Reorganization Plan No. 2 any lack of appreciation of the fine public service which has been rendered to our Nation by this Commission. However, I feel that the United States Senate is, after all, a body which has some responsibility upon its own shoulders. Therefore, it does not seem to me that merely because a plan shall have been approved—even if approved in toto—by the Hoover Commission, it necessarily follows that the United States Senate, without consideration, without debate, and without argument, should adopt the findings of that Commission.

Mr. President, I was one who was in great doubt as to the advisability of the Congress delegating to the President of the United States the powers of reorganization which enable the President to submit to Congress virtual legislation—yes, in some instances action which I think repeals or may repeal positive statutes of the United States, letting the recommendations of the President become law unless Congress shall, within a limited time, exercise the power of veto over what the President has done. As some Members of the Senate may possibly recall, I expressed myself on two different occasions in the past few years with respect to this question. On two different occasions I presented some views designed to indicate what I thought was the unconstitutionality of the delegation, as I considered it, of legislative power. I pointed out to the Senate at that time, as Senators, of course, realize, that in the report of the Judiciary Committee itself, from which legislation of the type of the Reorganization Act of 1949 emanated in earlier years, the committee itself, time and time again in its report, referred to what was being done as a delegation of legislative power.

I still have very grave doubt as to whether Congress has it within its power to delegate one shred of legislative power to either of the other branches of our Government. I appreciate, of course, that Congress has it within its power to turn over ministerial or administrative duties, to lay down a broad statute and prescribe standards, and leave it to somebody, some officer or series of officers, to determine whether or not a particular action proposed comes within the standards.

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

Mr. DONNELL. I yield.

Mr. WILEY. I wonder if the distinguished Senator is aware of the fact that when the present Chief Justice of the United States was a Member of the House of Representatives he took exactly the position the Senator has taken, and that a very learned debate took place on the floor of the House in which he took the position that the delegation of power, or the attempt to delegate power to the President to reorganize the departments, was in direct contravention of the Constitution.

Mr. DONNELL. I did not know that; and I am very greatly interested by the information conveyed to me at this moment by the Senator from Wisconsin.

Mr. President, I was about to say that after having presented on two different occasions as well as I could views to the effect that legislation of the type of the Reorganization Act of 1949 constituted an unconstitutional, void delegation of legislative power, and having been defeated by the vote of the Senate upon that question, I finally came to the conclusion that perhaps there are some instances—and I have no doubt there are very many—in which I am wrong and the other man is right. Consequently, while I do not recall whether there was a record vote upon the final passage of the Reorganization Act of 1949, I may say that in pursuance of the thought that the Senate having itself determined—indeed the Congress having determined—that in its judgment it is constitutional to pass such an act, I came to the conclusion that I should either vote for, or certainly should not object to, the Reorganization Act of 1949. I do not recall whether there was a record vote upon the final passage of that measure, but certainly I was not opposed to it.

These thoughts with respect to the constitutionality or absence of constitutionality of legislation of the type of the Reorganization Act of 1949 come to my mind by reason of the discussion of the past few minutes. They come to my mind in view of the point which seems to be so vigorously urged and so strongly argued, to the effect that, the Hoover Commission having taken a particular position, it devolves upon us as Members of Congress to vote favorably to its recommendations. I do not know whether or not there has been a distinct statement to the effect that we should be bound—I assume no one would make that statement—by the recommendations of the Commission. But certainly the point was vigorously made since I returned to the Chamber a few minutes ago, by the Senator from Minnesota. It leads to the reasonable inference that unless there is something grossly wrong with the Hoover Commission report we should act as a rubber stamp to enact its recommendations.

As I indicated at the outset, I yield to no one in admiration for the distinguished Chairman, Mr. Hoover. Nor do I yield to anyone in admiration of the work which has been done by this Commission. Nor do I yield to anyone in my expectation that many of the recommendations of the Hoover Commission will be put into effect by the Congress. But, after all, the Hoover Commission is but an arm of Congress. It has made its recommendations to the Congress; and its devolves upon every Member of the Senate and every Member of the House, as I see it, to consider whether or not those recommendations are sound, and to use his own judgment in making his final vote upon such recommendations.

Reorganization Plan No. 2, which is proposed to us at this time by the President of the United States, provides that the Bureau of Employment Security, which includes both the United States Employment Service and the Unemployment Insurance Service, shall be transferred to the Department of Labor. The reorganization plan has several other points to which I shall make reference only by way of enumeration, for my discussion this afternoon will be confined to the proposed transfer to the Department of Labor of the Bureau of Employment Security, including the two services I have mentioned, the United States Employment Service and the Unemployment Insurance Service. The other features of the plan are that the Veterans Placement Service Board is proposed to be transferred to the Secretary of Labor, and the Federal Advisory Council, which was established pursuant to the act of

June 6, 1933, is proposed to be transferred to the Department of Labor. In addition, there is the final section regarding the transfer to the Department of Labor, for use in connection with the functions transferred by the provisions of this plan, of various personnel, property, records, balances of appropriations, and so forth.

Mr. President, as I have said, I shall speak first on the question of whether it is advisable to have transferred to the Department of Labor the two services included in the Bureau of Employment Security and enumerated in the President's reorganization plan, namely, the United States Employment Service and the Unemployment Insurance Service. Unless some other point arises which I think it desirable to discuss, I shall confine my statement strictly to the proposed transfer of these two Services.

Where have these two Services resided during their history? I should like to establish two parallel columns in the minds of Senators, and place in one column the development of the United States Employment Service, and in the other column the development of the Unemployment Insurance Service. I see now in the Chamber at least three Members of the Senate, friends of mine, who, in recent years, have been governors of their States, and I know they have very clearly in mind the general functions of those two Services, and their general relationship. Doubtless the other Members of the Senate also do, but the three Senators I have mentioned do so particularly because of their close contact with those Services.

I shall first say a few words in regard to where the United States Employment Service has been during its history. It was created by the Wagner-Peyser Act of June 6, 1933, and by that act was established in the Department of Labor. Six years thereafter, Reorganization Plan No. 1 was promulgated by President Franklin D. Roosevelt. It became effective on July 1, 1939, and transferred the United States Employment Service from the Department of Labor—although it had been in that department for slightly over 6 years—to the Federal Security Agency.

I digress at this point to dwell on the significance of the fact that after the experience of more than 6 years of the United States Employment Service, the President and the Congress deemed it advisable to take that Service away from the Department of Labor, in which it is proposed to be placed by the reorganization plan now before the Senate, and place it in the Federal Security Agency.

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

Mr. DONNELL. I yield.

Mr. THYE. Can the Senator explain why it was transferred?

Mr. DONNELL. I shall come to that in a moment. I shall state what the President of the United States had to say about it.

Mr. President, after the State employment services were taken over by the Federal Government—and every Senator who formerly was a governor will remember when that occurred and will remember the problems which arose, doubtless, in the minds of so many governors as to whether it was proper to transfer State services to the Federal Government—the United States Employment Service was transferred from the Federal Security Agency to the War Manpower Commission, by Executive order of September 17, 1942. Of course it is obvious that it was of the highest importance, the country then being engaged in war, that activities of this type should have been consolidated in the War Manpower Commission.

On September 19, 1945, when the War Manpower Commission was abolished, the Service was returned to the Department of Labor, by Executive Order 9617. Then, Mr. President, effective July 1, 1948, the Service was transferred by Congress, under Public Law 646 to the Federal Security Agency. My recollection is that notwithstanding the fact that congressional action was effective July 1, 1948, in that respect, this Service would automatically have been retransferred to the Federal Security Agency 6 months after the conclusion of the war, I think, under the terms of the War Powers Act. My memory in that respect may be inaccurate. However, it is certain that by the act effective July 1, 1948, Public Law 646, the United States Employment Service was transferred to the Federal Security Agency.

In the other imaginary column which I have mentally drawn up is the history of the Unemployment Insurance Service. That history is much shorter and much simpler. That Service has been in the social-security branch of the Government since the enactment of the Social Security Act of August 14, 1935, and it never has been in the Department of Labor.

So we find—to revert for a moment to July 1, 1948, with the transfer on that date of the United States Employment Service back to the Federal Security Agency—that the United States Security Agency then resided side by side with the Unemployment Insurance Service in the Federal Security Agency. Today both of them are in the Bureau of Employment Security of the Federal Security Agency.

Mr. President, in a very short time I shall answer the Senator from Minnesota. I wish to refer, first, to a statement by President Roosevelt. I do not wish the Senator from Minnesota to think his question will remain unanswered.

The United States Employment Service and the Unemployment Insurance Service should be operated, I submit, in the same agency or department. The report of the Committee on Expenditures in the Executive Departments, filed on August 8, 1949, has this to say, at page 6:

> There was general agreement on the part of all witnesses, both for and against the plan, that the United States Employment Service and the Unemployment Compensation Service, which are the major components of the Bureau of Employment Security, should continue to be operated in conjunction with each other, regardless of any action taken on the plan.

So I shall assume that, with like unanimity of opinion, the Members of the Senate generally speaking will agree that the two Services should continue to be operated in conjunction with each other, regardless of what action is taken on this plan. The question of course which then arises is, should the place in which the two Services shall be operated be the Department of Labor?

Mr. President, I now address myself to the question of the Senator from Minnesota. I have before me the message issued on April 25, 1939, by President Franklin D. Roosevelt, with respect to Reorganization Plan No. 1, the plan which became effective on July 1 of the same year, 1939. In the message of the President occurs language which I trust will answer the Senator. President Roosevelt said:

> I find it necessary and desirable to group in a Federal security agency those agencies of the Government, the major purposes of which—

I underscore mentally, though they are not underscored by the President, the words "the major purposes." He says:

> I find it necessary and desirable to group in a Federal security agency those agencies of the Government, the major purposes of which are to promote social and economic security, educational opportunity, and the health of the citizens of the Nation.
>
> The agencies to be grouped are the Social Security Board, now an independent establishment; the United States Employment Service, now in the Department of Labor; the Office of Education, now in the Department of the Interior; the Public Health Service, now in the Treasury Department; the National Youth Administration, now in the Works Progress Administration; and the Civilian Conservation Corps, now an independent agency.

Continuing, the President said:

> The Social Security Board is placed under the Federal Security Agency, and at the same time the United States Employment Service is transferred from the Department of Labor and consolidated with the unemployment compensation functions of the Social Security Board in order that their similar and related functions of social and economic security may be placed under a single head and their internal operations simplified and integrated.
>
> The unemployment compensation functions of the Social Security Board and the employment service of the Department of Labor are concerned with the same problem, that of the employment, or the unemployment, of the individual worker.
>
> Therefore they deal necessarily with the same individual. These particular services to the particular individual also are bound up with the public-assistance activities of the Social Security Board.

I therefore submit to the Senate and to my friend from Minnesota, who inquired of me a few moments ago, that in this language the President of the United States, I think, stated very clearly his reason for transferring from the Department of Labor to the Federal Security Agency the United States Employment Service, which was then in the Department of Labor.

The Federal Security Agency issued its annual report for 1947. I appreciate the fact that the Federal Security Agency is here testifying in a way for itself, but

I think we are entitled to take into consideration what it says, and I desire to point out what it has to say, which I think bears upon the question at issue. The Federal Security Agency, in its 1947 annual report, at page 93, says:

> It is important, too, that the employment security program continue to function as part of a comprehensive system of social security. Old-age and survivors insurance and unemployment insurance cover largely the same workers and should move in the direction of uniformity of coverage. With uniformity the reporting burden for employers would be simplified and the program made more understandable to workers. * * *
>
> The employment security program also has close relationships with the public-assistance programs. Since both are Federal-State programs, both have been subject to a single set of personnel merit-system standards and, in many ways, a single set of fiscal standards. These devices make for ease and economy of administration and should be continued and expanded.

Mr. President, Congress has had before it on two occasions, when the membership of this body included a very large proportion of those who are now members of it, the question whether the Employment Service should be lodged in the Department of Labor. Also, in one instance, it has had before it the question whether the Federal Security Agency, the Bureau of Employment Security, should be lodged in the Department of Labor. What has Congress decided on these two questions?

In 1947 we had before us Reorganization Plan No. 2, presented to us by the President of the United States, in which it was proposed to lodge the Employment Service in the Department of Labor. I point out, of course, Members of the Senate, that this was objected to, or at least was objectionable, as I see it, on two grounds: one, the ground that the Department of Labor was not the proper repository for the Employment Service; the other, the fact that this involved a division, a separation of the two functions, the Employment Service and Unemployment Compensation. At any rate, the question was presented to Congress in 1947, whether the Employment Service should be placed in the Department of Labor; though in frankness I repeat, if I may, it involved separation of the two functions, and many a Senator may have voted against it who might have voted in favor of the placing of the function in the Department of Labor, had the two Services gone together. But the fact is that, regardless of what may have been the mental processes of Members of the Senate, Congress in 1947, in acting on the President's Reorganization Plan No. 2, declined to lodge the Employment Service in the Department of Labor, involving, as it did—and I repeat it so there can be no question as to a lack of frankness—involving, as it did, the separation of the two divisions of service.

But in 1948, Congress had a somewhat simpler problem. It then had before it Reorganization Plan No. 1 of 1948, which was submitted to it by the President. This plan did not involve any separation of the two functions. The plan involved turning over the functions both of the Employment Service and of the Bureau of Employment Security to the Department of Labor. I take it most of us will recall at least dimly the fact that in 1948 the Congress declined, by disapproving Reorganization Plan No. 1 of 1948, to transfer the United States Employment Service and the Bureau of Employment Security to the Department of Labor.

So we had before us only last year this precise question as to whether the functions of the two services, keeping them together like the Siamese twins, should be transferred to the Department of Labor, a department in which, as I have previously indicated, one of them would be a total stranger, because the Unemployment Insurance Service has never at any time been in that department. Congress declined, only last year, as I say, to approve the transfer of the two services.

What are the functions of those two services? I raise this question not as a matter of historical or factual interest, but in order that it may enable at least myself to determine whether the Department of Labor is the better of the two departments in which to lodge these functions. By use of the word "better" I have no criticism of the Department of Labor. I have a very great regard for the work which has been done by that department. My relationships both with the former and late lamented Secretary Mr. Schwellenbach, and with the present Secretary of Labor, Mr. Tobin, have been very pleasant indeed, and I have enjoyed my contacts with both those gentlemen. But the question arises as to whether the Department of Labor is the Department in which these functions should be lodged from the standpoint of best carrying forward the purposes of the two functions. What are the functions of these two services? I shall not attempt to go into a technical discussion of them. Indeed, I would be in water too deep for me to swim were I to undertake to discuss the complications of the technical operations of the two services.

But President Truman has given to us a very admirable and concise statement himself, which indicates, I think, quite clearly, his concept of the functions of the United States Employment Service. By letter of January 19, 1948, in which the President submitted last year the proposed reorganization plan of 1948, he indicates the functions, as follows:

> The provision of public employment offices which assists workers to get the jobs and employers to obtain labor.

The idea of obtaining jobs for workers and enabling employers to obtain labor from those workers, to the mind of the President of the United States, indicates the function of the United States Employment Service.

I think I should say, in fairness to the President, that in pointing out the functions of the two Services, he has come to a conclusion with which I most respectfully disagree, that the function to which I have referred "belongs under the leadership of the Secretary of Labor." But I was not quoting him with the design of indicating the ultimate conclusion, but rather the question as to what is the function of the United States Employment Service. As its name indicates, the assistance of workers to get jobs and employers to obtain labor, as the President has so clearly indicated, constitutes a very excellent statement of the function.

The President has given us in his same message on January 19, 1948, the following statement which indicates his view as to the functions of the Unemployment Insurance Agency:

> The Bureau of Employment Security in the Federal Security Agency administers the Federal activities relating to the Nationwide unemployment-compensation system. As a practical matter, these functions have proved to be intimately related to those of the United States Employment Service. Under existing State laws, claimants for unemployment compensation must register with the Employment Service before they may become eligible for benefits. In consequence, nearly all States have assigned the administration of those two programs to the same agency.

Thus it is, Mr. President, that the President of the United States not only emphasizes the importance of the assignment of the administration of these two agencies to the same agency, but also what he indicates to be the intimate relationship between the two Services and the duties and functions of the Unemployment Insurance Agency.

To simplify it perhaps a little bit more than does this very carefully worded statement of the President, let me say that if a man requests unemployment compensation, the theory of the law is, as I understand, that he must in some way evidence his willingness to take a job. He will not be given unemployment compensation unless he does evidence his willingness to be employed. I take it we all see the fairness of that. If any other rule were to be followed the unemployment-compensation plan would be but an encouragement to idleness and failure to work. So, obviously, these two Services have the functions, I think, which the President of the United States has indicated.

I now come to the question, Can the task of the two services be best performed in the Labor Department or in the Federal Security Agency? In answer to that question, I think it is fundamental that we should arrive at what is the major purpose to be achieved by the carrying out of the functions of each of these services. What is the major purpose of each of the respective Services? The late President Roosevelt had some ideas on this proposition. I have already quoted from his message of April 25, 1939, and I repeat the language in which he considered that the United States Employment Service of the Social Security Board was among the agencies "the major purposes of which"—and it will be recalled that I emphasized "the major purposes of which" by stating that I was mentally underscoring the words—"the major purposes of which are to promote social and economic security, educational opportunity, and the health of the citizens of the United States."

If it be true, and I think it is, as the President of the United States stated, that the major purposes of these two services are to promote social and economic security, educational opportunity, and the health of the citizens of the Nation, obviously the Federal Security Agency is the appropriate repository of

both of the two services which I am discussing, namely, the United States Employment Service and the Unemployment Insurance Service.

Furthermore, the Congress, by declining to transfer in 1948, as I have previously indicated, these services to the Department of Labor, when presented by the President with a reorganization plan which proposed to transfer to the Department of Labor both these services, evidenced very strikingly and, to my mind, very conclusively, its then opinion, only a year or so old, that the Department of Labor is not the advisable place in which to repose the respective functions.

Why is this, Mr. President? I do not say that there is any less efficiency in one department than in the other. I do not say that the men who are at the head of one department are superior in integrity or in intention to those who are at the head of the other department; but the fact is that in addition to the major purposes of the two branches, the Unemployment Compensation Agency on the one hand and the Employment Service on the other, being, as President Roosevelt indicated, social and economic security, educational opportunity, and the health of the citizens of the Nation—in addition to that fact, let us not overlook the further important fact, which I think has a very important bearing, that the United States Employment service and the Unemployment Compensation Service affect two interests, first, the employer, and, second, the employee; or let me say, first, the employee, and, second, the employer. I do not discriminate in their importance. Consequently, both these services affecting both the employer and the employee, should be administered by a neutral agency, rather than by one created, as in the case of the Department of Labor, with its purpose defined by statute "to foster, promote, and develop the welfare of the wage earners of the United States, to improve working conditions, and to advance their opportunities for profitable employment."

That language is found in the act of 1913, signed, as I recall, by the father of one of the very distinguished Members of the Senate.

The Labor Department has, and very properly so, a trust relationship under which, as the trustee for cestuis que trust, the labor interests, it has the duty of fostering and promoting the welfare of the wage earners of the Nation. I do not mean to say that there is hostility, or that there should be hostility, between management and labor. We have all seen, regrettably, in particular instances, that there has existed such hostility, and I think we all hope for the day, though we may doubt whether it will come, when that hostility may be at least measurably reduced and possibly eliminated to the very greatest extent compatible with human dispositions. But, Mr. President, we find there are those two interests, on the one hand, management, and, on the other hand, labor. Just as I think labor would be fully justified in objecting to placing these two functions of employment and unemployment compensation in the Department of Commerce, I think the representatives of the employer interest likewise have a just ground for objection to placing these functions in the hands of a department which is a trustee for those with whom management deals, and is not a trustee for both. The Labor Department itself has indicated, and very commendably so, I think, its recognition of its duty to act as a trustee for the interests of labor.

I could give various illustrations of that. I mention particularly the fact that in the Department of Labor there are, in addition to the Secretary and the Under Secretary, neither of whom is a member of a labor union, so far as I am informed, two Assistant Secretaries, Mr. Wright, who is a member of the American Federation of Labor, and Mr. Gibson, who is a member of the Congress of Industrial Organizations. There is likewise an Assistant Secretary whose nomination we confirmed only a few days ago, Mr. Kaiser, who I understand is not a member of a labor union. In the Bureau of Labor Standards is Mr. William L. Connally, who, I think, presides over that particular portion of the activities of the Labor Department, who was at one time the president of the Rhode Island State Federation of Labor. I understand that he is now a member of the International Typographical Union, under the American Federation of Labor, and at one time was international representative of the International Typographical Union.

The fact is, as I see it, that management, considering the functions of the employment service and of unemployment compensation in which they have a very great stake and interest, just as labor has a great stake and interest, is entitled to have the apprehension in its own mind as to whether its interests will be as carefully looked after and will be as well conserved as they would be were these two processes confined to and reposed in a neutral agency.

Thus it is, Mr. President, that we find manifested by employers a very real fear of jeopardy, particularly in the matter of experience rating. I heard with much interest and satisfaction what the junior Senator from Minnesota said shortly after I returned to the Chamber, that he understands that Mr. Tobin, the present Secretary of Labor, has indicated his friendship toward the idea of experience rating, and that he did so in his official work, I believe the Senator said, while he, Mr. Tobin, was Governor of Massachusetts. But, as the Senator from Minnesota very appropriately observed in the immediately following sentence or sentences, we are not to judge this reorganization plan by the mere accident of who happens to be at the moment occupying the position of Secretary of Labor.

Mr. President, surrounded as the Secretary is, and doubtless will be, by those who represent labor unions, as I have indicated, a member of the American Federation of Labor, and a member of the CIO, being two of the Assistant Secretaries of Labor, I undertake to say that those who favor the development and progress of the plans looking toward experience-rating provisions may well consider with apprehension, and may justly consider with apprehension, and may hesitate to avail themselves of the services of the Employment Service of the United States, because of the fear of the jeopardy of the experience-rating system.

Mr. President, it was my privilege to read some time back the testimony taken in 1946 in the hearings before the committee in the Seventy-ninth Congress, at page 1215, the testimony of Mr. Abraham L. Zwerdling, the president of the United Automobile Workers of America, CIO, who said:

> We strongly urge this committee to approve the adoption of language in the Social Security Act which will abolish experience-rating provisions in State laws. Such action will eliminate a system which offers a premium to persons who strive to save money by reducing essential benefits paid workers unemployed through no fault of their own.

Mr. Nelson H. Cruikshank, director of the social insurance activities of the American Federation of Labor, in testifying before the House Committee on Ways and Means, at page 1396, said:

> From long experience the American Federation of Labor is convinced that the most desirable single improvement that could be made in the present Federal-State program would be the elimination of the encouragement to the enactment of experience rating provisions in the State laws. This could be done by amending the Federal Unemployment Tax Act of the Internal Revenue Code to remove the additional credit provision for reductions in contribution rates resulting from experience rating.

A report was presented at the thirteenth national conference on labor legislation in December 1946, which report was published by the Department of Labor. Included in that report was this language:

> Those present were mainly labor commissioners and representatives of organized labor.

Again:

> The experience rating provisions in State laws have not proven effective in stabilizing employment but have proven to be powerful incentives to the adding of disqualification and restrictive eligibility provisions to the State laws, and to narrow interpretation of those provisions with the result that many persons in need of protection of unemployment insurance are deprived of their benefits.
>
> The committee recommends that the experience rating provisions be removed from State Unemployment Compensation laws.

So, Mr. President, without at this moment undertaking to espouse or oppose experience rating plans, I submit that those members of the ranks of employers who are fearful of what may happen under such a plan, if there shall be placed in the Department of Labor these two services, the Employment Service and the Unemployment Insurance Compensation, have very just ground for their apprehension, particularly in view of the fact that two of the three Assistant Secretaries of Labor are members of labor unions, and the other gentleman, Mr. CONNALLY, to whom I have referred,

has occupied the exalted position with the labor union which I have mentioned.

It is not strange, therefore, I take it, that we find in the report of the committee, issued on August 8 of this year, this language:

Interpreting the basic statute which established the Department of Labor as a mandate in the interests of one segment of the population only, opponents of Reorganization Plan No. 2 vigorously charged the Department with flagrant bias—

I pause there. I am not in accord with a statement to that effect. I have seen no indication of flagrant bias, but I am saying what the employers feel about it. I continue reading from the report—

pointed out that major labor organizations not only were represented at but dominated its top organization level, and expressed fear that employers would refuse to use the facilities of the Employment Service if it were transferred to the Department. Witnesses further alleged that transfer of the Bureau of Employment Security to the Department of Labor would result in eventual abolition of the efficiency rating system, under which formulas employers may obtain reduction in their unemployment-compensation tax rates if they achieve consistent employment records, pointing to the opposition of the Thirteenth Annual Conference of Labor Officials in 1946, sponsored by the Department of Labor, which adopted a resolution recommending that the experience rating provisions be removed from State unemployment laws, and the consistent opposition of labor organizations to the system since.

So, Mr. President, I respectfully have risen this afternoon to oppose the approval of Reorganization Plan No. 2. The plan, as I have indicated, excludes several things, to only a portion of which I have paid attention. Those to which I have paid attention are the transfer proposed by the plan of the United States Employment Service and the Unemployment Service to the Department of Labor.

I have submitted, first, that while I am most grateful, as we all are, to the Commission and to its distinguished head, Mr. Hoover, for the fine work which has been done by all the members, including the Chairman of the Commission, nevertheless I feel there is a duty on the Members of the Senate which could not be evaded even if we sought to do so. There is a duty on us to exercise our independent judgment on each and every proposal which shall be presented to us.

I have pointed out something as to the history of these respective Services, where they have resided during the period of their existence; the fact that the United States Employment Service has been in one place or another, which is explained entirely by the fact that just before the war it was necessary that the repository be changed from the Department of Labor to the Federal Security Agency, and that during the war the Service was transferred to the War Manpower Commission.

On the other hand the Unemployment Service has been always in the Federal Security Agency, since the Social Security Act of 1935.

I have indicated that both these services are today in the Bureau of Employment Security of the Federal Security Agency.

I have pointed out further that these two services should be operated in the same agencies or departments as to which there is general unanimity of action.

Then I have attempted to discuss the question as to whether the place in which the two services shall be operated should be the Department of Labor. I have pointed out the views of President Roosevelt, which would indicate, as I endeavored to point out as clearly as possible, very positively his views that the proper depository for these functions is in the Federal Security branch of the Government.

I have pointed out the views presented by the Federal Security Agency itself.

I have pointed out, in addition to those facts, the action taken by Congress itself in 1947, when it declined to transfer one of these branches—by itself, it is true, the Employment Service—to the Department of Labor; and that a year later, only last year, Congress declined to transfer the two of them linked together to the Department of Labor, as is now proposed.

I endeavored to discuss also, Mr. President, the functions of the two services as having a bearing on which department they would be most appropriately kept within.

Finally I have discussed the question of whether or not it is desirable from the standpoint of the best service to the Nation at large to place the administration of these functions in an agency which by statute of the United States is made a trustee for one particular group of our people rather than leaving it in an agency which is designed to have the neutrality which it seems to me it is fair for all parties to desire to be possessed by an agency in which these functions are carried out.

Mr. HUMPHREY. Mr. President, I now yield 15 minutes to the distinguished Senator from Utah [Mr. THOMAS].

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

Mr. HUMPHREY. I yield.

Mr. WHERRY. Does the Senator from Minnesota believe the debate will continue until 5 o'clock? That is, will all the time be consumed?

Mr. HUMPHREY. On behalf of those of us supporting Reorganization Plan No. 2 I will say that there are two or three more Senators who wish to make their presentations. I do not know how much time the Senator from Arkansas [Mr. MCCLELLAN] expects to use.

Mr. MCCLELLAN. Mr. President, I do not believe I have any more requests for time. I myself may use 5 or 6 minutes of time.

The PRESIDING OFFICER. The Chair recognizes the Senator from Utah.

Mr. THOMAS of Utah. Mr. President, I rise to support the President's recommendation. I find myself following my splendid colleague, the Senator from Missouri [Mr. DONNELL] who when discussing the Constitution, speaks so learnedly, as a lawyer, that I am very fearful even of mentioning the name of the document. I am not a lawyer, and have never argued a constitutional question from the standpoint of the law. As one who has gained his knowledge of the Constitution by having seen it in operation, and having seen what it has accomplished, I cannot refrain from at least saying that my concept of the Constitution is merely that it is a companion of the American people in the accomplishment of their ideals and ideas. It was set up by the people, and it was set up to function for the people. It has done so.

Mr. President, whenever we argue that the Constitution stands in the way of the accomplishment of the people's objectives, then we are indirectly arguing in favor of overcoming what the people wish in a people's government.

Mr. President, the provisions contained in Reorganization Plan No. 2 have, in whole or in part, been subject to consideration by the Congress on numerous occasions, as the Senator from Missouri [Mr. DONNELL] has stated. Last year, for instance, the President submitted the Reorganization Plan No. 1 of 1948 which would have permanently placed the administration of the Federal employment services and the unemployment compensation functions in the Department of Labor. Congress did not accept this plan, primarily on the ground that no basic reorganization of the executive structure should be made until the Hoover Commission had submitted its report and recommendations. After a thorough study, this Commission has unanimously recommended that the Congress take affirmative action and transfer the Bureau of Employment Security to the Department of Labor. Now, these groups who opposed Reorganization Plan No. 1 of 1948 must find another basis for their efforts to emasculate the Department of Labor. These groups now raise their voices to proclaim that the Department of Labor is biased and that it cannot, for some unexplained reason, administer the functions of the Bureau of Employment Security in a fair and impartial manner. Those who are acquainted with the past performances of these groups will quickly recognize that this is the same old song, being sung by the same chorus, with slight variations.

The allegation of the bias of the Department of Labor is a charge which is easily made but one which has never been proved. They who make the charge are never specific and are never detailed, primarily because there is not a shred of evidence that the Department of Labor is biased in the performance of its statutory functions.

It is interesting to note that many of the chambers of commerce of the various States and cities in the country who now express their opposition to this Reorganization plan, were among the first to express their unqualified support for the recommendations of the Hoover Commission a few short months ago. Those of us who have talked to the businessmen of our States about the recommendations of the Hoover Commission know that the overwhelming majority of them want this Congress to take affirmative action in order to place these recommendations into effect. But unfortunately some of these business organizations are staffed with professionals who oppose any constructive measure concerning the Department of Labor, regardless of the consequences of their actions. These professionals began sending telegrams to their membership informing them that

the Department of Labor was going to discriminate against the Nation's businessmen if Congress passed this reorganization plan. The members of the organizations were urged to express these distorted fears to the Members of Congress. Many businessmen were induced to do so; most of them without realizing that the Secretary of Labor would have no administrative discretion to look beyond the law which he administers in carrying out his duties.

Mr. President, in support of the argument that the Department of Labor is not biased, I should like to point out the way in which thousands of businessmen cooperate with the Department each year and how these businessmen turn to the Department every day of the year for information which they use in connection with their business activities. These concrete demonstrations of confidence in the integrity of the Department are a matter of record—cold, hard facts instead of unsubstantiated allegations. The extent to which industry cooperates with the Bureau of Labor Statistics is clearly indicated in the following:

Approximately 15,000 retail establishments report the prices of food, household furnishings, and other items for inclusion in the Consumer's Price Index of the Bureau.

One hundred and ten thousand establishments report to the Bureau of Labor Statistics each month on their pay rolls and employment figures.

This year 10,000 establishments are cooperating in occupational wage surveys.

Eleven thousand establishments submit quarterly reports to the Bureau on accidents; 45,000 other establishments cooperate in the more comprehensive annual studies of accidents; 20,000 contractors are also cooperating in the current study of accidents occurring in the construction industry.

Another example of industry's confidence in the Department of Labor is shown by the fact that corporations like General Motors utilize the Bureau of Labor Statistics Consumers' Index for adjusting the escalator clause in its contract with the United Auto Workers. Contracts based on the escalator clause in the great garment industry also rely on this consumers' index. The record clearly indicates that these reckless charges against the Department by the professionals in business organizations are refuted by the actions of their rank-and-file members.

I should like to go into detail concerning the Consumers' Price Index of the Bureau of Labor Statistics. Thousands of business establishments cooperate with the Bureau of Labor Statistics on a voluntary basis in the surveys and analyses which are necessary in the preparation of this index.

An evaluation of some of the uses of the Consumers' Price Index shows that in the spring of 1947, for instance, the Bureau of Labor Statistics requested comments from the approximately 7,300 individuals and organizations on its monthly mailing list. During the first 8 days after these requests were sent, 1 out of 3 of these users of the index replied with their suggestions and comments. This survey showed that the most important single use of the Consumers' Price Index was in connection with wage negotiations covering over 8,000,000 workers. Over 400 users of the index stated that the escalator clauses in their union-management contracts provided for changes in wage rates in accordance with changes in the Bureau of Labor Statistics' Consumers' Price Index.

The survey showed that manufacturers make a greater use of the index than any other single group. The survey indicated the following percentages of the index were used by various groups:

	Percent
Manufacturers	31.7
Wholesalers and retailers	11.5
Labor unions	9.6
Trade associations	7.7
Local governments	7.9
Research organizations	5.6
All others	26.0

At the present time 12,636 individuals and organizations receive the monthly report of the Consumers' Price Index, as compared with 7,300 in the early part of 1947. Do these facts indicate bias or lack of confidence in the work of the Bureau of Labor Statistics? Quite the contrary; it indicates the complete confidence manufacturers, both large and small, have in the impartiality and integrity of this Bureau.

In 1947, a business research advisory committee was created in the Bureau of Labor Statistics at the request of numerous business organizations. Through their representatives, these organizations stated that the Nation's business had a vital interest in the work carried on by the Bureau of Labor Statistics. The members of this committee are well-qualified experts in particular fields of business problems. The membership of the committee includes such outstanding businessmen as the assistant vice president of the Baldwin Locomotive Works, the chief economist of the Western Electric Co., the vice president and controller of H. R. Macy & Co., the executive vice president of the National Retail Lumber Dealers Association, the president of the American Iron and Steel Institute, the chief economist of the National Association of Manufacturers, the director of economic research of the Chamber of Commerce of the United States, the president of the Cotton Textile Institute, the executive secretary of the National Sand and Gravel Association, the managing director of the National Electrical Manufacturers Association, and the chief economist of the National Industrial Conference Board.

The Commissioner of the Bureau of Labor Statistics utilizes this business research advisory committee in an advisory capacity, on policy as well as technical matters. The Bureau also seeks the advice of the committee concerning the formulation of the Bureau's program for each fiscal year. The Bureau keeps the members of the committee informed on the important details of the studies and analyses which it undertakes. This year the committee has established various subcommittees on construction, productivity, employment, wages, industrial relations, wholesale-price index and consumer-price index. These subcommittees meet and discuss in detail the work of the Bureau. The record, therefore continues to emphasize how employers and business organizations have year after year utilized the services and facilities of the Department of Labor, participated in the activities of its committees, and placed confidence in the impartiality of its data.

Mr. President, I ask those who make allegations of bias against the Department of Labor to produce the facts, the proof, the tangible evidence to sustain their charges. I submit that those who indulge in this pastime cannot produce such evidence, simply because it does not exist.

The Department of Labor is an executive department, an agency charged with the responsibility of administering the acts of Congress. It is directed by officials who swear to an oath of office prescribed by Congress. The allegation that an executive agency of the Government is unfair or biased is, therefore, a very serious matter. I cannot believe that those who make such charges, unsupported by any evidence, realize the full implication of their acts. An allegation of this nature, founded on distortion, vague, and unsupported statements, attempts to undermine our confidence in the governmental structure at a time when we must proclaim faith in our democratic institutions.

Ample assurance is contained in this reorganization plan that the functions of the Bureau of Employment Security will be conducted in the same impartial manner as they are now conducted in the Federal Security Agency. I call attention to the Federal Advisory Council, which was established pursuant to the Wagner-Peyser Act. This Council has by statute the purpose "of formulating policies and discussing problems relating to employment and insuring impartiality, neutrality, and freedom from political influence in the solution of such problems."

By statute, the Council also has the right "of access to all files and records of the United States Employment Service." The Council is composed of men and women who represent employers and employees in equal numbers, and the public. There are 33 outstanding citizens serving on this Council at the present time.

Mr. President, under the provisions of Reorganization Plan No. 2 of 1949, this Council, which at present advises only as to the employment services, will also act in the future on matters relating to unemployment compensation. The representatives of employers and employees on the Council will have, by statute, the authority to check and scrutinize all the actions and policies of the Department of Labor regarding employment services and unemployment-compensation functions. I assure Senators that if there is any prejudicial action on the part of the Department of Labor in the administration of these functions it can be immediately publicized by the representatives of management.

At this point, I believe it would be well to examine the recommendations of the Committee on Reorganization of the Executive Branch of the Government with respect to the Bureau of Employment Security. This so-called Hoover Commission made the unanimous recommendation that the Bureau of Employment Security be transferred to the Department of Labor. This bipartisan Commission was created by Public Law 162 of the Eightieth Congress. It was composed of representatives of the public and of the executive and the legislative branches. It will be noticed that it did not include a single representative of labor, of a labor group, or of any labor organization. Two of the members of the Commission, however, were well-known employers. Both of them joined with the other members of the Commission in unanimously recommending the transfer of the Bureau of Employment Security to the Department of Labor. In commenting upon the desirability of this transfer the Commission said:

It is now generally agreed by both Federal and State officials that it is desirable to integrate fiscal and administrative review of the two State programs under the supervision of the same Federal department. The placement operations are the primary objectives of this dual arrangement. The paying of unemployment-compensation claims is a temporary expedient until the eligible worker can be brought back into the productive labor force. Occupational analysis, testing, reporting, counseling, and placement standards and procedures are the principal functions involved. These are employment functions.

Employment offices and unemployment compensation are more closely related to each other than to retirement or old-age assistance or educational programs. Both are Federal-State programs dealing with labor-force conditions and labor-management relations. These programs have close operating relationships with other employment and labor functions in the Department of Labor—with the Bureau of Labor Statistics, Women's Bureau, the Bureau of Labor Standards, and the Bureau of Veterans' Reemployment Rights. Personnel for these functions all acquire the same basic training in labor and employee relations problems.

In making its task force report to the Hoover Commission concerning public welfare, the Brookings Institution made the following statement:

One method of furthering * * * coordination would be to bring the facilities and resources of all agencies concerned with employment information, employment conditions, and employment processes under a common administrative head. This would be a proper statutory function of the Department of Labor, and adequate devices of congressional supervision and group consultation are available to foreclose any undue influence of either labor or management upon the administration of unemployment compensation.

The report also asserted:

It can hardly be questioned that better and less costly statistics could be obtained if the Bureau of Labor Statistics, the Employment Service, unemployment compensation, and possibly old-age and survivors insurance were in the same department.

This task force report of the Brookings Institution contained no point or fact in opposition to the transfer of the Bureau of Employment Security to the Department of Labor. If there had been any foundation for the charge that the Department of Labor is biased, the Brookings Institution and the Hoover Commission would no doubt have considered and commented upon any such facts. The studies, investigations, and recommendations of the Hoover Commission stand as positive evidence that the Department of Labor has performed its statutory duties with absolute integrity and complete impartiality.

Several bureaus in the Department of Labor work in close cooperation with business. In March of this year, for example, the Bureau of Labor Standards conducted the President's Conference on Industrial Safety. This conference was called by the President in order to aid in the initiation of a program to reduce the enormous toll of industrial accidents and the economic hardships resulting from such accidents. Nearly 1,000 persons came from most of the States, Hawaii, and Canada in order to take part in that program. Management representatives were constituted the largest group in attendance there, constituting 42 percent of all those present. Those business representatives were a cross section of American business, from the smallest corporations to the largest. In contributing their support and cooperation to this program, they found the Department of Labor conducting a program which would result in saving American business millions of dollars each year, through the reduction of industrial hazards and accidents.

During the war the Bureau of Labor Standards utilized the services of hundreds of safety engineers, lent from private industry and paid by private employers, in carrying out its accident-preventior program. An advisory council used in connection with that program was composed of members of management and labor organizations.

Mr. President, Congress is not being asked to assume that the Bureau of Employment Security will be administered in an impartial manner and with due regard for the interests of all groups. The Department of Labor administered the United States Employment Service from 1933 to 1939 and from 1945 to 1948. The record achieved by the Department during those periods stands as convincing proof that the Employment Service was and will be conducted in an honest and efficient manner. The official records show that employers utilized the Employment Service more during each year it was in the Department of Labor from 1945 to 1948 than in any other peacetime year since the creation of the Service in 1933.

Mr. President, the common problems of the employment services and unemployment insurance are primarily concerned with labor placement and the economic hazards of unemployment. In order to give the worker the maximum assistance in meeting such problems, these functions must be properly coordinated in one agency. The Department of Labor is equipped with several of the services necessary to the proper administration of these functions. It has the necessary specialists and the wealth of information on occupations, employment trends, wage rates, working conditions, labor legislation, and other matters essential to employment counciling and placement. In the interest of sound government and of efficient administration, it is necessary that the employment services and unemployment insurance functions utilize the services and facilities of the Department of Labor.

The PRESIDING OFFICER (Mr. HILL in the chair). The Senator's time has expired.

Mr. HUMPHREY. Mr. President, I yield to the Senator from Utah whatever additional time he requires.

Mr. THOMAS of Utah. I thank the Senator.

Mr. President, this reorganization plan places the emphasis in the most logical place. Primary emphasis will be directed toward the improvement of employment services in order to get unemployed persons back to work as rapidly as possible. From the standpoint of the worker, the employer and the public, the primary concern is employment. Although unemployment insurance benefits are essential, the workers' principal need and desire, in the event of unemployment, is a steady job. This objective can be realized by placing the Bureau of Employment Security in the same department with the Bureau of Labor Statistics, where the facts from all over the country are brought into the central offices, where there will be the factual information as to where there are shortages and surpluses in the labor market.

Mr. President, I have concluded that the Bureau of Employment Security will operate more efficiently in the Department of Labor than in the Federal Security Agency; that the recommendations of the Hoover Commission with respect to this transfer are based on sound principles of governmental organization; and that the evidence clearly and unmistakably shows that the Department of Labor will administer the Bureau of Employment Security in a fair and impartial manner. I sincerely urge my colleagues to join in voting to reject the resolution against Reorganization Plan No. 2, and, by so doing, to aid in the rebuilding of the Department of Labor to a position comparable with that of the other great executive departments.

Mr. McCLELLAN. Mr. President, I have no intention of taking considerable time on this issue. In fact, I had thought I would have nothing to say, because I do not regard this reorganization plan as one involving serious, vital, or fundamental issues, as I did Reorganization Plan No. 1, which I opposed. I felt that plan No. 1 involved something fundamental, something having far-reaching implications which ultimately would lead to unhappy consequences; and therefore I felt that plan No. 1 should be defeated.

As to plan No. 2, I see no such issue involved, although I shall vote against the plan because I see in it no economy, no increased efficiency.

The only actual justification and the greatest argument which has been urged in behalf of the plan, which would cause the transfer of these Services back to

the Department of Labor, is that it will build up the Department of Labor.

I served as a member of the Commission on Reorganization of the Executive Branch of the Government. I know just about what the discussions in that body were and the reasons assigned there for the recommendation that this transfer be made. The principal reason given for the proposed transfer was that in recent years the Department of Labor has been stripped of so many of its functions, so the Commission felt, that in order to strengthen the Department of Labor, these Services should be transferred to it.

Mr. President, my vote yesterday for the resolution of disapproval of Reorganization Plan No. 1 does not mean that I oppose the reorganization of the executive branch of the Government. I would have supported plan No. 1 insofar as the establishment or creation of a Welfare Department is concerned. To that, I have no objection. I did object, and I still disapprove and object to the effort which was made in that plan to put the public health services under the control of a Welfare Director, with unlimited power to organize, direct, and supervise them. I did not believe that was in the interest of the health of the Nation, or that an organization of that kind was in fact an effectual reorganization. I think the department in which they are placed makes very little difference to the United States Employment Service and the Unemployment Compensation Service. I do not believe any economy will be effected or any greater efficiency achieved by returning the Services to the Department of Labor.

There is but one objection, so far as I know, to the services being in the Department of Labor rather than in the Social Security Administration or elsewhere. The objection is, as has been stated here, and as the hearings fully reveal, that there is a fear which has been expressed over and over again by employers, that the Services if placed in the Department of Labor will be dominated, as they believe the Labor Department is, by the labor leaders of the country. Therefore, knowing that leaders of organized labor are interested in obtaining abolition of the merit system, they believed the Department would use all its power to accomplish that purpose.

It was further testified by a number of witnesses that for the Service to be operated properly and to be effective in the matter of placing workers who were unemployed, it was imperative there be full cooperation on the part of employers, and that if employers distrusted the agency in which the functions were lodged, or the administrative head of the agency, the employers would not cooperate with the Service, and therefore maximum benefits would not be obtained. That is the principal objection which is made.

It is argued and asserted by many that the fears which have been expressed are wholly unjustified. However unjustified they may be, if we indulge in that assumption, they are in existence; they are definitely present. It was revealed in the hearings, and we have had evidence of it in many ways. So long as the fear continues, until the Department of Labor can ingratiate itself into the confidence of the employers and dispel this fear, it is very doubtful whether the transfer to the Department of Labor will be in the interest of the Services themselves.

As I stated in the beginning of my remarks, I have no deep feeling about this matter one way or the other. Frankly, I see no reason why the Services could not be well performed within the Department of Labor, if the Department should undertake to administer the functions fairly and impartially. I see no reason why they cannot be properly administered in the Social Security Administration, where they are now. I do not see anything to be gained one way or the other by the transfer. The only reason for my voting against the plan is simply the deep and abiding fear which seems to exist on the part of employers who feel that their interest would not be protected, and would not be in the hands of impartial administrators, if the change were made.

Mr. President, I should like to make a further comment about Reorganization Plan No. 1 and the action taken by the Senate yesterday in defeating it. I know it was urged that if the plan were defeated it would mean there would be no effectual reorganization. I do not feel that way about it. I believe every Member of this body honestly wants to see effected a good reorganization, and I believe most of us will cooperate to that end. We did not like the plan, the way it was set up. I note that former President Hoover is quoted in today's New York Herald Tribune. He apparently does not feel as many yesterday predicted, that the failure of plan No. 1 to become effective would doom to failure the whole reorganization scheme. I quote from Mr. Hoover's statement, issued to the press after learning the results of the action of the Senate yesterday. He said:

> This is not a defeat for reorganization. I do not understand that the Senate was opposed to reorganization but disliked step-by-step action.

I think the former President is correct in his summation of the attitude of the Congress, or at least of the Senate. I may be mistaken, but from my own standpoint I think the President will get much better results, and the Congress will be far more inclined to go along and will be able to cooperate better if the reorganization plans are made comprehensive. The President should, if he desires to do so, follow the report of the Hoover Commission. Let him take the report and then lay before the Congress a plan substantially in line with it. But I think he should make it comprehensive so that when we look at the plan we shall know how far we are traveling and whether we are going all the way with respect to the functions and agencies that are involved. If we then do not like the Hoover Commission plan, or if we do not like whatever the Hoover Commission has recommended, the plan can be rejected. But if, looking at the Commission's recommendations, we see but a part of it, and if, as former President Hoover said yesterday regarding plan No. 1, there are other imperative steps which must be taken in order to make it effective, we shall feel that the other steps ought to be included in one plan, so we can see it as an integrated whole and be guided by it. We can then either support it or oppose it.

I hope the plans that may come to us in the future will be more comprehensive in scope, and that, if they are in line with the Hoover Commission recommendation, they will not propose a step-by-step procedure, when the whole reorganization can be effected in one plan. I believe we will make much greater progress if that procedure be followed.

Mr. President, I shall not take further time on this particular plan. It has been pointed out by other Senators that there are seven additional recommendations by the Hoover Commission which might well have been incorporated in this plan, and the whole reorganization in this respect could have been completed and effectuated by this one action.

Mr. President, I introduced the pending resolution of disapproval after the Committee on Expenditures in the Executive Departments had voted disapproval of the plan and at the request of the majority of the committee. I shall vote for the resolution but I have no deep feeling about it.

Mr. HUMPHREY. Mr. President, I should like to yield whatever time is required for the remarks of the Senator from Maryland [Mr. O'CONOR].

The PRESIDING OFFICER. The Senator from Maryland is recognized.

Mr. O'CONOR. Mr. President, I am grateful to my friend, the able Senator from Minnesota, for the allotment of time. I should like to say, before commenting on this particular plan, that I am highly gratified that the Senator from Arkansas [Mr. MCCLELLAN] has expressed himself as he has concerning the results following and the situation resulting from our vote of yesterday in which I joined with him in expressing disapproval of the President's Reorganization Plan No. 1, because I can say, without exaggeration, that no one in the Senate more than the able senior Senator from Arkansas, the chairman of the committee, has labored so earnestly and has so devoted himself throughout, not weeks, but months, in order to bring about the consummation of the over-all program as the result of which, unquestionably, our governmental processes will be the beneficiary.

Mr. President, the vote we are about to take on Reorganization Plan No. 2 of 1949 is of great importance. It may well set a pattern for congressional action with respect to other reorganization plans to follow which are and will be in accord with the recommendations of the Hoover Commission, and which Reorganization Plan No. 1 was not.

It is clear that the Hoover Commission reached conclusions upon which Reorganization Plan No. 2 is based. Desiring to uphold the report of the Commission in its entirety, I shall vote against Senate Resolution No. 151.

Members of the Senate will recall that the Hoover Commission was a creature

of the Congress. It was set up by us to consider the organization of the executive branch of the Government. It was a bipartisan commission of distinguished persons, headed by former President Herbert Hoover and having the present Secretary of State, Dean Acheson, as its Vice Chairman. That Commission, after careful consideration of the subject and of a task-force report prepared by the Brookings Institution, unanimously recommended transfer of the Bureau of Employment Security from the Federal Security Agency to the Department of Labor. There were two outstanding employers among the 12 members of the Commission, and no representatives of labor. Both of the employers on the Commission joined in this recommendation.

I am not satisfied that convincing reasons have been advanced for rejection of this Hoover Commission recommendation and the reorganization plan implementing it.

The Brookings Institution task-force report devoted several pages to a detailed exposition of the close relationship of the Bureau of Employment Security to other bureaus of the Department of Labor. The Hoover Commission concluded that there were "cogent reasons" why this Bureau should be transferred to the Department of Labor. It set forth these reasons clearly and persuasively. I am convinced that the reasoning of the Hoover Commission is entitled to great respect and that the interdependence of the Department of Labor and the Bureau of Employment Security is such that greater efficiency of operation can be effected by this transfer.

This plan has the support of the only living person who has been Chief Executive of the United States. It also has the support of all the agencies which would be affected by the transfer. Representatives of the American Legion and the Veterans of Foreign Wars testified in favor of the plan during the hearings before our committee.

I am sure that many of the objections to the plan are based more on fears than on facts. I am convinced that the Bureau of Employment Security will be operated fairly, efficiently, and economically in the Department of Labor. Were I not satisfied as to these points, I would oppose the plan.

Mr. President, the Employment Service was in the Department of Labor from 1933 to 1939 and from 1945 to 1948. There is no evidence that the Service was not operated impartially and effectively while it was in that Department. There is no evidence that employers and workers could not use the Service while it was operated by the Department of Labor. On the contrary, during the years 1945 to 1948, the Employment Service had more job orders and placements than during any other peacetime years since the Wagner-Peyser Act was enacted in 1933. These facts should dispel any apprehensions with respect to operation of the Bureau of Employment Security in the Labor Department.

It must be borne in mind that any statutory revisions which would be required to change either the merit-rating provisions of current laws, or the extent of unemployment-compensation payments or coverage, would have to be effected by the legislatures of the various States. No authority is given the Secretary of Labor under this plan to make any such substantive changes as some opponents of the plan seem to fear.

To my mind, maintaining maximum employment is one of the biggest problems we face today. I am anxious to see all reasonable steps taken to assure full employment and a high level of prosperity for our people. That is of great importance to us domestically. It is also vital to our fight against those elements who do not want our democratic system to be successful.

There are abundant reasons which might be cited in support of the proposal to place the employment service and unemployment-compensation functions in that agency so that they can best promote job opportunities. As the Hoover Commission noted:

> The placement operations are the primary objectives. * * * The paying of unemployment-compensation claims is a temporary expedient until the eligible worker can be brought back into the productive labor force.

I would therefore put the Bureau of Employment Security in the Labor Department and rely upon that agency to emphasize jobs rather than unemployment-compensation payments.

I shall vote for the transfer because I believe that the Hoover Commission's over-all program is in the interest of efficiency and that its proposals, of which this is one, should enable the Government to provide better services for all our people.

Mr. MAYBANK. Mr. President, I should like to ask the Senator from Minnesota if he will yield in order that I may make a short statement, because the Appropriations Committee is meeting, and I shall have to attend.

Mr. HUMPHREY. I shall be more than happy to yield to the distinguished Senator from South Carolina whatever amount of time it may require for him to make his statement.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. MAYBANK. Mr. President, I assure the Senator from Minnesota that I appreciate his yielding to me. My statement will not be very long.

I favor this plan, Mr. President, because I believe that the Bureau of Employment Security belongs in the Department of Labor. I know all of us are in general agreement that the present economic conditions of the country are sound at the present time. Nevertheless, the fact remains that there now are some three and one-half or four million unemployed workers in this country. This means that there is greater unemployment, perhaps, than at any time during the past 10 years. Certainly there are more unemployed people now than at any time since our entry into the war. While this condition has not reached serious proportions, at the same time it is evident that the Congress must take any practicable steps within its power which tend to reduce unemployment, and to make more effective the facilities of Government which assist workers in getting jobs.

I have been impressed with two outstanding facts presented in the course of this debate. The first is that the Bureau of Employment Security has the primary objective of placing workers in suitable employment. The second is that the Department of Labor, as contrasted with the Federal Security Agency, has as one of its primary functions the promotion of opportunities for profitable employment. It is unmistakable, Mr. President, that these are practically the same functions, and logically they should be joined together in the same agency.

On the other hand, as the distinguished Senator from Minnesota so ably demonstrated, the functions of the Federal Security Agency taken as a whole are, except for the Bureau of Employment Security, almost entirely unrelated to the business of helping workers to get jobs. This agency, as we all know, is concerned with the public health, the public welfare, and public education, in the strictest use of these terms. Except for the Bureau of Employment Security, this agency does not concern itself with employment problems or the operation of the labor market. It has nothing to do with labor-force conditions, with statistics on the occupational outlook, with the training of apprentices for entrance into the labor market, or meeting the problems arising from the employment of women under present-day conditions. None of these functions are carried out by the Federal Security Agency; whereas all of them, and others as well, are carried out by the Department of Labor.

It is almost self-evident that if we should place the Bureau of Employment Security in the Department of Labor we would be contributing to the more effective operation of that Bureau. We would also be contributing to the more effective operation of the present bureaus of the Department of Labor. When we coordinate all of these activities in one department, it seems to me that every one of these activities will benefit from a close day-to-day working relationship with the others.

I do not profess to know, Mr. President, whether or not this will result in any actual saving or decrease in costs of operations, but I can only conclude that not only the Bureau of Employment Security, but also the other bureaus of the Department of Labor, will unquestionably do a better job as a result of this transfer. In this way the taxpayers will get better value out of every dollar spent. In this way the Federal functions designed to help in the placement of workers will be improved. This improvement would logically cut down on the amounts which employers would have to pay by way of unemployment compensation benefits. And as an overall result, I believe that the Department of Labor and the Government as a whole would more fully accomplish their purpose of serving all of the people in our great democracy.

On account of these inescapable facts, Mr. President, I am heartily in favor of Reorganization Plan No. 2 of 1949.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the House had passed a joint resolution (H. J. Res. 339) amending an act making temporary appropriations for the fiscal year 1950, as amended, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

H. R. 2440. An act for the addition of certain lands to Rocky Mountain National Park, Colo., and for other purposes; and

H. R. 5086. An act to accord privileges of free importation to members of the armed forces of other nations, to grant certain extensions of time for tax purposes, and to facilitate tax administration.

HOUSE JOINT RESOLUTION REFERRED

The Joint resolution (H. J. Res. 339) amending an act making temporary appropriations for the fiscal year 1950, as amended, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

REORGANIZATION PLAN NO. 2, 1949, TRANSFERRING THE BUREAU OF EMPLOYMENT SECURITY

The Senate resumed the consideration of the resolution (S. Res. 151) disapproving Reorganization Plan No. 2 of 1949.

Mr. HUMPHREY. Mr. President, I was hoping that in a very few moments the distinguished junior Senator from Oregon [Mr. MORSE] would be with us, and I am sure he will be. Until he returns to the Chamber, I think one or two observations might be made regarding the two most recent statements which have been presented, the first by the Senator from Maryland [Mr. O'CONOR], the second by the Senator from South Carolina [Mr. MAYBANK].

Particular emphasis has been placed upon the relationship between the obtaining of the job, the placement of the worker on the job, and the insurance which has been set up for the worker in the field of unemployment compensation. I think that may be the key point in the transfer of the Bureau of Employment Security to the Department of Labor. I think that is the key argument, along with the matter of the efficiency and effectiveness which those of us who are supporting the plan believe will be the accomplished end of Reorganization Plan No. 2.

I hope that those who examine the RECORD after these debates have been concluded, and those who have been so kind and so helpful as to stay with us and to meditate and think about the proposal which is before us, will keep in mind that what is being attempted is an honest, conscientious effort to coordinate the activities looking toward work opportunities of a great governmental department which has particular responsibility for the welfare of working men and women. I think it is about time that in this country, and particularly in the Congress, we emphasize that what we need is productive work. Our programs of social insurance are exactly what they are called, programs of insurance against the despair as a result of unemployment and of poverty. No American has ever projected for a moment that the programs for unemployment compensation and social insurance were the answer. The answer to America's need is production; production is possible through employment, employment is possible through the job and the worker being brought together, and the job and the worker are brought together, in this very complex and difficult age in which we live, when we have an agency that is trained in the mechanics of bringing the job and the worker together.

Mr. President, I am now happy to yield whatever time may be needed by the distinguished Senator from Oregon [Mr. MORSE] to present further the case in behalf of Reorganization Plan No. 2.

The PRESIDING OFFICER (Mr. JOHNSTON of South Carolina in the chair). The Senator from Oregon is recognized.

Mr. MORSE. Mr. President, I thank the Senator from Minnesota for allowing me a few minutes to express my support of Reorganization Plan No. 2. In supporting and voting for Reorganization Plan No. 2 this afternoon I feel that I shall follow a very consistent policy in respect to my position on the Hoover Commission plans for the reorganization of the executive branch of the Government. Yesterday afternoon I voted against plan No. 1, and in voting against that plan I feel that I followed a very proper and consistent course of action, because of my conviction that we should try to put into effect the Hoover Commission program whenever we think the facts support the program and not vote for wide divergences from it. After a very thorough study of Reorganization Plan No. 1, I satisfied myself that on the merits of the arguments plan No. 1 could not be reconciled with the recommendations of the Hoover Commission in respect to the reorganization of the medical services of our Government.

I voted against plan No. 1 yesterday afternoon also because I had held a series of conferences with outstanding educational leaders, and they satisfied me, on the basis of the discussions I had with them, that plan No. 1 was not in accordance with the best objectives of the educational groups of the country in respect to the need of a reorganization of the educational services of the Federal Government.

I voted against plan No. 1 yesterday afternoon for a third and equally important reason, namely, that in my judgment it proposed to vest entirely too much arbitrary power in one administrator. In accordance with my political philosophy I fear bigness, I fear vesting great power in individuals, and I was satisfied that the power of arbitrary decision which plan No. 1 would have vested in the Administrator of the Department set up under the plan was greater than I think it is safe to give any man if we are to be constantly vigilant in our protection of the democratic processes.

As I listened to the debate on plan No. 1 and also listened in many conferences to spokesmen for plan No. 1 who represented various groups I became more and more convinced that the plan was particularly desired by those who seek to advance the cause of compulsory health insurance in this country. I am satisfied that the best health interests of our people are not to be found in a system of compulsory health insurance. As a sponsor of one of the proposed pieces of health legislation, S. 1456, which is based upon a voluntary health insurance plan, I necessarily found myself in opposition to plan No. 1 because I decided that the administrative devices contained in it were designed or, at least, could be used to foster compulsory health insurance.

I do not agree that the defeat of plan No. 1 prevents sound reorganization of Government services in the field of health, education and welfare. There is a need for greater efficiency and economy in the operation of Government services dealing with health, education and welfare but I am satisfied those ends can be accomplished much better through a new reorganization plan which avoids the serious defects which I have just mentioned in respect to plan No. 1.

I, too, as the Senator from Arkansas [Mr. MCCLELLAN] has pointed out, am pleased to note that former President Hoover has stated, in a press release of today, that the defeat of plan No. 1 yesterday does not in any way mean the defeat of reorganization plans in the particular fields to which plan No. 1 addressed itself. I am satisfied that the President of the United States, in a spirit of cooperation with the Congress, which characterizes the man, will review the objections which have been made to plan No. 1, and, even though it is not to be expected that he will agree with our particular arguments or objections, will nevertheless recognize that under the American democratic process of give-and-take it is now incumbent upon him to submit to Congress a reorganization of his own reorganization plan in respect to the subject matter of plan No. 1.

I sincerely hope that the next plan which the President will submit to us on this subject matter will be so closely in line with the basic principle of the Hoover report on the same subject matter, that the junior Senator from Oregon will find himself, on the next vote, in support of the position taken by the President of the United States.

I say that, Mr. President, because I think it is due the President of the United States to have some member of the opposition party in the Senate of the United States extend to him very sincere commendation for the leadership he has been exercising in respect to the whole matter of the reorganization of the executive branch of our Government. Differ as I differed with him on plan No. 1, I have not differed with him on most of his other recommendations for reorganization because I think in the main he has followed the proposals for reorganization of the Hoover Commission reports. I think the people of the United States owe a great debt of gratitude to

the President of the United States for the leadership he has extended to them in the whole matter of reorganization of the executive branch of the Government. I certainly think the issue is a nonpartisan one. I think it is a task that should be performed by whoever is in the White House, be he a Democratic or a Republican President. Save and except for my difference with the President yesterday afternoon over plan No. 1, and a possible difference I may have with him over plan No. 7, I think he is doing a grand job in his recommendations for the reorganization of the executive branch of the Government. I believe that as the result of the program he has under way not only will there be a great increase in the efficiency of the executive branch of the Government but in due course of time the American people will reap the benefits of the savings in the cost of administration which will result from the leadership President Truman is exercising in this field.

I am sure, the task has not been easy for him. All Senators know the pressures to which they have been subjected and the objections and the exceptions from various groups, particularly in their home States they have been asked to support, when some particular part of one of the Hoover Commission reorganization recommendations steps on the toes of some particular interest in our States. If that be true of us, what do Senators think the President of the United States has been undergoing in regard to attempts to pressure him in respect to reorganization plans?

I hope I shall always be not only nonpartisan enough, but also fair enough, to give credit where credit is due. I think President Harry Truman is entitled to a very sincere expression of appreciation on the part of the American people for the courageous and forthright way in which he has taken hold of the task of making recommendations for the reorganization of the executive branch of the Government. The difference of opinion we had with him yesterday afternoon over plan No. 1 in no way, in my judgment, should be looked upon by him as any great discouragement in respect to the task which still lies ahead of him. If I know the caliber of his courage correctly, we will find in due course of time another proposal coming to us from the President of the United States in respect to the subject matter of Reorganization Plan No. 1, and it will be in the form of a plan which will so closely follow the major Hoover recommendations in this particular field that those of us who could not support the President yesterday will be able to support him in his next recommendation on this subject.

I turn now, Mr. President, to Reorganization Plan No. 2. I shall support it because I think it will carry out the basic principles of the recommendation of the Hoover Commission that the Bureau of Employment Security be transferred from the Federal Security Agency to the Department of Labor. I am convinced that such a transfer is in the interest of good government organization and efficiency. I do not know whether it will achieve dollar economies; but increased efficiency that would give us more service for every dollar spent is in itself an economy.

This plan came to the Congress with every presumption in its favor. It was recommended by President Truman, a Democrat, and by former President Hoover, a Republican. It was recommended unanimously by the bipartisan Hoover Commission. The heads of the agencies affected have testified in favor of the plan. It was, therefore, with great surprise that I found the Committee on Expenditures in the Executive Departments recommending that the Senate not favor the plan. Because of my great esteem for the members of the committee and because I know they gave long and thorough consideration to the subject, I have reviewed the committee's report with as great care as I am capable of reviewing anything.

I am unable to concur in the distinguished chairman's conclusion that this plan diverges from the recommendations of the Hoover Commission. As I read it, the plan implements exactly the recommendations made by that Commission.

The committee report states that the Hoover Commission recommended merging the functions of the Veterans' Employment Service with the Employment Service of the Bureau of Employment Security but did not recommend the abolition of the Veterans' Placement Service Board. The Hoover Commission found that the Veterans' Placement Board is an "anomalous administrative arrangement" and stated that "the need for its correction is evident." Report on the Department of Labor, page 16. The recommendation for merger of the Veterans' Employment Service with the Employment Service followed this statement. It would appear, therefore, that the abolition of the Veterans' Placement Service Board is fully consistent with the Hoover Commission recommendation.

It should also be noted that representatives of both the American Legion and the Veterans of Foreign Wars testified in favor of the plan.

I wish to say, Mr. President, that during the Eightieth Congress I had the privilege of serving as chairman of the Subcommittee on Veterans' Affairs of the Senate Committee on Labor and Public Welfare. That service gave me an opportunity to make many very careful and intensive studies into questions affecting the administration of veterans' affairs by the executive branch of the Government. It also gave me many opportunities to listen to the testimony and study the recommendations of the representatives of the American Legion and of the Veterans of Foreign Wars, and of the other veterans' organizations. On the basis of that experience, when the representatives of the American Legion, the representatives of the Veterans of Foreign Wars, and the representatives of other veterans' organizations tell the Senate that plan No. 2 has their approval, I say their recommendations are deserving of very careful consideration and are entitled to great weight on the part of the Senate of the United States. I say that because the representatives of those veterans' organizations are thinking in terms not only of the best interests of the veteran, but in the best interests of the administration of the Government. I have heard them say time and time again, both in public discussions before my subcommittee and in private conversations with me, that they are well aware of the fact that it is the veteran, after all, who is going to have to pay a large share of the cost of operating the Government through the taxes of the years to come. When these veterans' organizations come forward with a recommendation in support of plan No. 2, Mr. President, I know that they have in mind their best interest in efficient and economical operation of the Government. Therefore any argument in the course of the debate to the effect that the veterans' interests are not adequately protected under plan No. 2 I think falls to the ground on the basis of the recommendations of the representatives of the American Legion and the Veterans of Foreign Wars who are on record in favor of the plan.

The abolition of the Veterans' Service Placement Board is therefore satisfactory to the major veterans' organizations, as well as to the Government agencies involved.

The report characterizes as "divergence from recommendations of the Hoover Commission" the provision concerning the Federal Advisory Council, incorporated in Reorganization Plan No. 2. It notes that the Commission made no recommendation with respect to that Council.

In my opinion, the provision of the plan respecting the Council is one of our best assurances that the Department of Labor will operate the Bureau of Employment Security fairly and effectively. The Federal Advisory Council is composed of outstanding citizens representing the public, employers, labor, and veterans.

I think that the very creation of this Council under the plan effectively meets the argument of the distinguished Senator from Arkansas [Mr. McCLELLAN] in regard to alleged fears of the Department of Labor on the part of employers. In my judgment the Council will function as a watchdog, so to speak, as a forum to provide a check upon a factual basis of any employer fears which may develop in the future. But I hasten to add that I think the argument about the employers' fears is itself a fear argument, and not entitled to any substantial weight in this debate, in the absence of proof of any basis or justification for the fears. There is none, Mr. President.

We cannot get very far in the reorganization of the executive branch of the Government in the interest of efficiency and economy if every time some group expresses a fear that it may not receive impartial treatment under a reorganization plan, such expression is to be used as a basis for voting against the reorganization plan. As a lawyer, I must ask for evidence. There is no evidence in support of this fear on the part of employers.

One could make the point that this argument of the employers itself manifests a prejudice against labor; but I think that would be an equally unsound argument. We must look at this plan from the standpoint of whether or not the mechanics of it give us reasonable assurance of efficient administration.

The Federal Advisory Council which the Senate committee itself seems to think constitutes a divergence from the Hoover Commission report is in my opinion one of the guaranties of impartial, fair, and efficient administration of the plan. So I urge Members of the Senate not to give any weight to the argument which some speakers have made in this debate, that we should not vote for this plan because certain employers have expressed fears about it.

In respect to another phase of the Hoover recommendation for reorganization affecting the Army engineers, I am hearing, by way of some pretty hot pressures from my State, the argument that, of course, we must do nothing that would in any way encroach upon the jurisdiction of the Army engineers, because of the fear that it might have some detrimental effect upon Government projects being built in the Pacific Northwest by Government engineers. I have said to the people of my State, and I repeat this afternoon, that no such argument, based upon fear or upon plain selfishness, will cause the junior Senator from Oregon to divert one bit from his determination to support the Hoover Commission reorganization plan in respect to the Army engineers. I take this opportunity to tell the people of my State that I have made a thorough study of the Hoover Commission recommendations insofar as they affect the Army engineers, and I am satisfied that there is no basis for the fears expressed to me by the various groups, which apparently have undertaken a crusade to see to it that the Army engineers are in no way affected by any reorganization plan approved by the Senate.

Incidentally, I think the time has come when the Army engineers should be brought under a reorganization plan, in the interest of the efficient operation of the planning and construction of the great Government projects needed in the Pacific Northwest. They are not sacrosanct, and should not be so treated by the Senate. Nor should they be defended on the basis of any such insupportable fear arguments as are being sent to me by certain groups in my State, urging me to oppose any recommendation of the Hoover Commission which affects the Army engineers.

As I have said from the platforms of Oregon, I say from this platform today, that I shall support the Hoover Commission recommendations in respect to the Army engineers. I intend to continue to support the Hoover Commission recomendations in respect to other reorganization plans, in the absence of any clear evidence that such recommendations would result in damage to the efficient and economical operation of our Government. When I am convinced that a Hoover recommendation is not a good one I shall vote against it but the presumption is in favor of the Hoover reports as far as I am concerned.

So in respect to the question of the Federal Advisory Council, the fact that it is to be composed of outstanding citizens representing the public, employers, labor, and veterans commends that phase of the plan to me; and in my judgment is an adequate answer to the committee's argument that the creation of the council itself constitutes a divergence from the Hoover Commission recommendations. There is nothing in the Hoover Commission recommendations which would support the argument that the Commission would be opposed to any such council as the Federal Advisory Council.

Under the Wagner-Peyser Act the council has "the purpose of formulating policies and discussing problems relating to employment and insuring impartiality, neutrality, and freedom from political influence in the solution of such problems." By statute the council has "access to all files and records of the United States Employment Service." Under Reorganization Plan No. 2 this council would advise the Secretary of Labor with respect to the unemployment compensation activities of the Bureau of Employment Security as well as with respect to the Employment Service functions. Those who have expressed fear that the Department of Labor cannot operate the Bureau of Employment Security impartially and efficiently have in the Federal Advisory Council a check on the Bureau's operations and an insurance against bias or inefficiency. I assume that the committee has no objection to that provision of the plan which would permit the Federal Advisory Council to advise concerning all operations of the Bureau of Employment Security and to have access to the files and records of the Unemployment Compensation system as well as the Employment Service.

The report also noted as a "divergence from recommendations of the Hoover Commission" the fact that Reorganization Plan No. 2 does not include seven other recommendations of the Commission concerning the Department of Labor.

I fail to see how this is a divergence from the recommendations of the Commission. It is at best a failure to do the entire job at once. In that respect, I am satisfied by the explanation given to the House of Representatives on August 11, 1949, by the distinguished Representative from Ohio, the Honorable CLARENCE BROWN, who was a member of the Hoover Commission. He stated:

> Mr. Hoover and I realized the President could not send in all of his reorganization plans at once. In fact I believe this particular Reorganization Plan No. 2 is here rather as a side issue, as it were, and that it does not represent the President's complete reorganization plan for the Department of Labor. (CONGRESSIONAL RECORD, Aug. 11, 1949, p. 11303.)

The Hoover Commission brought in some 318 different recommendations and findings. Obviously they could not all be put into effect in a single plan or all at once. The Hoover Commission spent 2 years studying the subject of Government organization and bringing in these recommendations. We have merely 60 days to consider them. Under the circumstances, I am not at all sorry to find the plans coming up in small groups; nor do I consider it a divergence from the Hoover Commission's recommendations to adopt its recommendations one at a time, rather than all at once.

In connection with the failure of plan No. 2 to effect all the recommendations of the Hoover Commission with respect to the Department of Labor, I cannot help wondering how many persons who raised this as an objection to the plan would want transferred to the Department of Labor all the agencies and functions which the Hoover Commission has recommended be transferred to it.

Mr. President, I am satisfied that Reorganization Plan No. 2 is fully consistent with the recommendation of the Hoover Commission and properly implements the Commission's recommendation.

Furthermore, there is no question that the functions of the Bureau of Employment Security are much closer to those of the Department of Labor than to those of the Federal Security Agency. This was clearly demonstrated by the Brookings Institution task force report and by the Report of the Hoover Commission.

The Hoover Commission, adopting the findings of the Brookings Institution—task force report on public welfare, appendix P, pages 440–442—concluded that:

> Employment offices and unemployment compensation are more closely related to each other than to retirement or old-age assistance or educational programs. Both are Federal-State programs dealing with labor force conditions and labor-management relations. These programs have close operating relationships with other employment and labor functions in the Department of Labor—with the Bureau of Labor Statistics, Women's Bureau, the Bureau of Apprenticeship, Wage and Hour Division, the Bureau of Labor Standards, and the Bureau of Veterans' Reemployment Rights. Personnel for these functions all acquire the same basic training in labor and employee relations problems.
>
> The States themselves either place employment security in an industrial commission or labor department, in a department with other labor functions, or organize them independently. In no State are they merged with health, education, or welfare. In addition, more and more States are rewarding employers with good "experience" ratings in providing stable employment. This type of activity ties in directly with the kind of research and planning performed by the State labor agencies and by the Department of Labor, particularly that of its Bureau of Labor Statistics. (Report on the Department of Labor, pp. 13–14.)

In view of the findings of the Brookings Institution task force, what is the opposition to this plan, Mr. President? The report states—Report No. 852, page 7—that the opposition—

> was concerned chiefly with widespread employer distrust of the ability of the Department of Labor to operate either the United States Employment Service or the Employment Compensation Service on an impartial public-service basis.

Although I am sure these fears are real and are expressed in good faith, I do not

believe they are well-founded. I take that position for reasons which I have already set forth in the course of my remarks. Against these fears can be balanced some quite convincing facts. The Secretary of Labor testified before the committee that—

> During the 24 years when the Employment Service was in the Department of Labor employers did use it and on a constantly increasing scale. As a matter of fact, employers used the Employment Service more, as shown by job orders and placements in the official records of the Employment Service in the years 1945 to 1948 when the Employment Service was in the Department of Labor, than at any other peacetime year since the Wagner-Peyser Act was enacted in 1933.

No one was able to refute that statement.

In addition, Mr. Hoover testified before the committee on this subject. He stated:

> I do not believe that an employer ought to have any less confidence in the objectivity of the Labor Department than the Federal Security Agency. If there is such criticism the employer ought to realize that these bureaus placed in the Labor Department will be under the more vivid searchlight of public opinion than in the Federal Security Agency, whose major purposes are not related to the subject.
>
> My own view is that both sides would be better protected.

Mr. President, I agree with that appraisal of the situation by Mr. Hoover.

The report also notes—Report No. 852, page 7—that witnesses alleged that transfer of the Bureau of Employment Security to the Labor Department would result in eventual abolition of the experience-rating system, under which employers may receive reduction in their unemployment compensation tax rates if they achieve consistent employment records. Against these allegations must be weighed certain facts. First, the experience-rating system was created by Federal and State statutes. Only the Congress and the States can change or abolish experience-rating systems. Second, under the Federal Unemployment Tax Act, the Administrator of the program is limited in the exercise of his judgment to approving State statutes pertaining to unemployment compensation, including experience-rating systems. He has quite narrow discretion, as the Secretary of Labor admitted. Third, the Secretary of Labor testified that he has an open mind on the question of experience rating, and does not know what he would recommend to the Congress if he were asked. But a recommendation to Congress and action by Congress would be required. That is the point I wish to drive home in regard to the matter of experience ratings.

Mr. IVES. Mr. President, will the Senator yield on this point?

Mr. MORSE. I should like to conclude my remarks, and then I shall yield. I wish to keep within the time allotted to me.

The Secretary of Labor told the committee that he would consider very carefully the advice of the Federal Advisory Council on this subject. No one denied the Secretary's statement that the Federal Security Agency, on the other hand, has advocated the abolition of the system. Those who wish to see the experience rating system retained consequently have nothing to lose by the transfer of the Bureau of Employment Security to the Labor Department.

There were also allegations that the plan would not achieve economies but would increase costs. This was denied by the Federal officials affected and by the Director of the Bureau of the Budget who assured the committee that there would be no increase in costs for the same workload. I have no facts on which to base a contrary judgment. Nor do I have any reason to believe one is warranted. In fact, the Brookings Institution concluded that by reason of the transfer economies might be made with respect to employment statistics and employment outlook work—task force report, appendix P, pages 20, 413. Mr. Hoover, in testifying before the Senate Committee on Expenditures in the Executive Departments, said:

> I have the faith that this Bureau placed in the Department of Labor and associated with men who are familiar with the problems of labor, will get more economical handling than it will be as a sort of an orphan in the Social Security, where there are other and much more dominant activities.

I think that was a very clear statement of the situation.

Mr. President, I have not been convinced by the arguments against Reorganization Plan No. 2. In my opinion there is no sound basis for rejecting a plan so clearly implementing a logical and well-considered recommendation of the Hoover Commission.

I have carefully considered the objections of those employers who have expressed fears respecting the proposed transfer of the Bureau of Employment Security to the Department of Labor. I honestly believe their fears are, and will be proved, unfounded. In this respect I do not stand alone. Mr. Truman, Mr. Hoover, the other distinguished members of the Hoover Commission, with the exception of the able Senator from Arkansas, and the great majority of the House of Representatives, including Members on both sides of the aisle, share this view. I feel sure it is also shared by the majority of the Senators. I shall expect the Department of Labor to justify the confidence we are reposing in it.

I am satisfied further there is no basis for the fear that the experience-rating system will be damaged by this transfer. In regard to this point, I think the Department of Labor again has the obligation of justifying the confidence we are reposing in it. I take it for granted the Secretary of Labor will read the arguments which have been made in the course of the debate in connection with the experience-rating issue, and I am satisfied that on the basis of the testimony and the attitude taken by the Secretary of Labor at the time he appeared before the committee we are justified in the confidence that he will not make any recommendations in regard to the experience rating with out full disclosure of the pros and cons. It will then be the obligation of the Congress to take such action in respect to experience ratings as it believes the record at that time justifies.

I now yield to the Senator from New York.

Mr. IVES. Mr. President, the Senator from New York would like to ask the able Senator from Oregon whether he does not realize that under the interpretation of the term "other factors," found in section 1602, subdivision (a) (1), of the Internal Revenue Code, the Administrator or the administrating agency could almost wipe out—perhaps not completely—experience rating in any State of the Union?

Mr. MORSE. I have not studied that legal point in as much detail as I shall before rendering a judgment on that point of law. However, I am inclined to think that broad discretion does exist under the existing law.

Mr. IVES. That is exactly correct.

Mr. MORSE. And as the Senator from New York knows, the present Administrator has already expressed opposition to the experience rating.

Mr. IVES. The Senator from New York pointed that out in his remarks this morning. But the Senator from New York would like to ask the able Senator from Oregon whether he does not appreciate that that is the situation, under that particular section of the law?

Mr. MORSE. I do not deny that if some administrator wanted to exercise such an arbitrary discretion, he might have authority to exercise it, but I am not positive on that point as a matter of law. But if some administrator did exercise such discretion as the Senator from New York fears, I think he would very quickly find himself up against a congressional check.

Mr. IVES. There would be no congressional check, unless we were successful in obtaining passage of a bill.

Mr. MORSE. I do not think there is any question about our proceeding to take action if he exercised such arbitrary discretion.

Mr. IVES. The question might remain as to the determination of the Congress in that instance. I think the Senator himself will readily recognize that those matters are very controversial. We know the condition we are in at the present time, for instance, with respect to our calendar. A tremendous amount of damage might easily be done before any action at all could be taken by the Congress.

Mr. MORSE. I do not see that the argument advanced by the Senator from New York is an argument against plan No. 2. His suggestion has to do with a power that he alleges presently exists in the hands of the present Administrator, and which he fears the Administrator might exercise at some time. The Senator from New York ought to introduce a bill checking that discretion but not oppose Reorganization Plan No. 2.

Mr. IVES. Mr. President, the Senator from New York would like to point out that the present Administrator, though he has the authority, has not exercised it. But that does not mean that some Administrator in some other agency of the Government might not desire to do so, and might not dare to do so.

Mr. MORSE. Or that the present Administrator might not do it.

Mr. IVES. That is absolutely correct. There can be no argument about it. The fact still remains that, rightly or wrongly, a large portion of the small-business men of the country—I am not talking about the big fellows; I am talking about the little fellows—are definitely worried because they do not know what the attitude of the Department of Labor may be regarding the matter. They feel reasonably certain as to what may happen, so far as the present agency, the Federal Security Agency, is concerned. Perhaps their idea is not justified in either instance, but that is the way they feel.

Mr. MORSE. I have the greatest respect for the opinion of the Senator from New York on all issues, including this one. I completely disagree with him that the argument he has advanced is a good argument for voting against Reorganization Plan No. 2. It is a good argument in favor of the introduction by the Senator from New York of a bill which would meet the problem which concerns him so much. But I respectfully say that he should not oppose Reorganization Plan No. 2, because he fears that, at some time in the future, somebody might do something he wishes the law would make it impossible for him to do.

Mr. IVES. Mr. President, the Senator from New York would like to point out—and this is where the Senator from Oregon does not understand the attitude of the Senator from New York—that the Senator from New York does not have this fear. But the Senator from New York recognizes that the fear does exist, and it should be taken into consideration in this instance.

Mr. MORSE. No; I understand the Senator's argument. I simply do not think it is applicable to Reorganization Plan No. 2. It is applicable to the need for passing a bill which would prevent the accomplishment of the thing feared, which the Senator has pointed out to the Senate.

Mr. IVES. What would prevent the administering agency from withholding administrative funds? That is where he would exercise it.

Mr. MORSE. I understand the Senator's argument. I do not think it is a very good one in opposition to Reorganization Plan No. 2. We have plenty of checks on the use of funds by the Administrator and if he followed the course last suggested by the Senator from New York, I am sure our Appropriations Committee would take the matter up with the Administrator when he next came before the committee for a new appropriation.

TEMPORARY APPROPRIATIONS FOR THE FISCAL YEAR 1950

Mr. McKELLAR. Mr. President, will the Senator from Oregon yield to me for a moment?

The PRESIDING OFFICER. The time of the Senator from Oregon has expired.

Mr. HUMPHREY. Mr. President, in order to clarify the situation, I believe the distinguished leader of the opposition to the plan is willing to yield a few minutes to an advocate of it.

Mr. McCLELLAN. Mr. President, if the able Senator from Oregon wishes more time, I am glad to yield time to him.

Mr. MORSE. Then I yield to the Senator from Tennessee.

Mr. McKELLAR. Mr. President, from the Committee on Appropriations, I report favorably, without amendment, House Joint Resolution 339, which has been passed by the House, making temporary appropriations for the fiscal year 1950. The joint resolution would permit the payment of Government employees until September 15. I ask unanimous consent for the immediate consideration of the joint resolution.

The PRESIDING OFFICER. The joint resolution will be read by title, for the information of the Senate.

The CHIEF CLERK. A joint resolution (H. J. Res. 339) amending an act making temporary appropriations for the fiscal year 1950, as amended, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the joint resolution?

There being no objection, the joint resolution was considered, ordered to a third reading, read the third time, and passed.

Mr. McKELLAR. Mr. President, I thank the Senator from Oregon and the Senator from Arkansas very much indeed.

REORGANIZATION PLAN NO. 2, 1949—TRANSFERRING THE BUREAU OF EMPLOYMENT SECURITY

The Senate resumed the consideration of the resolution (S. Res. 151) disapproving Reorganization Plan No. 2 of 1949.

Mr. HUMPHREY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. STENNIS in the chair). As the Chair understands, the Senator from Arkansas has further time at his disposal.

Mr. McCLELLAN. I do not care to take any further time.

The PRESIDING OFFICER. The absence of a quorum is suggested. The clerk will call the roll.

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

Anderson	Graham	Lucas
Baldwin	Green	McCarran
Bricker	Gurney	McCarthy
Bridges	Hayden	McClellan
Byrd	Hendrickson	McFarland
Cain	Hickenlooper	McKellar
Capehart	Hill	McMahon
Chapman	Hoey	Magnuson
Chavez	Holland	Malone
Connally	Humphrey	Martin
Cordon	Hunt	Maybank
Donnell	Ives	Miller
Douglas	Jenner	Millikin
Downey	Johnson, Colo.	Morse
Dulles	Johnson, Tex.	Mundt
Eastland	Johnston, S. C.	Murray
Ecton	Kefauver	Myers
Ellender	Kem	Neely
Ferguson	Kerr	O'Conor
Flanders	Kilgore	O'Mahoney
Frear	Knowland	Robertson
Fulbright	Langer	Russell
George	Lodge	Saltonstall
Gillette	Long	Schoeppel
Smith, Maine	Thomas, Okla.	Wherry
Smith, N. J.	Thomas, Utah	Wiley
Sparkman	Thye	Williams
Stennis	Tydings	Withers
Taft	Vandenberg	Young
Taylor	Watkins	

The PRESIDING OFFICER. A quorum is present.

The hour of 5 o'clock having arrived, the Senate will proceed to vote on Senate Resolution 151. The question is on agreeing to the resolution, which reads:

Resolved, That the Senate does not favor the Reorganization Plan No. 2 transmitted to Congress by the President on June 20, 1949.

Mr. HUMPHREY. Mr. President, is it not a fact that a vote "nay" on the resolution is in substance a vote in support of Reorganization Plan No. 2?

The PRESIDING OFFICER. The Senator is correct. The question is on agreeing to the resolution.

Mr. WHERRY. I ask for the yeas and nays.

The yeas and nays were ordered, and the roll was called.

Mr. MYERS. I announce that the Senator from Florida [Mr. PEPPER], who is absent by leave of the Senate on public business, is paired on this vote with the Senator from Kansas [Mr. REED]. If present and voting, the Senator from Florida would vote "nay" and the Senator from Kansas would vote "yea."

I announce further that, if present and voting, the Senator from Rhode Island [Mr. McGRATH], who is absent on public business, would vote "nay."

Mr. SALTONSTALL. I announce that the Senator from Vermont [Mr. AIKEN], who is absent by leave of the Senate, is paired with the Senator from Nebraska [Mr. BUTLER], who is absent by leave of the Senate. If present and voting, the Senator from Vermont would vote "nay" and the Senator from Nebraska would vote "yea."

The Senator from Maine [Mr. BREWSTER] is necessarily absent. The Senator from New Hampshire [Mr. TOBEY] is absent because of illness.

The Senator from Kansas [Mr. REED], who is absent by leave of the Senate, is paired with the Senator from Florida [Mr. PEPPER]. If present and voting, the Senator from Kansas would vote "yea" and the Senator from Florida would vote "nay."

The result was—yeas 32, nays 57, as follows:

YEAS—32

Bricker	George	Millikin
Bridges	Gurney	Mundt
Byrd	Hendrickson	Robertson
Cain	Hickenlooper	Saltonstall
Capehart	Hoey	Schoeppel
Cordon	Ives	Stennis
Donnell	Jenner	Taft
Dulles	Kem	Vandenberg
Eastland	McCarthy	Wherry
Ecton	McClellan	Wiley
Fulbright	Martin	

NAYS—57

Anderson	Ferguson	Holland
Baldwin	Flanders	Humphrey
Chapman	Frear	Hunt
Chavez	Gillette	Johnson, Colo.
Connally	Graham	Johnson, Tex.
Douglas	Green	Johnston, S. C.
Downey	Hayden	Kefauver
Ellender	Hill	Kerr

Kilgore	Malone	Smith, N. J.
Knowland	Maybank	Sparkman
Langer	Miller	Taylor
Lodge	Morse	Thomas, Okla.
Long	Murray	Thomas, Utah
Lucas	Myers	Thye
McCarran	Neely	Tydings
McFarland	O'Conor	Watkins
McKellar	O'Mahoney	Williams
McMahon	Russell	Withers
Magnuson	Smith, Maine	Young

NOT VOTING—7

Aiken	McGrath	Tobey
Brewster	Pepper	
Butler	Reed	

The PRESIDING OFFICER. On this question the yeas are 32, the nays are 57, and the resolution is not agreed to, not having received the affirmative vote of a majority of the authorized membership of the Senate.

REORGANIZATION PLAN NO. 7, 1949

The PRESIDING OFFICER. Under the order entered into on yesterday, the Chair lays before the Senate, Senate Resolution 155 disapproving Reorganization Plan No. 7 of 1949.

The Senate proceeded to consider the resolution (S. Res. 155) disapproving Reorganization Plan No. 7 of 1949, which is as follows:

Whereas Reorganization Plan No. 7 of 1949, transmitted to Congress on June 20, 1949, provided for the transfer of the Public Roads Administration to the Department of Commerce; and

Whereas there was subsequently enacted the Federal Property and Administrative Services Act of 1949 (Public Law 152), approved June 30, 1949, which abolished the Federal Works Agency and transferred all of its functions to the Administrator of General Services, and which changed the name of the Public Roads Administration to the Bureau of Public Roads and transferred all of its functions to the Administrator of General Services; and

Whereas Reorganization Plan No. 7 thus purports to affect agencies which do not in fact exist; and

Whereas section 9 (a) (1) of the Reorganization Act of 1949 (Public Law 109) provides, in substance, that any statute enacted in respect of any agency or function affected by a reorganization plan, before the effective date of such reorganization, shall have the same effect as if such reorganization had not been made; and

Whereas all doubt should be removed as to whether the above-cited statute has made such reorganization plan ineffective: Now, therefore, be it

Resolved, That the Senate does not favor the Reorganization Plan No. 7 transmitted to Congress by the President on June 20, 1949.

Mr. WHERRY. Mr. President, it is my understanding that under the unanimous-consent agreement previously entered into, Senate Resolution 155 is now being considered by the Senate. Will the Chair please make a statement respecting the division of time?

The PRESIDING OFFICER. Under the order previously entered into debate is limited to 1 hour. The time is controlled by the Senator from Arizona [Mr. HAYDEN], for the proponents of the resolution, and by the Senator from Arkansas [Mr. MCCLELLAN] for the opponents. Under the law the time is equally divided. It is now 12 minutes after 5 o'clock, so debate will continue until 12 minutes after 6.

Mr. HAYDEN. Mr. President, I submitted Senate Resolution 155 because I became firmly convinced that an act of Congress has superseded the reorganization plan, and that if the reorganization plan is not rejected there will be very grave confusion as to the state of the law.

I should like first to discuss the facts. The Congressional Directory shows that each of 27 Members of the Senate has served as governor of his State. I am sure all of them will confirm a statement of facts which I shall now make.

First, that the State highway department is an important, if not the most important public-works agency in any State.

Second, that the 27 Senators are all intimately acquainted with the fact of the close relationship between the Bureau of Public Roads and the State highway departments. That Bureau supervises all the Federal-aid projects in each State. That is to say, if a State submits a Federal-aid project, it must be approved by the Bureau of Public Roads before the work can begin, and then, in order for the State to obtain its share of Federal aid, the Bureau of Public Roads must again approve the construction of the project according to the plans.

Many of the former governors know of their own knowledge that in their States the Bureau of Public Roads actually constructs roads within national parks and in the national forests. They understand, therefore, that it is in truth and in fact a construction agency.

What happened with respect to the particular problem we have before us is this: The Commission on Organization of the Executive Branch of the Government appointed two task forces, one on transportation and one on public works. The task force on transportation recommended a Department of Transportation in the following language:

A Department of Transportation should be established to consolidate Government expenditure, programing, and operating functions into a single executive agency.

Then it recommended that the Office of Highway Transportation be created. This Office should carry out the Federal aid highway program, all Federal highway promotional activities, safety activities involving interstate motor carriers, and the maintenance of a motor vehicle inventory and war requirement estimates.

It further recommended:

(a) Federal aid activities would be transferred from the Public Roads Administration, Federal Works Agency.

The other task force, headed by Robert Moses, of New York, a very eminent engineer, recommended that a Department of Public Works be created, and that the Bureau of Public Roads be transferred to that Department.

The Commission in its report on reorganization of the Department of Commerce, rejected the recommendations of both the above task forces as to the establishment of either a Department of Transportation or a Department of Public Works, and instead made the following recommendation as to the Public Roads Administration:

The Public Roads Administration should be transferred from the Federal Works Agency to the Department.

The report in which the foregoing recommendation is made does not contain any specific data in support of the recommendation. I am convinced that it is based upon the fundamental fallacy that the Bureau of Public Roads is a transportation agency rather than a construction agency.

One does not have to look in the dictionary to know that "transportation" means the movement of things from one place to another. They can move by air, they can move by water, they can move over the land. If it were water transportation, a barge carrying goods could be engaged in transportation. If it were desired to regulate the river so that the barge could navigate it during all seasons of the year, the Corps of Engineers could build a great dam at the headwaters and conserve the floods so as to equate the flow or confine it to its banks by levees. But that would be construction. It would not be transportation.

The same is true of the Bureau of Public Roads. It provides a surface over which transportation may be carried, but does not engage in transportation itself. It is an engineering organization which determines what kind of road should be had, where the road should be located, the degree of curvature, the kind of surface, and many kindred questions. That is construction. In my judgment Mr. Moses and his task force were correct in assigning that work to a proposed works agency.

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

Mr. HAYDEN. I yield.

Mr. CORDON. Can the Senator conceive of any activity which is delegated by law to the Department of Commerce, or which is engaged in by the Department of Commerce by virtue of any power delegated to it, which in any wise is so connected with, associated with, or has any relation to the Bureau of Public Roads as to permit of any integration, combination, or cooperation which would make for economy or efficiency in connection with the sort of transfer proposed in this plan?

Mr. HAYDEN. I cannot conceive of any such arrangement having that effect. Furthermore, the message transmitting this plan frankly confesses that it will not result in economy, which is one of the great objectives of the Hoover Commission.

Having this doubt, I asked the Legislative Reference Service of the Senate to look into the law on this question. I have great confidence in that Service. What stuck me more than anything else was Mr. Boots' comment on section 9 of the Reorganization Act. Section 9 (a) (1) of the Reorganization Act of 1949 reads as follows:

(1) Any statute enacted, and any regulation or other action made, prescribed, issued, granted, or performed in respect of or by any

agency or function affected by a reorganization under the provisions of this act, before the effective date of such reorganization, shall, except to the extent rescinded, modified, superseded, or made inapplicable by or under authority of law or by the abolition of a function, have the same effect as if such reorganization had not been made; but where any such statute, regulation, or other action has vested the functions in the agency from which it is removed under the plan, such function shall, insofar as it is to be exercised after the plan becomes effective, be considered as vested in the agency under which the function is placed by the plan.

Mr. Boots' comment is as follows:

While this provision is hedged about by a great deal of verbiage it would appear that it was designed to anticipate the case where, following the submission of a reorganization plan, Congress acted with respect to the agency or function affected in a manner inconsistent with the plan, and to make certain that in that situation the statute would have the same effect as if the reorganization had not been made.

What actually happened was that at the time this reorganization plan was submitted the House of Representatives had passed a bill creating the Federal Property and Administration Services, abolished the Public Works Administration, transferred the Public Roads Administration to the new agency created by law, and changed its name to the Bureau of Public Roads. That is the situation with which we are faced today.

I have very carefully read an opinion by Mr. Peyton Ford, Acting Attorney General, which was printed in the CONGRESSIONAL RECORD of yesterday, and I should like to submit some comments to the 65 lawyers in the Senate, who should be able to pass upon this question.

I have read the opinion of the Acting Attorney General with respect to the validity and effectiveness of Reorganization Plan No. 7 of 1949. It has not changed my opinion that this plan will not take effect upon the expiration of 60 days following its submission.

The Acting Attorney General lays great stress on the references in the President's message to the then pending Federal Property and Administrative Services Act of 1949 and particularly the President's reasons for including in section 4 of the plan the statement that the provisions of this reorganization plan shall become effective notwithstanding the status of the Public Roads Administration within the Federal Works Agency or within any other agency immediately prior to the effective date of this reorganization plan.

Leaving out of consideration the question as to whether Presidential messages make the law, and particularly whether messages transmitting reorganization plans are—as stated by the Acting Attorney General—an integral part of the plan, it would seem that the argument of the Acting Attorney General serves to emphasize the strength of the opposing argument which he is attempting to meet. That is, with the President's plan before it, and in the same document the President's message—although I would not regard it as an integral part thereof—the Congress saw fit to transfer the Public Roads Administration to an agency wholly different from the agency to which it is transferred under the plan. Every Senator knows that it is an elemental rule of statutory construction that where there is a conflict between two acts of Congress the most recently enacted statute takes precedence. It is so elemental that one Congress cannot bind another Congress that it hardly seems worth mentioning. How, then, can anyone argue that a reorganization plan and its accompanying message transmitted by the President to the Congress can take precedence over a subsequently enacted act of Congress, approved by the President, which is totally inconsistent with such plan?

That is exactly what happened here. The plan was submitted on the 20th of June, and on the 30th of June the new law went into effect.

With reference to the suggestion that the plan seeks to transfer from the nonexistent agency, the Federal Works Agency, another nonexistent agency, the Public Roads Administration, the Acting Attorney General suggests that the Reorganization Act deals primarily with functions and only secondarily with the transfer or abolition of agencies, and then goes on to point out that what is contemplated by Reorganization Plan No. 7 is the transfer of certain functions which at all times have remained in existence. I hesitate to say that the Reorganization Act deals only secondarily with the transfer or abolition of agencies. But in any event the fact remains that the plan transmitted to the Congress is not the plan that would be in effect upon the expiration of 60 days if the argument of the Acting Attorney General is correct. A plan to transfer an agency from the Federal Works Agency to the Department of Commerce is not a plan to transfer that agency from the General Services Agency to the Department of Commerce, any general statement in the plan to the contrary notwithstanding. Congress is entitled to 60 days' consideration of any plan transmitted to it, and the same considerations that might move a Member of Congress to favor a plan to transfer the Public Roads Administration from the Federal Works Agency to the Department of Commerce might not be effective with respect to a transfer from the General Services Agency.

I should be interested to know what the conclusion of the Acting Attorney General would be if instead of transferring the Public Roads Administration to the General Services Agency, the statute, Public Law 152, had split the Public Roads Administration and transferred part of it to the General Services Agency, part of it to the Department of the Interior, and part of it to the Department of Commerce. Could it be contended that the general statement in section 4 of the reorganization plan would have the effect of gathering up these component parts of the Public Roads Administration and bringing them together in the Department of Commerce when Congress had clearly indicated that it wanted only one segment of the agency in that department?

The Acting Attorney General refers to the suggestion that section 9 (a) (1) of the Reorganization Act of 1949 prevents the taking effect of Reorganization Plan No. 7 as based on an obvious misconstruction of that section. He points out that section 9 (a) (1) is clearly intended as a saving provision, designed to keep substantive authority and functions alive despite the fact that the power to exercise is transferred by the reorganization plan. Of course, there is no doubt that that was one purpose, perhaps the principal one, of section 9 (a) (1). But stripped of inapplicable language, the provision states unqualifiedly that any statute enacted in respect of any agency or function affected by a reorganization under the provisions of this act, before the effective date of such reorganization, shall have the same effect as if such reorganization had not been made.

In this connection the Acting Attorney General also refers to the so-called Taft amendment—section 5 (e) of the 1945 Reorganization Act—which reads as follows:

(e) If, since January 1, 1945, Congress has by law established the status of any agency in relation to other agencies or transferred any function to any agency, no reorganization plan shall provide for, and no reorganization under this act shall have the effect of, changing the status of such agency in relation to other agencies or of abolishing any such transferred function or providing for its exercise by or under the supervision of any other agency.

He states that this section in the 1945 act clearly restricts the power of the President to submit a plan which would have the effect of undoing recent congressional action and points out that no such provision is contained in the Reorganization Act of 1949. Of course, a reading of section 5 (e) indicates that it has much broader application than the Acting Attorney General intimates. The 1945 act was approved December 20, 1945; and thus section 5 (e) would prevent the President from changing the status of any agency if since January 1, 1945, Congress had established the status of that agency with relation to other agencies or transferred any function to any agency. Moreover, this section was inserted on the floor of the Senate, and I do not recall that the question as to whether it might cover a part of the field encompassed in section 9 (a) (1) of the 1949 act was analyzed or even debated. The 1945 act contained a similar provision.

The opinion under consideration also suggests that to reach a result adverse to the effectiveness of Reorganization Plan No. 7 would require a conclusion that the action of Congress in passing the Federal Property Act of 1949, in effect repealed the authority given to the President under the Reorganization Act, and suggests that implied repeals are not favored. However, on the other side of the picture, to reach a contrary conclusion would mean that the Congress had done a vain thing when it passed the Federal Property and Administrative Services Act. I do not believe that any such action should be attributed to the Congress in the absence of specific evidence to the contrary.

Finally the opinion suggests that there can be no question that the President the day after signing the Federal Property Act could have submitted a reorganization plan undoing the transfers effected by that act and the Congress would then have had 60 days within which to consider whether or not to disapprove such a proposal. It would seem that if the President wished to effect this transfer that is just the action that he should have taken.

Since I have argued that plan No. 7 would not take effect even though the Senate or the House fail to pass a resolution of disapproval prior to the expiration of the 60-day period after transmittal of such plan, Senators might logically ask me why I propose a resolution of disapproval. My answer to any such query is that I recognize that a forceful legal argument may be made on both sides of the question.

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

Mr. HAYDEN. I yield.

Mr. LODGE. If this whole order is surplus and excess verbiage, why would it not be simpler to have the President withdraw it?

Mr. HAYDEN. It being a proposal recommended by the Hoover Commission, I think the President hesitated to withdraw it once it had been submitted to Congress. He would much prefer to have Congress determine what it will do with it.

That situation is exactly the same, as the Senator very well knows, as the situation with respect to the reorganization plan sent to Congress in connection with the Military Establishment. However, in that act provision was made that the act should take effect, and not the plan submitted. But that language was not in this statute, which leaves the confusion which I have been discussing.

While I personally feel that in view of the passage of the Federal Property and Administrative Services Act of 1949 subsequent to the time plan No. 7 was transmitted to Congress, the plan cannot take effect, I accord to the opinion of the Acting Attorney General the respect to which it is entitled; and I firmly believe that the only way we can clarify the situation at this late date is for the Senate to adopt this resolution of disapproval. If we do not disapprove the resolution and the administration attempts to make the plan effective by transferring the Bureau of Public Roads to the Department of Commerce, the Government will have this situation confronting them in the next 2 or 3 weeks.

In connection with the acquisition through condemnation proceedings for rights-of-way for Federal highways, the Secretary of Commerce will attempt to make the basic discretionary finding which is a statutory prerequisite to the institution of the condemnation proceedings.

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

Mr. HAYDEN. I yield.

Mr. WHERRY. Did I correctly understand the Senator from Arizona to say that the Acting Attorney General was recommending that Congress disapprove the reorganization plan?

Mr. HAYDEN. No; I said the Acting Attorney General was recommending that Congress do not disapprove it.

Mr. WHERRY. Then how does the Senator from Arizona harmonize his position with the opinion of the Acting Attorney General?

Mr. HAYDEN. I do not. I disagree with the Acting Attorney General.

Mr. WHERRY. The Senator from Arizona disagrees with the Attorney General?

Mr. HAYDEN. I do.

I am pointing out the situation we shall be in if nothing is done. As I just said, in connection with the acquisition through condemnation proceedings for rights-of-way for Federal highways, the Secretary of Commerce will attempt to make the basic discretionary finding which is a statutory prerequisite to the institution of the condemnation proceedings. If not in that case, then in the next this authority will be challenged by the private land owner whose property is to be taken under such condemnation proceedings. Whether the courts will feel bound by the action of the Senate in failing to disapprove such plan is problematical. If the courts feel, as I do, that the plan has no legal effect because of the passage of the Federal Property and Administrative Services Act of 1949, the condemnation proceeding will be dismissed, and a chaotic condition will be created which we have now in our power to prevent. Even if the lower courts were to hold that the plan is in effect, there will be inevitable appeals in higher courts until the question is finally decided by the Supreme Court after a long period of litigation.

Therefore, Mr. President, it seems to me that the wise thing to do is for the Senate to reject this plan. Then if thereafter the President wishes to submit a plan which is not complicated by the conflicting legislation which applies to this plan, the Senate can agree to it.

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

Mr. HAYDEN. I yield.

Mr CORDON. Historically, was not the whole highway policy, adopted many years ago, predicated primarily on the necessity for an interstate, interconnected highway system, valuable primarily for national defense?

Mr. HAYDEN. That is the reason which induced President Wilson to sign the original Federal Highway Act.

Mr. CORDON. As a matter of fact, if we were going to examine the history of the national highway policy, if we were going to consider the basis upon which the major arterial highways have been designated and connected and constructed, and if we were going to insist upon the transfer to some department of what is one of the outstandingly efficient service organizations in the United States Government, it should properly go to the Department of Defense, should it not?

Mr. HAYDEN. Or, conversely, if the reasoning, which I believe to be fallacious, upon which this plan is based is correct, then the Corps of Engineers, since it has just as much to do with transportation as does the Public Roads Administration, should also be transferred to the Department of Commerce.

Mr. CORDON. Exactly. Would it not appear—as I think the Senator has suggested—that in the investigation made by the so-called Hoover Commission, inadequate consideration was given by the transportation section of that Commission to the basic authority and duties of the Public Roads Administration or, as it was formerly known, the Bureau of Public Roads, a construction agency, and in no sense a transportation agency?

Mr. HAYDEN. Yes.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. All time is to be divided between or allotted by the Senator from Arizona [Mr. HAYDEN] and the Senator from Arkansas [Mr. MCCLELLAN].

Mr. LODGE. Mr. President, I should like to ask a question.

Mr. McCLELLAN. I yield 5 minutes of my time to the Senator from Massachusetts.

Mr. LODGE. I still do not understand why the President does not withdraw this order, if it is merely a lot of excess verbiage. If it is excess verbiage, it seems to me the simple thing for him to do is to withdraw the order, and not make Congress go through the procedure of voting on it.

Mr. HAYDEN. I understand that. But if the President did that, he would do two things which he does not want to do: First, such action would be construed as discrediting the Hoover Commission's recommendation.

Mr. LODGE. How could that be?

Mr. HAYDEN. That is to say, having issued an order prior to the enactment of this statute, if the President were to withdraw it now because the statute had been enacted in the meantime, that action could be construed as an abandonment of the project by the President.

The other reason is also obvious: The President does not like to disregard the advice of the Acting Attorney General; and the Acting Attorney General has—in a very strained way, I think—endorsed the proposal that the plan, not the law, be in effect.

Mr. LODGE. Mr. President, the Senator from Arizona is one of the ablest and most lucid Members of this body; but he has not been very lucid in his reply to my question, because I do not think it in any way discredits the Hoover Commission to say that some event which has occurred subsequent to the time when the Hoover Commission made its recommendation, makes its recommendation obsolete. There is nothing insulting or discrediting about that, and I cannot believe that the President has such a mistaken sense of loyalty toward his Attorney General, or Acting Attorney General, that he will fail to withdraw something that is obsolete and that is excess verbiage, and will require us to go through all this procedure and then to vote. I think there must be

something about this matter that does not meet the eye.

Mr. HAYDEN. I say that the only way to remove the inconsistency would be for the President to withdraw the plan. Some good lawyer told me that the President doubted that he had the power to withdraw the order.

Mr. LODGE. We find good lawyers on all sides of questions, of course.

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

Mr. HAYDEN. I yield 5 minutes of my time to the Senator from Pennsylvania, if he wishes to have it.

Mr. MARTIN. I simply wish to ask a question. Does the Public Roads Administration do any actual construction, except in public parks?

Mr. HAYDEN. Oh, yes; the Public Roads Administration has supervised the construction of the Inter-American Highway through Mexico to Panama. It is now doing work for the State Department in Turkey and Greece. It supervised the construction of the Alaskan Highway during the war.

As the Senator has mentioned, it does, every year, substantial construction in both the national forests and the national parks, and I believe it does some work on the Indian reservations.

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

Mr. HAYDEN. I yield.

Mr. MARTIN. So far as the relationship with the States is concerned, the Public Roads Administration does not do any construction work; does it?

Mr. HAYDEN. No; the theory of the Federal Highway Act from the beginning has been that the Federal Government would not build any State roads, but it would aid the States. The original act provided that unless a State had a State highway department—and half of the States did not have such departments at that time—it could not get the benefit of Federal aid. The State lets the contract; it lets it in accordance with specifications approved in advance by the Public Roads Administration. Then if the State builds the road in accordance with those specifications, the Public Roads Administration authorizes the making of the Federal payment to the State in the amount due.

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

Mr. HAYDEN. I yield.

Mr. ELLENDER. Assuming that this proposal were legal, does the Senator feel that the Public Roads Administration should be transferred to the Department of Commerce?

Mr. HAYDEN. I do not, because, as indicated by the Senator from Oregon, the purpose of the Department of Commerce is to improve commerce and transportation. The Department of Commerce has nothing to do with the construction of roads.

My contention is that this is a construction agency, not a transportation agency. Therefore it does not belong in the Department of Commerce.

Mr. ELLENDER. So the main objection the Senator has is to transferring the roads agency from where it is now to the Department of Commerce. Is that correct?

Mr. HAYDEN. Exactly so.

Mr. MYERS. Mr. President——

Mr. McCLELLAN. I yield to the Senator from Pennsylvania.

Mr. MYERS. Only in the last moment have we heard anything about the merits of the proposed transfer. There may be real, good, and substantial argument as to the merits of the proposed transfer of the Public Roads Administration to the Department of Commerce, under this reorganization plan. However, the Senator from Arizona has devoted practically all his time to a discussion of the legality of the proposed transfer.

I certainly believe his legal argument is unsound. I base that opinion in large part on the opinion of the Acting Attorney General, addressed to the President, which appears on page 11565 of the CONGRESSIONAL RECORD under date of Tuesday, August 16.

The plan was forwarded to Congress on June 20, as I recall. The act transferring the functions of the Federal Works Agency, including the Public Roads Administration, to the new agency was enacted into law on June 30, some 10 days or so after the plan was sent to us.

The Senator from Arizona bases his legal argument on two premises, and I think both of them are fully and completely unsound, according to the opinion of the Acting Attorney General.

The Senator from Arizona bases his argument on the assumption that by reason of the abolition of the Federal Works Agency, as is set forth in the opinion of the Acting Attorney General, nothing remains upon which the President can exercise his power of reorganization.

The Acting Attorney General says:

> This assumption is untenable. The Reorganization Act of 1949, as was the case with previous reorganization acts, deals primarily with functions and only secondarily with the transfer or abolition of agencies.
>
> What is contemplated by Reorganization Plan No. 7 is the transfer of certain functions which at all times have remained in existence; functions which were not in their substance affected by the enactment of the Property Act of 1949. Plan No. 7 calls for the transfer of public-roads functions to the Department of Commerce. That is a result which can actually and legally be achieved despite the enactment of the Federal Property Act.

So says the acting Attorney General. He then goes on in his opinion to answer the second objection which has been raised to plan No. 7. He states:

> A second objection to plan No. 7 which has been raised is based on an interpretation of the provisions of section 9 (a) (1) of the Reorganization Act of 1949 to the effect that that section was designed to anticipate the case where, following the submission of a reorganization plan, the Congress acted with respect to the agency or function affected in a manner inconsistent with the plan, and to make certain that in that situation the statute would have the same effect as if the reorganization had not been made.

Mr. President, where the Senator from Arizona goes far afield is, I think, that he forgets that in the original Reorganization Act of 1945 there was also another section, called section 5 (e). If that section were still in the law, the Senator's argument might then be a valid one, because section 5 (a) of the 1945 act provided:

> If, since January 1, 1945, Congress has by law established the status of any agency in relation to other agencies or transferred any function—

As I say, Mr. President, that was done in the public law transferring the Public Roads Administration to the new agency.

> If, since January 1, 1945, Congress has by law established the status of any agency in relation to other agencies or transferred any function to any agency, no reorganization plan shall provide for, and no reorganization under this act shall have the effect of, changing the status of such agency in relation to other agencies or of abolishing any such transferred function or providing for its exercise by or under the supervision of any other agency.

But, Mr. President, the Senator from Arizona neglected to advise the Senate that the provisions contained in section 5 (e) was omitted from the 1949 act. Had it been included, his argument might have been valid. Section 9 (a) (1), the remaining section, is clearly intended, as the acting Attorney General stated, as a saving provision designed to keep substantive authority and functions alive, despite the fact that the power to exercise such authority or functions is transferred by the reorganization plan. The acting Attorney General has given some examples.

So, Mr. President, there might be objection to the merits of the transfer, but unfortunately there has been no debate on the merits. The merits, I believe, might be argued. But on the legal question I believe every Senator and every lawyer could well argue that the President has a perfect right through the reorganization plan to transfer the Public Roads Administration to the Commerce Department, despite the fact that the Congress adopted and passed the Federal Property Act of 1949, some 10 days subsequent to the submission of plan No. 7.

I reiterate, we certainly should not reject this plan merely because of the tenuous legal argument advanced by counsel for the legislative committee. I think we should give more thoughtful concern to the opinion of the acting Attorney General. Senators may well differ on the merits of the transfer, I repeat, but it is my firm opinion that the President certainly has every right under the law to send to the Congress Reorganization Plan No. 7, and, within the law, can well transfer the Public Roads Administration to the Department of Commerce.

Mr. McCLELLAN. Mr. President, I yield 5 minutes to the Senator from New Mexico [Mr. CHAVEZ].

Mr. CHAVEZ. Mr. President, I dislike to disagree with the acting majority leader even on legal matters, but I recall, once upon a time, when I was going to law school, our professor said, "If you do not know the answer to a legal proposition, then decide for yourself what it should be." He said, "When you are asked, 'What is the law'? give an answer as to what it should be." In this instance, we have the trained legal mind of the acting majority leader against an ordinary Senator from Arizona.

Mr. MYERS. I thank the Senator.

Mr. WHERRY. Not too ordinary a Senator.

Mr. CHAVEZ. With all due respect to the legal training of my friend from Pennsylvania, I still think there is more good law in the argument of the Senator from Arizona than in the argument of the Senator from Pennsylvania. It is true the discussion has turned to legal matters. I believe the merits of the proposition should be discussed and understood. As I look around at Senators who are kind enough to be listening t the debate, I know they are all in favor of good roads. This is a matter of good roads, purely and simply. It is nothing that has anything to do with legal arguments, either pro or con.

If Senators want good roads to continue, if they want an agency which has made good in this country, if they want the only agency which has the respect of the entire American people, they should leave the Bureau of Public Roads where it is, and where it belongs, to do its work. The Bureau of Public Roads, under the administration of the present Commissioner is known not only nationally but internationally. The Commissioner is respected not only in this country but abroad. If we go to any State in the Union, including Pennsylvania, we find the people are more interested in good roads than they are in any matter of legislation that may be presented to them. Good roads affect the farmer. They also affect the businessmen. They affect everyone in the entire country. The matter is simple. Has any Senator at any time heard the least suggestion that the Bureau of Public Roads as now constituted and directed has wasted a penny of the taxpayers' money? It is purely and simply a construction agency. It has nothing whatever to do with regulating commerce as between the State of Pennsylvania and the State of Ohio. It is interested in constructing good roads in Pennsylvania.

As stated by the Senator from Arizona, while it actually does not go on the ground, nevertheless it sees to it that the agency of the State of Pennsylvania carries out the provisions which Congress placed in the law. When decision is made as to a contribution by the Federal Government, it sees that the specifications are correct. It inspects the materials going into every foot of road.

Mr. President, I venture to say that there is not a Senator present who has as much respect for any other agency or department of the Federal Government as he has for the Bureau of Public Roads. So, why a change, as a matter of merit? Every department coming before the Committee on Appropriations has trouble. I have been a member of that committee for many years. The departments, including the Department of Commerce, have a difficult time selling their ideas. But there has never been one iota of doubt as to the honesty and sincerity of purpose or the honesty of administration of the Bureau of Public Roads.

If there is one Senator who has contributed greatly to the idea of public roads, it is the Senator from Arizona [Mr. HAYDEN]. If there is one Senator who sticks to the administration it is the Senator from Arizona. I succeeded him on the committee of this body which has to do with public roads. I am happy and proud of the fact that this body has selected me as chairman of the Committee on Public Works, which has jurisdiction over public roads. That committee has no politics. It is composed of Democrats and Republicans, but they are interested in public roads, and its members attempt to carry out the basic idea of the Senator from Arizona. The Senator from Arizona is a reasonable, honest, administration man. He tells the Senate that this plan is wrong. He has no ulterior motive, no politics in regard to it, no idea of gaining a few votes somewhere. For 33 years he has led this body and the other body in matters concerning public roads, and he asks the Senate to understand and to realize that this plan is not sound.

I have no reason to know why the President did not withdraw the plan. As a matter of fact, I have no reason to know why he submitted it.

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

Mr. CHAVEZ. I yield.

Mr. MALONE. I should like to ask the distinguished Senator from New Mexico, this being a Federal highway department which we are asked to transfer to the Department of Commerce, whether the Department of Commerce, which has been a good department, has ever had anything to do with public roads?

Mr. CHAVEZ. It never has had. It controls and regulates transportation, for example, on the Chesapeake & Ohio Railway between here and Chicago, or any other transportation as such; but it never has had anything to do with the construction of a public highway. It is all new to that department.

Mr. MALONE. Mr. President, if the Senator will yield for one further question, has there ever been a breath of scandal or anything derogatory with regard to the Bureau of Public Roads?

Mr. CHAVEZ. It is one agency which stands high before the legislative body and before the American people. There are possibly 24 or more Senators in this body who have been Governors of their States. I asked them whether, while they were cooperating and receiving the benefits of the Federal Government in the construction of roads, they had ever had any difficulty with the Bureau of Public Roads, and the reply was that they had not.

Mr. MALONE. Mr. President, will the Senator yield further?

Mr. CHAVEZ. I yield.

Mr. MALONE. I should like to say to the Senator that at one time I was State engineer of Nevada, and I have just discussed with the head of that department this transfer. Of course they would conform, but they can hardly imagine—and nearly all of them are technical men—dealing with the Department of Commerce, where there is no comparable establishment at all. How would the Department of Commerce conform to this entirely new policy and this entirely new organization?

Mr. CHAVEZ. They will have to make the best of it. They are not in position to conform. They will do it, of course, if we put the responsibility upon them. But the question is, purely and simply, do we believe in good roads? Do we want to continue an honest administration of good roads? Do we want the States to have good roads? Do we want to get the farmer out of the mud? All right. Let us keep the situation as it is.

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

Mr. CHAVEZ. I yield.

Mr. LODGE. Does the Senator think the Hoover Commission is opposed to good roads?

Mr. CHAVEZ. The Hoover Commission, in its report, did not recommend that the Bureau of Public Roads should not be a construction agency. As outlined by the Senator from Arizona, the task force of the Hoover Commission, headed by Mr. Moses, recommended that it be kept the way it is at this time.

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

Mr. CHAVEZ. I yield.

Mr. MALONE. In view of the question asked by the Senator from Massachusetts, I should like to ask, inasmuch as it is with great reluctance that I vote against any of the reorganization plans, because in 1947, we initiated that kind of action and we are highly in favor of anything that will bring about greater efficiency and some economy, whether as a matter of fact, the Hoover Commission ever recommended such a thing.

Mr. CHAVEZ. Not that I understand. That is all I care to say.

The PRESIDING OFFICER. The Senator from Arkansas [Mr. MCCLELLAN] is recognized.

Mr. MCCLELLAN. Mr. President, if no other Senator wishes to speak on the resolution, I yield the time back to the Chair.

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

The PRESIDING OFFICER. The clerk will call the roll.

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

Anderson	Hickenlooper	Millikin
Baldwin	Hill	Morse
Bricker	Holland	Mundt
Bridges	Humphrey	Murray
Byrd	Hunt	Myers
Cain	Ives	Neely
Capehart	Jenner	O'Connor
Chapman	Johnson, Colo.	O'Mahoney
Chavez	Johnson, Tex.	Robertson
Connally	Johnston, S. C.	Russell
Cordon	Kefauver	Saltonstall
Donnell	Kem	Schoeppel
Douglas	Kerr	Smith, Maine
Downey	Kilgore	Smith, N. J.
Dulles	Knowland	Sparkman
Eastland	Langer	Stennis
Ecton	Lodge	Taft
Ellender	Long	Taylor
Ferguson	McCarran	Thomas, Okla.
Flanders	McCarthy	Thomas, Utah
Frear	McClellan	Thye
Fulbright	McFarland	Tydings
George	McKellar	Vandenberg
Gillette	McMahon	Watkins
Graham	Magnuson	Wherry
Green	Malone	Wiley
Gurney	Martin	Williams
Hayden	Maybank	Withers
Hendrickson	Miller	Young

The PRESIDING OFFICER. A quorum is present. The question is on agreeing to Senate Resolution 155.

Mr. McCLELLAN. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. McCLELLAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McCLELLAN. A vote in the affirmative for the resolution is a vote to reject Reorganization Plan No. 7, is it not?

The PRESIDING OFFICER. The Senator is correct. The question is on agreeing to Senate Resolution 155, which disapproves Reorganization Plan No. 7 of 1949. A Senator who does not favor the plan of reorganization will vote "yea." A Senator who favors the plan of reorganization will vote "nay."

The hour at the end of which the vote would have been taken will expire at 12 minutes past 6. Is there objection to proceeding to vote at this time, 4 minutes after 6 o'clock? The Chair hears no objection.

Mr. WHERRY. Mr. President, the acting majority leader is not on the floor at the moment, and I hope the Members of the Senate will remain after the vote, because a unanimcus consent request will be presented relative to the debate on the nomination of Attorney General Clark, and with respect to the time at which the nomination will be voted on. I see the acting majority leader now in the Chamber, and I may state to him that the announcement was made yesterday by the majority leader that today there would be a recess from 6 until 7 o'clock for dinner, and that we would proceed with the consideration of the nomination after that time.

Mr. MYERS. I think all Senators are aware of the fact that after we conclude the voting on Reorganization Plan No. 7, it is the intention to call the Executive Calendar. There are on the Executive Calendar three treaties which I believe are noncontroversial. Then the noncontroversial nominations on the calendar will be called, and we will then proceed to the consideration of the nomination of Hon. Tom C. Clark to be Associate Justice of the Supreme Court of the United States. I understand that we will be able to secure a unanimous-consent agreement to recess after the nomination is made the pending business, to convene at 12 o'clock tomorrow and to vote on the nomination at 3:30 o'clock p. m. tomorrow. I shall present the unanimous-consent request after the vote on the reorganization plan.

The PRESIDING OFFICER. The yeas and nays have been ordered on Senate Resolution 155, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MYERS. I announce that the Senator from North Carolina [Mr. HOEY], who is absent on public business, would vote "yea," if present.

The Senator from Illinois [Mr. LUCAS], who is absent on public business, would vote "nay," if present.

The Senator from Florida [Mr. PEPPER] is absent by leave of the Senate on public business.

I announce further that, if present and voting, the Senator from Rhode Island [Mr. McGRATH], who is absent on public business, would vote "nay."

Mr. SALTONSTALL. I announce that the Senator from Vermont [Mr. AIKEN], who is absent by leave of the Senate, has a general pair with the Senator from Nebraska [Mr. BUTLER], who is absent by leave of the Senate.

The Senator from Maine [Mr. BREWSTER] is necessarily absent.

The Senator from New Hampshire [Mr. TOBEY] is absent because of illness.

The Senator from Kansas [Mr. REED] is absent by leave of the Senate.

The result was—yeas 40, nays 47, as follows:

YEAS—40

Bricker	Holland	Morse
Cain	Hunt	Mundt
Chapman	Johnson, Colo.	Murray
Chavez	Johnson, Tex.	Robertson
Connally	Johnston, S. C.	Sparkman
Cordon	Kerr	Stennis
Donnell	McCarran	Thomas, Okla.
Ecton	McClellan	Thomas, Utah
Ellender	McFarland	Watkins
George	McKellar	Wherry
Gurney	Magnuson	Wiley
Hayden	Malone	Withers
Hickenlooper	Maybank	
Hill	Millikin	

NAYS—47

Anderson	Hendrickson	Neely
Baldwin	Humphrey	O'Conor
Bridges	Ives	O'Mahoney
Byrd	Jenner	Russell
Capehart	Kefauver	Saltonstall
Douglas	Kem	Schoeppel
Downey	Kilgore	Smith, Maine
Dulles	Knowland	Smith, N. J.
Eastland	Langer	Taft
Ferguson	Lodge	Taylor
Flanders	Long	Thye
Frear	McCarthy	Tydings
Fulbright	McMahon	Vandenberg
Gillette	Martin	Williams
Graham	Miller	Young
Green	Myers	

NOT VOTING—9

Aiken	Hoey	Pepper
Brewster	Lucas	Reed
Butler	McGrath	Tobey

The PRESIDING OFFICER. On this vote the yeas are 40, the nays are 47. The resolution is not agreed to, not having received the affirmative votes of a majority of the authorized membership of the Senate.

HOFFMAN'S WARNING TO THE 19 MARSHALL PLAN COUNTRIES

Mr. FULBRIGHT. Mr. President, I shall take but 1 minute of the Senate's time. I particularly want to commend Mr. Paul Hoffman for a statement which he made in Paris yesterday to the 19 Marshall plan countries. His statement was made at a meeting of the Organization for European Economic Cooperation in Paris. I desire to read one sentence he is reported to have uttered to that conference. These are the words of Mr. Hoffman:

> I want to say again and again and again to you that now is the time when there must be proof of accomplishment in the direction of genuine cooperation by the European nations to the end that this become as rapidly as possible a single market.

I think that shows that finally, after a year and a half, the ECA has come around to the view that there must be some coordination and unification economically of Europe.

The same article in the Washington Post quotes Mr. Andre Philipp, a Frenchman, of Strasbourg, France, as saying that "discouragingly little progress" has been made under the Marshall plan and that Europe is more divided economically than ever before. But the statement of Mr. Hoffman at least shows that at long last the ECA has come around to the view which I have described; and I assume that our State Department has endorsed that policy.

INDEPENDENT OFFICES APPROPRIATIONS—MOTION TO RECONSIDER

Mr. DOUGLAS. Mr. President, I rise to enter a motion that the Senate reconsider the vote whereby this body agreed to the House amendment to Senate amendment numbered 46 to House bill 4177, the independent offices appropriation bill for 1950. I should like to have the privilege of making a brief statement to clarify the situation, if I may.

Mr. WHERRY. Mr. President, will the Senator yield so that I may ask the majority leader a question?

Mr. DOUGLAS. I yield.

Mr. WHERRY. Would it not be possible at this time to get a unanimous-consent agreement with respect to the nomination of Mr. Clark to be Associate Justice of the Supreme Court, and the nomination of the Senator from Rhode Island [Mr. McGRATH] to be Attorney General?

Mr. MYERS. I do not believe the Senator from Illinois will take very long. Other Senators have taken time.

Mr. DOUGLAS. Mr. President, I shall take not more than 10 minutes.

The parliamentary situation with respect to Senate amendment 46 to H. R. 4177, the independent offices' appropriation bill, seems to be as follows:

Senate amendment 46 would have appropriated $21,667,000 to the Office of Housing Expediter for administrative expenses required to administer the Housing and Rent Act of 1947, as amended most recently by Congress in the Housing and Rent Act of 1949, approved March 30 of this year.

The 1949 act added to the administrative duties of the Office of Housing Expediter. It required him to designate an officer for each area rent office as a small landlord-tenant helper to assist them in obtaining the rights afforded them by the act. It increased the responsibilities of that office by extending the scope of its authority to initiate legal action against violators of the law, directly through action to recover damages for rent overcharges and indirectly by reporting to the Attorney General of the United States cases where there appeared to be grounds for seeking injunctions against violation of any part of the Rent Control Act. It also placed in the Office of Housing Expediter the entire duty of regulating evictions. Under the Housing and Rent Act of 1948, the Housing Expediter had no authority to regulate evictions.

In view of the need for carrying out these and other duties, the Bureau of the Budget approved an amount of $26,750,000 for administrative expenses. The request for that amount was considered by the Senate Committee on Appropriations, which had before it for consideration H. R. 4177, the independent offices appropriation bill. This bill

had been reported from the House Committee on Appropriations on April 11, 1949, and passed by the House on April 14, too early for inclusion of a request for an appropriation for administrative expenses of the Office of Housing Expediter. The Office was in no position to request appropriations for the current fiscal year until passage of the Housing Act of 1949, which was not approved by both Houses until March 30, 1949.

After consideration, the Senate Committee reduced the recommended appropriation by 10 percent to $24,075,000 and included it in H. R. 4177 as Senate amendment 46.

During the debate in the Senate on July 29, 1949, this amount was further reduced on the motion of the senior Senator from New Hampshire [Mr. BRIDGES] to $21,667,000 by the extremely narrow margin of 3 votes, the count being 45 to 42. In other words, after an initial cut of 10 percent, the Senate made a further cut of about 10 percent.

In this form, amendment 46 went into conference and the conferees were unable to reach an agreement. It was reported in disagreement by the conferees in Conference Report No. 1262, dated August 12. In the statement of the managers on the part of the House, the managers stated that they would move to recede and concur in the Senate amendment with an amendment.

Such a motion was made by the gentleman from Texas [Mr. THOMAS] on August 15 and was agreed to without discussion or explanation. The effect of this amendment was to reduce the appropriation from $21,667,500 to $17,500,000, or a further reduction of approximately 20 percent from the preceding figure.

This action by the House was embodied in a message from the House, strangely dated August 14, announcing its action on six Senate amendments to H. R. 4177 on which the conferees were unable to reach agreement. This message was received in the Senate late in the day of August 15 and was acted upon immediately without explanation, although without objection. The distinguished senior Senator from Wyoming [Mr. O'MAHONEY] moved that the Senate concur in the House amendments to the six Senate amendments to H. R. 4177 covered by the message, with the exception of amendment 74 having to do with veterans' educational aids. That motion was agreed to. No discussion was had relative to amendment 46.

I have requested reconsideration of that action as it affects amendment 46 because I would feel remiss in my duties were I not to invite the attention of the Members of this distinguished body to the unfortunate results which would flow from slashing the appropriations for the Office of Housing Expediter to $17,500,000.

For the last fiscal year, appropriations of $22,222,200 were made to that office. Some of that amount was made in the form of deficiency appropriations. In view of the additional duties placed upon the Housing Expediter only a few months ago by this same Congress, I assume it was not the intention of the conferees or of this body that the Housing Expediter engage in a wholesale dismissal of personnel. Since Congress must expect him to execute the duties vested in him, I would guess it was probably the thought of the conferees that he should continue to employ the personnel needed for that purpose until decreases in personnel are made possible by the tapering-off of the areas in which Federal rent controls are still effective. In view of the sizable reduction in appropriations below those approved by the Senate, I gather the conferees must have expected these decreases in over-all duties to occur rapidly as the present date for expiration of Federal rent controls, June 30, 1950, approaches. I assume, and would appreciate being corrected if this is not the case, that should this substantial tapering-off of duties of the Office of Housing Expediter not occur, the Senate committee would entertain a request for such deficiency appropriations as may be justified in the light of conditions as they exist when the current appropriation shall have been exhausted.

I personally feel that despite these assumptions, the amount of $17,500,000 is not sufficient to enable the Office of Housing Expediter to do an adequate job of executing the Federal rent control laws.

I therefore enter a motion to reconsider the vote whereby the Senate agreed to the House amendment to Senate amendment No. 46 to H. R. 4177, the independent offices appropriation bill for 1950.

The PRESIDING OFFICER. The motion will be entered.

EXECUTIVE SESSION

Mr. MYERS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

The PRESIDING OFFICER. (Mr. STENNIS in the chair). If there be no reports of committees, the clerk will proceed to state the business on the Executive Calendar.

INTERNATIONAL RECOGNITION OF RIGHTS IN AIRCRAFT—CONVENTION PASSED OVER

Executive E (81st Cong., 1st sess.), the Convention on the International Recognition of Rights in Aircraft, signed at Geneva on June 19, 1948, was announced as first in order.

Mr. MYERS. Mr. President, that treaty is to be passed over.

Mr. CONNALLY. Mr. President, this is a treaty which was handled in the subcommittee by the Senator from Florida [Mr. PEPPER]. It was thoroughly explained to the Foreign Relations Committee, and we think it should be ratified. It is not controversial. No one objected to it.

Mr. WHERRY. Mr. President, I had understood that the treaties to be considered were the remaining treaties on the calendar. Personally I have no objection to this particular treaty, but I should like very much to have an opportunity to consult with one or two Sentors who I know are vitally interested in the recognition of rights in aircraft before the treaty is approved. Would the Senator from Texas consent to allowing the treaty to go over until tomorrow?

Mr. CONNALLY. I shall be obliged to do so if the Senator from Nebraska so requests. There was no opposition in the committee to the treaty.

Mr. WHERRY. I understand that. However, one Senator asked me about the treaties to be considered, and I did not know that this treaty was to be considered. I understood that it was the remaining treaties which were to be considered.

Mr. CONNALLY. Very well.

The PRESIDING OFFICER. The treaty will be passed over.

INTERNATIONAL CONVENTION FOR THE NORTHWEST ATLANTIC FISHERIES

The Senate, as in Committee of the Whole, proceeded to consider the convention, Executive N (81st Cong., 1st sess.), the International Convention for the Northwest Atlantic Fisheries, formulated at the International Northwest Atlantic Fisheries Conference and signed at Washington under date of February 8, 1949, by the plenipotentiaries of the United States of America and by the plenipotentiaries of certain other governments, which was read the second time, as follows:

INTERNATIONAL CONVENTION FOR THE NORTHWEST ATLANTIC FISHERIES

The Governments whose duly authorized representatives have subscribed hereto, sharing a substantial interest in the conservation of the fishery resources of the Northwest Atlantic Ocean, have resolved to conclude a convention for the investigation, protection and conservation of the fisheries of the Northwest Atlantic Ocean, in order to make possible the maintenance of a maximum sustained catch from those fisheries and to that end have, through their duly authorized representatives, agreed as follows:

ARTICLE I

1. The area to which this Convention applies, hereinafter referred to as "the Convention area", shall be all waters, except territorial waters, bounded by a line beginning at a point on the coast of Rhode Island in 71°40′ west longitude; thence due south to 39°00′ north latitude; thence due east to 42°00′ west longitude; thence due north to 59°00′ north latitude; thence due west to 44°00′ west longitude; thence due north to the coast of Greenland; thence along the west coast of Greenland to 78°10′ north latitude; thence southward to a point in 75°00′ north latitude and 73°30′ west longitude; thence along a rhumb line to a point in 69°00′ north latitude and 59°00′ west longitude; thence due south to 61°00′ north latitude; thence due west to 64°30′ west longitude; thence due south to the coast of Labrador; thence in a southerly direction along the coast of Labrador to the southern terminus of its boundary with Quebec; thence in a westerly direction along the coast of Quebec, and in an easterly and southerly direction along the coasts of New Brunswick, Nova Scotia, and Cape Breton Island to Cabot Strait; thence along the coasts of Cape Breton Island, Nova Scotia, New Brunswick, Maine, New Hampshire, Massachusetts, and Rhode Island to the point of beginning.

2. Nothing in this Convention shall be deemed to affect adversely (prejudice) the claims of any Contracting Government in regard to the limits of territorial waters or to the jurisdiction of a coastal state over fisheries.

3. The Convention area shall be divided into five sub-areas, the boundaries of which shall be those defined in the Annex to this Convention, subject to such alterations as may be made in accordance with the provisions of paragraph 2 of Article VI.

ARTICLE II

1. The Contracting Governments shall establish and maintain a Commission for the purposes of this Convention. The Commission shall be known as the International Commission for the Northwest Atlantic Fisheries, hereinafter referred to as "the Commission."

2. Each of the Contracting Governments may appoint not more than three Commissioners and one or more experts or advisers to assist its Commissioner or Commissioners.

3. The Commission shall elect from its members a Chairman and a Vice Chairman, each of whom shall serve for a term of two years and shall be eligible for re-election but not to a succeeding term. The Chairman and Vice Chairman must be Commissioners from different Contracting Governments.

4. The seat of the Commission shall be in North America at a place to be chosen by the Commission.

5. The Commission shall hold a regular annual meeting at its seat or at such place in North America as may be agreed upon by the Commission.

6. Any other meeting of the Commission may be called by the Chairman at such time and place as he may determine, upon the request of the Commissioner of a Contracting Government and subject to the concurrence of the Commissioners of two other Contracting Governments, including the Commissioner of a Government in North America.

7. Each Contracting Government shall have one vote which may be cast by any Commissioner from that Government. Decisions of the Commission shall be taken by a two-thirds majority of the votes of all the Contracting Governments.

8. The Commission shall adopt and amend as occasion may require, financial regulations and rules and by-laws for the conduct of its meetings and for the exercise of its functions and duties.

ARTICLE III

1. The Commission shall appoint an Executive Secretary according to such procedure and on such terms as it may determine.

2. The staff of the Commission shall be appointed by the Executive Secretary in accordance with such rules and procedures as may be determined and authorized by the Commission.

3. The Executive Secretary shall, subject to the general supervision of the Commission, have full power and authority over the staff and shall perform such other functions as the Commission shall prescribe.

ARTICLE IV

1. The Contracting Governments shall establish and maintain a Panel for each of the sub-areas provided for by Article I, in order to carry out the objectives of this Convention. Each Contracting Government participating in any Panel shall be represented on such Panel by its Commissioner or Commissioners, who may be assisted by experts or advisers. Each Panel shall elect from its members a Chairman who shall serve for a period of two years and shall be eligible for re-election but not to a succeeding term.

2. After this Convention has been in force for two years, but not before that time, Panel representation shall be reviewed annually by the Commission, which shall have the power, subject to consultation with the Panel concerned, to determine representation on each Panel on the basis of current substantial exploitation in the sub-area concerned of fishes of the cod group (*Gadiformes*), of flat-fishes (*Pleuronectiformes*), and of rosefish (*genus Sebastes*), except that each Contracting Government with coastline adjacent to a sub-area shall have the right of representation on the Panel for the sub-area.

3. Each Panel may adopt, and amend as occasion may require, rules of procedure and by-laws for the conduct of its meetings and for the exercise of its functions and duties.

4. Each Government participating in a Panel shall have one vote, which shall be cast by a Commissioner representing that Government. Decisions of the Panel shall be taken by a two-thirds majority of the votes of all the Governments participating in that Panel.

5. Commissioners of Contracting Governments not participating in a particular Panel shall have the right to attend the meetings of such Panel as observers, and may be accompanied by experts and advisers.

6. The Panels shall, in the exercise of their functions and duties, use the services of the Executive Secretary and the staff of the Commission.

ARTICLE V

1. Each Contracting Government may set up an Advisory Committee composed of persons, including fishermen, vessel owners and others, well informed concerning the problems of the fisheries of the Northwest Atlantic Ocean. With the assent of the Contacting Government concerned, a representative or representatives of an Advisory Committee may attend as observers all non-executive meetings of the Commission or of any Panel in which their Government participates.

2. The Commissioners of each Contracting Government may hold public hearings within the territories they represent.

ARTICLE VI

1. The Commission shall be responsible in the field of scientific investigation for obtaining and collating the information necessary for maintaining those stocks of fish which support international fisheries in the Convention area and the Commission may, through or in collaboration with agencies of the Contracting Governments or other public or private agencies and organizations or, when necessary, independently:

(a) make such investigations as it finds necessary into the abundance, life history and ecology of any species of aquatic life in any part of the Northwest Atlantic Ocean;

(b) collect and analyze statistical information relating to the current conditions and trends of the fishery resources of the Northwest Atlantic Ocean;

(c) study and appraise information concerning the methods for maintaining and increasing stocks of fish in the Northwest Atlantic Ocean;

(d) hold or arrange such hearings as may be useful or essential in connection with the development of complete factual information necessary to carry out the provisions of this Convention;

(e) conduct fishing operations in the Convention area at any time for purposes of scientific investigation;

(f) publish and otherwise disseminate reports of its findings and statistical, scientific and other information relating to the fisheries of the Northwest Atlantic Ocean as well as such other reports as fall within the scope of this Convention.

2. Upon the unanimous recommendation of each Panel affected, the Commission may alter the boundaries of the sub-areas set out in the Annex. Any such alteration shall forthwith be reported to the Depositary Government which shall inform the Contracting Governments, and the sub-areas defined in the Annex shall be altered accordingly.

3. The Contracting Governments shall furnish to the Commission, at such time and in such form as may be required by the Commission, the statistical information referred to in paragraph 1 (b) of this Article.

ARTICLE VII

1. Each Panel established under Article IV shall be responsible for keeping under review the fisheries of its sub-area and the scientific and other information relating thereto.

2. Each Panel, upon the basis of scientific investigations, may make recommendations to the Commission for joint action by the Contracting Governments on the matters specified in paragraph 1 of Article VIII.

3. Each Panel may recommend to the Commission studies and investigations within the scope of this Convention which are deemed necessary in the development of factual information relating to its particular sub-area.

4. Any Panel may make recommendations to the Commission for the alteration of the boundaries of the sub-areas defined in the Annex.

5. Each Panel shall investigate and report to the Commission upon any matter referred to it by the Commission.

6. A Panel shall not incur any expenditure except in accordance with directions given by the Commission.

ARTICLE VIII

1. The Commission may, on the recommendations of one or more Panels, and on the basis of scientific investigations, transmit to the Depositary Government proposals, for joint action by the Contracting Governments, designed to keep the stocks of those species of fish which support international fisheries in the Convention area at a level permitting the maximum sustained catch by the application, with respect to such species of fish, of one or more of the following measures:

(a) establishing open and closed seasons;

(b) closing to fishing such portions of a sub-area as the Panel concerned finds to be a spawning area or to be populated by small or immature fish;

(c) establishing size limits for any species;

(d) prescribing the fishing gear and appliances the use of which is prohibited;

(e) prescribing an over-all catch limit for any species of fish.

2. Each recommendation shall be studied by the Commission and thereafter the Commission shall either

(a) transmit the recommendation as a proposal to the Depositary Government with such modifications or suggestions as the Commission may consider desirable, or

(b) refer the recommendation back to the Panel with comments for its reconsideration.

3. The Panel may, after reconsidering the recommendation returned to it by the Commission, reaffirm that recommendation, with or without modification.

4. If, after a recommendation is reaffirmed, the Commission is unable to adopt the recommendation as a proposal, it shall send a copy of the recommendation to the Depositary Government with a report of the Commission's decision. The Depositary Government shall transmit copies of the recommendation and of the Commission's report to the Contracting Governments.

5. The Commission may, after consultation with all the Panels, transmit proposals to the Depositary Government within the scope of paragraph 1 of this Article affecting the Convention area as a whole.

6. The Depository Government shall transmit any proposal received by it to the Contracting Governments for their consideration and may make such suggestions as will facilitate acceptance of the proposal.

7. The Contracting Governments shall notify the Depositary Government of their acceptance of the proposal, and the Depositary Government shall notify the Contracting

Governments of each acceptance communicated to it, including the date of receipt thereof.

8. The proposal shall become effective for all Contracting Governments four months after the date on which notifications of acceptance shall have been received by the Depositary Government from all the Contracting Governments participating in the Panel or Panels for the sub-area or sub-areas to which the proposal applies.

9. At any time after the expiration of one year from the date on which a proposal becomes effective, any Panel Government for the sub-area to which the proposal applies may give to the Depositary Government notice of the termination of its acceptance of the proposal and, if that notice is not withdrawn, the proposal shall cease to be effective for that Panel Government at the end of one year from the date of receipt of the notice by the Depositary Government. At any time after a proposal has ceased to be effective for a Panel Government under this paragraph, the proposal shall cease to be effective for any other Contracting Government upon the date a notice of withdrawal by such Government is received by the Depositary Government. The Depositary Government shall notify all Contracting Governments of every notice under this paragraph immediately upon the receipt thereof.

ARTICLE IX

The Commission may invite the attention of any or all Contracting Governments to any matters which relate to the objectives and purposes of this Convention.

ARTICLE X

1. The Commission shall seek to establish and maintain working arrangements with other public international organizations which have related objectives, particularly the Food and Agriculture Organization of the United Nations and the International Council for the Exploration of the Sea, to ensure effective collaboration and coordination with respect to their work and, in the case of the International Council for the Exploration of the Sea, the avoidance of duplication of scientific investigations.

2. The Commission shall consider, at the expiration of two years from the date of entry into force of this Convention, whether or not it should recommend to the Contracting Governments that the Commission be brought within the framework of a specialized agency of the United Nations.

ARTICLE XI

1. Each Contracting Government shall pay the expenses of the Commissioners, experts and advisers appointed by it.

2. The Commission shall prepare an annual administrative budget of the proposed necessary administrative expenditures of the Commission and an annual special projects budget of proposed expenditures on special studies and investigations to be undertaken by or on behalf of the Commission pursuant to Article VI or by or on behalf of any Panel pursuant to Article VII.

3. The Commission shall calculate the payments due from each Contracting Government under the annual administrative budget according to the following formula:

(a) from the administrative budget there shall be deducted a sum of 500 United States dollars for each Contracting Government;

(b) the remainder shall be divided into such number of equal shares as corresponds to the total number of Panel memberships;

(c) the payment due from any Contracting Government shall be the equivalent of 500 United States dollars plus the number of shares equal to the number of Panels in which that Government participates.

4. The Commission shall notify each Contracting Government the sum due from that Government as calculated under paragraph 3 of this Article and as soon as possible thereafter each Contracting Government shall pay to the Commission the sum so notified.

5. The annual special projects budget shall be allocated to the Contracting Governments according to a scale to be determined by agreement among the Contracting Governments, and the sums so allocated to any Contracting Government shall be paid to the Commission by that Government.

6. Contributions shall be payable in the currency of the country in which the seat of the Commission is located, except that the Commission may accept payment in the currencies in which it may be anticipated that expenditures of the Commission will be made from time to time, up to an amount established each year by the Commission in connection with the preparation of the annual budgets.

7. At its first meeting the Commission shall approve an administrative budget for the balance of the first financial year in which the Commission functions and shall transmit to the Contracting Governments copies of that budget together with notices of their respective allocations.

8. In subsequent financial years, the Commission shall submit to each Contracting Government drafts of the annual budgets together with a schedule of allocations, not less than six weeks before the annual meeting of the Commission at which the budgets are to be considered.

ARTICLE XII

The Contracting Governments agree to take such action as may be necessary to make effective the provisions of this Convention and to implement any proposals which become effective under paragraph 8 of Article VIII. Each Contracting Government shall transmit to the Commission a statement of the action taken by it for these purposes.

ARTICLE XIII

The Contracting Governments agree to invite the attention of any Government not a party to this Convention to any matter relating to the fishing activities in the Convention area of the nationals or vessels of that Government which appear to affect adversely the operations of the Commission or the carrying out of the objective of this Convention.

ARTICLE XIV

The Annex, as attached to this Convention and as modified from time to time, forms an integral part of this Convention.

ARTICLE XV

1. This Convention shall be ratified by the signatory Governments and the instruments of ratification shall be deposited with the Government of the United States of America, referred to in this Convention as the "Depositary Government".

2. This Convention shall enter into force upon the deposit of instruments of ratification by four signatory Governments, and shall enter into force with respect to each Government which subsequently ratifies on the date of the deposit of its instrument of ratification.

3. Any Government which has not signed this Convention may adhere thereto by a notification in writing to the Depositary Government. Adherences received by the Depositary Government prior to the date of entry into force of this Convention shall become effective on the date this Convention enters into force. Adherences received by the Depositary Government after the date of entry into force of this Convention shall become effective on the date of receipt by the Depositary Government.

4. The Depositary Government shall inform all signatory Governments and all adhering Governments of all ratifications deposited and adherences received.

5. The Depositary Government shall inform all Governments concerned of the date this Convention enters into force.

ARTICLE XVI

1. At any time after the expiration of ten years from the date of entry into force of this Convention, any Contracting Government may withdraw from the Convention on December thirty-first of any year by giving notice on or before the preceding June thirtieth to the Depositary Government which shall communicate copies of such notice to the other Contracting Governments.

2. Any other Contracting Government may thereupon withdraw from this Convention on the same December thirty-first by giving notice to the Depositary Government within one month of the receipt of a copy of a notice of withdrawal given pursuant to paragraph 1 of this Article.

ARTICLE XVII

1. The original of this Convention shall be deposited with the Government of the United States of America, which Government shall communicate certified copies thereof to all the signatory Governments and all the adhering Governments.

2. The Depositary Government shall register this Convention with the Secretariat of the United Nations.

3. This Convention shall bear the date on which it is opened for signature and shall remain open for signature for a period of fourteen days thereafter.

In witness whereof the undersigned, having deposited their respective full powers, have signed this Convention.

Done in Washington this eighth day of February 1949 in the English language.

For Canada:
STEWART BATES
For Denmark:
B DINESEN
For France:
With a reservation excluding paragraph 2 of Article I
M TERRIN
For Iceland:
THOR THORS
For Italy:
ALBERTO TARCHIANI
For His Majesty's Government in the United Kingdom and the Government of Newfoundland in respect of Newfoundland:
R GUSHUE
W. TEMPLEMAN
For Norway:
KLAUS SUNNANAA
GUNNAR ROLLEFSEN
OLAV LUND
For Portugal:
MANUEL CARLOS QUINTÃO MEYRELLES
ALFREDO DE MAGALHÃES RAMALHO
JOSÉ AUGUSTO CORREIA DE BARROS
AMÉRICO ÂNGELO TAVARES DE ALMEIDA
Cap. frag.
For Spain:
Reserving paragraph 2 of Article I
GERMÁN BARÁIBAR
For the United Kingdom of Great Britain and Northern Ireland:
A. T. A. DOBSON
A. J. AGLEN
For the United States of America:
W. M. CHAPMAN
WILLIAM E. S. FLORY
HILARY J. DEASON
FREDERICK L. ZIMMERMANN

ANNEX

1. The sub-areas provided for by Article I of this Convention shall be as follows:

Sub-area 1—That portion of the Convention area which lies to the north and east of a rhumb line from a point in 75°00′ north latitude and 73°30′ west longitude to a point in 69°00′ north latitude and 59°00′ west longitude; east of 59°00′ west longitude; and to the north and east of a rhumb line from a point in 61°00′ north latitude and 59°00′ west longitude to a point in 52°15′ north latitude and 42°00′ west longitude.

Sub-area 2—That portion of the Convention area lying to the south and west of sub-area 1 defined above and to the north of the parallel of 52°15′ north latitude.

Sub-area 3—That portion of the Convention area lying south of the parallel of 52°15′ north latitude; and to the east of a line extending due north from Cape Bauld on the north coast of Newfoundland to 52°15′ north latitude; to the north of the parallel of 39°00′ north latitude; and to the east and north of a rhumb line extending in a northwesterly direction which passes through a point in 43°30′ north latitude, 55°00′ west longitude, in the direction of a point in 47°50′ north latitude, 60°00′ west longitude, until it intersects a straight line connecting Cape Ray, on the coast of Newfoundland, with Cape North on Cape Breton Island; thence in a northeasterly direction along said line to Cape Ray.

Sub-area 4—That portion of the Convention area lying to the west of sub-area 3 defined above, and to the east of a line described as follows: beginning at the terminus of the international boundary between the United States of America and Canada in Grand Manan Channel, at a point in 44°46′ 35.34″ north latitude, 66°54′ 11.23″ west longitude; thence due south to the parallel of 43°50′ north latitude; thence due west to the meridian of 67°40′ west longitude; thence due south to the parallel of 42°20′ north latitude; thence due east to a point in 66°00′ west longitude; thence along a rhumb line in a southeasterly direction to a point in 42°00′ north latitude, 65°40′ west longitude; thence due south to the parallel of 39°00′ north latitude.

Sub-area 5—That portion of the Convention area lying west of the western boundary of sub-area 4 defined above.

2. For a period of two years from the date of entry into force of this Convention, Panel representation for each sub-area shall be as follows:

(a) *Sub-area 1*—Denmark, France, Italy, Norway, Portugal, Spain, United Kingdom;

(b) *Sub-area 2*—Denmark, France, Italy, Newfoundland;

(c) *Sub-area 3*—Canada, Denmark, France, Italy, Newfoundland, Portugal, Spain, United Kingdom;

(d) *Sub-area 4*—Canada, France, Italy, Newfoundland, Portugal, Spain, United States;

(e) *Sub-area 5*—Canada, United States; it being understood that during the period between the signing of this Convention and the date of its entry into force, any signatory or adhering Government may, by notification to the Depositary Government, withdraw from the list of members of a Panel for any sub-area or be added to the list of members of the Panel for any sub-area on which it is not named. The Depositary Government shall inform all the other Governments concerned of all such notifications received and the memberships of the Panels shall be altered accordingly.

INTERNATIONAL NORTHWEST ATLANTIC FISHERIES CONFERENCE, WASHINGTON, JANUARY 26 THROUGH FEBRUARY 8, 1949

FINAL ACT

The Governments of Canada, Denmark, France, Iceland, Italy, Newfoundland, Norway, Portugal, Spain, the United Kingdom of Great Britain and Northern Ireland and the United States of America, represented by plenipotentiary delegations, having accepted the invitation extended to them by the Government of the United States of America to participate in an International Northwest Atlantic Fisheries Conference; and

The Food and Agriculture Organization of the United Nations and the International Council for the Exploration of the Sea, having accepted the invitation extended to them by the Government of the United States of America to send observers to the said Conference;

Appointed their respective representatives, who are listed below by countries, and by organizations, in the order of alphabetical precedence:

CANADA

Delegate

Stewart Bates, Deputy Minister of Fisheries, Department of Fisheries—*Chairman*

Alternate Delegate

A. W. H. Needler, Assistant Deputy Minister of Fisheries, Department of Fisheries

Advisers

S. V. Ozere, Legal Adviser, Department of Fisheries

F. M. Tovell, Department of External Affairs

Secretary

F. H. Wooding, Information Officer, Department of Fisheries

DENMARK

Delegates

B. Dinesen, Head of Department, Ministry of Fisheries—*Chairman*

A. Vedel Täning, Head of Section, Commission for Denmark's Fisheries and Ocean Research.

Commodore Fritz Hammer Kjølsen, Naval Attaché, Embassy of Denmark, Washington

Laurids Thygesen, Chairman, West-Jutland Fisheries Association

Christian Djurhuus, Member, Local Government, Faroe Islands

Poul Marinus Hansen, Fisheries Biologist to the Administration of Greenland

Niels Bjerregaard, Chairman, Danish Fisheries Association

FRANCE

Delegates

Marius Terrin, Directeur des Pêches, Maritimes au Ministère de la Marine Marchande—*Chairman*

Jean Joseph Le Gall, Directeur de l'Office Scientifique et Technique des Pêches Maritimes

Robert Baudouy, Directeur par interim des Unions Internationales au Ministère des Affaires Etrangéres

Captain Louis J. Audigou, Administrateur en chef de l'Inscription Maritime, Washington

Andre Dezeustre, Mission de la Marine Marchande aux U. S. A., Bath Iron Works Corporation, Bath, Maine

ICELAND

Delegates

Thor Thors, Minister to the United States—*Chairman*

H. G. Andersen, Legal Adviser, Foreign Office

Arni Fridriksson, Director of the Fishery Department, University Research Institute, Reykjavik, Iceland

ITALY

Delegates

Alberto Tarchiani, Ambassador to the United States—*Chairman*

Clemente Boniver, Commercial Counselor, Embassy of Italy, Washington

Gian Vincenzo Soro, First Secretary, Embassy of Italy, Washington

Aldo Ziglioli, Assistant Commercial Attaché, Embassy of Italy, Washington

Salvatore Ippia, First Commercial Secretary, Embassy of Italy, Washington

NEWFOUNDLAND

Delegates

Raymond Gushue, Chairman, Newfoundland Fisheries Board—*Chairman*

Dr. W. Templeman, Director, Newfoundland Government Laboratory

NORWAY

Delegates

Klaus Sunnanaa, Director of Fisheries, Directorate of Fisheries—*Chairman*

Gunnar Rollefsen, Director of Institute of Marine Research, Directorate of Fisheries

Olav Lund, Division Chief, Directorate of Fisheries

Technical Advisers

Finn Bryhni, Norwegian Fisherman's Union

Knut Vartdal, Aalesund Shipowner Association

Eigil Nygaard, Counselor, Embassy of Norway, Washington

Magne Oppedal, Commercial Attaché, Embassy of Norway, Washington

PORTUGAL

Delegates

Rear Admiral Manuel C. Meyrelles, President of the Central Commission on Fisheries—*Chairman*

Dr. Alfredo M. Ramalho, Director, Government Marine Biology Station

Dr. Correia de Barros, Vice-President of Court of Accounting, Treasury Department

Captain Tavares de Almeida, Fishery Department

SPAIN

Delegates

Germán Baráibar, Minister Plenipotentiary and Chargé d'Affaires ad interim, Embassy of Spain, Washington—*Chairman*

Capitán de Navío Alvaro Guitián, Naval Attaché, Embassy of Spain, Washington

José Miguel Ruiz Morales, First Secretary of Embassy, Dirección General de Politica Económica, Ministry of Foreign Affairs, Madrid

Pedro Díaz de Espada, Shipowner, San Sebastian

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

Delegates

A. T. A. Dobson, Adviser, Ministry of Agriculture and Fisheries—*Chairman*

A. J. Aglen, Fisheries Secretary, Scottish Home Department

Advisers

J. S. Fawcett, Legal Adviser, British Embassy, Washington

S. J. Holt, Scientific Officer, Ministry of Agriculture and Fisheries

Dr. C. E. Lucas, Director, Fisheries Research, Scottish Home Department

P. J. Macfarlan, Assistant Agricultural Attaché, British Embassy, Washington

D. C. Tebbit, Second Secretary, British Embassy, Washington

R. S. Wimpenny, Deputy Director, Fisheries Research, Ministry of Agriculture and Fisheries

UNITED STATES OF AMERICA

Delegates

Wilbert M. Chapman, Special Assistant to the Under Secretary for Fisheries and Wildlife, Department of State—*Chairman*

William E. S. Flory, Deputy Special Assistant to the Under Secretary for Fisheries and Wildlife, Department of State

Hilary J. Deason, Chief, Office of Foreign Activities, Fish and Wildlife Service, Department of the Interior

Frederick L. Zimmermann, Consultant on Fisheries and Wildlife, Department of State

Advisers

Thomas Fulham, President, Federated Fishing Boats of New England and New York, Incorporated

Wayne D. Heydecker, Secretary-Treasurer, Atlantic States Marine Fisheries Commission, New York City

Milton C. James, Assistant Director, Fish and Wildlife Service, Department of the Interior

Captain Harold C. Moore, Coordinator for Interdepartmental and International Affairs, United States Coast Guard, Department of the Treasury

Patrick McHugh, Secretary-Treasurer, Atlantic Fishermen's Union (A. F. L.), Boston, Massachusetts

Richard Reed, Commissioner, Sea and Shore Fisheries, State of Maine

Secretary

Edward Castleman, Office of the Special Assistant to the Under Secretary for Fisheries and Wildlife, Department of State

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS

Observers

Dr. D. B. Finn, Director, Fisheries Division
Dr. J. L. Kask, Chief, Biological Branch, Fisheries Division

INTERNATIONAL COUNCIL FOR THE EXPLORATION OF THE SEA

Observers

A. T. A. Dobson, First Vice-President of the International Council for the Exploration of the Sea

Dr. Alfredo M. Ramalho, Vice-President of the International Council for the Exploration of the Sea

The Conference met at Washington on January 26, 1949, under the Temporary Chairmanship of Wilbert M. Chapman, Chairman of the Delegation of the United States of America.

Under the authority of the President of the United States of America the following officers were designated: Clarke L. Willard, Associate Chief, Division of International Conferences, Department of State, Secretary General of the Conference; Charles I. Bevans, Deputy Assistant for Treaty Affairs, Office of the Legal Adviser, Department of State, Treaty Adviser to the Conference; and Donald J. Chaney, Chief Counsel, Fish and Wildlife Service, Department of the Interior, Technical Secretary of the Conference.

At the opening session the Conference agreed unanimously to accept the staff members of the Secretariat provided by the Government of the United States of America.

Wilbert M. Chapman, Chairman of the Delegation of the United States of America, was elected Permanent Chairman of the Conference at the first session held on January 26, 1949, and Klaus Sunnanaa, Chairman of the Delegation of Norway was elected Vice Chairman of the Conference at the same session.

The general committees established by the Rules of Procedure adopted provisionally at the opening session were constituted as follows:

EXECUTIVE COMMITTEE

Wilbert M. Chapman (United States)—Chairman
Stewart Bates (Canada)
B. Dinesen (Denmark)
Marius Terrin (France)
Thor Thors (Iceland)
Alberto Tarchiani (Italy)
Raymond Gushue (Newfoundland)
Klaus Sunnanaa (Norway)
Rear Admiral Manuel C. Meyrelles (Portugal)
Germán Baráibar (Spain)
A. T. A. Dobson (United Kingdom)
William E. S. Flory (United States)
Arthur C. Nagle—Secretary

COMMITTEE ON CREDENTIALS

Marius Terrin (France)—Chairman
Stewart Bates (Canada)
German Baraibar (Spain)
Charles I. Bevans—Secretary

The following technical committees were appointed under authorization of unanimous votes of the Conference:

COMMITTEE ON DRAFTING

A. T. A. Dobson (United Kingdom)—Chairman
Stewart Bates (Canada)
B. Dinesen (Denmark)
Marius Terrin (France)
H. G. Andersen (Iceland)
Gian Vincenzo Soro (Italy)
Raymond Gushue (Newfoundland)
Klaus Sunnanaa (Norway)
Dr. Correia de Barros (Portugal)
Germán Baráibar (Spain)
A. J. Aglen (United Kingdom)
Wilbert M. Chapman (United States)
Barbara S. Williams—Secretary

COMMITTEE ON BIOLOGY

A. W. H. Needler (Canada)—*Chairman*
A. Vedel Täning (Denmark)
Poul Hansen (Denmark)
Jean Joseph Le Gall (France)
Arni Fridriksson (Iceland)
W. Templeman (Newfoundland)
Gunnar Rollefsen (Norway)
Alfredo M. Ramalho (Portugal)
José Miguel Ruiz Morales (Spain)
Pedro Díaz de Espada (Spain)
S. J. Holt (United Kingdom)
C. E. Lucas (United Kingdom)
R. S. Wimpenny (United Kingdom)
Hilary J. Deason (United States)
Milton C. James (United States)
Howard A. Schuck—Secretary

The final session was held on February 8, 1949.

As a result of the deliberations of the Conference the International Convention for the Northwest Atlantic Fisheries (hereinafter referred to as the Convention) was formulated and opened for signature on February 8, 1949, to remain open for signature for fourteen days thereafter.

The following resolutions and recommendations were adopted and the following statements were received:

I

The International Northwest Atlantic Fisheries Conference

Resolves:

1. To express its gratitude to the President of the United States of America, Harry S. Truman, for his initiative in convening the present Conference and for its preparation;

2. To express to its Chairman, Wilbert M. Chapman, and its Vice Chairman, Klaus Sunnanaa, its deep appreciation for the admirable manner in which they have guided the Conference and brought it to a successful conclusion;

3. To express to the Officers and Staff of the Secretariat its appreciation for their untiring services and diligent efforts in contributing to the fruition of the purposes and objectives of the Conference.

II

The International Northwest Atlantic Fisheries Conference

Resolves:

That the Government of the United States of America be authorized to publish the Final Act of this Conference, the text of the Convention, and to make available for publication such additional documents in connection with the work of this Conference as in its judgment may be considered in the public interest.

III

The International Northwest Atlantic Fisheries Conference

Recommends:

That in establishing and maintaining the International Northwest Atlantic Fisheries Commission the Contracting Governments give careful consideration to the following conclusions reached at the Conference:

1. *Finance:*

The probable cost of the Commission during its first year would be in the region of 40,000 dollars.

This estimate is to some extent based upon the present expenditure incurred by the International Council for the Exploration of the Sea, but it must be recognized that the cost of that organization cannot be used as an accurate guide to the possible cost of the new Commission on account of the rather specific and long-standing nature of its set-up. The precise amount would necessarily depend upon various considerations such as the location and cost of the office of the Commission for which certain facilities might be available either in the United States or in Canada.

2. *Staff:*

(1) It is desirable that the Executive Secretary of the Commission should be a biologist. At the same time it is still more important that he should be a man with great administrative and statistical ability. It should also be understood that after the Commission had begun to function normally it would probably be necessary at an early date to increase the staff by the addition of, for example, a statistician.

(2) The responsibilities of the staff of the Commission shall be exclusively international in character and they shall not seek or receive instructions in regard to the discharge of their functions from any authority external to the Commission. The Contracting Governments should fully respect the international character of the responsibilities of the staff and not seek to influence any of their nationals in the discharge of such responsibilities.

3. *Scientific Investigation:*

(1) In the field of scientific investigations the Commission should be primarily responsible for: (a) arrangement for and coordination of work by agencies, and (b) establishment of working relationships with international agencies. It is important, for the purposes of the Convention, that enlarged and coordinated scientific investigations should be carried out and such investigations in so far as possible should be conducted by agencies of the Contracting Governments or by public or private agencies (e. g., universities or private marine research laboratories). If investigations necessary to the purposes of the Convention cannot be arranged through existing Government, public, or private agencies, they should be undertaken by the Commission, but only in accordance with approved budgets. It is not contemplated that any such investigations conducted by Commission personnel or equipment would include field operations.

(2) The need for thorough consideration of the problems facing the Commission is paramount, and considerable time will be needed for assembling the material required for a determination of those problems. An informal interim committee of biologists might well be asked to assemble such material in advance of the coming into effect of the Convention, and the Government of Canada might take the initial measures to this end.

4. *Statistics:*

It is important, for purposes of the Convention, that improved statistics of the commercial fisheries in the Convention area should be collected and the Commission should have responsibility for the compilation and distribution of the fishery statistics furnished by the Contracting Governments in such form and at such times as the Commission may require.

IV

The International Northwest Atlantic Fisheries Conference

Requests:

That as soon as possible after entry into force of the International Convention for the Northwest Atlantic Fisheries the Depositary Government initiate steps for the holding of the first meeting of the International Commission for the Northwest Atlantic Fisheries

at some place in North America, without prejudice, however, to the determination of the ultimate location of the seat of the Commission.

V

The International Northwest Atlantic Fisheries Conference

Received:

The following joint statement from the French and Spanish Delegations:

"In the course of the Conference the French and Spanish Delegations have requested that the definition of coastal limits in the Convention area be put in said Convention.

"The Conference did not meet their request, considering that any discussion on this subject would lead to a definition of territorial waters and this matter was formally declared by the Conference out of its competence.

"The French and Spanish Delegations had to yield to the above decision.

"Consequently they cannot agree to paragraph 2 of Article I which, in their innermost belief, is a meddling of the Conference in the aforesaid matter."

VI

The International Northwest Atlantic Fisheries Conference

Records:

That, the Italian Delegation, not having received from its Government specific instructions on the text of paragraph 2 of Article I, as embodied in the Second Interim Draft of the Convention, abstained from voting on acceptance of that paragraph.

In witness whereof the following representatives have signed this Final Act.

Done in Washington this eighth day of February 1949 in the English language, the original of which shall be deposited with the Government of the United States of America. The Government of the United States of America shall transmit certified copies thereof to all the other Governments represented at the Conference.

For Canada:
STEWART BATES
A W H NEEDLER
S. V. OZERE
FREEMAN M TOVELL
F H WOODING

For Denmark:
B DINESEN
A. VEDEL TANING
F. H. KJOLSEN
LAUR. THYGESEN
K DJURHUUS
N BJERREGAARD
POUL M. HANSEN

For France:
M TERRIN
JEAN LE GALL
LOUIS J AUDIGOU

For Iceland:
THOR THORS

For Italy:
ALBERTO TARCHIANI

For His Majesty's Government in the United Kingdom and the Government of Newfoundland in respect of Newfoundland:
R GUSHUE
W. TEMPLEMAN

For Norway:
KLAUS SUNNANAA
GUNNAR ROLLEFSEN
OLAV LUND
FINN BRYHNI.
KNUT VARTDAL

For Portugal:
MANUEL CARLOS QUINTÃO MEYRELLES
ALFREDO DE MAGALHÃES RAMALHO
JOSÉ AUGUSTO CORREIA DE BARROS
AMÉRICO ÂNGELO TAVARES DE ALMEIDA

Cap. frag.

For Spain:
GERMÁN BARÁIBAR
ALVARO GUITIÁN
J. RUIZ MORALES
PEDRO DE ESPADA

For the United Kingdom of Great Britain and Northern Ireland:
A. T. A. DOBSON
A. J. AGLEN

For the United States of America:
W. M. CHAPMAN
WILLIAM E. S. FLORY
HILARY J. DEASON
FREDERICK L. ZIMMERMANN
WAYNE D. HEYDECKER
MILTON C JAMES
PATRICK MCHUGH
HAROLD C MOORE
THOMAS A. FULHAM
EDWARD CASTLEMAN

Observers:

For the Food and Agriculture Organization of the United Nations:
D. B. FINN

For the International Council for the Exploration of the Sea:
A. T. A. DOBSON
ALFREDO DE MAGALHÃES RAMALHO

[SEAL] CLARKE L. WILLARD
Secretary General

Mr. GREEN. Mr. President, I was instructed by the Foreign Relations Committee to report favorably this convention and the two conventions following it, all three being international conventions relating to fisheries.

The Committee on Foreign Relations, having heard testimony on the three fisheries conventions referred to it, unanimously recommends that the Senate gives its advice and consent to their ratification.

The objective of these agreements is to conserve the high-seas fisheries in which the United States has an interest. If this objective can be attained, the United States' fish supply will be expanded and the price of fish to the consumer will be reduced. Furthermore, the fishing industry—a great industry—will be promoted, because the diminution of the catch in the Atlantic will be arrested and the expansion of the catch in the Pacific will be further stimulated. Both of these fisheries are now threatened unless regulations are set up. But effective regulations cannot be applied by the United States alone, and international action is called for if all those who fish in these areas are to be covered. Also preliminary to any regulations is adequate knowledge of the fish life to be dealt with. This the conventions aim to supply.

These conventions are modeled upon the successful agreements with Canada under which the depletion of Pacific halibut and sockeye salmon has been arrested and the stocks of those fish increased. Each convention sets up an international commission for scientific investigation in order to arrest and remedy the decline in fish catch and the depletion of fish stocks. The Northwest Atlantic Convention, signed by nine governments in addition to our own, applies to ground fish, and provides for conservation regulations to be applied under certain safeguards. Both the Mexican and Costa Rican conventions are concerned with tuna fish, and tuna-like fish and tuna bait.

Compared with the advantages to be derived, the costs of all three conventions are relatively small. We already are spending $245,000 a year for investigations in the northwest Atlantic, a sum which is less than that spent by Canada for the same purpose. The conventions will not affect this expenditure. They will involve, over and above it, an annual operating cost of $725,000, of which $315,000 will cover new investigations in the northwest Atlantic and $410,000 will be for investigations in the eastern Pacific. Finally, in addition to these figures, there will be an initial cost of $700,000 for capital expenditures for the first 2 years, combined under the tuna conventions.

Since these fisheries together supply the American people with over a billion pounds of food a year, far in excess of the catch of any other nation in these fisheries, the expenses would probably be incurred anyway, even in the absence of the conventions, because the New England banks show an acute decline in commercial fish.

The committee wishes to emphasize that the conventions do not commit this country to any fixed sum. The Congress will determine the extent of our share in passing on the annual appropriation of the State Department and the Interior Department, in which the expenses of the conventions will be included.

Early ratification of the conventions is important; and since the United States has taken the lead in the negotiation of these conventions, its lead in ratification is most desirable. The Committee on Foreign Relations has unanimously reported all three conventions favorably to the Senate.

Mr. President, I have prepared a very much longer statement, giving the details of the respective treaties; but I know the Senate is anxious to take a recess, so I shall not read the statement, but merely ask unanimous consent that it may be printed at this point in the RECORD as a part of my remarks.

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

COMMENT ON THREE MARINE FISHERIES CONVENTIONS NOW BEFORE THE SENATE FOR ADVICE AND CONSENT TO RATIFICATION

Three conventions concerning the marine fisheries of the United States have been concluded and signed this year. These are: (1) Convention between the United States and Mexico for the establishment of an International Commission for the scientific investigation of tuna, signed in Mexico City, January 25, 1949; (2) International Convention for the Northwest Atlantic Fisheries, between the United States and nine other countries (Canada, Denmark, France, Iceland, Italy, Norway, Portugal, Spain, and the United Kingdom), signed in Washington under date of February 8, 1949; and (3) Convention between the United States and Costa Rica for the establishment of an Inter-American Tropical Tuna Commission, signed in Washington, May 31, 1949.

All three of these conventions have been submitted by the President to the Senate with a view to advice and consent to ratification. It is the purpose of these reports to show why the ratification of these conventions would be in the interests of the United States, and to indicate their relation to the over-all high seas fisheries

policy of the United States. The three conventions have certain elements in common, and these common elements are discussed first.

Under customary international law, as applied to fisheries, the high seas of the world have been considered to be a common ground where the fishermen of all nations have an equal right to pursue their trade.

The rapid developments in the techniques of fishing, increased mobility of the vessels, increased demand for the products of the sea, and so on, have created an entirely new situation in regard to the high-seas fisheries. Fishermen are no longer bound by necessity to fish close to their home ports. They now have the mechanical ability to range for thousands of miles in search of their catches.

This new development in world fisheries has created a serious threat to the productive ability of these fisheries. Since under international law no nation can control the activities of the fishermen of another nation on the high seas, no way has been available to prevent overfishing and a wastage of the resources of the sea. It is not practical to restrict the fishing of one group of fishermen on any particular fishing ground without restricting in the same manner the operations of other groups of fishermen on these same grounds.

To meet this situation President Truman issued a proclamation on September 28, 1945, which said in effect the following three things: (1) the United States may establish conservation zones on the high seas for the purpose of protecting its coastal fisheries from overfishing; (2) where only the fishermen of the United States are concerned the United States may do this unilaterally; where the fishermen of other nations are also concerned, the United States may do this in conjunction with such other nations; and (3) the United States recognizes the right of other nations to take similar steps to protect their coastal fisheries.

This proclamation was misinterpreted by several nations, which assumed it to mean that the United States would accept the extension of the sovereignty of those nations over the high seas off their coasts. The United States is strongly opposed to such extension of sovereignty on several grounds. The result of such extension of sovereignty out into the high seas could very well be disastrous to our interests in a number of high-seas fisheries. We have very important fisheries off the coasts of other countries, such as the Grand Banks fisheries in which United States fishermen have participated since the earliest history of our country; the shrimp fisheries in the Gulf of Mexico which were explored and developed by our fishermen; the tuna fishery off the west coast of Latin America which is a most valuable fishery and has been developed exclusively by United States fishermen; the several important fisheries which have been jointly developed by United States and Canadian fishermen off the coast of British Columbia.

To make the United States position crystal clear on this serious question, this Government has stated that the United States would be willing to place its fishermen under the same regulations as the fishermen of any other nation operating in any fishery provided that: (1) the regulations have been shown by scientific investigation to be necessary in order to prevent overfishing, and (2) the United States has an equal voice with any other nation in determing the regulations to be applied.

In one of the areas where our fishermen have operated off the coast of another country, in the Pacific Northwest, there has grown up over the past 25 years a form of joint management of fisheries by the nations involved which is without parallel in the history of nations for the success and amity with which these joint resources are managed. I refer to the management of the halibut fishery of the northeast Pacific by the International Fisheries Commission, and of the sockeye salmon fisheries of the Fraser River by the International Pacific Salmon Fisheries Commission. Both these are joint commissions participated in equally by the United States and Canada. The one has been in operation since 1924, the other since 1932. Each has been singularly successful in meeting the problems of conservation rising in these fisheries.

Similar problems of conservation have now arisen in two high seas fisheries areas in which we share participation with other nations. These are (1) the bottom fisheries of the northwest Atlantic (including the Grand Banks area), and (2) the tuna fisheries off western Latin America. We have sought to apply to these two new areas the lessons which we have learned in the Pacific northwest. The result is the three conventions which are under consideration.

These conventions have certain ultimate aims in common, which have been derived from the successful history of development of the halibut and salmon conventions mentioned above. These are:

1. A joint commission is established whose responsibility will be the management of the fisheries under its jurisdiction.

2. The commission is not given powers of regulation; and no regulation is contemplated until it has demonstrated by scientific investigation that regulation of fishing activity is required in order to make possible the maximum sustained yield from the fisheries.

3. Each nation has an equal voice on all actions taken by the Commission.

4. The fishing industry is assured a voice in the activities of the Commission through an official Advisory Committee.

5. Regulation of fishing activity by the Commission shall be solely for the purpose of making possible the maximum sustained yield from the fisheries.

The International Convention for the Northwest Atlantic Fisheries has the following particular provisions to meet local circumstances:

1. The vast area included under the convention is divided into five panel areas in order to provide as much simplification as possible in the Commission's work. These panels are drawn up on the basis of present biological and hydrographic information to provide reasonably natural units. Provision is made for later modification of the boundaries of these panel areas if new information indicates that to be desirable.

2. The primary unit of action by the Commission is the panel. It is anticipated that representation on the panel will be limited to those countries having a special interest in that particular area by reason of having a coast line contiguous to the area or having a substantial fishery in the area.

3. After an initial 2-year period, adjustment can be made annually in the national composition of the panels. This is with a view of having representation on each panel of nations whose fishermen will be affected by actions of the panel.

4. The primary initial duty of the Commission will be to obtain, collate, and disseminate scientific information necessary for the proper management of the fisheries.

5. A mechanism is provided by which recommendations made by the Commission to member governments can be translated by the latter into regulations which would apply to all the fishermen in the area.

6. All the 10 nations whose nationals participate in the fisheries of the area are signatory to this convention. Provision is made for the adherence at a later date by nations not now included.

The Mexican and Costa Rican Conventions cover the tuna fisheries of the Pacific Ocean, and should be considered as a unit. They were concluded separately because the United States and Mexico have several problems in common regarding the tuna fisheries which have no counterparts in the relations of the United States with the countries to the south of Mexico. For example, the bluefin tuna and the albacore tuna which form the basis of important fisheries off northern Mexico and the United States do not occur south of central Mexico and are, therefore, of no interest to the southern countries. Again, a large fleet of small vessels works out of northern Mexican and southern California ports which present special problems, but their operation does not extend south of central Mexico. In general due to their geographic continuity the United States and Mexico have many joint problems of fisheries management which differentiate their concerns from those of the nations to the south, and make the separate convention highly desirable.

Nevertheless the yellowfin tuna and the skipjack tuna which are the primary species of concern to the Inter-American Tropical Tuna Commission also occur off Mexico as well as the other countries as far south, at least, as Peru.

Consequently, it is of prime necessity that the investigative and other activities of the two tuna commissions intermesh in an intimate manner, and also that the work of the two commissions be integrated with the tuna research being carried out by the State of California, the State of Oregon, and the Federal Government through the agency of the Fish and Wildlife Service of the Department of the Interior.

The United States proposes to insure such integration of work on its part by the following means:

1. The United States Commissioners for the Inter-American Tropical Tuna Commission will be the same persons as the United States Commissioners for the International Commission for the scientific investigation of Tuna.

2. The Advisory Committee to the United States Commissioners will for the most part be the same persons for both Commissions.

3. Provided that the other countries are agreeable, the Director of Investigations for both Commissions will be the same man.

4. Three of the United States commissioners shall be men on the policy-making level of the following three organizations: United States Fish and Wildlife Service, California State Division of Fish and Game, and the Oregon Fish Commission. This will insure the effective integration of all United States effort in this field of work.

With respect to the Costa Rican Convention, other nations as far south as Peru have a concern in the yellowfin and skipjack tuna fisheries. Accordingly, provision is made in that convention for the adherence at a later date of any country whose nationals participate in these fisheries.

The Mexican and Costa Rican Conventions are otherwise substantially similar. Both are modeled closely after the halibut convention which set up the International Fisheries Commission between the United States and Canada in 1924, and has worked much to the satisfaction of these two countries and their fishermen for the past 25 years.

All three of the conventions now under consideration by the Senate have the strong support of the affected industry, labor, boat owners, and management of the official fisheries agencies of the States concerned, and of this Government. To the best of my knowledge there is no opposition of any kind to any one of the three conventions.

Let me add one comment:

Considerable time and effort have been expended by the officials of the State Department and the United States Fish and Wildlife Service in preparing this treaty for ratification by the Senate.

Among those who have worked hard and faithfully and, who I believe, is more responsible than any other individual for arousing interest in the treaty, is Mr. Leonard O. Warner, a special correspondent for the Providence Journal and Evening Bulletin. He wrote a series of very enlightening articles for these papers and we who have lived with the treaty since its inception know of his untiring efforts both in assisting the various Government agencies in its preparation and also in calling to the attention of the general public the advantages of the treaty.

As one who knows of Mr. Warner's great interest in the treaty I wish at this time to extend heartfelt thanks to him for this great service.

Mr. LODGE. Mr. President, as a member of the subcommittee which considered these treaties, I should like to endorse what the Senator from Rhode Island has said, and to say that the subcommittee was unanimous in support of the treaties.

I personally circularized persons with whom I am acquainted whose lifetime has been dedicated to the fishing industry, and I think all are in favor of these treaties. In particular, I think the Atlantic treaty is of great moment to the section of the country from which I come. It may, we hope, lead to the taking of measures which will introduce some real conservation into that important national resource, which now, I regret to say, is very gravely threatened with damage to producers and, of course, consumers alike.

So I hope the treaties will be ratified.

Mr. SALTONSTALL. Mr. President, I wish to join my colleague in saying that these treaties mean much to those of us in Massachusetts, where the fishing industry is so important to our industrial life.

Mr. KNOWLAND. Mr. President, I join in the request for favorable action which has been made by the able Senator from Rhode Island. On the Pacific coast, representatives of industry and labor and representatives of the State Department joined together on this matter. I believe it has universal support. I have heard of no opposition to the Pacific treaty.

Mr. CONNALLY. Does the Senator favor all three of the treaties?

Mr. KNOWLAND. Oh, yes; I favor all three of them.

Mr. MAGNUSON. Mr. President, I, too, wish to support these treaties and wish to add my voice to those of other Senators in their behalf.

I was impressed with what the Senators from the Northeastern States, who are members of the Foreign Relations Committee, have had to say regarding this matter.

The experience which has been had with halibut and other ground fish is now being had in the Pacific Northwest in regard to sockeye salmon. We have found that by establishing there the pattern which already has been established in other fisheries in reference to ground fish, we have been able to revive a great deal of the sockeye salmon fishery.

The ratification of these treaties will mean a great deal to the fishing industry up and down the Pacific coast.

I should like to say that these treaties are not necessarily the work of any one man. It happens that some months ago a group of us attempted to impress upon the State Department the necessity of having someone at a higher policy level represent us in such negotiations with other countries, in contrast to what has occurred in the past in connection with negotiations and conferences regarding fisheries. In such matters in the past representatives of the United States who have gone to international fishery meetings have been representatives from the Fish and Wildlife Service, a subhead of a subdepartment of a subbureau. At those international meetings they have dealt with ministers and cabinet members of other nations. We were somewhat successful in having a change made in that situation. One man in the State Department is largely responsible for that change. He happens to come from the State of Washington. I refer to Dr. Chapman, an eminent scientist in Fisheries.

I am sure that the result of having persons who are on a higher policy level handle these matters in behalf of the United States has not only stimulated the taking of this action, but also will aid the entire fishing industry in the United States in the future.

The PRESIDING OFFICER. The convention is open to amendment.

If there be no amendment to be proposed, the convention will be reported to the Senate.

The convention was reported to the Senate without amendment.

The PRESIDING OFFICER. The resolution of ratification will be read.

The legislative clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive N, Eighty-first Congress, first session, an international convention for the northwest Atlantic fisheries, formulated at the international northwest Atlantic fisheries conference and signed at Washington under date of February 8, 1949, by the plenipotentiary of the United States of America and by the plenipotentiaries of certain other governments.

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification. [Putting the question.] Two-thirds of the Senators present concurring therein, the resolution of ratification is agreed to, and the convention is ratified.

TUNA CONVENTION BETWEEN THE UNITED STATES AND MEXICO

The Senate, as in Committee of the Whole, proceeded to consider the convention, Executive K (81st Cong., 1st sess.), a convention between the United States of America and Mexico for the establishment of an International Commission for Scientific Investigation of Tuna, signed at Mexico City, January 25, 1949; which was read the second time, as follows:

CONVENTION FOR THE ESTABLISHMENT OF AN INTERNATIONAL COMMISSION FOR THE SCIENTIFIC INVESTIGATION OF TUNA

PREAMBLE

The United States of America and the United Mexican States considering their respective interests in maintaining the populations of certain tuna and tunalike fishes in the waters of the Pacific Ocean off the coasts of both countries, and desiring to cooperate in scientific investigation, and in the gathering and interpretation of factual information to facilitate maintaining the populations of these fishes at a level which will permit the maximum reasonable utilization without depletion year after year, have agreed to conclude a Convention for these purposes and to that end have named as their Plenipotentiaries:

The President of the United States of America:

Walter Thurston, Ambassador Extraordinary and Plenipotentiary of the United States of America in Mexico;

The President of the United Mexican States:

Manuel Tello, acting Secretary of Foreign Relations;

who having communicated to each other their full powers, found to be in good and due form, have agreed as follows:

ARTICLE I

1.—The High Contracting Parties agree to establish and operate a joint commission, to be known as the International Commission for the Scientific Investigation of Tuna, hereinafter referred to as the Commission, which shall carry out the objectives of this Convention. The Commission shall be composed of two national sections, a United States section, consisting of four members, appointed by the Government of the United States of America, and a Mexican section consisting of four members, appointed by the Government of the United Mexican States.

2.—The Commission shall submit annually to the respective Governments a report on its findings, with appropriate recommendations, and shall also inform them, whenever it is deemed advisable, on any matter relating to the objectives of this Convention.

3.—The expenses incurred by each national section for its own personnel, offices and operation, including emoluments, transportation and subsistence, shall be borne by its government. Joint expenses incurred by the Commission shall be paid by the High Contracting Parties in the form and proportion recommended by the Commission and approved by the High Contracting Parties.

4.—Both the general annual program of activities and the budget of joint expenses shall be recommended by the Commission and submitted for approval to the High Contracting Parties.

5.—The High Contracting Parties shall decide on the most convenient place for the establishment of the Commission's headquarters.

6.—The Commission shall meet at least twice each year and at such other times as may be requested by either national section. The date and place of the first meeting shall be determined by agreement between the High Contracting Parties.

7.—At its first meeting the Commission shall select a chairman from the members of one national section and a secretary from the members of the other national section. The chairman and secretary shall hold office for a period of one year. During succeeding years, selection of the chairman and secretary shall alternate between the respective national sections.

8.—Each national section shall have one vote. Decisions, resolutions, and recommendations of the Commission shall be made only by approval of both sections.

9.—The Commission shall be entitled to adopt and to amend subsequently, as occasion may require, by laws or rules for the conduct of its meetings and for the performance of its functions and duties. Such by-laws, rules or amendments shall be referred by the Commission to the Governments and shall become effective thirty days from the date

of receipt of notification unless disapproved by either of the two Governments within that period.

10.—The Commission shall be entitled to employ necessary personnel for the performance of its functions and duties. The appointments shall be distributed equitably between nationals of the United States and Mexico except in special instances in which the appointment of persons of other nationalities is desirable.

11.—Each section of the Commission may appoint its own advisors who may attend sessions of the Commission in their advisory capacity when the Commission so determines. Each section may meet separately with advisors from its own country when it deems such meetings desirable.

12.—Each section of the Commission may hold public hearings within the territory of its own country.

13.—The Commission shall designate simultaneously a Director and an Assistant Director of Investigations, who shall be technically competent and shall be responsible to the Commission. One of these functionaries shall be a national of the United States and the other a national of Mexico. Subject to the instruction of the Commission and with its approval, the Director shall have charge of:

(a) the drafting of programs of investigation, and the preparation of budget estimates for the Commission;

(b) authorizing the disbursement of the funds for the joint expenses of the Commission;

(c) the accounting of the funds for the joint expenses of the Commission;

(d) the appointment and immediate direction of technical and any other personnel required for the scientific functions of the Commission;

(e) arrangements for the cooperation with other organizations or individuals in accordance with paragraph 18 of this Article;

(f) the coordination of the work of the Commission with that of organizations and individuals whose cooperation has been arranged for;

(g) the drafting of administrative, scientific and other reports for the Commission;

(h) the performance of such other duties as the Commission may require.

14.—The Assistant Director shall assist the Director of Investigations in all his functions, and shall substitute for him during his temporary absences. Both the Director and the Assistant Director of Investigations may be freely removed by the Commission.

15.—The official languages of the Commission shall be English and Spanish, and members of the Commission may use either language during meetings. When necessary, translation shall be made to the other language. The minutes, official documents and publications of the Commission shall be in both languages, but official correspondence of the Commission may be written at the discretion of the secretary in either language.

16.—Representatives of both national sections shall be entitled to participate in all work carried out by the Commission or under its auspices.

17.—Each national section shall be entitled to obtain certified copies of any documents pertaining to the Commission except that the Commission will adopt and may amend subsequently rules to insure the confidential character of records of statistics of individual catches and individual company operations. These rules and amendments shall be referred to the Governments in accordance with the procedures of paragraph 9 of this Article.

18.—In the performance of its duties and functions the Commission may request the technical and scientific services of and information from official agencies of the High Contracting Parties and any international, public, or private institution or organization or any private individual.

ARTICLE II

The Commission shall perform the following functions and duties:

1.—Make investigations: (a) concerning the abundance, biology, biometry, and ecology of the yellowfin, bluefin, and albacore tunas, bonitos, yellowtails, and skipjacks (hereinafter referred to as tuna and tuna-like fishes) in the waters of the Pacific Ocean off the coasts of both countries and eleswhere as may be required, and of the kinds of fishes commonly used as bait in tuna fishing; and (b) concerning the effects of natural factors and human activities on the abundance of the populations of fishes to which this Convention refers.

2.—Collect and analyze information relating to the current and past conditions and trends of the populations of the tuna and tuna-like fishes and tuna-bait fishes of the waters of the Pacific Ocean off the coasts of both countries and elsewhere as may be required.

3.—Study and appraise information concerning methods and procedures for maintaining and increasing the populations of tuna and tuna-like fishes and tuna-bait fishes in the waters of the Pacific Ocean off the coasts of both countries and elsewhere as may be required.

4.—Conduct such fishing and other activities, on the high seas and in the waters which are under the jurisdiction of either High Contracting Party, as may be necessary to attain the ends referred to in sub-paragraphs 1, 2 and 3 of this Article.

5.—Obtain statistics and all kinds of reports concerning catches, operations of fishing boats and other information concerning the fishing for tuna and tuna-like fishes and the tuna-bait fishes. The High Contracting Parties shall, if necessary, enact legislation in order to make it obligatory for the boat captains or other persons who participate in these fishing activities to keep records of operations, including the volume of the catch by species and the area in which caught, all of these in the form and with such frequency as the Commission deems necessary.

6.—Publish or otherwise disseminate reports relative to the results of its findings and such other reports as fall within the scope of this Convention, as well as scientific, statistical, and other data relating to the fisheries for tuna and tuna-like fishes and tuna-bait fishes in the waters of the Pacific Ocean off the coasts of both countries and elsewhere as may be required.

ARTICLE III

1.—The present Convention shall be ratified in accordance with the constitutional procedures of each country and the instruments of ratification shall be exchanged at Washington as soon as possible.

2.—The present Convention shall enter into force on the date of exchange of ratifications. It shall remain in force for a period of four years and thereafter until one year from the day on which either of the High Contracting Parties shall give notice to the other High Contracting Party of its intention of terminating the Convention.

3.—In the event of termination of the Convention, property supplied to the Commission by the High Contracting Parties shall be returned to that High Contracting Party which originally provided it. Property otherwise acquired by the Commission, with the exception of the archives, shall be returned to the High Contracting Parties taking into account the proportion in which they shall have contributed to the expenses of the Commission.

4.—At the termination of this Convention the High Contracting Parties shall divide the archives of the Commission as follows: The United States of America shall receive the part in English and the United Mexican States, the part in Spanish. Either of the two countries shall be able to obtain certified copies of any document from the archives of the Commission which is in the possession of the other. These archives may be consulted at any time for this purpose by authorized representatives of the government not having in its possession the archives which it wishes to consult. This paragraph shall be subject to the provisions of Paragraph 17 of Article I of this Convention.

In witness whereof the respective Plenipotentiaries have signed the present Convention and have affixed their seals.

Done in duplicate, in the English and Spanish Languages, at Mexico City this twenty-fifth day of January one thousand nine hundred and forty-nine.

WALTER THURSTON.
MANUEL TELLO.

The PRESIDING OFFICER. The convention is open to amendment. If there be no amendment to be proposed, the convention will be reported to the Senate.

The convention was reported to the Senate without amendment.

The PRESIDING OFFICER. The resolution of ratification will be read.

The legislative clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive K, Eighty-first Congress, first session, a convention between the United States of America and Mexico for the establishment of an international commission for the scientific investigation of tuna, signed at Mexico City, January 25, 1949.

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification. [Putting the question.] Two-thirds of the Senators present concurring therein, the resolution of ratification is agreed to, and the convention is ratified.

TUNA CONVENTION BETWEEN THE UNITED STATES AND COSTA RICA

The Senate, as in Committee of the Whole, proceeded to consider the convention, Executive P, a convention between the United States of America and Costa Rica for the establishment of an Inter-American Tropical Tuna Commission, signed at Washington, D. C., May 31, 1949, which was read the second time, as follows:

CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF COSTA RICA FOR THE ESTABLISHMENT OF AN INTER-AMERICAN TROPICAL TUNA COMMISSION

The United States of America and the Republic of Costa Rica considering their mutual interest in maintaining the populations of yellowfin and skipjack tuna and of other kinds of fish taken by tuna fishing vessels in the eastern Pacific Ocean which by reason of continued use have come to be of common concern, and desiring to cooperate in the gathering and interpretation of factual information to facilitate maintaining the populations of these fishes at a level which will permit maximum sustained catches year after year, have agreed to conclude a Convention for these purposes and to that end have named as their Plenipotentiaries:

The President of the United States of America:

James E. Webb, Acting Secretary of State

Wilbert M. Chapman, Special Assistant to the Under Secretary of State

The President of the Government of Costa Rica:

Mario A. Esquivel, Ambassador Extraordinary and Plenipotentiary of Costa Rica

Jorge Hazera, Counselor of the Embassy of Costa Rica

who, having communicated to each other their full powers, found to be in good and due form, have agreed as follows:

ARTICLE I

1. The High Contracting Parties agree to establish and operate a joint Commission, to be known as the Inter-American Tropical Tuna Commission, hereinafter referred to as the Commission, which shall carry out the objectives of this Convention. The Commission shall be composed of national sections, each consisting of from one to four members, appointed by the Governments of the respective High Contracting Parties.

2. The Commission shall submit annually to the Government of each High Contracting Party a report on its investigations and findings, with appropriate recommendations, and shall also inform such Governments, whenever it is deemed advisable, on any matter relating to the objectives of this Convention.

3. Each High Contracting Party shall determine and pay the expenses incurred by its section. Joint expenses incurred by the Commission shall be paid by the High Contracting Parties through contributions in the form and proportion recommended by the Commission and approved by the High Contracting Parties. The proportion of joint expenses to be paid by each High Contracting Party shall be related to the proportion of the total catch from the fisheries covered by this Convention utilized by that High Contracting Party.

4. Both the general annual program of activities and the budget of joint expenses shall be recommended by the Commission and submitted for approval to the High Contracting Parties.

5. The Commission shall decide on the most convenient place or places for its headquarters.

6. The Commission shall meet at least once each year, and at such other times as may be requested by a national section. The date and place of the first meeting shall be determined by agreement between the High Contracting Parties.

7. At its first meeting the Commission shall select a chairman and a secretary from different national sections. The chairman and the secretary shall hold office for a period of one year. During succeeding years, selection of the chairman and the secretary from the national sections shall be in such a manner that the chairman and the secretary will be of different nationalities, and as will provide each High Contracting Party, in turn, with an opportunity to be represented in those offices.

8. Each national section shall have one vote. Decisions, resolutions, recommendations, and publications of the Commission shall be made only by a unanimous vote.

9. The Commission shall be entitled to adopt and to amend subsequently, as occasion may require, by-laws or rules for the conduct of its meetings.

10. The Commission shall be entitled to employ necessary personnel for the performance of its functions and duties.

11. Each High Contracting Party shall be entitled to establish an Advisory Committee for its section, to be composed of persons who shall be well informed concerning tuna fishery problems of common concern. Each such Advisory Committee shall be invited to attend the non-executive sessions of the Commission.

12. The Commission may hold public hearings. Each national section also may hold public hearings within its own country.

13. The Commission shall designate a Director of Investigations who shall be technically competent and who shall be responsible to the Commission and may be freely removed by it. Subject to the instruction of the Commission and with its approval, the Director of Investigations shall have charge of:

(a) the drafting of programs of investigations, and the preparation of budget estimates for the Commission;

(b) authorizing the disbursement of the funds for the joint expenses of the Commission;

(c) the accounting of the funds for the joint expenses of the Commission;

(d) the appointment and immediate direction of technical and other personnel required for the functions of the Commission;

(e) arrangements for the cooperation with other organizations or individuals in accordance with paragraph 16 of this Article;

(f) the coordination of the work of the Commission with that of organizations and individuals whose cooperation has been arranged for;

(g) the drafting of administrative, scientific and other reports for the Commission;

(h) the performance of such other duties as the Commission may require.

14. The official languages of the Commission shall be English and Spanish, and members of the Commission may use either language during meetings. When requested, translation shall be made to the other language. The minutes, official documents, and publications of the Commission shall be in both languages, but official correspondence of the Commission may be written, at the discretion of the secretary, in either language.

15. Each national section shall be entitled to obtain certified copies of any documents pertaining to the Commission except that the Commission will adopt and may amend subsequently rules to ensure the confidential character of records of statistics of individual catches and individual company operations.

16. In the performance of its duties and functions the Commission may request the technical and scientific services of, and information from, official agencies of the High Contracting Parties, and any international, public, or private institution or organization, or any private individual.

ARTICLE II

The Commission shall perform the following functions and duties:

1. Make investigations concerning the abundance, biology, biometry, and ecology of yellowfin (*Neothunnus*) and skipjack (*Katsuwonus*) tuna in the waters of the eastern Pacific Ocean fished by the nationals of the High Contracting Parties, and the kinds of fishes commonly used as bait in the tuna fisheries, especially the anchovetta, and of other kinds of fish taken by tuna fishing vessels; and the effects of natural factors and human activities on the abundance of the populations of fishes supporting all these fisheries.

2. Collect and analyze information relating to current and past conditions and trends of the populations of fishes covered by this Convention.

3. Study and appraise information concerning methods and procedures for maintaining and increasing the populations of fishes covered by this Convention.

4. Conduct such fishing and other activities, on the high seas and in waters which are under the jurisdiction of the High Contracting Parties, as may be necessary to attain the ends referred to in subparagraphs 1, 2, and 3 of this Article.

5. Recommend from time to time, on the basis of scientific investigations, proposals for joint action by the High Contracting Parties designed to keep the populations of fishes covered by this Convention at those levels of abundance which will permit the maximum sustained catch.

6. Collect statistics and all kinds of reports concerning catches and the operations of fishing boats, and other information concerning the fishing for fishes covered by this Convention, from vessels or persons engaged in these fisheries.

7. Publish or otherwise disseminate reports relative to the results of its findings and such other reports as fall within the scope of this Convention, as well as scientific, statistical, and other data relating to the fisheries maintained by the nationals of the High Contracting Parties for the fishes covered by this Convention.

ARTICLE III

The High Contracting Parties agree to enact such legislation as may be necessary to carry out the purposes of this Convention.

ARTICLE IV

Nothing in this Convention shall be construed to modify any existing treaty or convention with regard to the fisheries of the eastern Pacific Ocean previously concluded by a High Contracting Party, nor to preclude a High Contracting Party from entering into treaties or conventions with other States regarding these fisheries, the terms of which are not incompatible with the present Convention.

ARTICLE V

1. The present Convention shall be ratified and the instruments of ratification shall be exchanged at Washington as soon as possible.

2. The present Convention shall enter into force on the date of exchange of ratifications.

3. Any government, whose nationals participate in the fisheries covered by this Convention, desiring to adhere to the present Convention, shall address a communication to that effect to each of the High Contracting Parties. Upon receiving the unanimous consent of the High Contracting Parties to adherence, such government shall deposit with the Government of the United States of America an instrument of adherence which shall stipulate the effective date thereof. The Government of the United States of America shall furnish a certified copy of the Convention to each government desiring to adhere thereto. Each adhering government shall have all the rights and obligations under the Convention as if it had been an original signatory thereof.

4. At any time after the expiration of ten years from the date of entry into force of this Convention any High Contracting Party may give notice of its intention of denouncing the Convention. Such notification shall become effective with respect to such notifying government one year after its receipt by the Government of the United States of America. After the expiration of the said one year period the Convention shall be effective only with respect to the remaining High Contracting Parties.

5. The Government of the United States of America shall inform the other High Contracting Parties of all instruments of adherence and of notifications of denunciation received.

In witness whereof the respective Plenipotentiaries have signed the present Convention.

Done at Washington, in duplicate, in the English and Spanish languages, both texts being equally authentic, this 31st day of May, 1949.

For the United States of America:
JAMES E. WEBB
W. M. CHAPMAN

For the Republic of Costa Rica:
MARIO A. ESQUIVEL
JORGE HAZERA

The PRESIDING OFFICER. The convention is open to amendment. If there be no amendment to be proposed, the convention will be reported to the Senate.

The convention was reported to the Senate without amendment.

The PRESIDING OFFICER. The resolution of ratification will be read.

The legislative clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive P, Eighty-first Congress, first session, a convention between the United States of America and Costa Rica for the establishment of an Inter-American Tropical Tuna Commission, signed at Washington, May 31, 1949.

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification. [Putting the question.] Two-thirds of the Senators present concurring therein, the resolution of ratification is agreed to, and the convention is ratified.

CONSULAR CONVENTION BETWEEN THE UNITED STATES AND THE REPUBLIC OF COSTA RICA

The Senate, as in Committee of the Whole, proceeded to consider the convention, Executive D, a consular convention between the United States of America and the Government of Costa Rica, signed at San Jose, on January 12, 1948, which was read the second time, as follows:

CONSULAR CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF COSTA RICA

The President of the United States of America and the President of the Republic of Costa Rica, on the basis of that traditional friendship which has always joined the peoples of their respective countries, have agreed to conclude a Consular Convention for the purpose yet further to strengthen this happy relationship through the fostering and development of effective consular representation between the two countries, and, in the premises have appointed as their respective plenipotentiaries:

The President of the United States of America:

Mr. John Willard Carrigan, Chargé d'Affaires ad interim of the United States of America;

The President of the Republic of Costa Rica:

His Excellency Licenciado Alvaro Bonilla Lara, Secretary of State encharged with the Office of Foreign Relations

who, after having communicated to each other their full powers and having found them to be in good and due form, have agreed upon the following:

ARTICLE I

1. Each state agrees to receive from the other state consular representatives in those of its ports, places and cities where it may be convenient to establish consular offices and which are open to consular representatives of any foreign state. It shall be within the discretion of the sending state to determine whether the consular office to which such consular representatives shall be appointed or assigned, shall be a consulate general, consulate, vice consulate or consular agency. The sending state may prescribe the consular district to correspond to each consular office.

2. A consular officer of the sending state shall, after his official recognition and entrance upon his duties, enjoy in the territory of the receiving state, in addition to the rights, privileges, exemptions and immunities to which he is entitled by the terms of this convention, the rights, privileges, exemptions and immunities enjoyed by a consular officer of the same grade of the most-favored nation. As an official agent, such officer shall be entitled to the high consideration of all officials, national or local, with whom he has official intercourse in the receiving state.

3. Upon the appointment or assignment of a consular officer to a post within the territory of the receiving state, the sending state shall notify the receiving state in writing of such appointment or assignment. Such notification shall be accompanied with a request for the issuance to such officer of an exequatur or other formal authorization permitting the exercise of consular duties within the territory of the receiving state. Such request shall not be refused without good cause and the exequatur or authorization shall be issued free of charge and as promptly as possible. When necessary a provisional authorization may be issued pending the issuance of an exequatur or formal authorization.

4. The receiving state may revoke any exequatur, formal authorization or provisional authorization if the conduct of a consular officer gives serious cause for complaint. The reasons for such revocation shall be furnished to the sending state through diplomatic channels.

5. (a) The receiving state shall notify the appropriate local authorities of such state of the names of consular officers authorized to act within the receiving state.

(b) A consular officer in charge of a consular office shall keep the authorities of the receiving state informed of the names and addresses of the employees of the consular office. The receiving state shall designate the particular authority to whom such information is to be furnished.

6. Upon the death, incapacity, or absence of a consular officer having no subordinate consular officer at his post, any other consular officer of the sending state to whom an exequatur, formal authorization or provisional authorization has been issued by the receiving state or any person on the staff of the consular office whose name shall previously have been made known to the authorities of the receiving state pursuant to paragraph 5 of this article, may temporarily exercise the consular duties of the deceased or incapacitated or absent consular officer, and while so acting shall enjoy all the rights, privileges, exemptions and immunities previously enjoyed by such consular officer.

7. A consular officer or diplomatic officer of the sending state, who is a national of that state, may have the rank also of a diplomatic officer or of a consular officer, as the case may be, on condition that permission for him to exercise such dual functions has been duly granted by the receiving state and appropriate recognition in a consular capacity has been granted. In any such case such person's rank as a diplomatic officer shall be understood as being superior to and independent of his rank as a consular officer. The exercise of consular duties by any diplomatic officer shall be without prejudice to any additional personal privileges and immunities which might accrue to such officer by reason of his diplomatic status.

ARTICLE II

1. A consular officer who is a national of the sending state and not engaged in a private occupation for gain in the receiving state, shall be exempt from arrest or prosecution in the receiving state except when charged with the commission of a crime which, upon conviction, might subject the individual guilty thereof to a sentence of imprisonment for a period of one year or more.

2. A consular officer or employee shall in civil proceedings be subject to the jurisdiction of the courts of the receiving state except in respect of acts performed by him within the scope of his official duties. He shall not however be permitted to assert that an act was performed by him within the scope of his official duties in any case where a third party shall have been injured as the result of negligence, for which the officer or employee would be responsible under local law, or had reason to believe that the officer or employee was acting in his personal capacity.

3. A consular officer or employee may be required to give testimony in either civil or criminal cases, except as to acts performed by him within the scope of his official duties, or as to any matter cognizable by him only by virtue of his official status, but the court requiring his testimony shall take all reasonable steps to avoid interference with the performance of his official duties. The court requiring the testimony of a consular officer shall, wherever possible or permissible, arrange for the taking of such testimony, orally or in writing, at his residence or office. A court may not require a consular officer or employee to give evidence as expert witness with regard to the laws of the sending state.

4. A consular officer or employee shall not be required to produce official archives in court or to testify as to their contents.

5. A consular officer of employee who is a national of the sending state and not a national of the receiving state and is not engaged in a private occupation for gain in the receiving state shall be exempt from military, naval, jury, administrative or police service of any character whatsoever.

6. (a) The buildings and premises occupied by the sending state for official consular purposes shall not be subject to military billeting or to expropriation, condemnation, confiscation or seizure, except in accordance with the laws governing the condemnation of property for public purposes and in such case only upon prior payment to the sending state of the full value of the property condemned.

(b). All furniture, office equipment and other personal property located in any building occupied for official consular purposes and all vehicles, including aircraft, used in the performance of the official business of the consular office shall not be subject to military requisition or to expropriation, condemnation, confiscation or seizure.

7. The buildings and premises occupied exclusively as a personal residence by a consular officer or employee who is a national of the sending state and not a national of the receiving state and is not exercising a private occupation for gain in the receiving state shall be afforded comparable protection to that afforded to buildings and premises occupied for official consular purposes, and the personal property of any such consular officer or employee shall be afforded comparable protection to that afforded to the personal property of a comparable nature referred to in subparagraph (b) of paragraph 6 of this article.

ARTICLE III

1. No tax of any kind shall be levied or assessed in the territory of the receiving state by the receiving state, or by any state, province, municipality, or other local political subdivision thereof, in respect of fees received on behalf of the sending state in compensation for consular services, or in repect of any receipt given for the payment of such fees.

2. No tax of any kind shall be levied or assessed in the territory of the receiving state by the receiving state, or by any state, province, municipality, or other local subdivision thereof on the official emoluments, salaries, wages or allowances received as compensation for his consular services by a consular officer of the sending state who is not a national of the receiving state.

3. The provisions of paragraph 2 of this article also apply to the official emoluments, salaries, wages or allowances received by an employee of the consular office of the sending state who is not a national of the receiving state and whose name has been duly communicated to the appropriate authorities of

the receiving state in accordance with the provisions of paragraph 5 of Article I.

4. A consular officer or employee who is a national of the sending state and is not a national of the receiving state, who is not engaged in a private occupation for gain in the territory of the receiving state and who is the holder of an exequatur or other authorization to perform consular duties or whose name has been duly communicated to the appropriate authorities of the receiving state in accordance with paragraph 5 of Article I shall, except as provided in paragraph 5 of this article, be exempt in the territory of the receiving state from all other taxes levied or assessed by the receiving state, or by any state, province, municipality, or other local political subdivision thereof, including taxes or fees levied or assessed on the use or ownership of any vehicle or vessel, including aircraft, or of any wireless, radio or television set or in respect of the driving or operation of any vehicle or vessel including aircraft.

5. (a) The provisions of paragraph 4 of this article shall apply only to taxes in respect of which the consular officer or employee would in the absence of the exemption provided by this article be the person legally liable, and shall not apply to taxes in respect of which some other person is legally liable, notwithstanding that the burden of the tax may be passed on to the consular officer or employee. If, however, a consular officer or employee is entitled to income from sources outside the territory of the receiving state, but that income is payable to him, or collected on his behalf, by a banker or other agent within the territory of the receiving state who is required to deduct income tax on payment of the income and to account for the tax so deducted, the consular officer or employee shall be entitled to repayment of the tax so deducted.

(b) The provisions of paragraph 4 of this article shall not apply to:

(1) taxes levied or assessed on the ownership or occupation of immovable property if such property is situated within the territory of the receiving state;

(2) taxes on income derived from property of any kind situated within the territory of the receiving state;

(3) taxes levied or assessed on that part of the estate of a consular officer or employee which is exclusive of property used by him in the performance of his official duties.

(c) For the purpose of clause (3) of subparagraph (b) of this paragraph any part of the estate of a deceased consular officer or employee which would otherwise be subject to taxation in the receiving state which does not exceed in value two times the amount of the official emoluments, salaries or allowances received by the consular officer or employee for the year immediately preceding his death, shall be deemed conclusively to constitute property used by him in the performance of his official duties.

ARTICLE IV

1. All furniture, equipment and supplies intended for official use in a consular office of the sending state shall be permitted entry into the territory of the receiving state free of all customs duties and internal revenue or other taxes whether imposed upon or by reason of importation.

2. The baggage and effects and other articles imported exclusively for the personal use of consular officers and employees and the members of their respective families and suites, who are nationals of the sending state and are not nationals of the receiving state and who are not engaged in any private occupation for gain in the territory of the receiving state, shall be exempt from all customs duties and internal revenue or other taxes whether imposed by the receiving state, or by any state, province, municipality, or other local political subdivision thereof, upon or by reason of importation. Such exemption shall be granted with respect to property accompanying any person entitled to claim an exemption under this paragraph on first arrival or on any subsequent arrival and with respect to property consigned to any such person during the period the consular officer or employee, for or through whom the exemption is claimed, is assigned to or is employed in the receiving state by the sending state.

3. It is understood, however, (a) that the exemptions provided by paragraph 2 of this article shall be accorded in respect of employees in a consular office only when the names of such employees have been duly communicated in accordance with the provisions of paragraph 5 of Article I, to the appropriate authorities of the receiving state; (b) that in the case of the consignments to which paragraph 2 of this article refers, either state may, as a condition to the granting of the exemption provided in this article, require that a notification of any such consignment be given in such manner as it may prescribe; and (c) that nothing herein shall be construed to permit the entry into the territory of either state of any article the importation of which is specifically prohibited by law.

ARTICLE V

1. The sending state may, in accordance with such conditions as may be prescribed by the laws of the receiving state, acquire by purchase, gift, devise, lease or otherwise, either in its own name or in the name of one or more persons acting on its behalf, the ownership or possession, or both, of lands, buildings and appurtenances located in the territory of the receiving state and required by the sending state for consular purposes. If under the local law the permission of the local authorities must be obtained as a prerequisite to any such acquisition such permission shall be given on application of the sending state.

2. The sending state shall have the right to erect buildings and appurtenances on land, which is owned or held by or on behalf of the sending state in the territory of the receiving state for consular purposes, subject to compliance with local building, zoning or town-planning regulations applicable to all land in the area in which such property is situated.

3. No tax of any kind shall be levied or assessed in the territory of the receiving state by the receiving state, or by any state, province, municipality, or other local political subdivision thereof, on the sending state, or on any person acting on its behalf in accordance with paragraph 1 of this article, in respect of lands and buildings or appurtenances owned or held by or on behalf of the sending state for consular purposes, except taxes or other assessments levied for services or local public improvements by which the premises are benefited. A building, or part of a building, in which a consular office is situated and the rest of which is used as a consular residence is to be regarded as used exclusively for consular purposes.

4. No tax of any kind shall be levied or assessed in the territory of the receiving state by the receiving state, or by any state, province, municipality, or other local political subdivision thereof, on the ownership, possession or use of personal property owned or used by the sending state for consular purposes.

ARTICLE VI

1. A consular officer may place on the outside of the consular office the coat of arms or national device of the sending state with an appropriate inscription designating the office and may fly the flag of the sending state over or by such office. He may also place the coat of arms or national device and display the flag of the sending state on vehicles and vessels, including aircraft, employed by him in the exercise of his consular duties. A consular officer may display the flag of the sending state over or by his residence on the occasions which he considers appropriate.

2. The quarters where consular business is conducted and the archives of the consular office of the sending state shall at all times be inviolable, and under no pretext shall any of the authorities of the receiving state make any examination or seizure of papers or other property in such quarters or archives. When a consular officer is engaged in business within the territory of the receiving state, the files and documents of the consular office shall be kept in a place entirely separate from the place where private or business papers are kept.

3. Official consular correspondence shall be inviolable and the local authorities shall not examine or detain any such correspondence.

ARTICLE VII

1. A consular officer of the sending state, may within his consular district address the authorities of the receiving state, or of any state, province, municipality, or other local political subdivision thereof, for the purpose of protecting the nationals of the sending state in the enjoyment of rights accruing by treaty or otherwise and may register complaints against the infraction of such rights. Failure upon the part of the proper authorities to grant redress or to accord protection may justify interposition through diplomatic channels. In the absence of a diplomatic representative, the principal consular officer stationed at the capital of the receiving state may apply directly to the Government of the receiving state.

2. (a) A consular officer shall, within his consular district, have the right:

(1) To interview, communicate with, and advise any national of the sending state;

(2) to inquire into any incidents which have occurred affecting the interests of any national of the sending state;

(3) to visit, upon notification to the appropriate authority, and have private access to any national of the sending state who is imprisoned or detained by the authorities of the receiving state; and

(4) to assist any national of the sending state in proceedings before or in relations with the appropriate authorities of the receiving state or of any state, province, municipality, or of any local political subdivision thereof.

(b) A consular officer shall be informed immediately by the appropriate authorities of the receiving state when any national of the sending state is confined in prison awaiting trial or otherwise detained in custody within his consular district by such authorities.

3. A national of the sending state shall have the right at all times to communicate with a consular officer of the sending state.

ARTICLE VIII

1. (a) A consular officer of the sending state may within his district:

(1) Authenticate or certify signatures, documents or copies of documents;

(2) prepare, receive, legalize, certify and attest declarations or depositions;

(3) prepare, attest, receive the acknowledgments of, certify, authenticate, legalize and in general, take such action as may be necessary to perfect or to validate any document or instrument of a legal character; and

(4) perform such other analogous services as he is authorized to perform by the laws of the sending state;

(b) A consular officer may perform the services specified in subparagraph (a) of this article whenever such services are required by a national of the sending state for use outside of the territory of the receiving state or by any person for use in the territory of the sending state or are rendered in accordance with procedures, not prohibited by the laws of the receiving state, established

by the sending state for the protection of its nationals abroad or for the proper administration of its laws and regulations.

(c) A consular officer may also, to the extent permitted by the receiving state and in conformity with authority conferred on him by the sending state, perform the services specified in subparagraph (a) of this article in circumstances other than those provided for by subparagraph (b) of this article whenever the rendition of such services shall be deemed to be necessary or expedient.

ARTICLE IX

1. (a) Whenever the local authorities of the receiving state shall learn that a national of the sending state died in a locality subject to the jurisdiction of the receiving state and that there is not in the receiving state any person appointed by the decedent as his executor or as the representative of his estate or entitled to claim the whole or any part of the proceeds of the estate as his heir or next of kin or as a beneficiary under his will, such authorities shall advise the nearest consular officer of the sending state of the death of the decedent.

(b) Whenever the local authorities of the receiving state shall learn that a decedent, irrespective of his nationality or the place of his residence, left in the receiving state property in which a person known to be a national of the sending state has an interest under the terms of the decedent's will or in accordance with the appropriate laws of descent and distribution, or in any other manner, the local authorities shall furnish the nearest consular officer of the sending state with such information as may be needed by him to protect the interests of such national.

2. (a) In any case where a deceased person leaves property in the receiving state and a legal or equitable interest in such property is held or claimed by a national of the sending state, who is not resident in the territory of the receiving state and is not legally represented there by any person, the consular officer of the sending state in whose district the estate of the decedent is being administered or, if no administration has been instituted, the property is situated, shall have the right, except as such right may be limited by Section 3 of this article, to represent such national as regards his interests in the estate or property as if valid powers of attorney had been executed by him in favor of the consular officer. If subsequently such national becomes legally represented in the territory of the receiving state and the consular officer is notified to that effect the position of the consular officer will be as if the powers of attorney had become revoked.

(b) The provisions of subparagraph (a) of this article apply whatever the nationality of the decedent and irrespective of the place of his death.

(c) In any case where subparagraph (a) of this article applies, the consular officer shall have the right to take steps for the protection and preservation of the interests of the person whom he is entitled to represent under subparagraph (a). He shall also have the right, in any such case, to take possession of the estate or the property unless other persons, having superior interests, have taken the necessary steps to assume possession thereof. If under the law of the receiving state, a grant or order of a court is necessary for the purpose of permitting the consular officer to exercise the rights which he is entitled to exercise pursuant to this subparagraph such rights shall be recognized by the courts and any grant or order which would have been made in favor of the person whose interests are represented by the consular officer, if he had been present and applied for it, shall be made in favor of the consular officer on his application.

(d) The consular officer shall be permitted to undertake the full administration of the estate whenever and to the same extent as a person, whose interest he represents under subparagraph (a) of this article, would have had the right to administer the estate if he had been present. If by the law of the receiving state a grant by a court is necessary, the consular officer shall have the right to apply for and to receive a grant to the same extent as the person he represents would have had, if such person had been present and applied for it. The court may, however, postpone the making of a grant of administration to the consular officer (with or without the will annexed) for such time as it thinks necessary to enable the person represented by the consular officer to be informed and to decide whether he desires to be represented otherwise than by the consular official.

3. A consular officer of the sending state may, on behalf of a national of the sending state who is not a resident of the receiving state, receive for transmission to such a person, through channels prescribed by the sending state, any money or property to which such person is entitled as a consequence of the death of any person. Such money or property may include, but is not limited to, shares in an estate, payments made pursuant to Workmen's Compensation laws, or any similar laws, and the proceeds of life insurance policies. The court, agency or person making the distribution shall not, however, be required to make such distribution through a consular officer. If a court, agency or person does make distribution through a consular officer, it may require him to furnish reasonable evidence of the receipt of the money or property by the person or persons entitled thereto. The authority vested in a consular officer by this section shall be in addition to and not in limitation of the authority vested in him by previous paragraphs of this article.

4. Whenever a consular officer shall undertake the full administration of an estate pursuant to subparagraph (d) of paragraph 2 of this article, he subjects himself in his capacity as administrator to the jurisdiction of the court making the appointment for all necessary purposes to the same extent as if he were a national of the receiving state.

5. The provisions of this article shall be subject to any laws of, or regulations issued pursuant to law by, the receiving state providing for, or relating to, war or a national emergency.

ARTICLE X

1. (a) A consular officer of the sending state shall, except as hereinafter provided, have the right to exercise exclusive jurisdiction over controversies arising out of the internal order of merchant vessels of the sending state and over matters pertaining to the enforcement of discipline on board whenever any such vessels shall have entered the territorial waters of the receiving state within his consular district.

(b) A consular officer of the sending state shall have jurisdiction over issues concerning the adjustment of wages of members of the crews of vessels of the sending state which shall have entered the territorial waters of the receiving state within his consular district and the execution of contracts relating to such wages. Such jurisdiction shall not in any case, however, exclude the jurisdiction conferred on the competent authorities of the receiving state under existing or future laws.

2. Notwithstanding the provisions of paragraph 1 of this article a consular officer shall not, except as permitted by the laws of the receiving state, exercise jurisdiction in any case involving an offense committed on board a merchant vessel of the sending state, which offense would be punishable under the law of the receiving state by a sentence of imprisonment for a period of at least one year, or by penalties in excess thereof.

3. A consular officer may freely invoke the assistance of the competent authorities of the receiving state in any matter pertaining to the maintenance of internal order on board a vessel of the sending state which shall have entered within the territorial waters of the receiving state. Upon the receipt by such authorities of the request of the consular officer the requisite assistance shall be given.

4. A consular officer, or a consular employee designated by him, may appear with the officers and crews of the vessels of the sending state before the judicial and administrative authorities of the receiving state for the purpose of observing any proceedings affecting such persons and rendering such assistance as may be permitted by the laws of the receiving state.

ARTICLE XI

1. A consular officer of the sending state shall have the right to inspect within the ports of the receiving state within his consular district, the merchant vessels of any state destined to a port of the sending state in order to enable him to procure the necessary information to prepare and execute such documents as may be required by the laws of the sending state as a condition to the entry of vessels into its ports and to furnish to the competent authorities of the sending state such information with regard to sanitary or other matters as such authorities may require.

2. In exercising the rights conferred upon him by this article a consular officer shall act with all possible despatch and without unnecessary delay.

ARTICLE XII

1. All arrangements relative to the salvage of a vessel of the sending state wrecked upon the coasts of the receiving state may, unless the vessel shall have been attached by a salvor, be directed by such person as shall be authorized for such purpose by the law of the sending state and whose identity and authority shall have been made known to the authorities of the receiving state by the consular officer of the sending state within whose consular district the wrecked vessel is found, or, in the absence of any such person, by such consular officer.

2. Pending the arrival of the consular officer, who shall be informed immediately of the occurrence of the wreck, or of such other person as may be authorized to act in the premises, the authorities of the receiving state shall take all necessary measures for the protection of persons and the preservation of property. Such measures shall, however, be restricted to those necessary for the maintenance of order, the protection of the interests of the salvors and the execution of the arrangements which shall be made for the entry or exportation of the salvaged merchandise. Such merchandise is not to be subjected to any customs or customhouse charges, unless it be intended for consumption in the receiving state.

3. The intervention of the authorities of the receiving state shall not occasion any expenses except such expenses as may be caused by the operations of salvage and the preservation of the goods saved, or which would be incurred under similar circumstances by vessels of the receiving state.

4. If a wreck is found within a port, or constitutes a navigational hazard within the territorial waters of the receiving state, there shall also be observed those arrangements which may be ordered by the authorities of the receiving state with a view to avoiding any damage that might otherwise be caused by the wrecked vessel to the port facilities and to other vessels.

ARTICLE XIII

For the purpose of this convention the term "national" shall be deemed to include any natural person or juridical entity possessing, as the case may be, the nationality of the receiving or the sending state, and the term "person" shall be deemed to include any natural person or juridical entity.

ARTICLE XIV

1. The territories of the contracting states to which the provisions of this convention apply shall be understood to comprise all areas of land and water subject to the sovereignty or authority of either state, except the Panama Canal Zone.

2. The provisions of paragraph 2, Article I, do not confer upon Consular officials and employees of the United States of America those rights, privileges, exemptions, and immunities conferred to Consular officials and employees of one or more of the Republics of El Salvador, Guatemala, Honduras and Nicaragua, by virtue of treaties and other agreements which have been entered into or may be entered into between the Republic of Costa Rica and one or more of the Republics of El Salvador, Guatemala, Honduras and Nicaragua.

ARTICLE XV

1. This Convention shall be ratified and the ratifications thereof shall be exchanged at San José, Costa Rica.

The Convention shall take effect in all its provisions the thirtieth day after the day of exchange of ratifications and shall continue in force for the term of ten years.

2. If, six months before the expiration of the aforesaid term of ten years, the Government of neither State shall have given notice to the Government of the other State of an intention to modify or terminate any of the provisions of this Convention or to terminate the Convention upon the expiration of the aforesaid term of ten years, the Convention shall continue in force after the aforesaid term and until six months from the date on which the Government of either State shall have given notice to the Government of the other State of an intention to modify or terminate the Convention.

In witness whereof, the respective Plenipotentiaries have signed this Convention and have hereunto affixed their seals.

Done in duplicate in English and Spanish, in the city of San José, this twelfth day of January, 1948.

[SEAL] A. B L
Secretary of State Encharged with the Office of Foreign Relations

[SEAL] JOHN WILLARD CARRIGAN
Chargé d'affaires ad Interim of the United States of America

Mr. CONNALLY. Mr. President, this is merely one of the routine consular treaties or conventions, in this case with Costa Rica. There was no question about it and no objection to it. The committee acted unanimously. I hope the Senate will ratify the convention.

The PRESIDING OFFICER. The convention is open to amendment. If there be no amendment to be proposed, the convention will be reported to the Senate.

The convention was reported to the Senate without amendment.

The PRESIDING OFFICER. The resolution of ratification will be read.

The legislative clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive D, Eightieth Congress, second session, a consular convention between the United States of America and the Republic of Costa Rica, signed at San José on January 12, 1948.

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification. [Putting the question.] Two-thirds of the Senators present concurring therein, the resolution of ratification is agreed to, and the convention is ratified.

CONVENTION ON THE INTERNATIONAL RECOGNITION OF RIGHTS IN AIRCRAFT

Mr. WHERRY. Mr. President, after looking over the report of the Foreign Relations Committee with reference to the first treaty on the calendar, the Convention on the International Recognition of Rights in Aircraft, signed at Geneva on June 19, 1948; after consulting with members of the subcommittee which had the convention under consideration and having knowledge that the full committee unanimously agreed to it, and that it is endorsed by some very important and highly recognized associations, including the American Bar Association, if it is agreeable, I withdraw my objection, and I shall cooperate with the distinguished Chairman of the Foreign Relations Committee in having the Senate proceed to ratify the treaty.

Mr. CONNALLY. Mr. President, in view of the Senator's statement, I hope the Senate will promptly ratify the treaty. There was no objection to it. It was referred to the subcommittee as being of great benefit particularly to the owners of aircraft in the United States.

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

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the convention, Executive E (81st Cong., 1st sess.), a Convention on the International Recognition of Rights in Aircraft, signed at Geneva on June 19, 1948, which was read the second time, as follows:

CONVENTION ON THE INTERNATIONAL RECOGNITION OF RIGHTS IN AIRCRAFT

Whereas the International Civil Aviation Conference, held at Chicago in November–December 1944, recommended the early adoption of a Convention dealing with the transfer of title to aircraft,

Whereas it is highly desirable in the interest of the future expansion of international civil aviation that rights in aircraft be recognised internationally,

The undersigned, duly authorized, have agreed, on behalf of their respective Governments, as follows:

ARTICLE I

(1) The Contracting States undertake to recognise:

(*a*) rights of property in aircraft;

(*b*) rights to acquire aircraft by purchase coupled with possession of the aircraft;

(*c*) rights to possession of aircraft under leases of six months or more;

(*d*) mortgages, hypotheques and similar rights in aircraft which are contractually created as security for payment of an indebtedness;

provided that such rights

(i) have been constituted in accordance with the law of the Contracting State in which the aircraft was registered as to nationality at the time of their constitution, and

(ii) are regularly recorded in a public record of the Contracting State in which the aircraft is registered as to nationality.

The regularity of successive recordings in different Contracting States shall be determined in accordance with the law of the State where the aircraft was registered as to nationality at the time of each recording.

(2) Nothing in this Convention shall prevent the recognition of any rights in aircraft under the law of any Contracting State; but Contracting States shall not admit or recognise any right as taking priority over the rights mentioned in paragraph (1) of this Article.

ARTICLE II

(1) All recordings relating to a given aircraft must appear in the same record.

(2) Except as otherwise provided in this Convention, the effects of the recording of any right mentioned in Article I, paragraph (1), with regard to third parties shall be determined according to the law of the Contracting State where it is recorded.

(3) A Contracting State may prohibit the recording of any right which cannot validly be constituted according to its national law.

ARTICLE III

(1) The address of the authority responsible for maintaining the record must be shown on every aircraft's certificate of registration as to nationality.

(2) Any person shall be entitled to receive from the authority duly certified copies or extracts of the particulars recorded. Such copies or extracts shall constitute *prima facie* evidence of the contents of the record.

(3) If the law of a Contracting State provides that the filing of a document for recording shall have the same effect as the recording, it shall have the same effect for the purposes of this Convention. In that case, adequate provision shall be made to ensure that such document is open to the public.

(4) Reasonable charges may be made for services performed by the authority maintaining the record.

ARTICLE IV

(1) In the event that any claims in respect of:

(*a*) compensation due for salvage of the aircraft, or

(*b*) extraordinary expenses indispensable for the preservation of the aircraft

give rise, under the law of the Contracting State where the operations of salvage or preservation were terminated, to a right conferring a charge against the aircraft, such right shall be recognised by Contracting States and shall take priority over all other rights in the aircraft.

(2) The rights enumerated in paragraph (1) shall be satisfied in the inverse order of the dates of the incidents in connexion with which they have arisen.

(3) Any of the said rights may, within three months from the date of the termination of the salvage or preservation operations, be noted on the record.

(4) The said rights shall not be recognised in other Contracting States after expiration of the three months mentioned in paragraph (3) unless, within this period,

(*a*) the right has been noted on the record in conformity with paragraph (3), and

(*b*) the amount has been agreed upon or judicial action on the right has been commenced. As far as judicial action is concerned, the law of the forum shall determine the contingencies upon which the three months period may be interrupted or suspended.

(5) This Article shall apply notwithstanding the provisions of Article I, paragraph (2).

ARTICLE V

The priority of a right mentioned in Article I, paragraph (1) (*d*), extends to all sums thereby secured. However, the amount of interest included shall not exceed that accrued during the three years prior to the execution proceedings together with that accrued during the execution proceedings.

ARTICLE VI

In case of attachment or sale of an aircraft in execution, or of any right therein, the Contracting States shall not be obliged to recognise, as against the attaching or executing creditor or against the purchaser, any right mentioned in Article I, paragraph (1), or the transfer of any such right, if constituted or effected with knowledge of the sale or execution proceedings by the person against whom the proceedings are directed.

ARTICLE VII

(1) The proceeding of a sale of an aircraft in execution shall be determined by the law of the Contracting State where the sale takes place.

(2) The following provisions shall however be observed:

(*a*) The date and place of the sale shall be fixed at least six weeks in advance.

(*b*) The executing creditor shall supply to the Court or other competent authority a certified extract of the recordings concerning the aircraft. He shall give public notice of the sale at the place where the aircraft is registered as to nationality, in accordance with the law there applicable, at least one month before the day fixed, and shall concurrently notify by registered letter, if possible by air mail, the recorded owner and the holders of recorded rights in the aircraft and of rights noted on the record under Article IV, paragraph (3), according to their addresses as shown on the record.

(3) The consequences of failure to observe the requirements of paragraph (2) shall be as provided by the law of the Contracting State where the sale takes place. However, any sale taking place in contravention of the requirements of that paragraph may be annulled upon demand made within six months from the date of the sale by any person suffering damage as the result of such contravention.

(4) No sale in execution can be effected unless all rights having priority over the claim of the executing creditor in accordance with this Convention which are established before the competent authority, are covered by the proceeds of sale or assumed by the purchaser.

(5) When injury or damage is caused to persons or property on the surface of the Contracting State where the execution sale takes place, by any aircraft subject to any right referred to in Article I held as security for an indebtedness, unless adequate and effective insurance by a State or an insurance undertaking in any State has been provided by or on behalf of the operator to cover such injury or damage, the national law of such Contracting State may provide in case of the seizure of such aircraft or any other aircraft owned by the same person and encumbered with any similar right held by the same creditor:

(*a*) that the provisions of paragraph (4) above shall have no effect with regard to the person suffering such injury or damage or his representative if he is an executing creditor;

(*b*) that any right referred to in Article I held as security for an indebtedness encumbering the aircraft may not be set up against any person suffering such injury or damage or his representative in excess of an amount equal to 80% of the sale price.

In the absence of other limit established by the law of the Contracting State where the execution sale takes place, the insurance shall be considered adequate within the meaning of the present paragraph if the amount of the insurance corresponds to the value when new of the aircraft seized in execution.

(6) Costs legally chargeable under the law of the Contracting State where the sale takes place, which are incurred in the common interest of creditors in the course of execution proceedings leading to sale, shall be paid out of the proceeds of sale before any claims, including those given preference by Article IV.

ARTICLE VIII

Sale of an aircraft in execution in conformity with the provisions of Article VII shall effect the transfer of the property in such aircraft free from all rights which are not assumed by the purchaser.

ARTICLE IX

Except in the case of a sale in execution in conformity with the provisions of Article VII, no transfer of an aircraft from the nationality register or the record of a Contracting State to that of another Contracting State shall be made, unless all holders of recorded rights have been satisfied or consent to the transfer.

ARTICLE X

(1) If a recorded right in an aircraft of the nature specified in Article 1, and held as security for the payment of an indebtedness, extends, in conformity with the law of the Contracting State where the aircraft is registered, to spare parts stored in a specified place or places, such right shall be recognised by all Contracting States, as long as the spare parts remain in the place or places specified, provided that an appropriate public notice, specifying the description of the right, the name and address of the holder of this right and the record in which such right is recorded, is exhibited at the place where the spare parts are located, so as to give due notification to third parties that such spare parts are encumbered.

(2) A statement indicating the character and the approximate number of such spare parts shall be annexed to or included in the recorded document. Such parts may be replaced by similar parts without affecting the right of the creditor.

(3) The provisions of Article VII, paragraphs (1) and (4), and of Article VIII shall apply to a sale of spare parts in execution. However, where the executing creditor is an unsecured creditor, paragraph 4 of Article VII in its application to such a sale shall be construed so as to permit the sale to take place if a bid is received in an amount not less than two-thirds of the value of the spare parts as determined by experts appointed by the authority responsible for the sale. Further, in the distribution of the proceeds of sale, the competent authority may, in order to provide for the claim of the executing creditor, limit the amount payable to holders of prior rights to two-thirds of such proceeds of sale after payment of the costs referred to in Article VII, paragraph (6).

(4) For the purpose of this Article the term "spare parts" means parts of aircraft, engines, propellers, radio apparatus, instruments, appliances, furnishings, parts of any of the foregoing, and generally any other articles of whatever description maintain for installation in aircraft in substitution for parts or articles removed.

ARTICLE XI

(1) The provisions of this Convention shall in each Contracting State apply to all aircraft registered as to nationality in another Contracting State.

(2) Each Contracting State shall also apply to aircraft there registered as to nationality:

(*a*) The provisions of Articles II, III, IX, and

(*b*) The provisions of Article IV, unless the salvage or preservation operations have been terminated within its own territory.

ARTICLE XII

Nothing in this Convention shall prejudice the right of any Contracting State to enforce against an aircraft its national laws relating to immigration, customs or air navigation.

ARTICLE XIII

This Convention shall not apply to aircraft used in military, customs or police services.

ARTICLE XIV

For the purpose of this Convention, the competent judicial and administrative authorities of the Contracting States may, subject to any contrary provision in their national law, correspond directly with each other.

ARTICLE XV

The Contracting States shall take such measures as are necessary for the fulfilment of the provisions of this Convention and shall forthwith inform the Secretary General of the International Civil Aviation Organization of these measures.

ARTICLE XVI

For the purposes of this Convention the term "aircraft" shall include the airframe, engines, propellers, radio apparatus, and all other articles intended for use in the aircraft whether installed therein or temporarily separated therefrom.

ARTICLE XVII

If a separate register of aircraft for purposes of nationality is maintained in any territory for whose foreign relations a Contracting State is responsible, references in this Convention to the law of the Contracting State shall be construed as references to the law of that territory.

ARTICLE XVIII

This Convention shall remain open for signature until it comes into force in accordance with the provision of Article XX.

ARTICLE XIX

(1) This Convention shall be subject to ratification by the signatory States.

(2) The instruments of ratification shall be deposited in the archives of the International Civil Aviation Organization, which shall give notice of the date of deposit to each of the signatory and adhering States.

ARTICLE XX

(1) As soon as two of the signatory States have deposited their instruments of ratification of this Convention, it shall come into force between them on the ninetieth day after the date of the deposit of the second instrument of ratification. It shall come into force, for each State which deposits its instrument of ratification after that date, on the ninetieth day after the deposit of its instrument of ratification.

(2) The International Civil Aviation Organization shall give notice to each signatory State of the date on which this Convention comes into force.

(3) As soon as this Convention comes into force, it shall be registered with the United Nations by the Secretary General of the International Civil Aviation Organization.

ARTICLE XXI

(1) This Convention shall, after it has come into force, be open for adherence by non-signatory States.

(2) Adherence shall be effected by the deposit of an instrument of adherence in the archives of the International Civil Aviation Organization, which shall give notice of the date of the deposit to each signatory and adhering State.

(3) Adherence shall take effect as from the ninetieth day after the date of the deposit of the instrument of adherence in the archives of the International Civil Aviation Organization.

ARTICLE XXII

(1) Any Contracting State may denounce this Convention by notification of denunciation to the International Civil Aviation Organization, which shall give notice of the date of receipt of such notification to each signatory and adhering State.

(2) Denunciation shall take effect six months after the date of receipt by the International Civil Aviation Organization of the notification of denunciation.

ARTICLE XXIII

(1) Any State may at the time of deposit of its instrument of ratification or adherence, declare that its acceptance of this Convention does not apply to any one or more of the territories for the foreign relations of which such State is responsible.

(2) The International Civil Aviation Organization shall give notice of any such declaration to each signatory and adhering State.

(3) With the exception of territories in respect of which a declaration has been made in accordance with paragraph (1) of this Article, this Convention shall apply to all territories for the foreign relations of which a Contracting State is responsible.

(4) Any State may adhere to this Convention separately on behalf of all or any of the territories regarding which it has made a declaration in accordance with paragraph (1) of this Article and the provisions of paragraphs (2) and (3) of Article XXI shall apply to such adherence.

(5) Any Contracting State may denounce this Convention, in accordance with the provisions of Article XXII, separately for all or any of the territories for the foreign relations of which such State is responsible.

In witness whereof the undersigned Plenipotentiaries, having been duly authorized, have signed this Convention.

Done at Geneva, on the nineteenth day of the month of June of the year one thousand nine hundred and forty-eight in the English, French and Spanish languages, each text being of equal authenticity.

This Convention shall be deposited in the archives of the International Civil Aviation Organization where, in accordance with Article XVIII, it shall remain open for signature.

Argentina El Gobierno Argentino hace reserva de otorgar a sus creditos fiscales la preferencia acordada en su legislacion nacional.
JUAN F. FABRI
GUILLERMO SUAYA
ARMANDO A. IRON
LUIS A. AEREAN
J. DH. OL. (J. DAMIANOVICH-OLIVEIRA)

Belgium
E. ALLARD
P. A. T. DE SMET

Brazil
H. C. MACHADO
TRAJANO FURTADO REIS
A. PAULO MOURA
E. P. BARBOSA DA SILVA
A. S. MARTINS—MAJORAS

China
WU NANJU

Colombia
MAURICIO T. OBREGON

France
HYMANS
H. BOUCHÉ
ANDRÉ GARNAULT

Iceland
AGNAR KOFOED-HANSEN

Italy
PAPALDO

Mexico
ENRIQUE M. LOAEZA REF.

Netherlands
H. J. SPANJAARD
Pour le Royaume en Europe

Peru
J. SAN MARTIN
A. WAGNER

Portugal
HUMBERTO DELGADO
MANUEL FERNANDES

United Kingdom
F. TYMMS
R. O. WILBERFORCE

United States
RUSSELL B. ADAMS

Venezuela
J. LOFEZ H.

Dominican Republic
HANOT D'HARTOY
ad ref.

Switzerland
ED. AMSTUTZ

Greece
P. A. METAXAS
ad referendum

Chile El Gobierno de Chile se reserva el derecho, con relacion a art. 10, inc. (2) del Convenio, de reconocer como derechos preferentes, de acuerdo con el orden establecido en su ley nacional, el credito del fisco por impuestos, tasas o derechos adenados por el propietario o tenedor de la aeronave y devengados en el servicio de esta, y el credito del trabajo por los sueldos y salarios de la tripulacion, por el período que limite la ley nacional.
G. EDWARD D. HAMILTON
RAMON RODRIGUEZ

Ireland
TIMOTHY J. O'DRISCOLL

I hereby certify that the present document is a full, true and correct copy of the Convention deposited in the Archives of the International Civil Aviation Organization.
ALBERT ROPER

The PRESIDING OFFICER. The convention is open to amendment. If there be no amendment to be proposed, the convention will be reported to the Senate.

The convention is reported to the Senate without amendment.

The PRESIDING OFFICER. The resolution of ratification will be read.

The Chief Clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of (Executive E, 81st Cong., 1st sess.) the Convention on the International Recognition of Rights of Aircraft, signed at Geneva on June 19, 1948.

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification. [Putting the question.] Two-thirds of the Senators present concurring therein, the resolution of ratification is agreed to, and the convention is ratified.

DEPARTMENT OF STATE—NOMINATIONS PASSED OVER

Mr. ELLENDER. Mr. President, may I inquire what is delaying the confirmation of Mr. Butterworth, of Louisiana?

Mr. MYERS. Mr. President, is the Senator addressing his question to me?

Mr. ELLENDER. I ask the distinguished acting majority leader.

Mr. MYERS. The distinguished minority leader has indicated there is objection to the nomination, and has again asked that it be passed over on this call of the calendar.

Mr. ELLENDER. May I inquire who is objecting and what is holding up the confirmation?

Mr. MYERS. I was informed by the minority leader there would be objection to this and the nominations in the Diplomatic and Foreign Service.

Mr. WHERRY. There will be objection.

Mr. MYERS. Therefore, I agreed to pass them over.

Mr. ELLENDER. May I inquire who is objecting?

Mr. WHERRY. Several objections have been made. I think it is unnecessary to give the names. The minority is perfectly willing and ready, whenever the majority leader suggests, to take up the nominations, and is willing to allot time for debate in connection with their consideration.

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

Mr. MYERS. I yield.

Mr. KNOWLAND. I may say to the Senator from Louisiana, I think this will entail some considerable debate on the whole far eastern policy of the Government. It will probably have to be set when there is considerable time for debate.

Mr. ELLENDER. The nomination of Mr. Butterworth has been before the Senate since June 22. We ought to act on it one way or the other.

Mr. WHERRY. I may say by way of further answer, that because of the accumulation of appropriation bills, and their consideration, there has been an inability to find time to take up the nominations. That is the reason the nominations have not been considered. But the minority is perfectly ready and willing to consider them at any time the majority leader sets them for hearing and debate.

Mr. ELLENDER. I should like to have it noted in the RECORD that I shall take the matter up with the distinguished majority leader with a view to having this particular nomination considered sometime next week.

Mr. WHERRY. That is perfectly agreeable with me.

Mr. MYERS. Mr. President, I suggest we pass over the first two nominations on page 2. We shall probably be able to confirm en bloc the other nominations, and we shall then go back to the nomination of Tom C. Clark to be an Associate Justice of the Supreme Court of the United States.

Mr. CONNALLY. Mr. President, why not confirm the two diplomats nominated for positions in the Foreign Service? They are on the list. So far as I know there is no objection to either of them.

Mr. WHERRY. Mr. President, there has been objection to those two for some time. The same explanation is given in answer to the inquiry of the distinguished Senator from Texas that I gave with reference to the nomination of Mr. Butterworth.

The PRESIDING OFFICER. Objection is heard.

Mr. CONNALLY. The objection I understand comes from the Senator from Maine. He is not objecting to the individuals, but to the rank. His position is, I understand, we should make them all ambassadors or make them all ministers. The Senator from Maine does not seem to be present in the Chamber. Of course, if the minority leader objects, we shall have to let the nominations go over.

Mr. WHERRY. Mr. President, I continue to state to the distinguished Senator from Texas that objection has been filed. The minority is perfectly willing at any time the majority leader desires, to take them up, to debate the issue and either to confirm or refuse to confirm. There is no disposition at all on my part to delay their consideration. The sooner, the better.

The PRESIDING OFFICER. Objection is heard.

PUBLIC HEALTH SERVICE

The Chief Clerk proceeded to read sundry nominations in the Public Health Service.

Mr. MYERS. I ask that the nominations in the Public Health Service be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Public Health Service are confirmed en bloc.

UNITED STATES MARSHAL

The Chief Clerk read the nomination of Alphonse Roy to be United States marshal for the district of New Hampshire.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

UNITED STATES COAST GUARD

The Chief Clerk read the nomination of William H. E. Schroeder to be a lieutenant, junior grade.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

The Chief Clerk proceeded to read sundry nominations of postmasters.

Mr. MYERS. I ask that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc.

Mr. MYERS. I ask that the President be immediately notified of all nominations confirmed today.

The PRESIDING OFFICER. Without objection, the President will be immediately notified.

SUPREME COURT OF THE UNITED STATES

The Chief Clerk read the nomination of Tom C. Clark to be an Associate Justice of the Supreme Court of the United States.

Mr. MYERS. Mr. President, I suggest that this nomination be made the pending business, and that the Senate recess this evening as in executive session, to convene tomorrow at 12 o'clock. I shall propose a unanimous consent request that a vote be taken upon the confirmation of the nomination at 3:30 o'clock tomorrow. Therefore, Mr. President, I move——

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

Mr. MYERS. I am glad to yield.

Mr. MAGNUSON. Mr. President, a parliamentary inquiry. Does the fact that the Senate is in executive session, and will be in executive session tomorrow, in anywise prejudice the position of the pending business, namely, the Interior Department appropriation bill, H. R. 3838?

The PRESIDING OFFICER. It does not.

Mr. MAGNUSON. Is it the intention, after the Clark nomination is disposed of, tomorrow, to resume consideration of the Interior appropriation bill?

Mr. MYERS. That is the understanding.

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

Mr. MYERS. I am happy to yield.

Mr. CONNALLY. That is not to be understood, I take it, as excluding the nomination of the Attorney General.

Mr. MYERS. No.

Mr. CONNALLY. The Senator inquired whether it is the intention, when we finish consideration of the Clark nomination, to go back to the appropriation bill.

Mr. MAGNUSON. Mr. President, I had in mind also the nomination of our distinguished colleague, the Senator from Rhode Island [Mr. McGRATH].

Mr. CONNALLY. That is satisfactory.

Mr. MYERS. The Senate will still be in executive session.

Mr. President, I first ask unanimous consent that the nomination of Tom C. Clark be made the pending business, as in executive session; that when the Senate recesses tonight it take a recess, as in executive session, until 12 o'clock noon tomorrow; that at the hour of 3:30 o'clock p. m. tomorrow, the Senate proceed to vote on the confirmation of the nomination; and that the 3½ hours' time be equally divided between the Senator from Texas [Mr. CONNALLY] and the Senator from Michigan [Mr. FERGUSON].

The PRESIDING OFFICER. Is there objection to the request?

Mr. CONNALLY. Mr. President, I really suppose the Senator from Nevada [Mr. McCARRAN] should control the time for the proponents. He is chairman of the Committee on the Judiciary. I have no information, and no desire to interfere. I do not think there will be any difficulty about it.

Mr. LANGER. Mr. President, reserving the right to object, in behalf of the Senator from Michigan, the Senate will remember the Senator said he wanted 2 hours. If the Senate convenes at 12, and votes at 3:30, the Senator will not have his 2 hours. I therefore suggest that the nomination be voted on at 4 o'clock.

Mr. CONNALLY. The Senator agreed to it.

Mr. WHERRY. May I suggest to the distinguished Senator from North Dakota, I took up the matter with the distinguished junior Senator from Michigan, and, after considerable discussion with all interested parties, he was agreeable to voting at 3:30. I think that, as one of the contemplated speakers he will be satisfied with an hour and a half.

The PRESIDING OFFICER. Without objection, the unanimous consent agreement is entered into.

AUTHORITY TO SIGN JOINT RESOLUTION

Mr. MYERS. Mr. President, I ask unanimous consent that during the recess of the Senate the President pro tempore be authorized to sign House Joint Resolution 339, extending certain appropriations for the Government.

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

LEGISLATIVE PROGRAM

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

Mr. MYERS. I yield.

Mr. WHERRY. May I ask the acting majority leader if it is contemplated to hold a Saturday session?

Mr. MYERS. I will say that we shall not have a Saturday session.

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

Mr. MYERS. I yield.

Mr. MAGNUSON. I should like to ask the Senator from Pennsylvania if that depends upon whether we finish debate on the appropriation bill.

Mr. MYERS. We have not held any Saturday sessions, and I think the consensus is that we should not have a Saturday session this week and that if it is intended to hold such a session, advance notice should be given.

Mr. MAGNUSON. But, regardless of whether we hold a Saturday session, when we start the consideration of the appropriation bill, is it the intention that we shall continue until we finish it?

Mr. MYERS. Definitely.

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

Mr. MYERS. I yield.

Mr. WHERRY. Mr. President, I should like to ask the distinguished acting majority leader, inasmuch as the unanimous-consent request did not include the nomination of the Senator from Rhode Island [Mr. McGRATH] to be Attorney General, is it also intended that after the vote on the nomination of Hon. Tom Clark the Senate will also consider the McGrath nomination?

Mr. MYERS. The Senate will still be in executive session after we complete the debate on the nomination of Mr. Clark, and it is the intention of the acting majority leader then to dispose of the McGrath nomination.

Mr. WHERRY. Very well.

RECESS

Mr. MYERS. As in executive session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 52 minutes p. m.) the Senate took a recess until tomorrow, Thursday, August 18, 1949, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate August 17 (legislative day of June 2), 1949:

IN THE AIR FORCE

The following officer for appointment to the position indicated under the provisions of section 504, Officer Personnel Act of 1947.

Lt. Gen. Benjamin Wiley Chidlaw, 23A, Air Force of the United States (major general, U. S. Air Force), to be commanding general, Air Matériel Command, United States Air Force, with the rank of lieutenant general, with rank from October 1, 1947.

IN THE NAVY

The following-named officers for permanent appointment in the Civil Engineer Corps of the Navy in the grades hereinafter stated:

LIEUTENANT (JUNIOR GRADE)

Devlin, John G.	Mabbitt, Robert C.
Dill, Allen F.	Perkins, William L.
Fisher, John R.	Ruppel, Henry D.
Hill, James M., Jr.	Stacey, Ernest R.
Kaloupek, William E.	Weaver, Walter A., Jr.

ENSIGN

Ashley, Donn L.

The following-named officer for permanent appointment in the Supply Corps of the Navy in the grade hereinafter stated:

ENSIGN

Hatch, James C.

The following-named officer for temporary appointment in the Supply Corps of the Navy in the grade hereinafter stated:

LIEUTENANT COMMANDER

Sirginson, Arthur W.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 17 (legislative day of June 2), 1949:

PUBLIC HEALTH SERVICE

APPOINTMENTS AND PROMOTIONS IN THE REGULAR CORPS

To be senior assistant surgeons (equivalent to the Army rank of captain), effective date of acceptance

Roger M. Cole.
Stewart R. Panzer
Paul K. Benedict
Winslow J. Bashe, Jr.
Jarvis E. Seegmiller
Richard S. Yocum
Harry S. Wise
Carl F. Essig, Jr.
William W. Quisenberry
William A. Rinn

To be assistant surgeons (equivalent to the Army rank of first lieutenant), effective date of acceptance

Charles H. Lithgow
James V. Maloney, Jr.
Robert D. Sullivan
William E. Ganss
John M. Bishop, Jr.
Werner F. Cryns
Clifford H. Cole
Charles J. Buhrow
Charles L. Fellows
Robert H. Aronstam
John C. Stirling
Lee A. Craig, Jr.
Benjamin M. Primer, Jr.
James W. Osberg, Jr.
Carl F. T. Mattern
James S. Hawthorne
John A. Pierce
Francis Chanatry
Robert L. Brutsche

To be surgeons (equivalent to the Army rank of major)

Gene B. Haber
Louis C. Floyd
Arthur H. Maybay

UNITED STATES MARSHAL

Alphonse Roy, to be United States marshal for the district of New Hampshire.

UNITED STATES COAST GUARD

William H. E. Schroeder, to be lieutenant (junior grade), in the Coast Guard.

POSTMASTERS

INDIANA

Levern C. Fortin, Whiting.

MICHIGAN

Russell R. Farling, Beaverton.
Max R. Day, Carleton.
Asher L. Hyliard, Concord.
Jesse E. Davis, Fremont.
Arthur W. Hamilton, Grand Rapids.
Selena C. Anderson, Omer.
Louis J. Hartel, Oscoda.
Lawrence E. Baugn, Pinckney.
Ernest R. Moser, Richville.
Phyllis J. Speck, Scotts.
Frances L. Lee, Spring Arbor.

MISSOURI

Robert W. Snell, Knox City.

PENNSYLVANIA

Edward W. Sulek, California.
William E. Sheridan, Clarion.
Joseph Jollick, Denbo.
Steve Bogdewic, Jr., Ellsworth.
Earl G. Watt, Enon Valley.
Marie J. Suain, Hazel Hurst.
Lawrence H. McCarty, Monongahela.
Irene B. Rubis, Muse.
David W. Wilson, New Wilmington.
Clifford H. Good, Reamstown.
Nancy P. Phillips, Revloc.
Jessie E. Benedict, Rohrerstown.
Minnie M. Ritter, Shamokin Dam.

HOUSE OF REPRESENTATIVES

WEDNESDAY, AUGUST 17, 1949

The House met at 12 o'clock noon.

The Acting Chaplain, the Reverend James P. Wesberry, pastor, Morningside Baptist Church, Atlanta, Ga., offered the following prayer:

Everliving God, our Father, whose most glorious attribute is holy love, let Thy love flow into our hearts like a mighty river, for Thy word teaches us that "love suffereth long and is kind; love envieth not; love vaunteth not itself, is not puffed up, doth not behave itself unseemly, seeketh not her own, is not easily provoked, thinketh no evil," and that "love never faileth." Give us such a love as this that we may love Thee as Thou dost love us, and that we may love our fellow man, at home and around the world, as we love ourselves. Put us in remembrance, loving Father, as we enter the discussions and debates of the day, that though we "speak with the tongues of men and of angels, and have not love," we are "become as sounding brass or a tinkling cymbal." For this love we pray, in the name of Him who reveals Thy love to us, as nowhere else in all the universe. Through the blood of His cross. Amen.

The Journal of the proceedings of yesterday 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 a bill of the following title, in which the concurrence of the House is requested:

S. 1232. An act to increase the equipment maintenance allowance payable to rural carriers.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 2296) entitled "An act to amend and supplement the act of June 7, 1924 (43 Stat. 653), and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ELLENDER, Mr. HOLLAND, Mr. GILLETTE, Mr. AIKEN, and Mr. THYE to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1962) entitled "An act to amend the cotton and wheat marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended."

MARGARET MITCHELL

Mr. DAVIS of Georgia. 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 Georgia?

There was no objection.

Mr. DAVIS of Georgia. Mr. Speaker, the untimely passing on yesterday of Margaret Mitchell has caused sadness to millions of people in many lands.

The world knew her as one of the great authors of all time. The people of her native Atlanta knew her not only as a talented writer but as a gentle, kindly, modest, and unassuming friend and neighbor.

She wrote of a people and region which were close to her heart. With her genius, she could have written successfully of other subjects, but she chose to write the story of her own section and the adherence of her people to a cause in which they believed. She was not one to waver in loyalty, and hers was not a spirit to deny kinship with the people she loved because their lot was unhappy or their cause defeated.

As a result of her great book, the people of the South and the North have been bound closer together in bonds of mutual respect and understanding, and all feel equally the great loss sustained through her death.

EXTENSION OF REMARKS

Mr. LANE asked and was given permission to extend his remarks in the RECORD in two instances: in one, to include a letter from a constituent; and in the other, to include another item.

Mr. BARTLETT asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. ZABLOCKI asked and was given permission to extend his remarks in the RECORD and include an editorial from the Milwaukee Journal in tribute to the late Honorable William George Bruce.

Mr. TRIMBLE asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. LUCAS asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks in the RECORD in three instances and include extraneous matter.

Mr. JAVITS asked and was given permission to extend his remarks in the RECORD in two instances and include extraneous matter.

SPECIAL ORDER GRANTED

Mr. JAVITS. Mr. Speaker, I ask unanimous consent that on Tuesday next, after the disposition of business on the Speaker's desk and the conclusion of special orders heretofore granted, I may address the House for 15 minutes.

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

There was no objection.

"WHERE ARE YOU GOING TO GET THE MONEY?"

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

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

There was no objection.

Mr. RICH. Mr. Speaker, I want to read a letter I received this morning. It is as follows:

WILLIAMSPORT, PA., *August 16, 1949.*

Mr. ROBERT F. RICH,
House Office Building,
Washington, D. C.

DEAR BOB: This morning I fitted a glass to the eye of Mr. Charles Metzger, Muncy, Pa., whom I believe you know. He is a fine old

gentleman, 79 years of age. This eye has been blind for several years and I did a cataract on it 6 weeks ago, and he now has good vision. The reason I am writing to you is to tell you that after I put the glass in front of his eye and handed him a newspaper to read, believe it or not and much to my surprise, the first line he read was "Where are you going to get the money?"

Now, BOB, if a blind man can see this as clearly as you do and as I do, I think it might be well to read this letter to some of your congressional friends.

Very sincerely,

P. H. DECKER, M. D.

EXTENSION OF REMARKS

Mr. CELLER asked and was given permission to extend his remarks in the RECORD.

Mrs. ST. GEORGE asked and was given permission to extend her remarks in the RECORD and include a speech by Hon. Winston Churchill in the House of Commons on July 20 on the dismantling program in Germany.

CALL OF THE HOUSE

Mr. CANFIELD. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. PRIEST. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 184]

Allen, Ill.	Gregory	Pace
Anderson, Calif.	Gwinn	Pfeifer,
Bailey	Halleck	Joseph. L.
Barden	Hart	Phillips, Calif.
Baring	Havenner	Plumley
Barrett, Pa.	Hébert	Powell
Beall	Heller	Price
Bennett, Fla.	Herlong	Redden
Bland	Hinshaw	Reed, Ill.
Blatnik	Holifield	Reed, N. Y.
Bolton, Ohio	Irving	Rees
Boykin	Jenison	Riehlman
Breen	Johnson	Rivers
Brown, Ohio	Kearney	Sadowski
Buckley, N. Y.	Keefe	Shafer
Bulwinkle	Kennedy	Sikes
Burke	Keogh	Smith, Ohio
Byrne, N. Y.	Kilburn	Stanley
Clemente	Lesinski	Taylor
Clevenger	Lovre	Thomas, N. J.
Dawson	McCormack	Tollefson
DeGraffenried	McGregor	Towe
Denton	McKinnon	Vinson
Dingell	McSweeney	Walsh
Eaton	Magee	Welch, Mo.
Elston	Miles	Whitaker
Feighan	Monroney	Winstead
Fellows	Morton	Woodhouse
Fogarty	Norblad	Woodruff
Gilmer	Norton	Worley
Gore	O'Brien, Mich.	

The SPEAKER. On this roll call 339 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

COMMITTEE ON WAYS AND MEANS

Mr. SABATH. Mr. Speaker, I call up House Resolution 293 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the Committee on Ways and Means, acting as a whole or by subcommittee, is authorized and directed to conduct thorough studies and investigations of all matters coming within the jurisdiction of such committee.

SEC. 2. For the purpose of this resolution, the committee, or any subcommittee thereof, is authorized to hold such hearings, to sit and act during the present Congress at such times and places as the committee may determine, whether or not the House is in session, has recessed, or has adjourned, to require the attendance of such witnesses and the production of such books, papers, and documents by subpena or otherwise, and take testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee and shall be served by any person designated by such chairman. The chairman of the committee or any member designated by him may administer oaths to witnesses.

With the following committee amendment:

Page 1, line 9, after "places" insert "within or without continental United States."

The committee amendment was agreed to.

Mr. SABATH. Mr. Speaker, there is no opposition to this resolution. It merely gives the Committee on Ways and Means the same power that other committees have, namely, the power of subpena, and general investigatory authority.

Mr. MARTIN of Massachusetts. Mr. Speaker, I wonder if the gentleman would explain the resolution, as it was very difficult to hear while the Clerk was reading.

Mr. SABATH. It gives the Committee on Ways and Means the power of subpena the same as six other standing committees have thus far received. There is no opposition to it.

Mr. MARTIN of Massachusetts. For the information of the House, would the gentleman explain what they intend to do with the power.

Mr. SABATH. The amendment merely says, "Within or without the continental United States." That is because the Committee on Ways and Means will be obliged or may be obliged to go outside the continental limits to make various investigations.

Mr. MARTIN of Massachusetts. I am not opposing the resolution, but I would like to know something about it. It is rather unusual for the Committee on Ways and Means to bring in a proposal for this type of investigation. In my long service here I never remembered the committee making such a request.

Mr. YOUNG of Ohio. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. YOUNG of Ohio. I believe I may be able to answer the question of the distinguished minority leader. We have had before the Committee on Ways and Means the Governor of Puerto Rico and also the representative of the Virgin Islands. It is the intention of the chairman of the Committee on Ways and Means to have a subcommittee go to Puerto Rico and to the Virgin Islands and very likely in connection with that, it may be necessary to subpena some witnesses.

Mr. MARTIN of Massachusetts. What are they going to investigate in the Virgin Islands?

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

Mr. SABATH. I yield.

Mr. EBERHARTER. I may say to the distinguished minority leader that since its inception in 1936, insurance features of the Social Security Act have never covered employees in the Virgin Islands. Neither have the public-assistance features of the Social Security Act ever pertained to the Virgin Islands and to Puerto Rico. Those people are citizens of the United States and they have been importuning the Committee on Ways and Means ever since 1935 to give their citizens, who are citizens of the United States, the same rights as citizens here in the States have.

So the committee felt it was necessary to look into the situation down there and see whether it is practicable and wise to include citizens of Puerto Rico and of the Virgin Islands in the benefits of the Social Security Act. That is the reason this resolution is being presented.

Mr. MARTIN of Massachusetts. Then the purpose of the investigation is to see about giving old-age pensions to the Virgin Islands and Puerto Rico?

Mr. EBERHARTER. No, the fact is that the committee is considering giving a sort of limited amount of old-age assistance and a limited amount of old-age and survivors' insurance benefits to the persons in the Virgin Islands and Puerto Rico.

Mr. MARTIN of Massachusetts. Has the committee ever traveled about the United States in its investigation of the problem?

Mr. EBERHARTER. The committee has conducted studies for, I will say, 15 years on that subject all over the United States. I am sure the gentleman from Massachusetts himself knows plenty about the old-age insurance system and survivors' insurance as well as the old-age assistance program.

Mr. MARTIN of Massachusetts. I know, but you never had to travel in the United States to ascertain the facts about the issue.

Mr. EBERHARTER. Yes, I have done a lot of traveling with respect to that subject.

Mr. MARTIN of Massachusetts. But the committee up to this time has never come to the Congress and asked for authority to subpena witnesses?

Mr. EBERHARTER. Well, I think most of the Members who have done investigating of this sort have spent their own money and witnesses have spent their own money, but this time, it is hoped, the Congress is going to be good enough to supply the money for the investigation.

Mr. MARTIN of Massachusetts. I think if there is any committee that really deserves a bit of a vacation and travel, it is the Committee on Ways and Means, so I am not going to object.

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

Mr. SABATH. I yield.

Mr. COX. Mr. Speaker, I believe this is the first time that the Committee on Ways and Means has ever sponsored a resolution of this kind. I believe the confidence that the membership of the House has in the committee is assurance that the privilege and right will not be

abused. This, in my opinion, is a measure which the House should accept by unanimous consent.

Mr. SABATH. Mr. Speaker, I believe we all recognize the fact that the Committee on Ways and Means is the most powerful, most influential, and hardest working committee that we have. Under the leadership of the present chairman, the gentleman from North Carolina [Mr. DOUGHTON] I know that when they ask for this power, it will not be abused.

We have heard the evidence before the Rules Committee and we were all of one accord, namely, that this privilege should be accorded to the Ways and Means Committee.

Mr. BOGGS of Louisiana. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. BOGGS of Louisiana. I would like to say to the gentleman, as a member of the Ways and Means Committee, that this resolution was unanimously approved by the Ways and Means Committee, which means that the minority members voted the same as the majority members. This Puerto Rico-Virgin Islands situation is a serious problem and does deserve some attention by the committee.

Mr. SABATH. Mr. Speaker, under the conditions that prevail, I move the previous question.

Mr. MILLER of Nebraska. Well, Mr. Speaker, I asked the gentleman to yield. We have a committee in the House, the Public Lands Committee, which deals with the Virgin Islands and all of the problems connected with the Virgin Islands. I am wondering why the Ways and Means Committee now comes in on the province of the Committee on Territories and Insular Affairs.

Mr. MARTIN of Massachusetts. Of course, we can have a roll call on the previous question.

The SPEAKER. The Chair thought everybody had had their say.

Mr. SABATH. I simply wanted to save the time of the House. That is the reason I moved the previous question.

The SPEAKER. The question is on the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CALENDAR WEDNESDAY

The SPEAKER. This is Calendar Wednesday.

Mr. HOFFMAN of Michigan. Mr. Speaker, I make a point of order. My point of order is that inasmuch as the House is now sitting in the committee room of the Ways and Means Committee in the New House Office Building and that the Senate has not consented to the action which the House took some time previously, the House is not a competent, legal tribunal, qualified under the Constitution to act. I want to be heard.

The SPEAKER. The Chair is ready to rule. The Chair overrules the point of order.

Mr. HOFFMAN of Michigan. May I not cite the provision of the Constitution?

The SPEAKER. The Chair is ready to rule and has ruled on that question four times. The Chair does not desire to hear the gentleman on the point of order.

Mr. HOFFMAN of Michigan. May I cite the section?

The SPEAKER. The gentleman may extend his remarks to do that.

The Clerk will call the committees.

TEMPORARY APPROPRIATIONS

Mr. CANNON (when the Committee on Appropriations was called). Mr. Speaker, in order to save the time of the House, I ask unanimous consent for the present consideration of House Joint Resolution 339, and I ask unanimous consent that the same be considered in the House as in Committee of the Whole.

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

Mr. RANKIN. Mr. Speaker, I must object to that. The rule provides that this bill be considered in the Committee of the Whole for amendment, whatever the measure is. We have not seen it. There are a great many objections to what we hear is in the bill.

The SPEAKER. Objection is heard.

Mr. CANNON. Mr. Speaker, by direction of the Committee on Appropriations, I call up House Joint Resolution 339.

The Clerk read the joint resolution, as follows:

Resolved, etc., That Public Law 154 (Eighty-first Congress), making temporary appropriations for the fiscal year 1950, and for other purposes, as amended, is hereby amended by striking out, in section (c) thereof, "or (3) August 15, 1949."

The SPEAKER. This bill is on the Union Calendar. The House automatically resolves itself into the Committee of the Whole House on the State of the Union.

Mr. CHURCH. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The Chair will count. [After counting.] Two hundred and thirty-seven Members are present, a quorum.

Under the rules the House automatically resolves itself into the Committee of the Whole House on the State of the Union. The gentleman from Tennessee [Mr. COOPER] will take the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of House Joint Resolution 339, amending an act making temporary appropriations for the fiscal year 1950, as amended, and for other purposes, with Mr. COOPER in the chair.

The Clerk read the title of the joint resolution.

The CHAIRMAN. Without objection the first reading of the joint resolution will be dispensed with.

Mr. RANKIN. Mr. Chairman, I would like to hear the resolution read. I object to dispensing with the reading of the resolution.

The Clerk read as follows:

Resolved, etc., That Public Law 154 (Eighty-first Congress), making temporary appropriations for the fiscal year 1950, and for other purposes, as amended, is hereby amended by striking out, in section (c) thereof, "or (3) August 15, 1949."

The CHAIRMAN. Under the rule, general debate is limited to two hours. The Chair will recognize the gentleman from Missouri [Mr. CANNON] for 1 hour in favor of the joint resolution and later the gentleman from New York [Mr. TABER] for the hour in opposition.

The gentleman from Missouri is recognized.

Mr. CANNON. Mr. Chairman, I yield myself 2 minutes.

The CHAIRMAN. The gentleman from Missouri is recognized for 2 minutes.

Mr. CANNON. Mr. Chairman, this is a routine procedure. There are few if any sessions of the Congress in which we do not run past the close of the fiscal year with some supply bill undisposed of; consequently, in practically every session of Congress we have passed resolutions similar to the pending resolution.

I am certain every Member of the House is thoroughly familiar with the bill and its purport. This is the third time the resolution—identical in every provision with the exception of the date—has been reported out by the Committee on Appropriations and submitted to the House.

It was hoped that it would not be again necessary to submit it to the House but some of the supply bills have not yet been enacted and it is necessary to report it the third time in order to take care of essential expenses of Government pending disposition of the bills which have passed the House but are still pending in the Senate or in conference.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from Mississippi.

Mr. RANKIN. Yes. I wish to ask the gentleman what amendment he proposes to offer to this resolution.

Mr. CANNON. We expect to offer one amendment limiting the extension to September 15, 1949.

Mr. RANKIN. Is that the only change to be made?

Mr. CANNON. That is the only change.

Mr. RANKIN. As far as I am concerned and the Members with whom I have conferred, we have no objection to that.

Mr. CANNON. We are glad to have the gentleman's approval.

Mr. BREHM. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

OHIO PRODUCTS

Mr. BREHM. Mr. Chairman, it has come to my attention that on August 23, 1949, bids will be taken for the construction of the Clinical Center Institute of Health, Bethesda, Md. The construction specifications call for Indiana limestone with an alternate of Ohio gray sandstone.

In the many Federal buildings in and about Washington, D. C., there have been

millions of cubic feet of limestone, granite, and marble used for construction but not a single foot of Ohio sandstone has been used. Many fine examples of Ohio sandstone construction, both public and private buildings, are to be found in many States and yet in and about the Nation's Capital, the products of the State of Ohio are not in evidence. Only during the past few days has there even been a street in Washington bearing the name of the great State of Ohio. This was made possible by the untiring efforts of Congressman THOMAS A. JENKINS, who has been working diligently on this objective for many years.

The very fact that Ohio sandstone is specified as an alternate is assurance of its approval as a satisfactory building stone and as I understand Federal buildings are expected to be truly representative of the Nation's resources. I cannot help but feel that the State of Ohio should be permitted to supply one of its greatest natural products, Ohio sandstone, especially in view of the millions of tax dollars which the citizens of Ohio are compelled to contribute into the coffers of the Federal Treasury.

I understand that this project comes under the direction of Mr. Jesse Larson, Director of General Service Administration and directly under Commissioner W. E. Reynolds, of the Public Buildings Administration. I am not suggesting that the bids be closed to Ohio gray sandstone, but I most certainly hope that this durable and proven material will be taken into consideration and receive an even break in the further letting of contracts.

MINIMUM-WAGE CLARIFICATION

Mr. Chairman, on August 9 the majority leader, the gentleman from Massachusetts [Mr. MCCORMACK], debating the issue of increasing the minimum wage, stated in part—and I quote:

> If the Lucas substitute would be adopted in the Committee of the Whole, and I doubt it, and hope it will not be adopted, there will be a roll-call vote on it in the House. If that should happen, that vote will determine the position of Members for or against the 75-cent minimum wage. No matter how much a Member may think he is hiding the issue, that will be the issue.

Now, Mr. Chairman, just as soon as possible after the gentleman from Massachusetts had made this remark I obtained the floor and stated that if an amendment should be offered to the Lucas substitute increasing the amount from 65 to 75 cents per hour and the amendment carried, that the vote would then come on the Lucas substitute as amended, and that the statement of the gentleman from Massachusetts would be inaccurate.

This is just to call attention to the inaccuracy of the statement of the gentleman from Massachusetts because as every Member of the House knows, an amendment was adopted to the Lucas substitute increasing the rate to 75 cents per hour. Therefore criticism which may be directed against those who voted for adoption of the Lucas substitute must be directed at some other provision of the bill rather than attempting to base it on unfounded grounds that it proposed less than 75 cents per hour. Both the Lucas substitute and the Lesinski bill carried the 75-cent minimum wage before any vote was taken on substituting Lucas for Lesinski.

Mr. TABER. Mr. Chairman, I yield myself 16 minutes.

Mr. Chairman, this resolution and the original so-called continuing resolution represent the most unusual procedure that has ever been presented to the Congress or that has ever been acted upon. I regret that I was not able to be here at the time the original resolution was adopted. It was stated at that time that it was the usual form of continuing resolution when, as a matter of fact, it was not.

Mr. Chairman, let me tell you what can be done under this continuing resolution. It is the most unusual and most arbitrary operation I have ever known to happen. It provides that wherever there have been funds provided for any department, agency, corporation, or other organization or unit in any branch of the Government for the fiscal year 1949 to carry out projects or activities for which a budget estimate for the fiscal year 1950 was transmitted to the Congress prior to July 1, 1949, but for which no provision is contained in any bill pending in Congress on July 1, 1949, that the rate provided for under any corresponding appropriation for the fiscal year 1949 or the budget estimate for 1950, whichever is smaller, may be spent by the agency involved.

Mr. Chairman, this is an abdication on the part of the Congress of its power to appropriate funds. It bypasses the Congress of the United States. It allows items that have not been authorized by law to be spent out of the Treasury, and it allows all sorts of things for which an appropriation has been denied by the Congress to be paid for out of the Treasury. For example, the House of Representatives voted the other day to instruct the conferees representing the House, on motion of the gentleman from Missouri [Mr. CANNON], chairman of the Committee on Appropriations, not to agree to the Senate amendment providing $344,000 for the so-called watchdog committee in the ECA appropriation.

Last year two-hundred-sixty-odd thousand dollars was appropriated, but under this resolution, regardless of the fact that there was nothing in the House bill for this item, and regardless of this instruction, that committee could go on and function and spend money until the ECA law was adopted.

Let me call your attention to other items. A budget estimate was submitted here prior to the 1st of July—and I have a copy of it—requesting appropriation of $25,000,000 to carry on a relief activity in Korea. The Committee on Rules has not reported any rule on a bill authorizing anything of that character. But funds may be spent, nevertheless. Frankly, I think that it is absolutely ridiculous for the House of Representatives or the Congress to attempt to abdicate its appropriating authority and allow activities to continue that have continued, and for which nothing is provided for in the appropriation bills.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Georgia.

Mr. COX. I have asked the gentleman to yield in order to emphasize the point which the gentleman is making. I think the gentleman's statement is worthy of careful consideration on the part of the House. I wonder what amendment, additional to that which the chairman of his committee, the gentleman from Missouri [Mr. CANNON], proposes to offer, would satisfy the gentleman now having the floor.

Mr. TABER. An amendment that would not permit these funds to be used for the purposes set forth in paragraph (b).

Mr. COX. Would an amendment striking paragraph (b) meet the gentleman's objections to the bill?

Mr. TABER. If there were added to paragraph (c), which would except from the provisions of paragraph (c), which is the appropriating language, any expenditures that might be made under paragraph (b).

Mr. COX. Under paragraph (b) is it possible for the expenditures to be made, certainly under approval of the Bureau of the Budget, and in the absence of legislation on the part of the Congress?

Mr. TABER. By either House, if there had been an appropriation, for a similar activity the previous year.

Mr. COX. Then, what sound objection in the mind of the gentleman could be offered against the striking of paragraph (b)?

Mr. TABER. I cannot see any. I have stated repeatedly that I would agree to this resolution, although I think personally that September 15 is longer than we ought to extend it, because it will tend to delay the operations of these conference reports rather than to expedite them, and I think we ought to expedite them just as much as we can so that the Senate and the House may complete their business.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Mississippi.

Mr. RANKIN. What I had reference to a while ago was the time. I have no objection to the passing of a measure of this kind with a limit of, say, 30 or 60 days, which this bill contains, but I am not in favor of delegating the power of Congress to the Bureau of the Budget. It seems to me, according to the gentleman's statement, that some amendment should be introduced and adopted that will insure that we are not delegating the power of the Congress to the Bureau of the Budget or to anyone else.

Mr. TABER. That is just exactly what we have done with this bill.

Mr. ROONEY. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from New York.

Mr. ROONEY. Is it not the fact that the minority Members of the House Committee on Appropriations approved, without exception, the provisions of subdivision (b)?

Mr. TABER. No; it is not. They were advised—without understanding it, perhaps—that it was the usual continuing resolution, and it is not.

Mr. ROONEY. Is it not the fact that sometime about the 30th of June this matter came before the full Committee on Appropriations and was passed upon by the gentleman from Massachusetts [Mr. WIGGLESWORTH] and the minority members of the committee, was approved, and subsequently unanimously passed by the House?

Mr. TABER. I was not here.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. CASE of South Dakota. The issue is related to the time question. One might agree to a reasonable extension of time or a very limited extension of time because of the legislative situation, to permit an activity to continue, but not indefinitely. These repeated extensions are the root of the evil in the situation.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. TABER. Mr. Chairman, I yield myself five additional minutes.

Mr. ROONEY. If the distinguished gentleman from New York will yield further, may I say that I think the gentleman from South Dakota is sidestepping the issue. We have not been talking about the length of the extension of time. We are directing ourselves to the question as to what are the effects of subdivision (b). No harm has been done under this subdivision up to now, and it has been in operation over 6 weeks. Is that not the fact?

Mr. TABER. I would not say there has been no harm done because I cannot tell about that.

Mr. ROONEY. Can the gentleman tell us what harm has been done?

Mr. TABER. I cannot tell the gentleman that. I should say perhaps considerable harm has been done.

Mr. CASE of South Dakota. If the gentleman will yield further, I would not want the gentleman from New York to be under the misapprehension that I was not speaking with respect to paragraph (b). With respect to that paragraph, the root of the evil is the time element that is involved. Conceivably, if there were legislation pending before the Congress to authorize a program, and the President had submitted a budget request for it and, because of the legislative situation, action had not been taken, you might say, "For a reasonable time, if this is an activity that was in operation last year, we will let you continue under the rate of expenditure of last year," even though there may have been no new legislation either of authorization or of appropriation by either House. But if that is to continue indefinitely, it means that you are substituting for the wishes of the legislative committee which would provide for the authorization of the continuation of that program the judgment of the Bureau of the Budget, and you are bypassing then not merely the Committee on Appropriations but also the legislative committee.

Mr. ROONEY. The situation today, August 17, is exactly the same as it was on the first day of the fiscal year, July 1.

Mr. CASE of South Dakota. Six weeks time then means nothing to the gentleman from New York. The fact that legislative committees have failed to bring before the House or the Senate or been able to pass there certain authorizations for continuing programs which were in existence in fiscal 1949 indicate either that they are not sold on them or that the Congress is not ready to act upon them. That fact of itself means nothing to the gentleman from New York. Six weeks of time is of the essence in this matter.

Mr. TABER. The difference is that this time we know there is a delegation of authority to the Bureau of the Budget. The other time it was not realized. I present no apologies for that. It is a fact. It was extended once with my consent without my calling for the original resolution. I assumed it was the regular continuing resolution. I cannot agree to consent to going ahead with it, with a delegation of appropriating authority to the Bureau of the Budget.

Mr. MARTIN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. MARTIN of Iowa. I would like to ask the gentleman whether or not copies of Public Law 154 are available here on the House floor. I cannot find any reference to it or any inclusion of it in the committee report. I am very curious as to what we are here amending by simply extending the date. I do not find any reference to it in the committee report.

Mr. ROONEY. Mr. Chairman, I am glad to hand the gentleman from Iowa a copy of Public Law 154.

Mr. MARTIN of Iowa. Does the gentleman refer to a copy of the law?

Mr. ROONEY. Yes.

Mr. MARTIN of Iowa. I was just wondering how it happened to be omitted from the committee report.

Mr. TABER. It should have been in the committee report because the House should have been advised of it.

Mr. JACKSON of California. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. JACKSON of California. There is currently pending a proposal to send $150,000,000 7,000 miles from San Francisco to Korea. Do I understand that under the provisions of this proposal, if passed, it would be possible to embark upon that program without the prior legislative approval of the Congress?

Mr. TABER. I understand it has already been embarked upon and that money has been expended. The budget estimates submitted before the 1st of July were for $25,000,000, and the expenditures would be limited to that. In addition to that, the so-called watchdog committee is in a position, if this thing goes through, to use up the $260,000.

Mr. JACKSON of California. I thank the gentleman. I certainly join with him in his opposition to this.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. KEATING. The gentleman has said that this resolution is not in the ordinary form. Does the gentleman know of any precedent in all of our legislative history for the abdication by the Congress of its functions of appropriation to the Bureau of the Budget in the manner intended by this resolution?

Mr. TABER. I do not. I have never heard of such a thing before.

Mr. McDONOUGH. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. McDONOUGH. Will the gentleman explain to the House who is responsible for the situation we are now in as a result of which this unusual resolution is before the House for consideration?

Mr. TABER. This third continuing resolution, insofar as it is a continuing resolution, is made necessary by the fact that the other body is taking more time in considering appropriation bills than it has ever taken before. Perhaps that is because the President's budget estimates were about $6,000,000,000 above what they were last year and because it has been necessary to go into them further than they ever did before. Perhaps it has been caused by the long speeches which some of the friends of the President made in the other body on these bills. I should imagine that perhaps both reasons have something to do with the operation. That is no reason why we should not adopt an amendment which will correct that situation when this bill is read for amendment, and I hope that such an amendment will be offered.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. SABATH. I yield.

Mr. COX. I would like to state to the gentleman that the Committee on Rules patiently examined this question. It declined to grant a rule because, as I recall, it was the unanimous opinion of the committee that section (b) should go out, and that a time limit date should be fixed. It was not within the power of the committee to amend the resolution. Therefore, no action was taken and the matter was permitted to ride in the hope that it might be possible for those taking opposite views to come to an agreement whereby consent would be given for the elimination of section (b)—and section (b) unquestionably should go out and a time limit date also should be fixed.

It is my belief, Mr. Chairman, that if that alternate agreement could be reached, the House would accept the resolution by unanimous consent. It certainly would be a tremendous mistake not to fix a time limit date. That has been evident already. Information has come to this House and to the Committee on Rules to the effect that a bad situation would be created at the other end of the Capitol if we should have accepted the resolution in its original form.

In the interest of unanimity and quick action and giving results that would satisfy the need, it does seem to me that those insisting upon the resolution might make the further concession of consenting to letting section (b) go out.

Mr. TABER. Mr. Chairman, it would be entirely agreeable to me if this legislation is amended to September 15 and the operations of section (b) are prohibited. Frankly, I think the passage of a continuing resolution tends to delay consideration of these appropriation bills. The fact that there is no continuing resolution in effect has had a great moral effect on the operations of the appropriation bills in the other body already, and I think they are ready to move in;

but if we give them too much time it is bad, because that does away with the reason for the immediate haste that should be followed through.

Mr. WIGGLESWORTH. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. WIGGLESWORTH. Does not the gentleman think that the work on all appropriations, both in the other body and in conference, could be disposed of in a matter of 2 or 3 days if the proper inclination were there, and make unnecessary the adoption of any continuing resolution?

Mr. TABER. Absolutely. As I said, if the proper amendment be adopted to this resolution, I shall not object to it, although I think September 15 is too distant a date, but I would go along with that if we could get the operations of section (b) eliminated.

Mr. Chairman, I reserve the balance of my time.

Mr. RANKIN. Mr. Chairman, I make a point of order. I was on my feet urging a point of order when the motion was made to go into committee. I make the point of order that this bill is not properly before the House, for the simple reason that the report does not comply with the Ramseyer rule, and therefore the membership is not properly informed as to what had obtained.

The CHAIRMAN (Mr. COOPER). Of course, that point of order would have to be made in the House and not in Committee of the Whole. The point of order comes too late, and the Chair overrules the point of order.

Does the gentleman from Missouri desire to consume further time?

Mr. CANNON. I have only one other speaker on this side. Perhaps the gentleman from New York will consume some more of his time.

Mr. TABER. Mr. Chairman, I yield 5 minutes to the gentleman from South Dakota [Mr. CASE].

Mr. CASE of South Dakota. Mr. Chairman, at the outset I might say that some of us had given consideration to raising the question of the point of order raised by the gentleman from Mississippi [Mr. RANKIN] on the Ramseyer rule, when the matter came up in the House, before we went into Committee of the Whole, but it was my opinion, at least, that that would put us in the position of attempting to block any action whatsoever, and I checked it off as something not to be done, when I learned that an amendment would be offered that would limit this continuing resolution to the 15th of September.

There were two points at issue when this resolution came up the other day. One was the open-end date. The other was paragraph (b). Admittedly, the main objection to the resolution has been considerably modified by the statement of the chairman of the committee that he will offer an amendment to limit the action of this Public, 154, to September 15.

I was told by some Members of Congress that had the other resolution passed this body, it would never have been agreed to over in the Senate, because they recognized that if we had once passed a resolution in the form in which it originally was presented, there would perhaps not be agreement on any additional appropriation bills during the balance of this fiscal year. It could have been argued that there was no need, that the agencies could go on the basis of the funds that they had last year under the terms of the resolution. I was told that one of the outstanding members of the other body took that position. So it would have put us in a situation where those of you who are interested in bills, which have some provision that had not been agreed upon would be limited to the terms of paragraph (a).

Mr. CANFIELD. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield.

Mr. CANFIELD. Will the gentleman from South Dakota tell us just where in a situation of that kind we find the budget officer of the bureaus and of the agencies downtown who are supposed now to be working on the 1951 bills? Where are they placed?

Mr. CASE of South Dakota. The gentleman has raised a very interesting point. Those of you who are familiar with the way budgets are developed in agencies know that at this time of the year the budget officers of the various agencies are supposed to be working not upon a puzzle as to how much money they are going to have in this fiscal year; they are supposed to have known that before the 1st of July, but at this time of the year they are preparing the program of estimates for their agencies for the next fiscal year. Then they go to the Bureau of the Budget, they have their hearings before the Bureau of the Budget along in September and October. Then the Bureau of the Budget has to have time after that in November to work up the consolidation of the various requests into the President's budget so that it may be ready for the printer in December and come to the Congress in January.

Mr. MARTIN of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield.

Mr. MARTIN of Massachusetts. Does the gentleman from South Dakota think we will get this year's bills through Congress before we have to start on the consideration of next year's bills?

Mr. CASE of South Dakota. It certainly does not look that way at this moment under the resolution as it now stands. As I have said, there were two objections raised the other day: One was the time element; the open-end proposition which would have continued the situation indefinitely for the balance of the ficsal year; the other was this paragraph (b).

I do not personally know just why paragraph (b) was written in the resolution. When the matter was under consideration in the first instance, the clerk of the Committee on Appropriations told me that this was a very difficult resolution to prepare, the most difficult he ever had been asked to write, if I recall correctly. In fact, he said it was pretty hard to encompass what was wanted to be encompassed. I have heard that when the request for the rule was made before the Committee on Rules a very distinguished gentleman asking for the rule said that the necessity for paragraph (b) was that without it the Korean-aid program would stop because no new appropriation had been made for the Korean-aid program, and none was carried in any bill before either House. That apparently is one reason why paragraph (b) was included. I leave it to the judgment of the Members whether any activity, whatever its merits, should be continued simply on a budget estimate if it cannot gain the support of either body of Congress.

Under paragraph (b), also, any other items which were contained in the appropriation bill last year but which have been left completely out of the bill this year in either body could still be continued in the amount of the Budget Bureau's request. Has Congress become so weak and yielding that it is to surrender its appropriation powers to the estimates of some clerk in the Bureau of the Budget—and do it in blank? I hope not.

So it seems to me to be a reasonable proposition to have a September 15 dead line and adopt an amendment which states that paragraph (b) has already expired.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. CANNON. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Illinois [Mr. SABATH], chairman of the Committee on Rules.

Mr. SABATH. Mr. Chairman, in view of the objections that were raised relative to there was no time limit in the resolution, and that no explanation was made with reference to section (b) and its actual effect, the Committee on Rules after long deliberation postponed favorable action. In this connection, however, I wish to say that I have been here for many years and I do not feel that the Committee on Appropriations of the House should be criticized, because never before has that committee reported appropriation bills as speedily as it has in this Congress.

Unfortunately, the other body loves to delay. It is unfortunate that a coalition exists in the other body which loves to speak and delay consideration of bills. The Rules Committee was under the impression that if we did not act on the resolution perhaps they may wake up and start doing something and report or agree to some conferences on the various appropriation bills that have been over there for nearly 3 months now.

We do not feel that the Appropriations Committee of the House should be criticized, as I said before. However, I realize that the date in the original resolution was omitted and that there was an indefinite postponement, which would be a dangerous precedent from the point of view of the committee and from my point of view.

I think some real reason should be given for the continuance of section (b). The chairman of the committee has given me a reason which was not given to the Rules Committee when the application was made for a rule. If a condition exists and some important matters need attention and should be attended to, and they might suffer otherwise, and cause delay, I feel there may be some justification for section (b). But we should be

informed how important the contemplated legislation is that will be carried out under this resolution which the chairman of the Appropriations Committee has presented. I am pleased that he has agreed to the date of September 15. That limitation will be helpful and beneficial. Otherwise we feel that the other body would not act at all, and would, in fact, play around and waste time at the expense of the House and at the expense of the country.

I think something ought to be done to control the other body. Of course, we have our own troubles over here. But on the other side filibusters are carried on from time to time which are unjustified and unwarranted, and I think it would be far better for the country if the gentlemen over there would realize the situation and do something beneficial for themselves, for the House, and for the country.

If the gentleman from Missouri will explain section (b) and the underlying reasons for it and why he feels it is necessary, perhaps we may be able to vote with him; otherwise, if it is not properly explained, section (b) ought to be stricken out.

Mr. TABER. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. JENSEN].

Mr. JENSEN. Mr. Chairman, I think some Members of the House of Representatives have embarked upon a dangerous practice of criticizing the other body, and I can see very plainly that a part of the criticism which has been directed against the other body will backfire on the House of Representatives when the whole truth is known, and also that it will be mighty bad for America if the two branches of Congress really get to fighting among themselves, because that is exactly what the left-wingers and the radicals of this country and the world would like to have us do. So I hope that we will be more careful from now on in the manner we speak about the other body.

The truth of the matter is that the subcommittee of the Committee on Appropriations of the House were pushed every minute from the day the Eighty-first Congress convened to get these appropriations out in jig time, as I said recently, on the floor of the House, the President's huge appropriation request, generally speaking, were not sufficiently considered in the House. The majority in control has little to crow about or stick out their chests about, when the facts are that we appropriated approximately $4,000,000,000 more in House appropriation bills than did the Eightieth Congress. So, when we start criticizing the other body, I think we better take a good look in the mirror at ourselves.

I am sure a lot of other Members of the House wonder why this resolution ever got out of the full Committee on Appropriations in the form it has. The facts are that too many members of the full Committee on Appropriations did not have full knowledge of the wording of the Public Law 154 which is controlling in this resolution. It was not read in the full committee; read last Monday, nor was it read today. I asked that the resolution be read to the committee this morning but the chairman of the full committee objected. He said I was out of order. Why? Among Members of Congress on committees, we hardly ever follow a set parliamentary procedure. We try to act as gentlemen and be fair with each other. As I said, I asked that this resolution be read and I was refused by the chairman of the full committee the gentleman from Missouri [Mr. CANNON]. So, you do not have to wonder at all why this resolution comes to this floor from the full Committee on Appropriations in the form that it does, because the facts are that there were not enough members of the full committee that knew what they were voting on. Now, that is the story. I am sure, if you will read Public Law 154, you will see that we are, by its provisions, delegating the appropriating authority of the Congress to the Bureau of the Budget to a great degree, and I am not ready to delegate the authority of Congress or of this House of Representatives to any agency of Government, or to the President, or anyone else, for certainly we must not, we dare not. I sincerely hope this House will accept its full responsibility now.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. CANNON. Mr. Chairman, this resolution in its present form has been before the Committee on Appropriations three times, June 29, July 28, and August 15. It was introduced the first time some 6 weeks ago, and every member of the committee had a copy of it. We discussed it for some time, then recessed to answer a roll call in the House, and came back and again discussed it at length. The clerks of the committee sat down with the ranking members of the committee on the other side and went over it comma by comma, so they could not have failed to know what was in it at the time. And it was reported out by the unanimous vote of the committee.

Three weeks later it again came before the committee, and a copy was available for everybody. The gentleman from New York himself discussed the resolution in precisely its present form and voted to report it out. As will be noted, it is a very brief resolution. It covers only one page. There is no difficulty about anyone's understanding it who can read the English language. And the committee and the House twice passed it in its present form with the exception of the date. Why this sudden protest against a law that has worked admirably on each previous occasion.

Now, as to why this particular section was included in the bill, everybody will recall that the first of the current year we recognized the independence of Korea. Up to that time the work in Korea had been paid for out of the GARIOA funds, but when it became an independent country GARIOA, which applies only to occupied territory, was no longer applicable. Consequently, no funds were available for the support of our large establishment in Korea after the 1st of July.

In order to take care of this critical situation, the House Committee on Foreign Affairs reported out a bill to take care of the situation from July 1 on. It is on the calendar but cannot be called up until the rule is granted. Pending its enactment, money had to be made available to take care of the 180 people who were over there and who are still over there. We could not abandon our far-flung organization in Korea at this very critical time. That section of the Orient is the powder keg of the world. We must have representation there. We must do everything there we can to avoid war, or, if war comes, we must be in a position to take advantage of their experience and information. Therefore, we provide in this resolution for the care and safety of the 180 defenseless people over there representing the United States Government and its interests. We cannot abandon them. There is no other way to provide for them. The paragraph which the amendment of the gentleman from New York seeks to strike out covers the hiatus until the bill from the Foreign Affairs Committee becomes a law. If the bill does not become a law, it provides money to liquidate America's Korean organization and bring these people home safely. It is this provision the amendment of the gentleman from New York seeks to strike out. The provision has no other application or effect. Under the terms of the resolution it cannot apply to any other situation. It has been in effect in the last two resolutions without incurring the slightest criticism. Why eliminate it now? And if you do, what will you do with the 180 people representing our Government in this important listening post of the world?

Mr. Chairman, I submit that no single tenable reason has been advanced warranting the abandonment of the American delegation in Korea. There is no other method of supporting them in the interim between the repeal of the paragraph and the enactment of the bill reported out for the purpose by the Committee on Foreign Affairs. If the bill reported by the Committee on Foreign Affairs does not became a law, there is no way of liquidating the agency and bringing our people home.

The substitute should be rejected.

Mr. TABER. Mr. Chairman, I ask that the Clerk read.

The CHAIRMAN. If there is no further time to be used in general debate, the Clerk will read.

The Clerk read as follows:

Resolved, etc., That Public Law 154 (81st Cong.), making temporary appropriations for the fiscal year 1950, and for other purposes, as amended, is hereby amended by striking out, in section (c) thereof, "or (3) August 15, 1949."

Mr. CANNON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CANNON: On page 1, line 6, before the period insert "and insert in lieu thereof 'September 15, 1949.'"

Mr. SCRIVNER. Mr. Chairman, I move to strike out the last word.

I take this time to ask the chairman of the Committee on Appropriations, the gentleman from Missouri [Mr. CANNON], whether or not on June 29, I believe it was, when this continuing resolution was first considered, he did not tell us and if he did not tell the Members of the

House that this resolution was in the usual language?

Mr. CANNON. No, Mr. Chairman, I did not make any such statement. At the beginning of my remarks this afternoon, I said it was "routine." Such resolutions have been offered in every Congress.

Mr. SCRIVNER. Mr. Chairman, I decline to yield further to the gentleman from Missouri.

Mr. Chairman, in view of the reply made by the gentleman from Missouri, I call attention to what we find on page 8689 of the CONGRESSIONAL RECORD of June 29. The gentleman from Missouri [Mr. CANNON] was speaking, and he said:

> So we bring in a continuing resolution, House Joint Resolution 284, which is couched in the usual phraseology.

Mr. Chairman, I yield back the balance of my time.

Mr. CANNON. And it is couched in the usual phraseology, it includes all the usual phraseology ordinarily carried in a continuing resolution.

Mr. TABER. Mr. Chairman, I offer a substitute amendment. The Clerk read as follows:

> Amendment offered by Mr. TABER as a substitute for the amendment offered by Mr. CANNON: On page 1, line 5, strike out the period and add "and insert in lieu thereof the following: 'or (3) with respect to paragraph (b) August 15, 1949, and with respect to paragraph (a) September 15, 1949.'"

Mr. TABER. Mr. Chairman, the effect of the substitute which I have offered would be to extend the continuing resolution insofar as paragraph (a) of the continuing resolution is concerned to September 15, just as the gentleman from Missouri has suggested. It also prohibits the use of the funds that might have been made available by paragraph (b) after August 15, when the original amendment to the resolution expired. If you vote for my amendment, it means that we get rid of that delegation of authority to the Bureau of the Budget which was accompanied by paragraph (b). Paragraph (b), of course, was without authorization of law. Paragraph (b) is just one of the items that almost anything can go along under.

Mr. RABAUT. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. RABAUT. If we do that, we abandon 180 people in Korea?

Mr. TABER. If we do this, we get rid of this delegation of authority to the Bureau of the Budget.

Mr. RABAUT. I am asking what happens to the people in Korea. You tell that to the House.

Mr. JACKSON of California. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. JACKSON of California. Is there any difference between the 180 people in Korea and the occupation forces in Japan or Germany or Austria, as far as taking care of them is concerned?

Mr. TABER. Yes. We have no authority at the present time in any way existing for the operation in Korea. We do have treaty authority in Japan, which authorizes the appropriation for expenditure of funds.

Mr. JACKSON of California. I assume the 180 people are Army personnel?

Mr. TABER. I assume so.

Mr. JACKSON of California. And the Army has been letting them starve to death—those 180 men in Korea?

Mr. TABER. I do not believe so.

Mr. JACKSON of California. I doubt it very much.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. COX. I have asked the gentleman to yield to see if I understand what his amendment means. As I understand it, the gentleman accepts the amendment offered by the gentleman from Missouri [Mr. CANNON].

Mr. TABER. I do.

Mr. COX. And he adds the additional amendment that has the effect of eliminating section (b)?

Mr. TABER. From this date forward; yes. That is the effect of it.

I hope that this amendment will be adopted and that we will have a cessation of the operation of delegating the appropriating of power of Congress to the Bureau of the Budget.

The CHAIRMAN. The time of the gentleman from New York [Mr. TABER] has expired.

Mr. CASE of South Dakota. Mr. Chairman, I move to strike out the last word.

Earlier, Mr. Chairman, there was a little colloquy between myself and the gentleman from New York [Mr. ROONEY] in which I was trying to make the point that time was of the essence and was a consideration in the original agreement to the resolution. I have here the RECORD for June 29, and at page 8689 I asked the gentleman from Massachusetts [Mr. WIGGLESWORTH] to yield. He yielded; and then I asked:

> Under the resolution as reported, does it carry the amendment limiting it to July 31?
>
> Mr. WIGGLESWORTH. Yes. An amendment was adopted in committee which limits the duration of the resolution until, first, enactment into law of the applicable appropriations act; or, second, the date both Houses shall have acted and failed to make an appropriation; or, third, July 31, 1949, whichever first occurs.

Then the gentleman from Missouri [Mr. CANNON] said:

> Mr. Speaker, on the contrary, no amendment was adopted in the committee. The resolution is as considered by the committee.
>
> Mr. WIGGLESWORTH. The resolution was revised and reintroduced.
>
> Mr. CASE of South Dakota. Will the gentleman from Missouri advise us about the resolution before the House? Does it carry the date July 31, 1949?
>
> Mr. CANNON. Certainly.

My recollection of the original of this whole proposition was that at that particular date I had a meeting of the Committee on Un-American Activities, or some other meeting, which prevented my attendance at the Appropriations Committee meeting that morning. What was first shown to me was the original draft in which there was no date dead line, and it was suggested that there would be an amendment offered. As I understood and as appears from this colloquy I have just read, what happened was that the original draft was revised and corrected, and the resolution that was adopted in committee did carry the date as suggested, although there was originally a draft which did not embody the dates.

Mr. CANNON. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield.

Mr. CANNON. The gentleman recalls that the resolution or a copy of it was provided every member of the committee, and opportunity was afforded to everyone to become familiar with it?

Mr. CASE of South Dakota. I can only speak for myself. Opportunity was afforded me to see this original draft, and I was concerned about the question of a termination date. I was so concerned that I raised the question when the bill came to the floor. I merely cite the RECORD to support the point I made when I was discussing the matter with the gentleman from New York [Mr. ROONEY] earlier, that time was of the essence, and that the agreement or understanding was that this time limit was in there. One might indulge a situation for a little while in order to give some time for legislation to be accomplished, but if something is not accomplished within that time then the dead line should take effect and prevent indefinite continuance.

The CHAIRMAN. The question is on the substitute offered by the gentleman from New York for the amendment offered by the gentleman from Missouri.

The question was taken; and on a division (demanded by Mr. CANNON) there were—ayes 73, noes 51.

Mr. CANNON. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. RABAUT and Mr. TABER.

The Committee again divided; and the tellers reported that there were—ayes 96; noes 65.

So the substitute amendment was agreed to.

Mr. TABER. Mr. Chairman, I ask unanimous consent that the amendment may apply to line 6, which was intended, instead of line 5.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri [Mr. CANNON], as amended by the substitute offered by the gentleman from New York [Mr. TABER].

The amendment, as amended, was agreed to.

Mr. CANNON. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. COOPER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration House

Joint Resolution 339 amending an act making temporary appropriations for the fiscal year 1950, as amended, and for other purposes, had directed him to report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

Mr. CANNON. Mr. Speaker, I move the previous question on the bill and amendment thereto to final passage.

The previous question was ordered.

The SPEAKER. The question is on the amendment.

Mr. CANNON. Mr. Speaker, on that I demand the yeas and nays.

Mr. CASE of South Dakota. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CASE of South Dakota. Mr. Speaker, the vote will come on the Cannon amendment as amended; that is, the amendment involving the change in date?

The SPEAKER. The vote will be on the amendment reported to the House as adopted by the Committee.

The yeas and nays were ordered.

The question was taken; and there were—yeas 213, nays 114, answered "present" 1, not voting 104, as follows:

[Roll No. 185]

YEAS—213

Abbitt	Dondero	Judd
Abernethy	Donohue	Kean
Addonizio	Doughton	Kearns
Albert	Durham	Keating
Allen, Calif.	Elliott	Kilday
Allen, La.	Ellsworth	Klein
Andersen, H. Carl	Engel, Mich.	Kunkel
	Evins	Lanham
Andresen, August H.	Fallon	Larcade
	Fenton	Latham
Angell	Fisher	LeCompte
Auchincloss	Ford	LeFevre
Barrett, Wyo.	Frazier	Lemke
Bates, Mass.	Fugate	Lichtenwalter
Beckworth	Fulton	Lodge
Bennett, Mich.	Gamble	Lucas
Bentsen	Gathings	Lyle
Bishop	Gavin	McConnell
Blackney	Gillette	McCulloch
Boggs, Del.	Golden	McDonough
Bolling	Goodwin	McMillan, S. C.
Bonner	Gossett	McMillen, Ill.
Boykin	Graham	Mack, Wash.
Bramblett	Grant	Madden
Brehm	Gross	Martin, Iowa
Brown, Ga.	Hagen	Martin, Mass.
Bryson	Hall, Edwin Arthur	Mason
Burdick		Merrow
Burleson	Hall, Leonard W.	Meyer
Byrnes, Wis.		Michener
Camp	Hand	Miller, Md.
Canfield	Harden	Miller, Nebr.
Carlyle	Hardy	Mills
Case, N. J.	Hare	Monroney
Case, S. Dak.	Harris	Morris
Cavalcante	Harrison	Murdock
Chatham	Harvey	Murray, Tenn.
Chesney	Hays, Ark.	Murray, Wis.
Chiperfield	Herter	Nelson
Church	Heselton	Nicholson
Cole, Kans.	Hill	Nixon
Colmer	Hobbs	Noland
Combs	Hoeven	O'Hara, Minn.
Cooley	Hoffman, Ill.	O'Konski
Cooper	Hoffman, Mich.	Passman
Corbett	Holmes	Patterson
Cotton	Hope	Pfeiffer, William, L.
Coudert	Horan	
Cox	Jackson, Calif.	Philbin
Crawford	Jacobs	Phillips, Tenn.
Cunningham	James	Pickett
Curtis	Javits	Poage
Dague	Jenkins	Potter
Davis, Ga.	Jennings	Poulson
Davis, Tenn.	Jensen	Quinn
Davis, Wis.	Jonas	Rankin
Delaney	Jones, Ala	Richards
D'Ewart	Jones, Mo.	Rogers, Mass.
Dolliver	Jones, N. C.	Sabath
Sadlak	Stockman	Wheeler
St. George	Sutton	White, Idaho
Sanborn	Taber	Whittington
Sasscer	Talle	Wigglesworth
Scott, Hardie	Teague	Williams
Scrivner	Thornberry	Wilson, Ind.
Scudder	Van Zandt	Wilson, Okla.
Simpson, Ill.	Velde	Wilson, Tex.
Smith, Kans.	Vorys	Withrow
Smith, Va.	Vursell	Wolcott
Smith, Wis.	Wadsworth	Wolverton
Steed	Walter	Woodruff
Stefan	Weichel	Young
Stigler	Werdel	

NAYS—114

Andrews	Havenner	O'Hara, Ill.
Aspinall	Hays, Ohio	O'Neill
Bates, Ky.	Hedrick	O'Toole
Battle	Heffernan	Patman
Biemiller	Heller	Patten
Boggs, La.	Howell	Perkins
Bolton, Md.	Huber	Peterson
Bosone	Hull	Polk
Brooks	Jackson, Wash.	Preston
Buchanan	Karst	Rabaut
Buckley, Ill.	Karsten	Ramsay
Burnside	Kee	Rhodes
Burton	Kelley	Ribicoff
Cannon	Kerr	Rodino
Carnahan	King	Rooney
Carroll	Kirwan	Roosevelt
Celler	Kruse	Secrest
Chelf	Lane	Sheppard
Christopher	Lind	Sims
Crook	Linehan	Smathers
Crosser	Lynch	Spence
Davenport	McCarthy	Staggers
Davies, N. Y.	McGrath	Sullivan
Dingell	McGuire	Tackett
Dollinger	Mack, Ill.	Tauriello
Doyle	Mahon	Thomas, Tex.
Eberharter	Mansfield	Thompson
Engle, Calif.	Marcantonio	Trimble
Fernandez	Marsalis	Underwood
Flood	Marshall	Wagner
Forand	Miller, Calif.	Welch, Calif.
Furcolo	Mitchell	White, Calif.
Garmatz	Morgan	Whitten
Gary	Morrison	Wickersham
Gordon	Moulder	Wier
Gorski, Ill.	Multer	Willis
Gorski, N. Y.	Norrell	Yates
Granger	O'Brien, Ill.	Zablocki

ANSWERED "PRESENT"—1

Priest

NOT VOTING—104

Allen, Ill.	Gregory	Plumley
Anderson, Calif.	Gwinn	Powell
Arends	Hale	Price
Bailey	Halleck	Rains
Barden	Hart	Redden
Baring	Hébert	Reed, Ill.
Barrett, Pa.	Herlong	Reed, N. Y.
Beall	Hinshaw	Rees
Bennett, Fla.	Holifield	Regan
Bland	Irving	Rich
Blatnik	Jenison	Riehlman
Bolton, Ohio	Johnson	Rivers
Breen	Kearney	Rogers, Fla.
Brown, Ohio	Keefe	Sadowski
Buckley, N. Y.	Kennedy	Scott, Hugh D., Jr.
Bulwinkle	Keogh	
Burke	Kilburn	Shafer
Byrne, N. Y.	Lesinski	Short
Chudoff	Lovre	Sikes
Clemente	McCormack	Simpson, Pa.
Clevenger	McGregor	Smith, Ohio
Cole, N. Y.	McKinnon	Stanley
Dawson	McSweeney	Taylor
Deane	Macy	Thomas, N. J.
DeGraffenried	Magee	Tollefson
Denton	Miles	Towe
Douglas	Morton	Vinson
Eaton	Murphy	Walsh
Elston	Norblad	Welch, Mo.
Feighan	Norton	Whitaker
Fellows	O'Brien, Mich.	Winstead
Fogarty	O'Sullivan	Wood
Gilmer	Pace	Woodhouse
Gore	Pfeifer, Joseph L.	Worley
Granahan		
Green	Phillips, Calif.	

So the amendment was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Brown of Ohio for, with Mr. McCormack against.

Mr. Arends for, with Mr. Priest against.

Mr. Rich for, with Mr. Rogers of Florida against.

Mr. Rees for, with Mr. Murphy against.

Mr. Shafer for, with Mr. Price against.

Mr. Towe for, with Mr. McKinnon against.

Mr. Beall for, with Mrs. Douglas against.

Mr. Halleck for, with Mr. Denton against.

Mr. Riehlman for, with Mr. Keogh against.

Mr. Regan for, with Mr. Magee against.

Mr. Hébert for, with Mrs. Norton against.

Mr. Elston for, with Mr. Hart against.

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

Mr. Hugh D. Scott, Jr., for, with Mr. Gregory against.

Mr. Allen of Illinois for, with Mrs. Woodhouse against.

Mr. Taylor for, with Mr. Whitaker against.

Mr. Cole of New York for, with Mr. Welch of Missouri against.

Mr. Phillips of California for, with Mr. McSweeney against.

Mr. Short for, with Mr. Baring against.

Mr. Kearney for, with Mr. Breen against.

Mr. Hinshaw for, with Mr. Joseph L. Pfeifer against.

Mr. Kilburn for, with Mr. Powell against.

Mr. Reed of Illinois for, with Mr. Wilson against.

Mr. Macy for, with Mr. Dawson against.

Mr. Gwinn for, with Mr. Lesinski against.

Mr. Clemente for, with Mr. Sadowski against.

Mr. Fellows for, with Mr. Irving against.

Mr. Eaton for, with Mr. Kennedy against.

Mr. Jenison for, with Mr. Blatnik against.

Mr. Reed of New York for, with Mr. Byrne of New York against.

Mr. Morton for, with Mr. Buckley of New York against.

Mr. Plumley for, with Mr. Granahan against.

Mr. Tollefson for, with Mr. Gilmer against.

Mr. Gore for, with Mr. Feighan against.

Mr. Rivers for, with Mr. Fogarty against.

Mr. Bland for, with Mr. O'Brien of Michigan against.

Until further notice:

Mr. Sikes with Mr. McGregor.

Mr. Winstead with Mrs. Bolton of Ohio.

Mr. Pace with Mr. Johnson.

Mr. Wood with Mr. Smith of Ohio.

Mr. Stanley with Mr. Norblad.

Mr. Worley with Mr. Hale.

Mr. Redden with Mr. Anderson of California.

Mr. Deane with Mr. Keefe.

Mr. Rains with Mr. Lovre.

Messrs. CHELF, NORRELL, CROOK, CHRISTOPHER, MORRISON, MILLER of California, HAVENNER, BIEMILLER, DAVENPORT, and GRANGER changed their vote from "yea" to "nay."

Messrs. DAVIS of Tennessee, O'KONSKI, and COOPER changed their vote from "nay" to "yea."

Mr. PRIEST. Mr. Speaker, I have a live pair with the gentleman from Illinois, Mr. ARENDS, who, had he been present, would have voted "yea." I therefore withdraw my vote of "nay" and vote "present."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the joint resolution.

The joint resolution was passed.

A motion to reconsider was laid on the table.

DISPENSING WITH FURTHER CALL OF THE COMMITTEES

Mr. PRIEST. Mr. Speaker, I ask unanimous consent that further call of the committees on Calendar Wednesday today be dispensed with.

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

Mr. MARCANTONIO. Mr. Speaker, I object.

Mr. PRIEST. Mr. Speaker, I move that further call of the committees on Calendar Wednesday for today be dispensed with.

Mr. MARCANTONIO. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. MARCANTONIO. Mr. Speaker, this is Calendar Wednesday and I submit the motion offered by the gentleman from Tennessee [Mr. PRIEST] is not in order, that it can only be dispensed with by unanimous consent.

The SPEAKER. It would require a two-thirds vote, but the rules provide for dispensing with further call of the committees by motion.

The question is on the motion offered by the gentleman from Tennessee.

The motion was agreed to.

EXTENSION OF REMARKS

Mr. DAVIS of Wisconsin (at the request of Mr. SMITH of Wisconsin) was given permission to extend his remarks in the RECORD and include an editorial.

Mr. CAVALCANTE asked and was given permission to extend his remarks in the RECORD.

MUTUAL DEFENSE ASSISTANCE ACT OF 1949

Mr. SABATH. Mr. Speaker, I call up House Resolution 327 and ask for its immediate consideration.

The Clerk read the resolution as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 5895) to promote the foreign policy and provide for the defense and general welfare of the United States by furnishing military assistance to foreign nations, and all points of order against the said bill are hereby waived. That after general debate, which shall be confined to the bill and continue not to exceed 1 day, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SABATH. Mr. Speaker, this resolution makes in order the consideration of the Mutual Defense Assistance Act of 1949, which further declares the policy of the United States to achieve international peace and security through the United Nations, the importance of military assistance on the basis of self-help and mutual aid to this end, the priority of economic recovery, the United States policy to achieve control and reduction of arms through the United Nations, and the desirability of the creation of the free countries and free peoples of the Far East, of a far-eastern organization to develop and to protect their security and independence. This bill proposes expending $655,000,000 up to June 30, 1950, and additional sums of $795,000,000.

I assure you, Mr. Speaker, I firmly believe in the policies as above set forth and also the end which they hope to achieve. But unfortunately the policy is misleading, for I cannot condone nor will my conscience allow me to participate in such a program for military assistance because I fear it means preparation for war. Our power, resources and finances, it should be admitted, should be used for peaceful, constructive and practical purposes instead of for war purposes.

IN RETROSPECT

To review briefly, the Congress first passed the lend-lease program which was designed to aid the needy and the starving peoples of the world. In this regard we gave $48,500,000,000. Then we aided Great Britain to the tune of $3,750,000,000 and the cancellation of the $34,000,000,000 she owed us. Our program for war continued with our attempt to defend tyranny in Greece and Turkey and we made sizable appropriations. Up to date, we have appropriated the tremendous sum of $125,000,000,000 for foreign aid since lend-lease not to mention another $330,030,433,084 that we spent on World War II. We appropriated vast amounts under the Marshall plan to rehabilitate and reconstruct the war stricken countries of the world and at the same time provided a form of insurance, so we were told, for our future foreign markets and trade. The last bill which we passed recently, provided for the sum of $5,647,000,000 to rehabilitate Europe and the world. There is a bill presently pending designed to aid Korea, calling for an initial appropriation of $150,000,000, to be followed by a further appropriation of the taxpayers' money of $150,000,000, a grand total of $300,000,000, and who knows where it will cease. I am also informed that a bill is presently being considered that will give Japan $450,000,000.

BANKRUPTCY MUST BE AVOIDED

Mr. Speaker, how much longer can we continue with these billion-dollar appropriations without straining, yes, destroying our very economy? This bill, I fear, is only the beginning of world war III. Unfortunately, due to the great propaganda campaign that is being waged through the media of the press and radio in conjunction with the various internationalists, war profiteers, and lobbyists, a hysteria has been and is being created to fleece us of our peace—the same peace that we so recently fought so hard to preserve at the cost of thousands of human lives. When will it all end? No one can tell, I am sure. Can we finance the entire world and continue to maintain a sound, healthy economic structure at home without bankrupting ourselves and without imposing additional tax burdens on our people? Perhaps if these nations and their people demonstrated that they are willing to help themselves, at least in part, such aid, for constructive purposes only would be justifiable. Yes, Mr. Speaker, it is, indeed, unfortunate that people such as Mr. Hoover, who talk and appeal to the country in the name of economy, are the very same people who are behind these appropriations to aid the rest of the world. How inconsistent can they be?

DILLON-READ AND OTHER PROFITEERS

Have you ever stopped to consider who the people are that urge, advocate, and clamor for our continued assistance to aid the rest of the world? Some of our military gentlemen in very high places, and some of our State Department officials are vitally interested for they feel they will gain advancement if these war programs are effectuated. Not to be forgotten are the huge Wall Street international bankers, such as Dillon, Read & Co. and other financial institutions who are interested in rebuilding the European cartels in an effort to reconstruct fascism at the detriment of our great democracy.

I regret also that President Truman permitted himself to be imposed upon by these brass hats and others in the State Department who thrive upon war—selfish and avaricious people—to whom profits and wealth are of greater importance than the peace and contentment of the American people.

THE MEMBERSHIP HAS THE RIGHT TO PASS UPON THIS BILL

I brought up the rule making this bill in order, but this, per se, does not mean that I approve the bill. I approved the rule because it always has been and shall continue to be my policy to give the membership the right which is theirs and the opportunity of passing upon respective legislation, and I trust you will give due consideration to the sound and able speeches that will be made by the gentleman from North Dakota [Mr. LEMKE], the gentleman from Oklahoma [Mr. MORRIS], the gentleman from South Carolina [Mr. RICHARDS], and others against this dangerous policy we are pursuing by authorizing this billion and a half dollars for war purposes, and not for peace.

WORLD WAR II BROUGHT ABOUT BY THE REPUBLICANS

Mr. Speaker, I had the privilege of serving on the Committee on Foreign Affairs of World War I, at which time I urged and voted for the resolution to declare war because I was convinced the best interests of our great country demanded it. I also urged and advocated that the United States enter the League of Nations. The Republicans, however, in conjunction with the Wall Street international bankers, for purely political and mercenary reasons, respectively, succeeded in defeating the League of Nations. This was unfortunate, to say the least, for this very fact, beyond a shadow of a doubt, brought about and made possible World War II. As I said before, the United States expended over $330,000,000,000 for World War II. Just compare, if you will, the total revenue from all sources received by the Federal Government in the last 10 years, and judge for yourselves how long it will take us

to relieve the burden which now befalls the American taxpayers, not to mention the interest we must pay on the World War II indebtedness.

For the fiscal year ending in—	
1940	$5,387,124,670
1941	7,607,211,852
1942	12,799,061,621
1943	22,281,642,709
1944	44,148,926,968
1945	46,456,554,580
1946	43,037,798,808
1947	43,258,833,189
1948	44,745,542,077
1949	38,235,667,810

Surely we alone financed World War I. We were obliged to finance World War II, and now with this legislation, we are rapidly approaching a third world war and the burden will again be ours.

HAVE WE NOT HAD ENOUGH WARS?

Have we not had enough wars? There is no real evidence on the part of any reliable person to the effect that there is any danger of war between the United States and Russia. Why only a few days ago our Ambassador to Russia had a very amicable talk with Stalin. Conditions between the United States and Russia are reaching a healthy equilibrium, it has been stated by experts.

Mr. Walter Lippmann, noted syndicated columnist, recognizes clearly the futility of attempting a defense of western Europe on the ground, in the day of the atom and the guided missile. In the following words he expresses clearly and concisely a thought which is worthy of the attention of the House:

> The defense of western Europe against the Red Army rests now, and will continue to rest, not on the military-aid program but on the American guaranty which is affirmed and registered in the Atlantic Pact. The American guaranty should be, if our diplomacy is wise and resourceful, an adequate defense. If the American guaranty is not adequate, the small force that western Europe can create will not make it adequate.
>
> The Soviet Union will not be deterred from military aggression by any forces that Norway or France and Britain, or Italy, Turkey, Greece, and Iran, can themselves develop with American lend-lease. The deterrent to war resides in the certainty that aggression anywhere means an immense and total war with the United States. In such a war the United States could and would mobilize the greatest industrial power that has ever existed. The United States could not be defeated by the Red Army. It would be virtually invulnerable to attack. Unless its forces had been foolishly dispersed and committed, it would have enormous striking power and the means to continue the war indefinitely.

The foregoing statements are not the words of fellow travelers or apoligists for Soviet aggression. They are rather the considered opinions of honest Americans who favor the end purpose of the proposed legislation, but like myself stand in open and frank opposition to a concept of collective security which to this time lacks any collective aspects and gives little promise of security.

I voted for all the money that we have given to the European nations, never thinking or realizing that it was to be used for military or war purposes, but rather hopeful that it would be used to rehabilitate, feed, and aid the poor people of the war-torn world—and that is what we were promised, all in the name of peace and the United Nations. Instead, this bill and its appropriation is not being used to aid and rehabilitate the hungry and feed them with bread, but rather to feed them with lead. I am unwilling to appropriate the taxpayers' money to rearm Europe, for I am satisfied that it is absolutely impossible to bring about unity among all the nations of Europe. European people are, basically, proud of their history, traditions, and language, and it is untenable for me, who knows about the factual conditions that exist in these nations, to think for a moment that they can be brought into a world federation. Such thinking on our part merely leads to distrust and friction, that is always difficult to remedy. I fear that this rearmament program may ricochet right back at us. We have, I am sure you will admit, wandered far astray notwithstanding the admonition of the wise Father of our Republic, George Washington, who urged "friendly relations with all, alliances with none."

UNDER THE PRETENSE OF STOPPING COMMUNISM

All this under the pretense of stopping communism. The greatest students and the most profound thinkers who are unbiased, are of one accord, namely, that you cannot stop communism by bribery or by war; communism can be stopped by proving to the world that democracy and our democratic form of government is the best government under which freedom in its absolute sense, liberty, and free-trade are not restricted.

I have frequently stated that after each war, the warring nations sit together at a peace table in order to bring about a peace treaty and iron out their differences. Why cannot this be accomplished before the wasting of millions of dollars occur, and before thousands of lives are taken, not to mention the property damage that results.

General Marshall is quoted as favoring this legislation. But I recollect that General Marshall is also quoted as saying that there is no danger of a war with Russia, and further that a compromise in China should be effected. Had his advice and the advice of others like General Wainwright been taken, the danger of the revolutionary forces—now called Communists—would be nonexistent. General Wainwright said that the Atlantic Pact means war. He was correct when he said that he knew more about wars and battles than the Senators that voted for the pact.

AN OBVIOUS INCONSISTENCY

Mr. Speaker, I submit, why not appropriate a small portion of these tremendous foreign appropriations for reinforcing the United Nations in an attempt to bring about a real and lasting peace with total disarmament and with a view toward improving the living conditions of these people and effecting in the end a genuine adjustment of the differences that may exist among nations.

It is admittedly anomalous to note that the very Members in this body who urge, advocate, and vote for these foreign appropriations are the very ones who vote against an increase in the living-wage level for labor and Government employees. They voted against relief from the high cost of living by supporting and voting for the Gore agricultural bill, that will increase further the cost of living, in lieu of the Pace proposal of recent date; they are opposed to any increase in the salary of postal employees, and they are now ready to oppose the worth-while social-security bill which has been reported by the Committee on Ways and Means after weeks of careful thought and consideration. How inconsistent.

RICHARDS AMENDMENT

Consequently, Mr. Speaker, I shall vote for the Richards amendment because it will give the rest of Europe all the money they can possibly spend, namely, one and a half billion dollars, and if these nations prove and demonstrate that they can actually cooperate and work in harmony helping to bring about peace in cooperation with the United Nations, I am sure that this body will appropriate the balance provided for herein. Of course, do not misunderstand me, for I feel that this bill is unwarranted from every possible point of view. The advocates of this legislation clearly and openly admit that this bill does not and will not stop communism, but, on the contrary, is purely a war measure designed to rearm Europe. We have sacrificed enough in the past century, and we have been bled enough in the past century. Keep in mind the truth of the words uttered by General Sherman when he said, "War is Hell."

Mr. HERTER. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, the rule that is under consideration now is a curious rule in that it does not set the length of time for general debate. It merely specifies 1 day of general debate, which presumably means that the balance of the afternoon or evening will be used until every Member who wishes to speak in general debate on this matter has been heard. I have been advised by the members of the committee that they will gladly stay here as late as anyone wishes to speak on this matter.

The rule has this advantage, that anyone who wishes to speak on this very important matter will have the opportunity today, and the committee tomorrow, when the bill is read under the 5-minute rule, will then feel entirely free to deny individuals the right to extend their time beyond the 5 minutes and thereby shorten debate when amendments are under consideration.

Insofar as the merits of the bill itself are concerned, I personally favor the bill. When the Senate of the United States under our constitutional processes ratified the Atlantic Treaty by an overwhelming vote, this Nation was very definitely committed to an alliance, certain provisions of which carried military implications if not commitments. Under article 9 of that treaty there is to be set up a joint consultative military committee which will have the power to coordinate the defenses of all the participating nations. That committee is only in the process of formation today.

The bill as it has been drafted and reported out of the Committee on Foreign

Affairs has, in my opinion, certain very serious imperfections. In three respects, I am hoping that it will be amended. The first deals with the total amount of money that is appropriated for the Atlantic Pact countries. There it seems to me the amount is obviously excessive in the light of the fact that this joint military committee is not yet in operation, has not yet formulated joint defense plans, and cannot do so for a period of anywhere from 60 days to 6 months. Therefore it seems to me that if we begin with a very modest appropriation and see next year when we come together again the extent to which the actual integration of European military defenses has taken place, we shall be in a much better position then to evaluate the entire effort.

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

Mr. HERTER. I yield to the gentleman from New York.

Mr. COUDERT. Will the gentleman explain to the House why, if it will be several months before an integrated program is set up, it should be necessary at this time to make any authorization or appropriation for arms?

Mr. HERTER. We have undertaken an obligation. We have undertaken to implement that obligation. We have not undertaken to implement it for any given period of time, but there is a question of good faith involved to show that at this time we are not reneging on the implementation of the pact, which was expected by every nation that joined the pact.

The second defect in this bill, as I see it, is that in the statement of policy at the very beginning of the bill it is made clear that the Congress of the United States favors the creation of an Asiatic alliance to preserve the freedom of the peoples of Asia from Communist domination. The wording is not exactly that, but that is the intent of it. However, further in the bill there is no implementation whatever to make that policy possible. I am told that an amendment will be offered, with which I am personally in complete sympathy, to extend military aid to China. If we are going to make provision at all in this bill to combat communism we should make some provision to take care of the limited potentialities that still exist in Asia to fight communism. The third amendment, which I understand will be offered, and which I hope is adopted, is to clarify a definition at the end of the bill. In the definition of the word "equipment" that comes at the very end of the bill there is hidden something which clearly might be misused very seriously, entirely outside of the scope or purpose of this bill.

Under that definition there can be furnished, out of the sums appropriated, whatever amounts the President sees fit for facilities which would set up arms factories in Europe, which would again create arsenals in Europe and which, in my opinion, at this stage of the world's history would constitute a very serious mistake.

Furthermore, that money could even be used for broader purposes. It might be used for the reimbursement of economic losses and other things which are not directly connected with any joint military effort.

This bill has come before the House as a result of a majority vote in committee. However, it was apparent to the Committee on Rules that the Committee on Foreign Affairs was very seriously divided with respect to these provisions. As amendments are offered, I hope that the members will listen to the argument with very great care, because the step we are undertaking today to discuss is one that is a very serious one in our history. We have gone a long way since 1940. We are now embarked upon what is clearly a dangerous course, a course of calculated risks, but one which, in my opinion, we should take in view of the entire world situation.

I hope in the process of taking it we are not going to jump to a point where we will appear ridiculous by overappropriating money which is not necessary and likewise acting inconsistently by taking care of one area of the world and completely neglecting another area of the world.

Mr. HERTER. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. JAVITS].

Mr. JAVITS. Mr. Speaker, the key to American foreign policy remains economic reconstruction and economic development. This bill should not and does not change that fundamental proposition. This bill can only be justified if it will create a shield for the continuance of economic reconstruction and development for western Europe and through it for the whole democratic world. The response of the peoples of western Europe to the Atlantic Pact indicates that the free peoples and free nations of western Europe require and deserve a decisive answer to their concern about security while they work out their economic problems with the cooperation of the United States.

The findings and declaration of policy in the bill specify this to be the case, for economic recovery is given first clear priority, and the bill goes further and states that the Congress favors the creation of an organization for far eastern economic cooperation consistent with the Charter of the United Nations to establish for that area a program of self-help and mutual cooperation designed to develop their economic and social well-being, to safeguard basic rights and liberties and to protect their security and independence, and favoring the participation by the United States therein. This represents a proposal to extend the proven policy of economic development as the most decisive answer to communism, to a part of the world where the Communist threat is imminent and pressing.

I consider the determination that the European recovery program is really working to be an important part of the determination as to whether this program should be undertaken. This House has within the past few months authorized appropriations for the European recovery program for an additional year and actually made a multibillion dollar appropriation for that purpose. The record shows that European recovery is proceeding on a stupendous scale and that as a result the Communist tide has been repelled and has receded from France and Italy, where it was the most threatening.

A few excerpts from the report of the Committee on Foreign Affairs on H. R. 3748, the bill to amend the Economic Cooperation Act of 1948, are pertinent to this point as showing the extent of European recovery under ERP:

The rise in industrial output: The conclusion is justified that the expectations of the program were confirmed by Europe's production record in the first year. The total output of factories and mines in the participating countries during the calendar year 1948 was 14 percent above that of 1947, and about equal to prewar. Excluding western Germany, steel output is currently at a rate exceeding the prewar high of 1937 and 25 percent above that of 1947. The coal shortage has eased; although tonnage in the bizone and the United Kingdom remained below that of prewar, production in all other important coal fields in western Europe increased almost to prewar levels. An accompanying chart presents the general picture.

Power and transportation: Rapid recovery in railway transportation and electric-power output has assisted materially in the expansion of production. Total electric-power production in 1948 was 65 percent higher than before the war, and 10 percent above 1947 levels. Railway traffic is one-third greater than before the war, notwithstanding a shortage of equipment and arrears of maintenance and repairs.

The investment record: The investment record justifies the conclusion that economic improvement in Europe is not transitory but permanent. The European recovery program is not a relief program but a recovery program; the record demonstrates also that American assistance has renewed the confidence of western Europe in its own future. Gross investment in all countries for which estimates are available is expected to total roughly the equivalent of $30,000,000,000 in the fiscal year 1948–49—six to seven times the dollars provided by the Economic Cooperation Act. This means that gross investment would approximate 20 percent of the gross national product. This is about equivalent in proportion to the investment rate in the United States in the four highest years in the period from 1921 to 1939—namely, 1923, 1925, 1926, and 1929. It is approximately three times the rate of investment of 1932 in the United States, the lowest year of the period referred to.

Progress in agriculture: Crops in general in 1948 were one-fifth larger than in 1947—admittedly a bad year. The increase in bread grains is particularly striking. The 1948 crop was 41 percent larger than that of the year before, though still below the prewar level. Production of fertilizer in the participating countries was about 25 percent greater in 1948 than it was in 1947. An accompanying chart presents the picture on agricultural production.

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Progress toward stability: The testimony before the committee demonstrated that the participating countries, with few exceptions, have made real progress toward attaining internal financial stability. The upward pressure on prices which had been general in 1947 abated somewhat in these countries during 1948. As a result, many practices adopted by these governments to counteract inflationary pressures, such as rationing, allocation, and price controls, could be relaxed. This has been accomplished not solely through increased production. It has been the result

also of wise, and in most cases, difficult fiscal policy decisions.

* * * * *

Illustrations of progress: The full country-by-country story on stabilization is told in the hearings. A few salient points should be noted here. Great Britain's achievements are notable in checking inflationary pressures and providing a budgetary surplus—the keystone to recovery in that kingdom. France has made an encouraging start toward combating inflation, which has plagued the country's efforts toward recovery since the close of World War II. Despite the serious set-back due to the Communist-inspired coal strike of last fall, the government of M. Henri Queuille has dealt courageously and effectively with this problem. In 1948 France levied the highest taxes in its history, and tax rates will be higher in 1949. The French Government has successfully floated an internal loan of 100,000,000 francs (roughly $310,000,000)—the first loan, not a forced loan, successfully floated in France since 1944. Italy has had notable success during 1948 in maintaining the stability of its economy, first achieved in the fall of 1947, after a long inflationary trend, through the courageous adoption of a rigorous deflationary program by the Italian Government. In the United States-United Kingdom occupied areas of western Germany a currency reform was introduced on June 20, 1948, by the military governors which canceled 93½ percent of outstanding reichsmarks. This reform was referred to in testimony as "the greatest single factor influencing the sharp recovery last year" in the bizone.

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D. EXPANSION OF TRADE

Increase in exports: As a result of increasing output and stronger fiscal and trade policies, the volume of exports from the participating countries rose and their ability to pay for essential imports improved considerably during 1948. Over-all exports, for the countries taken as a group, excluding western Germany, were up 20 percent above the 1947 level. For the United Kingdom, exports in 1948 were one-quarter again higher than in 1947. In Italy, exports in 1948 were up almost 50 percent from 1947 levels; in the Benelux countries about 30 percent. In this current fiscal year, the earnings of the ERP countries on exports and "invisibles such as income from the tourist trade" will probably pay for a little more than half of the imports they need from the outside world. In the calendar year 1947 these earnings paid for only 40 percent of imports from the outside. As European production and exports have gone up, Europe's degree of dependence on the United States for assistance has diminished. Accompanying charts illustrate this development.

Narrowing the trade deficit: As European production and exports have gone up, the large trade deficit of the participating countries with the United States has narrowed. During the first 11 months of 1948, imports from the United States declined by $1,000,000,000, as compared with 1947, while exports to the United States increased by $223,000,000. The improvement of Europe's external position has thus been substantial. The total deficit on both capital and current accounts amounted to $7,800,000,000 in 1947, whereas the figure for 1948–49 is expected to be $5,500,000,000. While a heavy drain on European reserves of $2,100,000,000 took place in 1947, the 1948–49 deficit will be met almost entirely from funds under this program and those spent by the Army for civilian relief.

The design of this military aid program is to furnish a shield behind which European economic recovery may proceed with a feeling in the people concerned of confidence and security. As the program is a new one and as the unified plans and direction called for by the bill remain to be developed by the Council and Defense Committee to be organized under the Atlantic Pact, it seems best for Congress rather than the Executive to review the program early next year in order to be sure that it is going as contemplated or to continue it in whatever direction is required. The committee's bill gives this authority to the Executive based on only one condition, "the agreement of the United States with unified plans for the defense of the North Atlantic area." The amendment which my colleague, the gentleman from Pennsylvania [Mr. FULTON] and I will propose gives the Congress the opportunity for another look early in 1950, when it counts by providing authorization only until March 31, 1950, our amendment in no way impairs the program as it uses the very justifications adopted by the committee for the same period. Certainly our executive agencies should have confidence that the Congress will proceed thereafter if the facts are adequate to justify the Executive to proceed. Under our amendment the authorization for appropriation will be reduced under title I of the bill from $1,160,990,000 to $926,230,000, a reduction of $234,760,000.

If the following amendment is adopted, the committee amendment at page 14, line 23, to page 15, line 19, being subsections (c) and (d) of section 409, must be rejected.

The text of the amendment follows:

Strike out all of section 102 to line 23 of the committee amendment and insert in lieu thereof:

"SEC. 102. (a) There are hereby authorized to be appropriated to the President for the period through March 31, 1950, out of any moneys in the Treasury not otherwise appropriated, for carrying out the provisions and accomplishing the policies and purposes of this title, not to exceed $498,130,000; and such further funds shall be available for carrying out the provisions and accomplishing the policies and purposes of this title through June 30, 1950, as are hereafter authorized and appropriated to the President from time to time.

"(b) In addition to the amount authorized to be appropriated under the foregoing subsection (a) of this section, without further legislative authorization, the President is hereby authorized to enter into contracts for carrying out the provisions and accomplishing the policies and purposes of this title in amounts not exceeding in the aggregate $428,100,000 during the period ending March 31, 1950, and there are hereby authorized to be appropriated to the President for expenditure after March 31, 1950, such sums as may be necessary to pay obligations incurred under this contract authorization.

"(c) The authorization in this title is limited to the period ending March 31, 1950, so that the Congress may determine whether unified defense plans under the North Atlantic Treaty, and unified direction and effort have been realized."

The SPEAKER. The time of the gentleman from New York has expired.

Mr. HERTER. Mr. Speaker, I yield the gentleman two additional minutes.

Mr. JACKSON of California. Mr. Speaker, will the gentleman yield?

Mr. JAVITS. I yield.

Mr. JACKSON of California. Would the gentleman add further another category to those who might be opposed to the bill in its present form by including the fact that there are many of us who have supported the foreign-aid programs who are in sympathy with the end purposes of this bill but who also believe that the concept of all ground defense of western Europe is fallacious and dangerous?

Mr. JAVITS. I might say that in substance I join the gentleman in that belief. I would not be for this bill in a reduced amount if I did not feel that the whole $15,000,000,000 appropriation for the defense of the United States is under the Atlantic Pact, including the overwhelming air power made available to all the nations of western Europe and must be integrated with their defense for western Europe.

Mr. BREHM. Will the gentleman yield?

Mr. JAVITS. I yield.

Mr. BREHM. Does the gentleman really believe that a third world war would be possible unless the United States financed that war?

Mr. JAVITS. I think the third world war would be easily possible if the only other great power on earth determined that it could not effect its aims in any peaceful way or by infiltration, but could do it only by aggression, whether the United States financed arms or not. The United States and all other democracies in the world could be inundated should that power make up its mind to do it, unless they had defenses adequate for their security.

Mr. BREHM. In my opinion, we financed World War I, and we financed World War II, and if we get into this program we are financing world war III. Without this program world war III would not come about any more than World War II if we had kept out of it.

Mr. JAVITS. I would appeal to the conscience of any fair-minded citizen of the United States to determine, whether we financed or whether we did not finance, we could have avoided the conquest by Hitler, and in World War I by Kaiser Wilhelm, except by the actual defense which we undertook.

Mr. BREHM. The gentleman is undoubtedly correct but his statement only serves to help prove my point; namely, if Great Britain with our help had not built up Germany, war would not have occurred, because Hitler would never have became strong enough to wage war. After we built up his war machine and it started to move war was perhaps inevitable.

Mr. JAVITS. The gentleman's reply completely begs the question because Hitler came to power in 1933 and did so on a platform to break the Versailles Treaty and expand Germany and re-create her military might. That is exactly what I say with regard to any new threat the free world may face. It is likely to be entirely unilateral.

Mr. SABATH. Mr. Speaker, I yield 10 minutes to the gentleman from Georgia [Mr. COX].

Mr. COX. Mr. Speaker, if I have any exception whatever to the bill that this rule makes consideration in order it is

the amendment striking the title of the bill. Originally the bill was designated as the Foreign Military Assistance Act. The committee amended the bill, calling it the Mutual Defense Assistance Act. I do not like cover-up language.

Mr. Speaker, the issue here raised is of transcendent importance, and in the endeavor to make right decision we need to draw upon our best understanding, for the answer we give to the question presented could determine the success or failure of the Marshall plan and the North Atlantic Pact.

I am not complaining at the reluctance of the people and their representatives to longer give blind support to policies enunciated by the State Department, for I realize that a burnt child dreads fire, but I do insist that suspicion and distrust of the Department should not be permitted to overthrow conclusions dictated by existing conditions and with which the Department might happen to agree.

As to whether the Department intends to bring our foreign policy into a uniform and consistent pattern, and cease sacrificing the interests of our own country when they conflict with those of others, I do not know. Certainly its past performance has earned for it the appellation "Little Russia" which is so often applied, but the force of public opinion is capable of compelling change, and public opinion is in full play.

A thousand reasons could at one time have been given as to why the State Department should be hanged, but it is now contended that the Hissites have been cleaned out. This, however, I do not believe. A leopard cannot change its spots. New personnel is needed.

Mr. Speaker, it is to be regretted that sharp division exists in the Committee on Foreign Affairs, sponsoring the bill we will presently consider. There are those opposing the bill in the form in which it is presented for whom I indulge the warmest affection and merited partiality. Because of their knowledge of the subject involved, their views properly carry great weight and are entitled to earnest consideration. I fear, however, that the position they take will be construed as a softening of the policy of firmness that Congress has been compelled to adopt as regards the aggressions of Russia, and will give comfort to those of divided loyalty or no loyalty at all, and to those who think that in this cold war, in which the safety of the Republic is involved, only moral force should be employed. But I urge that you hear them patiently, for their arguments are very strong and very appealing.

Mr. Speaker, there has never been an instance in all history where the brotherhood of man was so pronouncedly displayed as is to be found in what we have done since the ending of World War II. For the relief of suffering humanity, our bounty has been lavishly poured out all around the globe.

At the end of the war our country stood on top of the world, with power to dictate the future of the whole human family, but the germ of imperialism was not in its blood. Territorial expansion was foreign to her desires. The fashioning of other people's lives was no part of her plans. All she wanted, and all she now demands, is peace and justice for all mankind.

Mr. Speaker, our trust and our indiscriminate charity has led us into serious trouble. Our reliance upon the good faith of Russia has proved to be a losing gamble. We now know that Russia means to rule the whole world, and that unless she is checked she will succeed, and in the task of checking her, greatest responsibility rests upon us. We desperately need, and we must have, all the cooperation from other peoples that we can get.

The North Atlantic Pact represents an effort on the part of western Europe to make common cause with us and the rest of the free powers. If the pact is not implemented as is now proposed, it will fail; and if it fails, the Marshall plan will fail; and if the Marshall plan fails, all will be lost, for, standing alone, we cannot wage a successful contest with the rest of the world organized against us.

So, Mr. Speaker, we have come to the point where we must make sacrifice, not primarily for the relief of suffering humanity in other parts of the world, but sacrifice for our own security and for our own freedom. Our course has been set, and to falter would mean disaster. Let us go forward in the faith that we are right and that God is on our side.

Mr. HERTER. Mr. Speaker, I yield 5 minutes to the gentleman from North Dakota [Mr. LEMKE].

Mr. LEMKE. Mr. Speaker, I am talking today to true Americans—to those who prefer their own country—who will not sell it short. I am not talking to foreign nations or subsidized Americans. I am not talking to the hyphenated, hybrid colony in our midst who would substitute a conglomeration of flags—a mongrel flag—for the Stars and Stripes.

I am speaking to the American citizens—the stockholders of the greatest corporation in the world—the Government of the United States. Each and every one of you is as much interested in the future of that corporation—that Government—as President Truman, his Cabinet, or Members of Congress. As stockholders, you are vitally interested in the management of your corporation—your Government. You know that it is not only your privilege but your duty to advise and criticize that management intelligently and constructively. You also have a right to know the facts.

We are traveling a dangerous road. Congress is lost in the dismal swamps of foreign entanglements and intrigue. It is operating under a foreign—not an American—atmosphere. The internationalists—the barefoot boys from Wall Street—for a profit, and the representatives of foreign governments looking for the taxpayers' dollars, predominate and overshadow all other lobbyists—even the 5 percenters.

Our Government does not know where it is going—but it is on its way. It is knee deep in international politics. It is sailing unknown seas—seas of foreign entanglements. In place of governing ourselves—in place of looking after our own people—we are now trying to govern the world. Hitler failed in this attempt. Stalin will fail and so will we. One worldism has been tried before and always has and always will be doomed.

History is replete with one worlders. The idea of bringing about universal peace and universal government by armed force was tried by Julius and Augustus Caesar, Alexander the Great, Charlemagne, Napoleon, and more recently by Hitler, but it failed.

The very idea of one world government by force means corruption and war. The very words "adequate power" means war. If this power had been adequate in the days of the former one worlders, then the world perhaps would not be worth living in. It would have been subjugation and slavery by force.

We live in an age of international deception. We are influenced by dishonest propaganda over the radio, in the movies and in the metropolitan press, propaganda paid for by international grafters and foreign governments—"give-me Jimmies."

We all want permanent peace, but mere dollars cannot bring about that result. We cannot get it by surrendering our sovereignty. Neither can we get it by bankrupting our Nation. As I listen to some one-world politicians, I wonder whether they are not placing their political welfare above the welfare of their Government. We hope that war will ultimately be abolished, but to jump from the frying pan into the fire is no solution.

We cannot establish permanent peace by destroying ourselves—committing national suicide. Six years ago we were told that if we would give foreigners our domestic market—reciprocal-trade agreements—that then we could avoid rearmament. Later, the same false prophets told us that if we would lavish billions upon other nations—among them Russia and her satellites—we would get lasting peace. The waste and corruption connected with UNRRA has not yet been fully written.

Then came the British loan of $4,400,000,000, and the cancellation of the $34,000,000,000 she owed us. Next came the financing and arming of decaying and grafting governments. This was followed by the Marshall plan and other foreign aid until we not only have bankrupt ourselves, but have already largely depleted our natural resources.

We not only spent hundreds of billions of dollars in winning World War II that other nations started, but from 1941 to 1945, via lend lease and other aid, we gave $48,546,000,000 to other nations. Since 1945, we have given $28,817,000,000 to decayed, and, in many cases, corrupt nations. This includes $2,000,000,000 to China and a pending appropriation of $5,000,000,000 for Europe. In addition, we gave $5,925,000,000 to the monetary fund and international bank, making a total of $83,288,000,000. Now we are

engaged in appropriating billions more in rearming these nations.

Last spring Congress passed the second Marshall plan bill authorizing another gift of the taxpayers' money to Europe of $5,300,000,000. The end is not yet. There will be many more authorizations. It becomes more clear every day that the Marshall plan originated in the fertile brains of the internationalists. The record shows that most of these are more interested in profits out of the taxpayers' pockets than in the future of the Nation.

The second Marshall plan bill provides for the exploitation of European nations by our international manufacturers and bankers. It guarantees these internationalists' investments in Europe to the extent of $300,000,000. This not only against any loss, but in addition guarantees them a profit. This is the first time that our Government guarantees profits on American investments either at home or abroad. Yet this act does it in plain words and without blushing or shame.

Here are a few that profited out of the first Marshall plan authorization. Five hundred and fifty million of the ECA dollars spent in the United States went to Anderson, Clayton & Co. The head of that company is William Clayton, former Under Secretary of State, who used his official position and did more than any other person to get the approval of the Marshall plan in Congress.

Five hundred and sixty-five million dollars went to the Standard Oil Co. of New Jersey. The Rockefellers played an important part in creating a favorable sentiment for the Marshall plan. The Rockefeller interests worked though a committee which spent over $100,000 lobbying in Washington. A few magazines and metropolitan newspapers received $15,000,000 for their part in selling America short—to the lowest bidder.

Now that we have joined and become part of the North Atlantic Pact, the foreign nations signing that Pact are asking for billions for armaments. The total is estimated at $24,000,000,000. These expenditures are not for peace, but for war. General Wainwright was correct when he said that this Pact meant war. He was correct when he said that he knew more about wars and battles than the Senators that voted for the Pact.

We have no objection to the United States of Europe. We do object to being played for a sucker. Ever since World War I, I have advocated a United States of Europe. It was for their own protection, not ours, that I advocated this. The North Atlantic Pact, however, makes us part of the United States of Europe. This for the sole purpose of paying its bills. This pact too was put over by the same internationalists that put over the Marshall plan for a profit.

How much longer can we with less than 6.2 percent of the world's population, possessing less than 7 percent of the world's area, and whose natural resources have already been depleted from over 11 percent of the world's supply to less than 8½ percent, continue to be an international Santa Claus? This in order to enrich a few internationalists with our taxpayers' dollars.

We already owe $663,000,000,000 with future commitments. This is more than all the other nations in the world owe. Every baby from the moment it is born is mortgaged for $4,756. That is the share of the Federal debt for each and every man, woman, and child.

It is true that you have not signed a note or a mortgage, but the Federal Government has a lien on all your property and on all your earnings, and the future earnings of your baby for $4,756. It will collect the lien via income tax and a hundred other unseen, hidden taxes. You cannot, while you live, wear clothes and eat, escape from helping to pay that lien.

The total expenditures of our Government from its birth in 1776 to 1933—157 years—were less than $90,000,000,000. This included the Revolutionary War, the War of 1812, the Mexican War, the Indian wars, the Civil War, the Spanish-American War, and World War I, up to 1933, and, in addition, all the other functions of our Government. Compare this $90,000,000,000 with the over $887,000,000,000 spent in the last 17 years—the Roosevelt global era.

America watch your step. There are some things going on in Washington that are not healthy for our Republic. We are allowing the Government of, for, and by the people to slip away from us. Our Nation is being sold down the river.

Our Uncle Sam has gone delinquent. He is in his second childhood. He has deserted beautiful Miss Columbia and her 150,000,000 sons and daughters. He has become an international philanderer. He is chasing red, pink, green, and off-colored skirts all over the world. He is squandering the wealth that Miss Columbia and her 150,000,000 sons and daughters have created.

Our Nation's visibility is low—the international weather is disagreeable. This is due to the mistakes of our Presidents at Quebec, Tehran, Yalta, and Potsdam. As a result of these mistakes, we have now embarked upon international flirtations. In order to get the billions to pay for this international lunacy, our Uncle Sam has become the greatest extortionist. In order to get the billions that we are dishing out to other nations, the Government is compelled to take 57 cents, on an average, directly or indirectly, out of every dollar you earn on which you pay an income tax.

In addition to the income tax, there is the excise tax and your Uncle Sam makes the ladies pay for their lipstick, face powder, and other cosmetics. If you smoke, Uncle Sam dips in heavily and takes many a puff in taxes. If you drink, he takes many a sip in taxes. If you take a ride on a train, your Uncle takes a ride with you by taking an additional 15 percent in taxes. If you sleep in a pullman, your Uncle sleeps with you and takes another 15 percent.

If your wife buys a fur coat, he pulls out 20 percent of the fur for himself in taxes. If you or your children go to a show, your Uncle enjoys the play with you with a 20 percent-tax ticket. Even the requirements of babies are taxed. Taxes to meet this international squandering are largely responsible for the high cost of living. As long as we continue to squander the Nation's wealth and the Nation's resources abroad, these taxes will continue—will increase.

Let us regain our senses and inform the sponging countries that there will be an end by 1952 to a further betrayal of our Nation. Let us bring home the boys that are now scattered to the four corners of the earth, policing half of the world.

We have plenty for them to do at home. Let us get them back here to restore the integrity of our Nation. What good can these boys do in the American uniform on foreign soil? In place of protecting foreign rulers from their own inefficiency and misdeeds, these boys should be brought back to establish their own homes and families.

National salvation is not a partisan issue. The internationalists have already selected their candidates for 1952. They are being trained—the Democratic candidate in a New York college and the Republican candidate in a Pennsylvania college. America, guard your step. Watch these international profiteers and political manipulators.

The time has come for both parties to again adopt the policy of our forefathers and avoid globetrotting and foreign entanglements. The time has come for my Democratic friends to adopt the doctrines of Thomas Jefferson and Andrew Jackson. The time has come for my Republican friends to adopt the doctrines of George Washington and Abraham Lincoln. When that day comes, it will be a glorious day for the United States of America.

As I listen to the internationalists—the betrayers of our Nation—I am impressed with their suaveness, but astonished at their fallacious arguments. It is the same old story—arm other nations, finance the world, and they will protect us—will save us from war. How do these gentlemen know on which side any of these nations will be in the next conflict?

Anyway, since when have we become so cowardly that we have to arm other nations to do our fighting—Hessians? I deny that that is essential, or for the best interest of our Nation, or for the peace of the world. In the end it means war.

Whenever the day comes that love for our country and patriotism fall so low that this kind of chicanery is necessary, then the Republic that you and I have cherished and loved—the Republic that the world has looked to as a model of justice and decency to all nations—will be dead. Then we will have surrendered all that is sacred and good to the human race.

Mr. SABATH. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. MARCANTONIO].

Mr. MARCANTONIO. Mr. Speaker, I oppose the resolution and I oppose the bill. I have been opposing this program consistently since its very inception. In my opposition I have repeatedly stated that this is an insane program and a program for imperialism and war.

We first started with the Truman doctrine to defend tyranny in Greece and

Turkey. We then catapulted the Nation along the path of war with the Marshall plan. Through it we are using money, funds of the American taxpayers, now we are using arms, and I say that if this insane policy is not stopped, next we will be using men.

If we fail to recognize this war program for what it is, then we are either naive or cowardly. I respect the honesty of the viewpoint of the gentleman from Georgia [Mr. Cox]. He has time and time again, in the support of this program, definitely recognized and characterized it as a war program. While I thoroughly disagree with him, I cannot quarrel with his honesty in his defense of this program.

I cannot, however, follow the gentleman from New York [Mr. JAVITS]. To me, his talk of this being a peace program is simply double talk. The only hope for peace is the United Nations. This program bypasses, undermines, and crushes the United Nations. How can anyone call this program one in the interest of peace without tongue in cheek?

This is either a war program or it is not. If it is not, then on what basis can you justify it? You cannot, and any attempt to do so is misleading and dishonest.

The gentleman from Massachusetts [Mr. HERTER] said it is necessary, and he said it is necessary to fight communism. I should like to deal with that argument.

The same argument was made in Italy and Germany. There it was said that armaments and the anti-Comintern pact were necessary in order to stop communism. History has passed judgment on that argument; it passed judgment with the blood of untold millions and the devastation of billions of dollars of property.

It is abhorrent that in the United States today one's patriotism is subjected to attack when one stands up and fights for peace. But let us see how history has passed judgment on those who refused to follow those who promoted the program of the thirties in Italy and Germany to stop communism. Then Mussolini and Hitler said, "Follow me, follow me in this crusade against communism. We use our money and we must use our arms and we must throw our men into this crusade." History has spoken.

Who were the patriots, those who said yes, and those who followed, or were the real patriots those who refused to follow and faced the firing squads and were placed in concentration camps?

Always an apologia has to be spelled out, a rationale must be given in order to justify insane actions, for a program of empire and war. Here for Wall Street aggression the rationale is: "We must stop communism. That is what the monopoly masters of Hitler and Mussolini had them say. To do that we are asked at the same time to close our eyes to the lessons of history, which is really contemporary. We are asked to forget everything—everything that brought about the last World War.

Mr. Speaker, another justification that is sometimes offered by some pseudo liberal friends—and I cannot help so characterizing ladies and gentleman who, to purchase security, take one step forward and two steps backward—as I say another justification which is sometimes offered is that all this is necessary because of imperialism by infiltration. That is the excuse that is given by them for this insanity—imperialism by infiltration must be stopped. Only a pseudo liberal can use this devious excuse.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. SABATH. Mr. Speaker, I yield one additional minute to the gentleman.

Mr. MARCANTONIO. Let us examine this fake argument. What has happened in the countries of eastern Europe is purely of domestic origin. The revolutions in these various countries of Europe were domestic, and to those who now want to extend this insanity to Asia, let me say that the Chinese people and the people of Europe are just as much entitled to their revolutions as we were entitled to ours. There has been no change either in Europe or China brought about with Russian guns or Russian bayonets or Russian airplanes. To the contrary, $3,000,000,000 of American materials have been used to try to stop the Chinese people in their own revolution. In western Europe many billions of our money and quantities of our arms have been used to crush the people's aspirations to overthrow a monopoly capital economy imposed upon them by our Government at the behest of our own monopolists. We are beginning to see the failure ir Europe of this program as it has failed in China. We have stopped Great Britain on its march toward economic reform. The Labor government of England failed in its domestic program because it succumbed to our Marshall plan. A member of the British Commons reported to the American people that what we are imposing upon them through the Marshall plan is a hominy-grit diet, against which some day they will rebel and repeat our Boston Tea Party with a hominy-grit party. Yes; this program of war and imperialism has failed in England. It has failed in France. It has failed in Italy. It has failed all over the world. When will this insanity stop? I know—it will stop when the American people learn the truth.

Mr. SABATH. Mr. Speaker, I yield 5 minutes to the gentleman from Oklahoma [Mr. MORRIS].

Mr. MORRIS. Mr. Speaker, on March 9 of this year, according to an article in the Washington Post, a very distinguished and famous American made a very significant statement. His name is JOHN FOSTER DULLES. In speaking at Cleveland, Ohio, he made this statement, according to the press, which, since it is not very long, I will read. It is as follows:

> JOHN FOSTER DULLES, American delegate to the United Nations, said today he does not believe the Soviet Union plans war, but that it would use its Army if it felt Russian territory threatened. Therefore, he warned against tactics in Scandinavia that would seem to bring an offensive threat to Russian borders.
>
> DULLES delivered the opening address before the third National Conference on Churches and the World Order, attended by 400 delegates, representing 35,000,000 Protestant church members and affiliated groups. The conference is sponsored by the Federal Council of Churches.
>
> The leadership in international affairs that has now passed into the hands of the United States, DULLES said, must be a leadership "of peace, by peace, and for peace."
>
> This leadership must be grounded in faith, for, he added, "nothing would be more dangerous than to have the present great material power of the United States rattling around in the world detached from the guiding direction of a righteous faith."
>
> So far as it is humanly possible to judge, he said, "the Soviet Government, under conditions now prevailing, does not contemplate the use of war as an instrument of its national policy. I do not know any responsible high official, military or civilian, in this Government or any government, who believes that the Soviet state now plans conquest by open military aggression.
>
> "They maintain a great military establishment. They encourage fear of it and allow Communists elsewhere to terrorize by picturing the Red Army on its march. But for actual expansive operations, it has seemed up to now that Soviet leaders counted primarily on the Communist Party and its tactics of propaganda, penetration, sabotage, terrorism, and, where circumstances are propitious, civil war."

I am quoting JOHN FOSTER DULLES, now a very distinguished and honorable Member of the other body.

Here is a statement coming from an international authority, stating that no responsible leader, military or civilian, says that the Soviet Government plans any aggressive military war. Why should we go into a pact like this? I am telling you that in my judgment, for what, if anything, it is worth, this is one of the most dangerous things that we could do, and one of the most stupid things that we could do, and one of the most unnecessary things that we could do for our own defense and the defense of the democracy of the world. As a matter of fact, our whole position in regard to this foreign policy is wrong. In one breath you say that communism is a false and erroneous theory of government. I agree with you a thousand percent in that thought. Yet you turn right around and say that we are going to have to spend billions of dollars to stop it. Do we think that humanity is stupid, that mankind has no sense? Do we think that a false, erroneous, and dangerous ideology or philosophy is going to sweep the world? Do we not know that the finest philosophies, the most logical and feasible programs that have ever been known have never been able to capture the imagination of the entire world? Then why do we think that a false and erroneous and stupid way of conducting government is going to catch the imagination of the world and force itself upon the world?

The SPEAKER. The time of the gentleman from Oklahoma [Mr. MORRIS] has expired.

Mr. SABATH. I yield the gentleman two additional minutes.

Mr. MORRIS. We are not logical in the matter. Take a grand and noble and wonderful thing like the Christian religion. It has not yet captured the imagination of the peoples of the world. A portion of them, yes, and it has been in existence about 2,000 years. Why do we think that communism is going to

do that? Communism was on the run long before the Marshall plan, which included military assistance to Greece and so forth. They talk about that plan stopping communism. It did not do any such thing. Communism stopped itself, because when it began to spread out from the borders of Russia and other people began to experiment with it, they saw that it did not work in practice; that is was not a good thing. Consequently, it began to recede. As bad as it is, when compared with czarism it perhaps is better, but when compared with democracy, it will not come up to democracy's knees, if I may use a rather trite expression. The Russian people had nothing to compare it with but czarism, where they were actually in all kinds of bondage—economical, physical, spiritual, and otherwise. So, consequently, it took hold in that big country, that country where conditions have been deplorable for many, many years. But when it began to spread out beyond the borders of that large country and get into countries that had experienced democracy, the people did not accept it and would not accept it. They will not accept it, and there is no need for spending all these billions of dollars in this kind of program. As a matter of fact, if we continue to do so I think that history will probably call us poor old Sam Quixote, who went out chasing international windmills.

The SPEAKER. The time of the gentleman from Oklahoma has expired.

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

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. MARCANTONIO. Mr. Speaker, I object to the vote on the ground that a quorum is not present.

The SPEAKER. Evidently a quorum is not present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members and the Clerk will call the roll.

The question was taken; and there were—yeas 277, nays 46, answering "present" 2, not voting 107, as follows:

[Roll No. 186]

YEAS—277

Abbitt	Boykin	Christopher
Abernethy	Bramblett	Chudoff
Addonizio	Brehm	Cole, Kans.
Albert	Brooks	Colmer
Allen, Calif.	Brown, Ga.	Combs
Allen, La.	Bryson	Cooley
Andrews	Buchanan	Cooper
Aspinall	Buckley, Ill.	Corbett
Auchincloss	Burleson	Cotton
Barrett, Pa.	Burnside	Cox
Barrett, Wyo	Burton	Crook
Bates, Ky.	Camp	Crosser
Bates, Mass.	Canfield	Cunningham
Battle	Cannon	Curtis
Beckworth	Carlyle	Dague
Bennett, Mich.	Carnahan	Davenport
Bentsen	Carroll	Davis, Ga.
Biemiller	Case, N. J	Deane
Blackney	Case, S. Dak.	Delaney
Boggs, Del.	Cavalcante	D'Ewart
Boggs, La.	Celler	Dingell
Bolling	Chatham	Dollinger
Bolton, Md.	Chelf	Donohue
Bonner	Chesney	Doughton
Bosone	Chiperfield	Douglas
Doyle	Jones, N. C.	Pfeiffer,
Durham	Judd	William L.
Eberharter	Karst	Philbin
Elliott	Karsten	Phillips, Tenn.
Engel, Mich.	Keating	Pickett
Engle, Calif.	Kee	Poage
Evins	Kelley	Polk
Fallon	Kerr	Poulson
Fenton	Kilday	Preston
Fernandez	Kirwan	Priest
Fisher	Klein	Quinn
Flood	Kruse	Rabaut
Forand	Kunkel	Rains
Ford	Lane	Ramsay
Frazier	Lanham	Ribicoff
Fugate	Larcade	Richards
Fulton	LeCompte	Rodino
Furcolo	LeFevre	Rogers, Mass.
Gamble	Lichtenwalter	Rooney
Garmatz	Lind	Roosevelt
Gary	Linehan	Sadlak
Gathings	Lodge	Sasscer
Gavin	Lucas	Scrivner
Gillette	Lyle	Scudder
Golden	Lynch	Simpson, Ill.
Goodwin	McCarthy	Sims
Gordon	McConnell	Smathers
Gorski, Ill.	McCulloch	Smith, Va.
Gorski, N. Y.	McDonough	Spence
Gossett	McGrath	Staggers
Graham	McGuire	Steed
Granahan	McMillan, S. C.	Stefan
Granger	McMillen, Ill.	Stigler
Grant	Mack, Ill.	Stockman
Green	Mack, Wash.	Sullivan
Hale	Madden	Sutton
Hall,	Mahon	Talle
Edwin Arthur	Mansfield	Tauriello
Hall,	Marsalis	Teague
Leonard W.	Marshall	Thomas, Tex.
Hand	Martin, Mass.	Thompson
Hardy	Merrow	Thornberry
Hare	Meyer	Trimble
Harris	Michener	Underwood
Harrison	Miller, Calif.	Van Zandt
Havenner	Miller, Md.	Velde
Hays, Ark	Mills	Vorys
Hedrick	Mitchell	Wadsworth
Heffernan	Monroney	Wagner
Heller	Morgan	Walter
Herter	Morrison	Weichel
Heselton	Moulder	Welch, Calif.
Hill	Multer	Wheeler
Hobbs	Murdock	Whitten
Hoeven	Murray, Tenn.	Whittington
Hoffman, Ill.	Nelson	Wickersham
Holmes	Nixon	Wier
Hope	Noland	Wigglesworth
Horan	Norrell	Willis
Howell	O'Brien, Mich.	Wilson, Ind.
Huber	O'Hara, Ill.	Wilson, Okla.
Jackson, Wash.	O'Neill	Wilson, Tex.
Jacobs	O'Sullivan	Wolcott
James	O'Toole	Wolverton
Jenkins	Passman	Yates
Jensen	Patten	Young
Jonas	Patterson	Zablocki
Jones, Ala.	Perkins	
Jones, Mo.	Peterson	

NAYS—46

Andersen,	Harden	St. George
H. Carl	Hoffman, Mich.	Sanborn
Andresen,	Hull	Scott, Hardie
August H.	Kean	Scott,
Angell	Lemke	Hugh D., Jr.
Bishop	Marcantonio	Secrest
Burdick	Martin, Iowa	Short
Byrnes, Wis.	Mason	Smith, Kans.
Church	Miller, Nebr.	Smith, Wis.
Coudert	Morris	Tackett
Crawford	Murray, Wis.	Werdel
Davis, Wis.	Nicholson	White, Calif.
Dolliver	O'Hara, Minn.	Williams
Dondero	O'Konski	Withrow
Ellsworth	Potter	Woodruff
Gross	Rankin	
Hagen	Sadowski	

ANSWERING "PRESENT"—2

Jackson, Calif. Kearns

NOT VOTING—107

Allen, Ill.	Bolton, Ohio	Davies, N. Y.
Anderson, Calif.	Breen	Davis, Tenn.
Arends	Brown, Ohio	Dawson
Bailey	Buckley, N. Y.	DeGraffenried
Barden	Bulwinkle	Denton
Baring	Burke	Eaton
Beall	Byrne, N. Y.	Elston
Bennett, Fla.	Clemente	Feighan
Bland	Clevenger	Fellows
Blatnik	Cole, N. Y.	Fogarty
Gilmer	McCormack	Rich
Gore	McGregor	Riehlman
Gregory	McKinnon	Rivers
Gwinn	McSweeney	Rogers, Fla.
Halleck	Macy	Sabath
Hart	Magee	Shafer
Harvey	Miles	Sheppard
Hays, Ohio	Morton	Sikes
Hébert	Murphy	Simpson, Pa.
Herlong	Norblad	Smith, Ohio
Hinshaw	Norton	Stanley
Holifield	O'Brien, Ill.	Taber
Irving	Pace	Taylor
Javits	Patman	Thomas, N. J.
Jenison	Pfeifer,	Tollefson
Jennings	Joseph L.	Towe
Johnson	Phillips, Calif.	Vinson
Kearney	Plumley	Vursell
Keefe	Powell	Wa'sh
Kennedy	Price	Welch, Mo.
Keogh	Redden	Whitaker
Kilburn	Reed, Ill.	White, Idaho
King	Reed, N. Y.	Winstead
Latham	Rees	Wood
Lesinski	Regan	Woodhouse
Lovre	Rhodes	Worley

So the resolution was agreed to.

The Clerk announced the following pairs:

Mr. McCormack for, with Mr. Allen of Illinois against.

Mr. Rogers of Florida for, with Mr. Rich against.

Mr. Rees for, with Mr. Reed of Illinois against.

Mr. Kilburn for, with Mr. Johnson against.

Mr. Towe for, with Mr. Smith of Ohio against.

Mr. Murphy for, with Mr. Elston against.

Mr. Patman for, with Mr. Shafer against.

Mr Keogh for, with Mr. Powell against.

Additional general pairs:

Mr. Price with Mr. Arends.

Mr. Winstead with Mr. Cole of New York.

Mr. Gilmer with Mr. Brown of Ohio.

Mr. Bailey with Mr. Phillips of California.

Mr. Kennedy with Mr. Simpson of Pennsylvania.

Mr. Magee with Mr. Hinshaw.

Mr. McKinnon with Mr. Beall.

Mr. King with Mr. Halleck.

Mr. Feighan with Mr. Harvey.

Mr. McSweeney with Mr. Jenison.

Mr. Fogarty with Mr. Fellows.

Mr. Stanley with Mrs. Bolton of Ohio.

Mr. Hébert with Mr. Macy.

Mr. Gregory with Mr. Plumley.

Mr. Redden with Mr. Reed of New York.

Mr. Hart with Mr. Tollefson.

Mr. O'Brien of Illinois with Mr. Anderson of California.

Mr. Regan with Mr. McGregor.

Mrs. Norton with Mr. Morton.

Mr. Pace with Mr. Riehlman.

Mr. Vinson with Mr. Vursell.

Mr. Wood with Mr. Kearney.

Mr. Denton with Mr. Eaton.

Mr. Byrne of New York with Mr. Gwinn.

Mr. Joseph L. Pfeifer with Mr. Latham.

Mr. Breen with Mr. Keefe.

Mr. Hays of Ohio with Mr. Taber.

Mr. Baring with Mr. Norblad.

Mr. Welch of Missouri with Mr. Lovre.

Mr. Sikes with Mr. Jennings.

Mr. CHURCH changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

Mr. KEE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 5895) to promote the foreign policy and provide for the defense and general welfare of the United States by furnishing military assistance to foreign nations.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 5895, with the gentleman from Arkansas [Mr. MILLS] in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule general debate will be equally divided and will not exceed one day.

Mr. O'HARA of Minnesota. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. O'HARA of Minnesota. What is meant by the term "one day"?

The CHAIRMAN. The term means one legislative day as terminated by adjournment, from now until the time the House adjourns.

Mr. KEE. Mr. Chairman, I yield myself 10 minutes.

The CHAIRMAN. The gentleman from West Virginia is recognized.

Mr. KEE. Mr. Chairman, I recognize that it is an impossible task for one in a few brief moments to explain carefully, clearly, and succinctly a bill of this character and magnitude. I believe, however, that all of you within the sound of my voice are thoroughly familiar not only with the character of this bill but with what it aims to accomplish, its purposes, and its policies. The bill may be technical in some of its phraseology, but it has been fully discussed in simple language not only on the street but also over the radio and over the television, and on and off the floor of the House and of the Senate; everywhere we have had discussion of our contemplated aid to Europe.

This bill was first introduced in the House on July 25 immediately after the reading of a message from the President urging the action it proposes. It was referred to the Committee on Foreign Affairs, and hearings started on the morning of July 28. Hearings continued through 19 sessions of the committee, 8 of which were executive and 11 were open to the public. Thirty-two witnesses appeared before the committee and were heard at length. And as to some of them, I mean at length.

It cannot be said that your committee on Foreign Affairs did not deal with this important matter earnestly, diligently, and with a sincere desire to arrive at a decision justified by the facts. Hearing continued through 11 days between July 28 and August 11.

In marking up, that is, considering changes in the phraseology and discussing amendments to the bill, the committee held day and night sessions from August 12 through to August 15, on which latter date the bill was reported out. Twenty-nine amendments were approved by the committee.

In passing, it may be noted that witnesses both for and against the measure were heard and given a chance to be heard impartially. No witness applying to be heard was denied the opportunity.

As I have stated, the aims and purposes of the bill are clear.

The measure is designed primarily to augment the forces of the free nations of Europe friendly to the United States, to enable such nations to successfully resist invasion by an unfriendly and aggressive power.

It is not intended that such resistance be made by the invaded nations alone and unsupported. On the contrary, the measure calls for a coordinated, united resistance under unified plans and unified direction.

It is also not intended that the entire burden of this program be borne by the United States Government. Our assistance under this measure amounts practically only to encouragement and helpful support. It is confidently expected, in fact, practically assured that by the time the aims of the program have been accomplished the various participating nations will have contributed from five to six times the sum contributed by the United States. This is indeed a self-help program.

In respect to unity of effort it must be understood that much has already been accomplished in an unprecedented effort to unite the free nations of Europe in the common cause of their defense.

Already there has been accomplished a union under what has been called the Brussels Pact to which five nations are signatories to wit: France, Belgium, Netherlands, Luxemburg, United Kingdom.

Already the Brussels Pact group, together with four other European nations, to wit: Norway, Portugal, Denmark, Italy have become parties to the Atlantic Pact, a positive union for collected and united defense.

It is this union of European free and friendly nations that are eligible for aid under provision of the pending bill.

As has been stated, the nations heretofore named have been brought together for a common and united effort of defense because of one compelling reason. They and their people are now and have for a long time, been living daily under the shadow of a great fear.

That shadow of fear is cast by a nation which we, in order to destroy a bitter and deadly enemy who threatened our very existence as a free people, aided in building up as a world power.

We succeeded in our objective, but failed in our consideration of the future.

With the close of World War II we disbanded our great Army, expecting our European allies to do likewise. We sent home the millions of trained soldiers whom we had armed and trained. We put our ships, tanks, and mobile units into mothballs. We abandoned our bases and airfields. We grounded our planes.

Russia is the one country which continued to maintain her armed strength. There was no demobilization of her armies. At the close of the war, she had 200 divisions of trained men perfectly armed and equipped. As from time to time, she discharged divisions, she created new ones. Today she still has 200 trained divisions equipped with the latest and most modern instrumentalities of death. She is maintaining at this moment the mightiest army the world has ever known.

The nations of Europe and their peoples are living day by day in the shadow of this mighty armed force.

We must not lull ourselves into a sense of false security. Russia is not maintaining this army for the purpose of parades.

Through infiltration, backed by her armed forces and the intimidation of her power, Russia has already absorbed into her capacious maw some 14 or 15 formerly free and sovereign nations of Europe.

Infiltration, while efficient, would not alone be sufficient. In all cases, it was the great fear, the dark shadows of dread of her divisions that brought success to her efforts and put her neighboring countries into chains.

Without power to successfully resist, without equipment for the manpower already available in Europe, without unity of effort, without encouragement in that effort, the free nations of Europe will one by one be certainly the victims of this rapacious and inhuman monster. America would be next.

WHAT THIS BILL DOES

For military assistance to the free nations, this bill would authorize the appropriation of $1,160,990,000 for the nations in the North Atlantic and $211,370,000 for Greece and Turkey; $27,640,000 for Iran, Republic of Korea and the Philippines. A total of $1,400,000,000.

I trust that this measure may be passed, and with no reduction in the amounts proposed to be appropriated.

Mr. CHIPERFIELD. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. VORYS].

Mr. VORYS. Mr. Chairman, this is a difficult bill. There have been divergent views, sincerely and deeply held, within our committee. You will find a report and a supplemental report, and attached to them are four minority reports with a dozen signatures. Our deliberations in committee, however, have been singularly without bitterness, and that I attribtue to the unfailing courtesy and patience and fairness of our beloved chairman, the gentleman from West Virginia, Judge KEE, and I want to pay my tribute to him at this time.

For over 2 years I have been advocating military aid to other countries in ways that would increase our own security and create world peace. I had a military aid title drafted for consideration by our committee on March 17, 1948. On that day the White House arranged for the President to meet with us in our committee room after he finished his speech before Congress on foreign policy. The President never kept the engagement and never explained why, and since that day, I have had no part in developing the military assistance plan which was first revealed to Congress on July 25, 1949, with a demand for prompt action.

The bill that comes from our committee, with about 33 amendments, is a great improvement over the original, but there is still too much, too soon, for Europe and too little, too late, for Asia.

We are the one world leader of the free in defense against the one world potential aggressor. Communist Russia extends into both Europe and Asia in territory, troops, and possible plans for military attack. In Europe there are 150,000,000 people in the 12 countries under the Atlantic Treaty, who want more arms to increase their will to fight, but who are not yet united under an agreed plan for common defense. The bill proposes to give them $1,610,000,000 worth of arms and assistance now. In Asia there are over 150,000,000 people in the south and west of China, an organization we have recognized by treaty for many years, people already fighting Soviet, Communist aggression, but who need arms. The bill recognizes the importance of uniting Asia in its statement of purpose, but provides nothing for China and only $27,640,000 for the rest of Asia.

I hope history is not repeating, but I have the feeling that "this is where I came in." In 1939, 10 years ago, I wrote a paragraph in a minority report—No. 856—Seventy-sixth Congress—on the so-called neutrality bill. It said:

THE PACIFIC SITUATION

We have attempted, without success, to secure consideration and action by our committee on the situation in the Orient. We feel that it is a mistake to try to determine our possible conduct as to future wars in Europe before we determine our conduct as to an existing war. We have let our excitement about what may happen to our remote interests in Europe blind us to what is now happening to our immediate interests in the Pacific, where our treaty rights are being violated and our national interests threatened every day. We feel certain that if we had solved this immediate far eastern problem first, it would have gone far toward solving the rest of our international problems.

When we were attacked in World War II, 3 years later, it was at Pearl Harbor in the Pacific.

We are not in a period of immediate emergency now. As General Bradley said:

We are not impelled by crisis, or desperation, or fear of impending war.

General Marshall said—see hearings, page 77:

The country could not and would not support a budget based on preparation for war.

We are in danger of spreading our resources out too thin in peacetime. That does not mean, however, that we dare ignore our own security in the Asiatic half of the world while we go too fast, too far, in Europe.

The total drain on our economy for the cause of world peace and opposition to world communism is greater, proportionately, than that of any other free country. If we add our proposed foreign aid to our proposed military expenditures, we are spending 10 percent of our national income and over 50 percent of our national budget in this cause. We owe it to the rest of the world, as well as to ourselves, to keep strong here at home. To do this, we must keep our expenditures for defense and foreign aid of all kinds and in each area to the minimum.

On grounds of economy alone we must adopt a policy of military assistance to our allies. Our own security requires ground troops many places in the world. The direct cost of equipping and maintaining one American soldier for one year in Europe, based on pay, allowance, subsistence, medical care, and so forth, is $3,320. A European soldier can be maintained for about one-third of this cost, a Chinese soldier for much less. If we can simply furnish the arms while other nations maintain the troops ready to fight in their cause and ours and to maintain their internal security, we can equalize the burden of common defense.

There are those who believe that our air power alone, with the atomic bomb, is a sufficient deterrent to Russian aggression and a sufficient defense if an attack comes. I am a great believer in great American air power. I started to fly 36 years ago and was naval aviator No. 73, and have a certificate that I flew as a belligerent in the CAP World War II but I know that airplanes must start from somewhere and land somewhere and must be refueled and maintained on the ground and that ground forces are needed to take and hold and maintain these bases all over the world.

We have not yet arrived at push-button warfare. We can do strategic bombing all over the world from bases in our own territory, but it is frightfully expensive, and for tactical air support we need air bases close to any enemy. We promote our own security when we strengthen the ground forces of our friends.

What are the Russian forces? The figures given us in committee are secret, but Walter Trohan, of the Chicago Tribune, said on the Fulton Lewis program August 8: "I have cleared this with high officers. The Red army now has about 50 divisions along the western front from Finland to Turkey, Iraq and Iran. One hundred and fifty divisions more are in reserve. Five thousand of the Soviet air fleet of 19,000 planes are troop carriers. These could drop 75,000 paratroops on England at one time."

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. VORYS. I yield.

Mr. SHORT. All the military authorities in different countries of Europe and here at home with whom I have talked—and there have been many of them—universally agree that Russia could move to the English channel perhaps within 6 weeks' time. Does not the gentleman from Ohio have certain apprehensions in his heart that should we send large amounts of ammunition and implements of war to these countries of western Europe it would simply be a richer prize for the Russians to knock off; and does he not also think there is some danger perhaps that we would have hurled at us by the Russians as we had hurled at us by the Japanese, some of the very materials that we furnish?

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. CHIPERFIELD. Mr. Chairman, I yield 15 minutes to the gentleman from Ohio.

Mr. VORYS. The gentleman states a risk that we face. If we send the right amount and it is used in the right plan, the danger could be lessened.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. VORYS. I am sorry, I cannot yield to the gentleman because of the limitation of time, but I am going to comment further on the gentleman's wise observation.

Mr. SHORT. We can stay here all night. You have been so very generous in the provisions for debate as provided in the rule. We have all night, but we did not start debate until a quarter to four.

Mr. VORYS. That is correct.

Mr. SHORT. This is a bill involving $1,450,000,000.

Mr. VORYS. It may not involve that much when we get through.

Mr. RICH. Will the gentleman yield further?

Mr. VORYS. I cannot yield further at this moment. I will be glad to yield to the gentleman, if I am not imposing on the Committee too much.

Gen. Pierre Billott, head of the French delegation, United Nations Military Staff Committee, said:

Soviet Russia and its satellites within a few months after mobilization could muster 300 to 400 divisions (equal to 150 to 200 divisions of western strength); an air force of 15,000 to 20,000 planes; moderate naval forces, mainly a submarine fleet spearheaded by Schnorkels.

These figures are in line with the Army estimates published by our committee in December 1947, both as to ground divisions and planes. Obviously, the total aid proposed for Europe would not stop such forces. Secretary of State Acheson, before the Foreign Affairs Committee on July 28, 1949, said:

We do not believe that to discourage military aggression it is necessary to create western European defensive forces which are by virtue of their size capable of successfully resisting an all-out attack. What is required is rather sufficient strength to make it impossible for an aggressor to achieve a quick and easy victory.

Obviously, the proposed program has not been the deterrent to Russian aggression in western Europe since 1945. Our Government has entered into no commitment with any other government or group of nations for the furnishing of any arms whatsoever.

Therefore, there is nothing sacred about the recommended programs either as an absolute minimum, or as guaranteeing security, or as an international obligation.

Regardless of the arms we might send, the only security for western Europe lies in resolute, concerted, agreed defense under plans and an organization prepared and approved in advance. No such plan is now in existence. Within the next 90 days or so, such a plan may come into being under article 9 of the Atlantic Treaty, but we have learned from experience how difficult it is for the nations of western Europe to overcome their rivalries and jealousies and get together, and how ineffective our Government's efforts have been to promote such unity. On the other hand European nations are concerned that after they have taken crucial and possibly irrevocable action together in reliance upon support from us, such support may not be forthcoming.

They know that, no matter what our officials may say or do, material support will not come until Congress acts.

I believe it is necessary for Congress to go halfway now, in order to overcome their concern, but it is also necessary for these countries to meet us halfway this time, to overcome our concern that they will not get together.

By implementing half of the proposed plan at this time, we are showing our good faith, our willingness to go forward. By reserving action on the other half, we will in effect give notice to all of the governments concerned, including our own, to come up soon with an agreed over-all plan. This approach, providing an inducement to greater cooperation, will contribute to the ultimate success of the program, which is not attainable without such unity.

Some of us have urged that the administration prepare a real interim program, such as was devised and carried through so successfully as a preliminary to the Marshall plan. The administration has refused to do this, but has claimed that this permanent law with an authorization for delivery over 2 years is an interim program, and has demanded that it go through as is. Their compromise consists of putting more of it into contract authorization, so that it can never be reviewed by Congress.

I disagree with that compromise, which means that Congress says goodby forever to $1,400,000,000. I want to have Congress, as well as the President, take a look at the agreed program.

Half the amount requested will furnish all necessary aid and provide for the internal security of these nations until an agreed program can be reached. By authorizing half of the 2-year program, we show that we mean business on implementing agreed plans for the united defense for Europe, but that we also mean business when we ask to see what the plan is before we go the rest of the way.

For Europe I am sponsoring and supporting the Richards 50–50 vote in our committee.

For China I have worked with the gentleman from Minnesota [Mr. JUDD] and the gentleman from Connecticut [Mr. LODGE] in drafting and sponsoring the Lodge-Walter bill, which will be presented as an amendment to this bill. It will provide $200,000,000 for military aid to China, using a Statement of Purpose made by Secretary of State Acheson, and providing for administration identical with the Greece-Turkey aid. The amount is estimated by Gen. Claire Chennault and other experts on China as sufficient to prevent, for an interim period, the unification of China by the Communists. It would make possible the revival of the Flying Tigers, using old American equipment, against Chinese Communist forces who to date have had little or no air cover. The amount would have to be spread thin, with American supervision. This assistance would stimulate the Chinese will to resist, just as our arms to Europe would stimulate their will to resist, with this difference: We would be rearming Chinese who have been resisting Communist aggression for years, while we were making up our minds, while in Europe we will be rearming people who have not yet had to face the bloody test of armed Communist attack.

Mr. Chairman, this is not an easy bill for us to consider, because it deals with the hardest questions of our time. It involves more than military logistics. It involves our weighing economic, military, and moral forces here and all over the world and placing them in the balance so as to achieve and maintain peace on earth for men of good will. We must not fail in wisdom or courage.

Mr. COUDERT. Mr. Chairman, will the gentleman yield?

Mr. VORYS. I yield.

Mr. COUDERT. Did any military witness appearing before the committee testify that this $1,400,000,000 would constitute that sufficiency of defense to slow up and delay invasion of western Europe?

Mr. VORYS. To slow up and delay, yes; but no witness guaranteed that this would prevent the overrunning of Europe.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. VORYS. I yield.

Mr. SHORT. The gentleman from Ohio has made a very plausible argument for a most difficult and complex piece of legislation, and I congratulate him on the contribution that he has made. If I understood the distinguished chairman of the gentleman's committee, the gentleman from West Virginia [Mr. KEE] he stated in his opening remarks that the western European powers would contribute five times as much as the United States to this program. Could the gentleman tell us just how much England's contribution will be, how much France, or Italy, or Belgium, or Holland, or Luxemburg or Norway will contribute?

Mr. VORYS. The military expenditures of the countries in question will be found in the supplemental report on page 23.

Mr. SHORT. There is nothing in the bill.

Mr. VORYS. Their expenditures are over $5,000,000,000, which is roughly one-third of our military expenditures of $15,000,000,000. But, obviously, the $5,000,000,000 plus that they expend, is roughly five times the proposed $1,400,000,000 we are asked to furnish them. That is the arithmetic of the situation. The details as to what is to go to any country are secret. The over-all expenditures by each country will be found in our report.

Mr. SHORT. Would the gentleman yield just once more at that point? I do not want to trespass or be persistent, but I think this is important enough for some of us on the Armed Services Committee to be enlightened.

Mr. VORYS. As the gentleman knows, I had asked that the Committee on the Armed Services, or a subcommittee of that committee, or representatives of that committee could sit in with our committee on this bill.

Mr. SHORT. I am not at all sorry that we did not get the bill.

Mr. VORYS. I am sorry, anyhow.

Mr. SHORT. But I desire to say to the gentleman that repeatedly throughout this bill, for instance, on pages 4, 5, and 15, the phrase "unified defense plan" occurs. Please tell the Members of this House and the American people what our "unified defense plans" are.

Mr. VORYS. Those plans have not yet been agreed upon because the organization to make the agreement, the defense committee under article 9 of the treaty has not yet been created. But the defense concept upon which it is hoped that they will be based is set forth in the open hearings in the testimony of General Bradley. It provides that we furnish, roughly, the strategic air power and the A-bombs, that we and Britain furnish the naval power, and that Europe furnish the overwhelming part of the ground forces.

Mr. SHORT. So that we really have no unified defense plan in existence now; it is merely an intellectual concept, a theory snatched out of high air; it is etheral, ephemeral, and evanescent; and we have got the cart before the horse in appropriating for a unified defense plan when we really have no unified defense plan in existence. This bill is a shot in the dark.

Mr. VORYS. Somebody had got to start somewhere. It is my idea and that of the gentleman from South Carolina [Mr. RICHARDS] and a number of others, that the way to start is that we go halfway at this time; then they can get going and bring back here their unified plan, and then we may go the other half if they give us evidence of unified effort under an agreed plan.

Mr. MILLER of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. VORYS. I yield to the gentleman from Nebraska.

Mr. MILLER of Nebraska. Is the amount proposed in this bill the final amount that is to be appropriated for this purpose, or is this just a down payment?

Mr. VORYS. This is just to start. We were unable to secure any estimate of what the cost will be. It was hoped by witnesses that ultimately our own defense costs could be lowered, but it is to be noted that we are party to a treaty that lasts for 20 years.

Mr. MILLER of Nebraska. I understand, then, no estimate has been made as to what the ultimate cost will be?

Mr. VORYS. No.

Mr. KUNKEL. Mr. Chairman, will the gentleman yield?

Mr. VORYS. I yield to the gentleman from Pennsylvania.

Mr. KUNKEL. What we are doing then substantially is to accept a policy in this bill without having the slightest idea of what that policy is?

Mr. VORYS. That is not quite correct. The policy of considering an attack on one of these countries as an attack upon us has already been made. This is a matter of implementing step by step that policy.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mrs. DOUGLAS. Mr. Chairman, I yield 13 minutes to the gentleman from South Carolina [Mr. RICHARDS].

Mr. RICHARDS. Mr. Chairman, I favor the principle of military assistance to the Atlantic Pact nations of Europe.

I favor the purposes of this bill because its purposes are in line with that principle. I have heretofore supported all legislation brought forth by the Foreign Affairs Committee for direct relief for Europe, for rehabilitation, and economic cooperation there, and I shall support here today an authorization for funds to give military help to the Atlantic Pact countries.

I am very sorry to disagree with my distinguished chairman, and maybe the majority of the Democrats on the Committee on Foreign Affairs, but, as I see it, I have a duty and obligation to perform here.

Mr. Chairman, we should remember to start with that you cannot make a soldier fight for his country solely by putting arms in his hands and bullets in his gun. There must be something deeper than that. He must first believe in his country's institutions, he should have confidence in his leaders, and in Atlantic Pact countries he must be convinced of unity of purpose and determination. He has already been convinced that disunity among allies leads to certain defeat.

I once heard a great evangelist say that there is no use in talking to a hungry man about religion, but fill his stomach and he might be converted; and so it is in regard to the will to fight—he must have something to fight for.

I support title II of the bill providing $211,370,000 for military aid to Greece and Turkey. We put our hands to the plow there. We have a successful program going on there and we cannot in reason turn back.

I support here today funds provided in title III for Iran, the Republic of Korea and the Republic of the Philippines amounting to $27,640,000. But, the thing that I cannot swallow in toto is the big money item in title I for military aid to Europe, amounting to $1,160,990,000.

The gentleman from Ohio [Mr. VORYS] said that he would support my amendment to cut that in half. I want to say right here that I feel honored that he has associated himself with my effort, because to my mind there is no better informed man in either the other body or the House in the field of foreign relations. I know of no harder worker; neither do I know of a harder fighter. I should know because we have disagreed heretofore on legislation many times.

I welcome too the support of the two other very able gentlemen, Mr. JUDD of Minnesota and Mr. BURLESON of Texas, who have joined me in expressing minority views.

Now, you may ask the question, "Why do you want to cut this thing in half? What is your basis for that?" I will tell you why. Do not fool yourselves. This is not a 1- or 2-year program. You are embarking upon a long-time program; it may last 5 years or 10 years or 15 years, and it may cost this Nation many additional billions of dollars. The proponents of the plan including the Secretary of State say that this is an interim program, an in-the-meantime program, if you please. In my opinion no interim program of this kind should cover 2 years.

The proponents of this bill seek to get out of this House $1,450,000,000 for a 2-year period. They do not intend to spend but about 50 percent of it this year, but they want contract authorizations that bind the hands of this Congress. I am talking about the power to make contracts for implements and materials, the power that will make the Committee on Appropriations of this House a nullity in the premises, because the Committee on Appropriations will not be able to review the individual items in this thing. The question before the Committee on Appropriations will only be whether or not the Congress is going to honor the obligations of contracts that we have authorized. My contention is that we should not get that far out on a limb. We should not project the planning into the second year. As the gentleman from Ohio said, let them come back to the Congress next year and ask for the other half on the basis of the case they can make out of the success of authorizations for 1 year. Let them show us progress and accomplishment in the field of unification. They cannot stand apart over there, they have to stand together or they will fail. There is no question about that.

We had all kinds of promises out of them before the economic recovery program. They were going to form a customs union, trade barriers were to be torn down, they were going to give and take for economic unity, old jealousies, and rivalries were to be forgotten. But after they received the dollars most of their promises along that line were forgotten.

Now, as to rivalries and jealousies over there, may I mention an example. Take the case of Spain, which nation has not been accepted for membership in the pact. Some of the members over there seem not to like Spain's form of government, therefore Spain is unjustly blackballed.

But may I say that many in this country do not like Great Britain's tendencies toward a socialistic state, but that has not kept us from voting billions of dollars to Great Britain because they were fighting side by side with us in the cold war against communism. Spain has also been waging a battle against communism and she is a natural partner in this pact.

Let me ask you, if this country can give full recognition to Russia, a nation that is arrayed against us on every line in the world why should not full recognition be given to Spain? I will tell you why. It is simply because some of the member governments over there cannot forget some old prejudices, and we are timid about forcing their hand for fear it will jolt the pact.

Everybody knows that in this cold war Spain is a natural enemy of Russia, yet we refuse to let her join hands with us. This is the kind of thing that must be overcome, but I tell you, you will not succeed if you pledge in advance all of this money for a 2-year period. What I propose to do is to authorize half of this money. We endorse this program when we do that. Then let them come back to us and make a case and show us what they have done in the field of unification and cooperation.

If you cut this program, as I propose, to a 1-year program, the authorization will still amount to $580,495,000. Add to that surplus war materials valued at $450,000,000 which can be delivered and for which no charge will be made. Then remember that we have already let European nations have $446,000,000 worth of surplus military supplies for a pittance of $36,000,000. I believe that is about as far as we should go until we can see a little farther down the road.

Mr. COUDERT. Mr. Chairman, will the gentleman yield?

Mr. RICHARDS. I yield.

Mr. COUDERT. The distinguished gentleman from South Carolina has made a splendid case as far as he has gone, but I am inclined to think his argument leads to a conclusion far beyond that which he accepts. You make the point that the unification program of defense of western Europe has not even begun—is not even in a formative stage, and that there is nothing yet set up. Therefore, you say, let us reduce the amount requested by half. Do you not really by that argument lead to the conclusion that the whole program of aid should be postponed until January when some further progress has been made in unification?

Mr. RICHARDS. No, I think we should implement the Atlantic Pact by going part of the way now, and then take a look around us for evidence of good faith.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. VORYS. Mr. Chairman, I yield 15 minutes to the gentleman from Wisconsin [Mr. SMITH].

Mr. SMITH of Wisconsin. Mr. Chairman, I think we ought to pause for just a moment and invoke an old Biblical injunction: "Think on these things." When you do I am sure you will feel as I do that for this body to give four or five hours in general debate and perhaps another four or five hours tomorrow on this question we are not meeting the responsibilities of the people who sent us here. This, I believe to be the most important question that has faced this country since the days of the Civil War. We are making policies this afternoon, or tomorrow, which are going to be permanent for this country and, in my opinion, it is going to lead to destruction. As you read this bill you will find many references to the United Nations.

I oppose this legislation on three grounds. First, it is in violation of the spirit and intent of the United Nations agreement which this country sponsored. Secondly, it is a military alliance and no different than many others that have ended in failure. Thirdly, in this age of the atomic bomb and jet propulsion, it is militarily indefensible.

The United Nations organization has carried the hope of millions of people, Mr. Chairman, that it would promote peace and security all over the world. And when we examine the bill before us it is clear that this administration is kicking the United Nations out of the

window. I hazard the guess, Mr. Chairman, that passage of this bill will mean the end of the United Nations Organization.

There are many pious references to the United Nations in this bill. In the section setting forth the declaration of policy in this language, speaking of the objectives of our foreign policy:

> To achieve international peace and security through the United Nations so that armed force shall not be used except in the common interest.

Further:

> The Congress hereby finds that the efforts of the United States and other peace-loving countries to promote peace and security in furtherance of the purposes of the Charter of the United Nations require additional measures of support.

There are other pious references to the United Nations, all of which indicate insincerity and double talk. If the United Nations Organization provides a cover for a military alliance, then it has worked a fraud on the people of the world.

Mr. Chairman, it is my position that this military alliance is inconsistent with the United Nations Charter and if adopted will give it the kiss of death. Under article 5 of the North Atlantic Treaty, matters in dispute are not referred to the United Nations but the signatories become the judges in their own case. They divide the problem of aggression and of the aggressor without any standards being laid down or any procedure defined. They are free to act without mediation and become the judges of the adequacy of the United Nations Security Council's actions. This absolutely destroys the real jurisdiction of the United Nations and the principle of third party judgment.

Mr. Chairman, can the United Nations be strengthened by dividing the world in half and arming, in the name of loyalty to the United Nations, one group of members against another member or set of members? That is the most important question the United States must answer if it is honest in its statements about the future of the United Nations. I submit that the Truman doctrine, and this bill is it, is the antithesis of the principles that undergird the United Nations.

I come now to my second point, Mr. Chairman. The history of military alliances is a record of disaster. All of them were predicated on the statement that peace and security was the sole objective. The North Atlantic Treaty and this legislation have that identical premise. One writer has well said that the twentieth-century diplomatic boneyard is littered with dead defense treaties that failed their purpose. Those treaties did not prevent war, nor will this one. The Triple Alliance, the Holy Alliance, the Locarno Pact, the Hitler-Stalin mutual-assistance pact, and many, many others did not accomplish their objectives, and the appalling fact is that they led directly to war. So will this one. Much of this history, Mr. Chairman, has occurred in our lifetime. The inescapable facts are before us. Yet President Truman and the State Department ignore history and advocate armed assistance to Atlantic Treaty countries on the ground that this aid will deter the Russians and the spread of communism.

Was it not immediately before the Second World War that Hitler and Stalin concluded a treaty, the sole purpose of which "was to discourage France and England from fighting"? It did not prevent war.

Before the last war, Britain and France agreed to support Poland in case of attack. Its purpose, too, was to frighten Stalin and Hitler. Britain not only signed a mutual assistance pact with France and Poland but a system of guarantee treaties with Rumania, Greece, and Turkey for the purpose of preventing anticipated German aggression. These powers—Poland with 4,000,000 men and a system of universal military training, France with 8,000,000 in its army and navy, and Great Britain with the biggest navy in the world, did not deter Germany or keep the peace. The military alliance, engineered by Britain and backed by force, did not prevent aggression any more than the Nazi-Soviet agreement kept Britain and France out of war. I might go on and on to cite further examples of senseless treaties that ended in war, but such extension will serve no good purpose. It is merely cumulative.

But, Mr. Chairman, it seems to me there is only one inescapable conclusion that can be drawn from the history of past alliances. It is: There is no real or permanent peace or security in agreements that foster competing armaments. I believe it to be an uncontradicted fact of history that defensive treaties based on arms, made war inevitable. Armaments are always intended to produce a sense of security in each nation. That is the argument advanced today in support of this legislation and the North Atlantic Treaty. We are told that this bill must be passed now, that a month or two of delay may bring disaster. But, Mr. Chairman, what is the need for such speed? I have heard no testimony in open or executive session of my committee from which it can be implied that we face disaster through attack by Russia. Quite the contrary is the fact if we can believe General Bradley. He was quoted in the public press on August 11, as follows:

> The tide of communism is being stemmed in Europe. We are not impelled by crisis, or desperation, or fear of impending war.

Then he suggested that we must move in vigorous consecutive action to establish a "long-range plan of defense."

So we can assume, Mr. Chairman, by what this great soldier has said that there is no good reason to rush this program in the absence of crisis, desperation, or fear of impending war. It is apparent, however, that the State Department by its attitude in this matter is creating a fear complex in the minds of people in this country. Fear leads to suspicion and hatred. And in Europe our conduct gives to the people there a false sense of security, as it is obvious that we do not have the resources to defend every nation that is fearful of attack any place in the world. Then when we fail to meet our commitments, angry accusations follow.

After 1870, according to Viscount Grey, Germany had no reason to be afraid, but she fortified herself with armaments and the Triple Alliance in order that she might never have reason to be afraid in the future. Naturally, France was fearful after 1870 and she entered into a military alliance with Russia. Then Great Britain became fearful when she saw that Germany had started to build a big navy. First she made the Anglo-Japanese alliance and later joined with France and Russia in the Triple Entente. Then Germany became fearful of the nations that encircled her and struck the first blow in World War I, while she still believed her military power was invincible.

And so, Mr. Chairman, the lesson of European history is so very plain. It is that no enduring security can be found in competing armaments and separate alliances. To seek security in them is to distill a devil's brew. Our eyes are open, or are they? It is our solemn duty and responsibility to save future generations from destruction by rejecting this demand to implement a military alliance that is but the prelude to World War III in this new atomic age.

My third and last point, Mr. Chairman, deals with the military situation. It is my position that not one cent should be spent to arm the North Atlantic treaty countries. To do so will invite Russia to attack and justify the charge that American capitalism seeks to control and dominate the economic life of the whole world. She calls it American imperialism. We are not imperialistic, but we are open to the charge.

Now, Mr. Chairman, I yield to no Member of this House in his desire to stop communism. For more than 25 years I have called attention to its threat against liberty and freedom. There is a way to contain it, however, aside from wasteful and uncertain spending abroad and the making of disastrous military alliances.

In the absence of mutual agreements to keep the peace, I submit that the antidote to the menace that threatens free people in this day is the atomic bomb and jet propelled missiles and planes. The plan submitted in this legislation is obviously the mass army concept. We have been told that arms must be supplied to our friends so they can hold the first attacks until another AEF gets there. I do not pose as an expert on military affairs but I have been at the front and have had some schooling in military strategy and from this experience it seems to me that such a plan is militarily indefensible.

Let us look first at the forces that might engage in another European war. In our committee certain military information was presented in executive session and it was said to be a top secret. As usual, the top secret was public information. The very next day the radio listeners knew all about it. Here are some facts. The Red army has about 50 divisions along the western front from Finland to Turkey. This means about 750,000 men. Another 150 divisions or another 2,250,000 men are in reserve. It is the opinion of military experts that if

Russia declared war today, the Red army would control all of Europe and the Middle East in 90 days by virtue of its mass army. It is reported that 5,000 of the Soviet air fleet of 19,000 planes are troop carriers and they could drop 75,000 men to England at one time. This prospect would undoubtedly keep the British air fleet tied up there and it would be of little help to the other pact countries. Our allies are in no position to resist an attack because of the preponderance of Russian strength, nor could we get help to them of any consequence. Shall we then sacrifice these countries and permit them to be overrun and occupied by the Communists? That is not a pleasant picture, but on the other hand, do we want to see London, Paris, Brussels, and the other great cities in western Europe reduced to rubble? European civilization can never survive if there is a repetition of Warsaw or Berlin, but that Europe might survive, must be in air power because massive ground forces with tanks and artillery and mechanized vehicles are vulnerable to air attack. Tank tracks are easily broken by near miss bombs and strafing. Air destruction of fuel immobilizes all vehicles. Control of the air is everything. Our strategy today is in transition. Things challenged as radical departures now will be accepted tomorrow as sound principles. Mr. Chairman, it is quite likely that our allies will not like the concept of air power as the dominant role in defense but they will, in time, understand and ultimately approve. It appears that this is the only concept which America can afford and it is to America that this Congress owes it primary responsibility.

Keeping the peace by air power safely based in America but capable of striking instantly is a modern concept in keeping with American genius and resourcefulness. It lifts itself out of the sordid hates, national and religious and radical prejudices and intrigues of the Old World which knows only balances of power and war.

If we send guns and tanks and planes to the Rhine or Elbe frontiers, the Kremlin clique would have tangible evidence that the capitalistic, democratic, Christian countries are creating the military might to destroy Russia. The Russian people, being patriots, will respond to its defense. Russian armies fought for the two worst governments on earth—the Czar's and Stalin's. They will again fight for their homeland, if their leaders are able to give them a cause.

Our refusal to extend military aid to western European powers would at once throw the complete responsibility for aggressive military action upon Russia. It would make it more difficult for the Kremlin to lead the Russian people into war.

We should advise the Atlantic Pact countries that we possess the strategic striking power to paralyze Russia in case of war. They need provide, from their own resources, only the minimum weapons to insure law and order. It leaves all their energy free for the achievement of economic stability—the best weapon against communism.

Failure to arm Europe, as proposed in this bill, would relieve our taxpayers of occupation. It is, of course, a frightening situation. We must face the facts, however, and admit that there is not much that we can do about Europe in case of attack. When the next war comes it will not be won on the ground, and if this is so, then the billion and a half dollars should not be wasted abroad. It should and must be spent on our defenses at home.

Mr. Chairman, Brig. Gen. Bonner Fellers testified before our committee and he suggested a solution. Let me say that General Fellers is a graduate of West Point and was on General MacArthur's staff in World War II and went with him from Australia to Japan. He is now retired but has maintained his interest in public affairs. I consider him to be an expert in his field and a distinguished patriot. It is his theory that the United States has a powerful deterrent to aggression in our atomic bombs and the long-range bombers. So long as we maintain the lead in bombs and bombers, this war deterrent is likely to continue effective, he says.

Notwithstanding this questionable bipartisan effort to pass this legislation, your attention is called to the fact that the Eightieth Congress approved a 70-group Air Force program, against the very active opposition of Mr. Truman and his party. Now it seems that a cut-back to 48 groups is planned. The $1,450,000 for this initial program—and it is only a starter—plus the $15,000,000,000 defense budget is apt to wreck this country. Of course, I realize that under the Truman spending program the Democrats are more concerned with saving the world than they are the United States.

Mr. Chairman, we assume that the United States will not abandon the western European peoples. We place our principal reliance, however, in air power. This must be our fundamental concept of any defense of the Atlantic Pact countries. Since attempt to hold the Rhine in the face of Russian land forces would be futile, it has been suggested that we might better permit the Red Army to occupy Europe than to suffer the devastation which will surely follow in the wake of tanks and guns and bombs. One more sweep of ground forces locked in combat across Europe would undoubtedly end the present European civilization. I repeat, our principal reliance is the insufferable burden of implementing an erroneous concept for our security.

Russia must be viewed as an entity. If she were blocked by ground forces on one front, it still leaves her free to cross frontiers elsewhere. A containment policy against her is sound provided we do not endeavor to build the strait-jacket with ponderous infantry divisions—possessed of strategic immobility—dedicated to World War I methods of combat. There is an effective means of containment.

In the Orient we have air bases in Alaska, Japan, Okinawa, and the Philippines. We cannot hold bases on the continent, but they are available in England and north Africa. These bases can be defended without bringing on a general engagement with the Red army. From these bases, if we have mastery of the air, air strikes can be unleashed which will destroy Russia's war potential and hold her forces within her borders.

In the meanwhile—since Russia is, psychologically, the most vulnerable country in the world—a full-scale campaign should be launched to carry the truth to the Russian people. Then their demands for a liberal government would keep the Kremlin so busy at home there would be no time for political and military aggression elsewhere.

Mr. HAND. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Wisconsin. I yield.

Mr. HAND. I hesitate to interrupt the very effective statement the gentleman is making but I would like to have the privilege of associating myself with him in the thought he has just expressed. The gentleman could add, I think, a fourth point, and that is the one the gentleman just touched, that this fund which is now proposed, large as it is in our economy, would probably not be sufficient to arm more than two or three divisions. This, it seems to me, is also pure nonsense measured against the figures of the Russian divisions given to us recently by the gentleman from Ohio.

Mr. SMITH of Wisconsin. May I say to the gentleman that we had General Fellers before our committee who gave a very interesting statement. He said that for us to keep a mass army to hold the Rhine, the Elbe, or any other area in Europe would cost at least $24,000,000,000.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Wisconsin. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. It seems to me in reading one of the reports on the bill that the State Department or the Ambassadors would be really directing our Army rather than the military, is that correct?

Mr. SMITH of Wisconsin. It would seem so.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. VORYS. Mr. Chairman, I yield the gentleman two additional minutes.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Wisconsin. I yield to the gentleman from Michigan.

Mr. DONDERO. I wonder if any testimony was given before the gentleman's committee as to what portion Great Britain would contribute to this vast fund of five or six billion dollars to arm western Europe in face of the fact that today the newspapers give us the information that Great Britain is on the rocks and her bonds are selling at 70 cents on the dollar. What information can the gentleman give the House on that matter?

Mr. SMITH of Wisconsin. I am afraid I cannot give the gentleman very much information. They are under the program supposed to spend a certain percentage for their own armies, but I submit they are not going to spend much of their own money unless we give it to them.

Mr. VORYS. The figures are on page 23 of the supplemental report, which gives some information on that.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Wisconsin. I yield to the gentleman from Missouri.

Mr. SHORT. Instead of preventing attack by Soviet Russia, does not the gentleman think the furnishing of arms to the western countries of Europe might provoke or hasten an attack by Russia?

Mr. SMITH of Wisconsin. Absolutely. I think it invites that very thing.

Mr. SHORT. What would be the reaction of the United States or the people in it if Russia should attempt to fortify Canada and Mexico by sending them equipment and materials?

Mr. COUDERT. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Wisconsin. I yield to the gentleman from New York.

Mr. COUDERT. Is this bill not essentially a device to channel additional dollars to western European countries?

Mr. SMITH of Wisconsin. I prefer not to answer that question.

Mr. KEE. Mr. Chairman, I yield 15 minutes to the gentleman from Connecticut [Mr. RIBICOFF].

Mr. RIBICOFF. Mr. Chairman, it had not been my intention to enter into the general debate today. However, I am constrained to discuss the arguments made by my fellow members of the committee, the gentleman from Ohio [Mr. VORYS], and the gentleman from South Carolina [Mr. RICHARDS]. In my short experience as a Member of the House, I have found no two men for whom I have greater respect and regard. Their contribution to our committee in judgment and in patriotism is absolutely superb. Yet so grave are the questions involved before us today that we should discuss the main issue. The main issue that will face this House in the debate on this bill is the cutting of the program involving $1,450,000,000.

The arguments of the gentleman from Ohio and the gentleman from South Carolina are plausible if you proceed upon the premise that what we are doing in this program is merely assisting Europe. The argument fails, however, when we realize that we have involved here today consideration of the very defense of the United States itself.

I think we are indeed remiss if we do not study our history as it has developed in the past few hundred years. All must realize that at the present time, and I dare say the first time in our modern civilization as we know it, there are only two great powers in the world. In the past many, many hundreds of years there were always more than two great powers in the world, and these acted as a buffer or balance of power, if you will, between the other great nations. But, two world wars and devastation have left just two powers in the world, the United States and Russia. Unless we look at the world as we now find it, we will lose not only the peace, but we will lose the great sacrifices that we have made, and we will definitely torpedo the Truman foreign policy which is realistic, which is hard-headed, hard thinking, and carrying this Nation on the road to eventual victory for the democratic forces of the world.

Let us look at the suggestion that this program should be cut to $550,000,000, rather than the entire amount. It is easy to say we are all for economy. I am for economy. It is very easy to make a statement like the gentleman from Ohio, "too much" or "too soon." Yet, is it not rather foolish for this Congress to expend an insufficient amount and for that all to go to waste? Certainly it will not be contended by any of us on the Committee on Foreign Affairs that even the $1,450,000,000 will stop the Russian hordes if they want to start marching. But, is that what we are trying to do? We are trying to say to the people of Europe, "You are no longer neutral; you are on the side of the United States; you are a plus factor. We are going to help you, because by helping you we help ourselves. Keep united, stay firm."

A few short months ago this House voted for our own national defense in appropriations and forward contracting, $15,907,000,000. Why did we vote those funds? For the internal security of the United States? No. That was voted because we recognized that we must keep strong and keep the entire world free from the further advances of communism. This fund of $1,450,000,000 is the absolute minimum amount required to arm a minimum number of European divisions—to keep those divisions as an effective force to build up the situation in Europe against communism.

Mr. HAND. Mr. Chairman, will the gentleman yield?

Mr. RIBICOFF. I yield to the gentleman from New Jersey.

Mr. HAND. How many divisions does the gentleman think that will arm?

Mr. RIBICOFF. I am not ready to state how many divisions that will arm, sir, because I think you must keep in mind that the divisions in Europe will also receive, expended by their own governments, approximately five to six billion dollars. The figures given before the Committee on Foreign Affairs in executive session were of such a nature that I am not free to disclose them on the floor.

Mr. HAND. The money that we supply, I respectfully suggest to my friend from Connecticut, would probably not arm more than three or four divisions and that, I am sure he will agree, is no more than a mere gesture.

Mr. RIBICOFF. If that is a gesture, I will say to the gentleman, what would one-half of that program be?

Mr. HAND. I quite agree with the gentleman.

Mr. RIBICOFF. That would be absolutely useless.

Mr. WILLIAMS. Mr. Chairman, will the gentleman yield?

Mr. RIBICOFF. I yield to the gentleman from Mississippi.

Mr. WILLIAMS. I want to ask the gentleman a question that I think is the crux of this entire problem, and that is, if we send pop guns over there under this program, whether we send half a billion dollars worth or whether we send a billion and a half dollars worth, they are going to be ineffective, are they not?

Mr. RIBICOFF. We are not sending pop guns, sir.

Mr. WILLIAMS. Well, small arms and antiquated weapons.

Mr. RIBICOFF. No. We are sending to those European nations an integrated type of equipment that will fill in with an over-all defense plan in which our military chiefs will have a say to make effective the over-all defense of the Atlantic area, including the defense of the United States as well.

Mr. WILLIAMS. This is the point I was getting to. If we should send small arms or similar weapons they would be of no use anyhow. If we send lethal weapons, do we have any assurance they will not be used against us in the next 4 or 5 years?

Mr. RIBICOFF. Let me say this to the gentleman: This program has another basis to it. This program is intended also to shore up the internal security of Europe. It is intended to shore up the internal security against communistic infiltration and taking over by fifth-column groups. I think small arms under those circumstances are most effective.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. RIBICOFF. I yield to the gentleman from Oklahoma.

Mr. ALBERT. How many times is it contemplated that requests will come back to the Congress in the years to come for further military aid to the Atlantic pact countries?

Mr. RIBICOFF. I would say this program contemplates coming back here a sufficient number of times until the United States is assured its position is predominant in the world and has taught Russia a lesson that she cannot take over any more free nations of the world but must join as a decent member of society under the United Nations and act for world peace. I think that is very, very important.

Mr. RICHARDS. Mr. Chairman, will the gentleman yield?

Mr. RIBICOFF. I yield to the gentleman from South Carolina.

Mr. RICHARDS. Did any witness who appeared before our committee in a military capacity or otherwise say that this proposal is as necessary for the defense of the United States as appropriations for our own armed services?

Mr. RIBICOFF. No; they did not make that statement.

Mr. RICHARDS. In fact, they denied that.

Mr. RIBICOFF. But I would infer that it is a corollary to our military program.

Let me point out something else that is very important. By cutting this program you eliminate from the program approximately $155,000,000 which is intended to rehabilitate the defense plants of Europe and to assist them in supplying arms for themselves in the value of approximately $750,000,000 a year. Therefore, it becomes very important

that this reservoir of arms and materials be sent over and be used in the European nations for their own defense and to add to the over-all armaments program of all the Atlantic Pact nations.

Mr. SADOWSKI. Mr. Chairman, will the gentleman yield?

Mr. RIBICOFF. I yield to the gentleman from Michigan.

Mr. SADOWSKI. Is it not true that at the present time the so-called western countries are expending about $5,500,000,000 for their military program, and this bill will do nothing more than take that $5,500,000,000, which is a burden upon the shoulders of the taxpayers of England, France, and the Benelux countries, and shift that burden onto the taxpayers of America. We will absorb the burden they are now carrying and place it on our American taxpayers.

Mr. RIBICOFF. May I say to the gentleman that there is a strong body of opinion that if the Russian people themselves or if the Russian Politburo were to disarm, there would not be that burden on anyone in the world, but this is not a condition of our own making. All this has been forced on us because of our position of leadership in the world. We cannot shirk that leadership. We have a responsibility. We have accepted the responsibility. We must carry that responsibility through. General Marshall, in appearing before our committee concerning the arms program, stated that if in 1939 this Congress had given the military their requested estimates for national defense, it would have cut short this war 6 months and would have saved $50,000,000,000, and would have saved untold thousands upon thousands of American casualties.

Are we not faced with a comparable situation today when opponents of this program again say too little or too late? Is this Congress going to return to isolationism? Are we ready to cast away the great strides we have made and the potential victory that is ours?

Mr. COUDERT. Mr. Chairman, will the gentleman yield?

Mr. RIBICOFF. I yield.

Mr. COUDERT. Did I understand the gentleman to say that one of the purposes of this appropriation was to protect the internal security of these Atlantic Pact nations?

Mr. RIBICOFF. That is correct.

Mr. COUDERT. Does not the gentleman think it is rather a dangerous proceeding to deliver weapons to countries whose security—internal security—is so uncertain that they need American arms to maintain order at home?

Mr. RIBICOFF. No, I do not. I say that with the state of the world as it is at present, the United States should not hesitate, to save itself and its own institutions, to save and help save the free institutions of our friends who have joined with us in the Atlantic Pact. That is something I am willing to face and which this Congress should be willing to face.

Mr. NICHOLSON. Mr. Chairman, will the gentleman yield?

Mr. RIBICOFF. I yield.

Mr. NICHOLSON. Why should we be sending $5,000,000,000 to Europe in the ECA program when they have money enough to raise over $5,000,000,000 for armament? Why should we keep on doing that?

Mr. RIBICOFF. We do that, sir, because the arms program for the defense of Europe is most important to their very lives and sovereignty, and certainly you would not advocate that a municipality take the guns away from its policemen because the municipality is in debt.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. RIBICOFF. I yield.

Mr. JUDD. Is it not also true that the $5,000,000,000 that they are spending for defense is in their own currency, while what we are sending to them under the Marshall plan is in dollars to make up the foreign exchange that they do not have to buy the things in hard currency countries which they must have for their whole economy?

Mr. RIBICOFF. That is correct.

Mr. JUDD. So that what they spend of their own currency for their defense does not increase the load on us as long as it does not require dollars?

Mr. RIBICOFF. I thank the gentleman for his contribution.

Mr. KEE. Mr. Chairman, I yield 10 minutes to the gentlewoman from California [Mrs. DOUGLAS].

Mrs. DOUGLAS. Mr. Chairman, I am supporting the military-aid measure which we are now considering. I believe it to be sound. I think it contributes to the further building of world peace—to our own national security.

Mr. Chairman, the aim of the bill is stated very clearly in our report on page 2:

> The main point to be made about this legislation is that it is a proposal to bring military assistance to bear in support of an undertaking of mutual defense in time of peace.
>
> Military assistance is not novel to the American experience. It was the basis of lend-lease during World War II. It has been widely developed also in time of peace, as shall be shown.
>
> Mutuality in military objectives is certainly no novelty to this Nation. In the form of the direct alliance with France, and the collateral coalition with Spain, it was a decisive factor in the war of the American Revolution. It was a decisive factor also in World War I. It was the pattern of victory in World War II. Now it has entered into the American experience in peace as well as in connection with hostilities. It has been welded into the system of the American Republics. It is the essential ingredient of the North Atlantic Pact.
>
> What is new about this legislation is that it brings into focus in time of peace the two elements—military assistance and mutuality of defense. It does so in a manner entirely consonant with the basic aims expressed in the United Nations Charter and with the goal of economic recovery.

Mr. Chairman, I will try to show why that is so. I address my remarks mostly to those Members who believe, as I do, that an enduring peace can be built—who do not believe that arms can be substituted for bread. If the choice before the Congress was one of arms or bread, I would vote for bread; just as the gentleman from South Carolina [Mr. RICHARDS] has indicated he would.

But, Mr. Chairman, I do not believe that is the choice before us. Indeed, the Foreign Affairs Committee recognizes that economic recovery is essential to international peace and security and must be given clear priority.

Mr. Chairman, we have stated this policy on page 3 of the bill. But we go further. We also recognize that the increased confidence of free peoples in their ability to resist direct or indirect aggression and to maintain internal security will advance such economic recovery as we are making possible through the European recovery program and will support political stability.

At the end of the war the first job was to help rebuild those areas which were utterly devastated. That has been done.

The fact that we must now take measures to insure peace is not discouraging. Rather, it is an acceptance of the facts as they are. The need for common defense can be a unifying force. It certainly was a compelling force in the establishment and the growth of the Union of the States which make up our country. Common defense can be a unifying force in western Europe today.

In working for world peace, past experience must teach us something. The League of Nations failed because it lacked the power to stop aggression. Without an international police force the United Nations is also powerless to maintain peace in the world. There is general agreement on this fact. We have been unable, up to now, despite efforts in that direction, to agree on a general program that would achieve universal control of weapons of mass destruction and universal regulation and reduction of armaments, including armed forces under adequate safeguards to protect complying nations against violation and evasion. Because we have been unsuccessful in these efforts we, therefore, have not been able as yet to set up under the United Nations an international police force to enforce the peace.

The Foreign Affairs Committee believes, and so states in the bill before us, that we should continue to seek for agreements to provide the United Nations with armed forces as contemplated in the charter, and agreements to achieve universal control and reduction of weapons of mass destruction.

In the meantime, we can sit idly by ignoring the potential threat of Russia, or take positive action to maintain order in the world.

The Atlantic Pact and this military-aid program go as far as possible under present conditions.

This is a program to implement collective security. It is not an aggressive program, but a program of defense—a program that can be a pilot plant for a future world police force.

I believe that the proposed military-aid program fits into the positive pattern of our principal actions for world peace.

Under the United Nations Charter the Security Council has the primary responsibility for international peace and security. But the Security Council does

not have exclusive responsibility. That responsibility is shared by all the members of the United Nations. Article 51 of the Charter authorizes the members of the United Nations to act in individual and collective self-defense. And chapter 8 of the Charter authorizes them to form regional organizations. These are supplementary methods for creating the necessary conditions for international peace and security and they are methods within the structure of the United Nations.

We have made this clear in the "findings and declaration of policy" which precede the substantive titles of the bill now before the House. We announce not only to the American people but also to the rest of the world that the Congress of the United States reaffirms the policy of the United States to achieve international peace and security through the United Nations.

Mutuality of security which is the basis of our belief in the need for an international police force is the premise also of the North Atlantic Treaty which has been ratified by the Senate of the United States.

Article 5 of the treaty reads in part:

> The parties agree that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all; and consequently they agree that if such an armed attack occurs, each of them in exercise of the right of individual or collective self-defense recognized by article 51 of the Charter of the United Nations, will assist the party or parties so attacked by taking forthwith, individually and in concert with the other parties, such action as it deems necessary, including the use of armed force, to restore and maintain the security of the North Atlantic area.

That is the agreement we have entered into with the other nations of Europe. I say this is a step forward. We took no such positive action after World War I with the result that there was World War II. Under the United Nations we are permitted to act in self-defense. We are permitted to join organizations to act in self-defense. Under article 5 of the treaty it states further that in case of armed attack all measures taken as a result shall immediately be reported to the Security Council, and such measures shall be terminated when the Security Council has taken measures necessary to restore and maintain international peace and security.

Now, under the Charter of the United Nations, we have a right to do just what we are contemplating in this bill. I believe that instead of sitting still and wringing our hands because we have not been able to come to an agreement that will permit us to cut down arms in the world we should do the next best thing under the rules and regulations that have been set up within the United Nations.

Mr. Chairman, no one can consider this military-aid bill, under any condition, as an aggressive action. We are not increasing the armed forces of Europe. We are simply permitting those armed forces which they now have to become properly equipped, so that they can ward off an attack, if it comes, or ward it off long enough to permit us to come to their aid.

I agree with what has been said here. I do not think anybody in our committee believes that Russia is going to war tomorrow. I do not think so. But the fact remains that the Soviet Union through its foreign policy has done its utmost in the last 4 years to prevent European recovery and by its maintenace of one of the largest peacetime armies in history has deliberately created an atmosphere of fear and danger.

It has been the shadow of this great army hanging over Europe which made necessary the Atlantic Treaty and has prompted the nations of western Europe to ask for military assistance. We know what happened in Czechoslovakia because of the shadow of that army.

We know what has happened in the countries that have gone behind the iron curtain and have come under the influence of Russia. We know that the world Communist movement does exist. If the people in France, say, or the people in Italy feel that they have not enough arms to protect themselves if there were a sudden uprising as there was in Czechoslovakia, with the weight and shadow of this great army in Russia, they would not resist. Russia then, without moving her soldiers, could take over these countries one by one, using the same kind of tactics that they have used in the last 3 or 4 years.

Mr. Chairman the military-aid program is a war deterrent. We must help restore a sense of security to free nations by increasing their own ability and morale necessary to discourage aggression and maintain their independence. This assistance, added to our other forms of aid, can create the conditions of strength and stability without which the United Nations cannot function.

Mr. SADOWSKI. Mr. Chairman, will the gentlewoman yield?

Mrs. DOUGLAS. In just a moment.

I want to emphasize again, and again, and again, the fact that we are working toward a unified defense program. That is why it is different from the old program of competition—of one country against another—this is a unified program of defense, and I hope that gradually we can take more and more of the nations of the world into it, and that finally when Russia sees that we do not move against her, that we are not going to attack her borders, that she too will join us. I think that if we proceed with this unified-defense program we will eventually end up with an international police force.

The CHAIRMAN. The time of the gentlewoman from California has again expired.

Mrs. DOUGLAS. Mr. Chairman, will the gentleman from West Virginia yield me two additional minutes that I may yield to the gentleman from Michigan?

Mr. KEE. I yield the gentlewoman two additional minutes.

Mrs. DOUGLAS. Mr. Chairman, I yield to the gentleman from Michigan.

Mr. SADOWSKI. I wish to ask the gentlewoman one very simple question: We have given Europe UNRRA money and Marshall-plan money; England has been asking for loans on a gratuitous basis and she has taken all she could get. Then we went into the Marshall plan program and through it the United States Treasury was raided and England got what she wanted in an indirect way. She obtained the funds she needed and that she had to have. I give her credit for being smart enough to do it but I do not give ourselves credit for being so dumb as to give it to her. But in an indirect way we gave England what she wanted. Now we come to this arms program. This is another and a further program by which the European countries are seeking to get indirectly that which they cannot get directly, finances for a five and a half billions arms budget which otherwise would have to be borne by the taxpayers of England, France, and of the Benelux countries. They are seeking today to lift that debt off the backs of their own people in those countries and place it on the backs of the American people. It is a $5,500,000,000 debt that the American people will have to pay to meet the European arms program.

Mrs. DOUGLAS. What is the gentleman's question?

Mr. SADOWSKI. My question is this: I believe that this bill is nothing more than a shifting of the debt burden for the arming of European countries from the backs of the European people onto the backs of the American people. I want to ask the gentlewoman if she does not agree that we cannot continue it much longer.

Mrs. DOUGLAS. I may say to the gentleman, as the gentleman from Illinois pointed out a moment ago, the $5,000,000,000 that these countries are spending collectively is in their own currency. They have asked us for assistance in order to obtain certain military articles that they cannot obtain without dollars. And I would point out that a major part of this program is a spare-part program. We have to remember that the countries we are helping, with the exception of Great Britain—and we are giving very little to Great Britain under this program—were occupied by Germany. Germany took everything away from them. They took the cows, the pigs, the plows, the engines, the factories, and everything else. They also stripped western Europe of military equipment. We must not forget that.

Mr. SADOWSKI. Will Germany get any part of this money?

Mrs. DOUGLAS. Not one cent.

Mr. SADOWSKI. I would still be against it even if Germany does not get it. I still do not think our taxpayers should carry the burden of financing the armaments for all of Europe.

Mrs. DOUGLAS. I know how the gentleman feels and I have great respect for his sincerity and his concern for the taxpayers who are already overburdened, but I do not believe this globe can sustain another war. I fear that unless this program is enacted, we cannot guarantee peace. I am not one of those who have lost hope that peace is obtainable.

The Atlantic Treaty and this program sets a new pattern. If we act now, we

will have done something we never did before. We will be taking positive defense action to maintain the peace. I do not believe in making the same mistakes over and over again.

Let me repeat, guns are no substitute for bread. Economic recovery is basic if we are to have peace and security in the world. There are critics of the military assistance program who complain that the program will substitute arms for bread. Such a contention is preposterous. What we do want is to help the peoples of these countries enjoy their bread while they eat it.

At the same time these countries are gaining in their fight to lift themselves up from the slough of economic chaos and despair; they are making almost heroic efforts to correct their military deficiencies. For example, the western union countries are spending $5,500,000,000 a year to build up their defense. In spite of these great efforts they cannot meet their own requirements. Our experts and theirs are agreed on this point. The western European nations cannot take on any additional burden which would modify the original concept of the European recovery program—that by 1952 they shall have sufficient economic strength to maintain decent living standards without extraordinary outside help.

The margin, therefore, for increased military production to correct their serious defensive weakness is small. However, there is some industrial capacity that can be exploited to advantage, such as arsenals and aircraft production lines which do not figure in the civilian economy. There are also some pools of unemployed labor in certain countries which cannot be shifted because of housing shortages. A relatively small but very important amount of dollars from us will permit the use of these marginal facilities and make possible an increased military production that can be fitted safely into the recovery effort. This dollar aid, added to labor, facilities, materials, and funds the military assistance program would supply the European countries, should result in the production of far more equipment than could be produced in the United States with the same expenditure. With our help now these countries can plan and start a gradually increasing program of military production which, as they progress toward recovery, will make them less and less dependent on the United States.

The principal goal that is sought, then, in the military assistance program is to provide western Europe—our first line of defense—with the physical beginning of the means to deter aggression. It will help build up our friends to a point where they can no longer be bulldozed. The nucleus of physical strength they have asked from us will enable the Defense Committee established under article 9 of the North Atlantic Treaty to further the development of unified defense plans for the common good.

The question that poses itself now is how much defensive posture is necessary to build and maintain the peace of western Europe. In this respect we should keep in mind that the objective is to deter aggression by confronting any potential aggressor with adequate defensive power and a determination to resist. Of course, neither the North Atlantic Pact nor the military assistance program propose the maintenance in Europe of a military force capable of itself meeting the mass attack of an all-out war. To maintain a military establishment of that nature would be impossible for the United States and for western Europe. We cannot and we dare not undertake that. The program is an interim measure designed to meet as quickly as possible the present military weakness in Europe that is inviting aggression from without and internal disorder from within. This measure would give to our foreign policy the coordination and the full action necessary to prop up the peace which is now endangered by military weakness by providing strength now where strength is needed.

Military assistance is an action that is demanded by the situation of today. If we fail to act, our foreign policy, that is, the peace we are striving for, will be handicapped and may go by default. Action is indicated today, but we must guard against action for the mere sake of action. The action that is represented in the military-assistance program stems from the urgent requests for assistance that we have received from nations in dire need of our help.

It is quite logical that these nations should turn to us in their need, for we are the only free nation in the world able to help them. The demands that are being made upon us, however, are so numerous that if we are not to defeat our purpose by overextending ourselves we must keep our assistance within our capabilities and within the exigencies of our own security. An overextension in the program has been carefully guarded against. The over-all impact of the proposed assistance on our economic structure, our strategic stock pile, our physical resources and our defenses has been closely examined. The findings from an exhaustive study made by the National Security Resources Board and the National Military Establishment are that we can well afford to extend the contemplated help without fear of adversely affecting our own position.

The program has been in the process of planning for a long time. The timing element that is involved in it is one of its essential characteristics.

We all know that if a grave emergency develops in Europe, the United States will be obliged to act. Our policy line is very clear on this point. But such an emergency would be the war we are trying to prevent and which we must prevent. Our preventive action, as I have already said, is the North Atlantic Treaty. We have joined with the other signatories in building, through self-help and mutual aid, a common defense for the common good. Now our partners in western Europe have turned to us for help. Their appeals rise out of the same conditions that led to the proposal for the North Atlantic Treaty.

In western Europe, less than 5 years ago, millions of American soldiers were fighting to protect the security of the United States. For the second time in less than 30 years American armies were fighting in Europe—and for the same reason. To avert a third world war we must make clear that an attack which threatens the independence of those free nations is an attack upon the United States and that this country will have no choice but to act with all its force to meet it.

Allied victories in 1945 accounted for Hitler and Mussolini, but no sooner had the shooting stopped than the expansionist policies of the Soviet Union created a new threat to the security of western Europe. The misery and exhaustion left by the war were exploited by Communist-inspired minorities and Soviet pressure was applied to states too weak to take defensive action. There was a two-way squeeze: Internal aggression by Communist minorities and external intimidation by the Soviet Union. Again the peoples of Europe saw themselves being picked off one by one by a totalitarian power.

The situations in Greece and Turkey and the disappearance of Poland and Czechoslovakia behind the iron curtain shocked the United States and the free peoples of Europe into action. American military assistance went to Greece and Turkey. American economic aid to Europe was stepped up by the European recovery program, the greatest single venture in our postwar foreign policy. Belgium, France, the United Kingdom, Luxemburg, and the Netherlands signed the Brussels Treaty and began setting up a unified-defense system. Finally conversations between the United States and the western European countries have led to the North Atlantic Treaty and now the military-assistance program.

These actions have built up a momentum of confidence in western Europe and a new determination to remain free. Those peoples now believe that with the assistance we are considering they can make themselves secure against any aggression except the total aggression of a great war. They believe, or are beginning to believe, that a third world war can be prevented from arising in their area. They have set out on a path and they expect to continue along that path. If the military aid they have requested from the United States is given now, it will be given at the timely, the psychological moment when it can add most to the rising momentum toward a self-respecting peace for western Europe and the free world.

It is not enough to hate war. We must love peace with a zeal and passion greater than our hate for war. I for one am willing to take what some Members of the House have called risks in this program. To do nothing is to sow the seeds of war. The plain facts of history demonstrate that. Mr. Chairman, it is far wiser to take risks that can create the conditions for peace than to take the do-nothing risks that can create the conditions for war.

Now, Mr. Chairman, I would like to answer the gentleman from South Carolina and those who support him in his proposal that we cut the program 50 percent.

Mr. Chairman, being a woman, probably my thinking is much more direct than is that of my very distinguished male colleagues. If the program is worth doing, if the program is valid, then it seems to me we must take the advice of our Chiefs of Staff as to what it will cost. I cannot pit my knowledge against General Bradley, and I cannot accept the expert knowledge of the gentleman from South Carolina over that of General Bradley on that point. General Bradley has testified that the program before us is the minimum program for any plan that will be worked out. Since I think this is a necessary program, since I think it contributes to peace, I for one am not going to wreck the program by buying it at the bargain counter.

The CHAIRMAN. The time of the gentlewoman from California has expired.

Mr. VORYS. Mr. Chairman, I yield 15 minutes to the gentleman from Minnesota [Mr. JUDD].

Mr. JUDD. Mr. Chairman, the primary objective of an intelligent nation's foreign policy must always be one thing—the nation's security. There is no justification for this bill, as there was no justification for ERP or any of the other foreign-aid programs on which we have embarked, except as they can be demonstrated as being in the interest of our Nation's security.

How can a nation promote its own security? There are two main methods. One is to try by all legitimate means to prevent the expansion of the power of any nation or group of nations hostile to it. The other is to try by all legitimate means to keep as many nations as possible on its side—and keep them as strong as possible. The job of our diplomacy is to try to keep our side as big and as strong as possible and try by every legitimate means to keep the other side as small and as weak as possible. In a jungle world, such as we now live in, survival depends to a large degree on one thing—the ability to distinguish friend from enemy. That is what this bill endeavors to do.

For many decades our forefathers saw clearly the truth of the above in Asia. They realized that it was imperative to our security that the opposite shores of the Pacific be in the hands of friends and not under the control of some nation hostile to us. That was the key consideration underlying our insistence for almost a century on an independent China—the open door.

We did not see it in Europe. For more than 100 years our policy was "have as little as possible to do with Europe; do not get tied up in any permanent alliances with any nation or nations there." Then we got into two World Wars, in part, because when it came to a show-down we simply could not permit the opposite shores of the Atlantic to come under the control of nations hostile to us and to everything we believe in and stand for. So, we have awakened to the necessity of having friends on our side in Europe. But, oddly enough at the very time we belatedly discovered this on our East, we forgot it on our West. I have never been able to understand why we cannot get a policy that makes sense in both oceans at the same time. At any rate we embarked piecemeal on a program in Europe of trying to build up and keep in our camp the free nations that are basically friendly to us. We began to assist individual nations with loans here and there. But that was an inadequate approach. So we moved on to the Marshall plan, designed to help the economic health of the whole group of nations on the periphery of the Soviet bloc.

I think I was the only Member in Congress who said in March 1948, when we were debating the ERP program, that it could not be justified solely on economic grounds and that it would require in order to succeed a military-assistance program also. We could not expect the peoples involved to go all out in efforts toward recovery, bring back the capital which they had sent abroad for safety and use it to expand their plants, build up their productive capacity, make more jobs for workers until they could have a greater sense of security than they then had. Nobody is going to invest in a project unless he believes he is going to be able to carry it on in security for 3 or 5 or 8 years. So we have now come to the recognition that it is necessary to have a mutual-defense program in Europe if the economic recovery program is to go ahead. Both are necessary if either is to succeed.

In the beginning some argued that ERP would be an alternative to a military program. I never believed that and I do not believe it now. The economic program could not be an alternative to a military program. Rather it is in support of a military program—just as the military-assistance program is in support or defense of the economic program. The primary objective of any government, as I said at the outset, is to maintain the nation's existence, and that requires a sound economy and a sound defense establishment.

Now, for either of these programs to succeed there were two essentials: First, that the nations be willing to make a most vigorous attack, both individual and collective, on their problems, and the other, that they have assistance from the only nation in the world able to give them assistance, the United States. They could not do it without our assistance; and our assistance cannot do it unless they are willing to put all that they have into a genuinely cooperative effort.

Last year in considering ERP some of us on the committee took the position that it was necessary for them to get together into a more closely unified economic set-up if they were to regain economic strength. If after ERP there were to remain 16 or 18 completely separate and independent economic units, western Europe could not recover or even long remain free. So we pressed in committee, and here on the floor, as you will recall, for maximum economic cooperation. Again this spring some of us tried to get in an amendment urging economic unification and even political federation. It was said that would be imperialistic. I disagree. When I tell a patient that he cannot recover unless he is willing to meet the conditions of health, I am not being imperialistic or trying to impose my will on him. Unless he meets those conditions he cannot recover, no matter how much medicine the doctor pours into him. The same is true of the nations in western Europe. I hesitated last year to support full appropriations for ERP until there was greater economic integration. But it was shown that the recipient nations had established a joint economic planning organization, the OEEC, with greater cooperation than ever before; they had Benelux, under which the three Low Countries had agreed to reduce their tariff barriers. They had made great progress. So, it was contended we should go ahead with full support, encourage them, show them our good faith, and then they would develop real economic unification. That was what we did. We gave them the whole works at one time. It was a mistake. From the moment they had all the money for the year the movement toward greater unification and cooperation ceased. In fact, it has been in the opposite direction ever since. The trade barriers within Europe have increased rather than been reduced—the barriers to the development of the expanded intra-European trade which is necessary if the whole area is to recover and become self-sufficient. The barriers are higher and more rigid today than they were when we started ERP.

We must not make that mistake again. That is why I joined my colleague, the gentleman from South Carolina [Mr. RICHARDS], and the gentleman from Ohio [Mr. VORYS], and the gentleman from Texas [Mr. BURLESON] in the amendment to authorize in this bill only half of the money requested for the 2-year program. It is not because I want to wreck the military assistance program; it is precisely because I want it to succeed that I believe we should give only 50 percent of it until the nations involved agree on genuinely unified mutual defense plans.

It is said they cannot determine such plans until they know how much we are to give them; but how can we know how much to give them until they agree on plans for its use to the greatest advantage? What we are saying in the amendment is, "All right, we will move our side of the line ahead 50 percent of the distance, then as you come along with your side of the line, we will go along together." I think it is a positive disservice to the program, not a service, to grant them the whole amount at the start, and leave them without inducement or, if you please, a certain amount of "pressure"—I am not afraid of the word—to move toward the firm cooperation, militarily as well as economically, and politically, which is absolutely essential if the whole project is to increase their joint defensive strength more than it weakens ours.

I think this is a good investment in our security, if it succeeds; but it is not a good investment if it does not succeed. So precisely because I do not want to lose control of the program, as we do lose control if we give them the whole amount before agreements are reached, I believe we should authorize only

the first half at this time. I believe that will help them go ahead toward the unification which everyone admits is essential. I could not blame the leaders of these countries for not going ahead spontaneously and without a little push from us. They are under political and nationalistic pressures the same as you and I are. They also run for office. If they work too boldly toward unification, their political opponents will accuse them of being more interested in other countries than in their own. But they can do it, if they can tell their people it is necessary to get further American help. In fact, it is most unlikely they will get real joint planning unless there are such incentives or inducements or pressures. So our aim is to assist the most far-seeing statesmen of Europe in their efforts to bring their public opinion and their parties to enter into the close economic and military cooperation which is necessary. I believe we can help most toward that end as well as protect our own security and our own economy by reducing the original authorization and taking another look. It is an evidence of our good faith, and it says to them, "To the extent that you move ahead in this direction of unified plans for the common defense of the whole area, we will be prepared to continue assistance that is to everybody's benefit."

Some ask, "Why do this now? Russia is apparently not threatening these countries at the moment." The basic reason is this. Let us face it frankly. We have the atomic bomb and the Soviets still do not have it. The only real deterrent to their taking over western Europe now and the only real deterrent there will be for 5 years, even if we should run this program on this scale every year for 5 years, is our possession of the atomic bomb and the air power to carry it to Russia's war plants and lines of supply. They are not going to move against western Europe as long as they do not have the atomic bomb, because under the pact, that is to move against us and will bring the bomb upon themselves. During this period when we have it and they do not have it, we have a chance to build up the defensive armaments of these countries and get them on their feet on a self-sustaining basis. The Russians will someday have the bomb or bacteriological warfare, or some other weapon of comparable mass destructiveness. If only then do we move to strengthen the defenses, it probably would provoke rather than prevent attack and successful seizure of the arms and plants by Russia. So we have a few months or years in which it is possible to do this job without too grave danger of the equipment being taken over. If we wait and delay until the crisis is upon us, then indeed we will not have any way of saving it. What we put in then may well be taken over and used against us.

In World War I, each nation insisted on its completely separate military organization and command, and we had defeats and defeats. Finally, under the pressures of necessity, we came under one commander in chief, Marshal Foch, and then we had spectacular victories. In World War II we operated at first as separate, individual nations until we got together under one commander, General Eisenhower, and then we went to town. It is not possible to establish a commander in chief of the forces of all these nations in peacetime. It would not be wise, but the five nations in the western union already have worked out a unified defense plan with a committee of the commanders in chief and a chairman who, if war broke out, would probably immediately become the over-all commander in chief for executing the agreed-upon plans.

Under the North Atlantic Treaty just going into effect three other nations have asked for assistance—Norway, Denmark, and Italy. They are included in this program. It has not yet been possible, of course, to work them and ourselves into a unified plan for all nine. The defense committee has not yet been organized. In a few months they should have a unified plan agreeing on a division of effort so that each country will be doing the thing that it can make the greatest contribution in doing. It does not make sense to give this aid to completely and totally separate national military units, each proud and nationalistic and trying to become a well-rounded force with tanks, planes, trucks, rockets, and every other weapon.

We cannot get maximum defensive strength except by a plan for defense of the whole area by all, not defense of each nation by its own forces. That may mean sacrifice of an individual country or units of a country at the time of actual attack, but unless there is such a unified defense plan with agreement on division of effort and on where the defense lines are to be drawn, where they are to make a stand, and how the forces are to be directed, the program cannot succeed. It is to make sure that these nations have an inducement to move in that direction that I believe we must cut this appropriation in half until we see what they do in response to our first move. I believe under those circumstances we can develop real teamwork which will give them security and contribute greatly to our own security and in the long run lessen the drain upon us for the even larger armament expenditures we must make if we stand alone.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield.

Mr. CASE of South Dakota. Is western Germany included, and if not, why not?

Mr. JUDD. Western Germany is not included. You can think of some obvious reasons, of course. Probably the best natural defense line available is the Rhine. That is a sizable barrier, but most of the German armament plants are east of that barrier. I think it is understood that the German economy will contribute basic things, such as coal, steel, chemicals and so forth but not finished armaments.

Mr. CASE of South Dakota. Where is the greatest industrial-producing capacity for armaments in Europe?

Mr. JUDD. The greatest industrial-producing capacity for armaments is in Germany, but unfortunately it is in an area which, because of our retreat from defense barriers further east like the Elbe, could not be kept under our control.

Mr. CASE of South Dakota. Where is the greatest reserve of trained fighting manpower in Europe?

Mr. JUDD. Excepting Russia, it is in Germany; but if we build up armaments there, we will be in danger of losing them all.

Now, Mr. Chairman, before my time is up, I must come back to where I started.

We see today that it is important to our security to have the opposite shores of the Atlantic in the hands of friends. But from 1931 to 1941 we acted as if it did not make any difference to us who was in charge of the far shores of the Pacific. We expressed sympathy for China but sold war materials to Japan until she was strong enough to attack us. One hundred and eight thousand American boys were killed destroying the enemy that we, ourselves, had built up. No sooner was the war over—in fact, before the war was over—we began at Yalta and in the agreements entered into with Russia the process of building up another enemy in Asia. Maybe we can have another war trying to destroy enemies that we, ourselves, have helped build up. It does not make sense, Mr. Chairman. It is madness.

For the second time within a decade we are faced with the prospect of a world war because of failure to appreciate how imperative it is to our own security that the opposite shores of the Pacific as well as of the Atlantic be in the hands of friends, not enemies.

I suspect I can tell you more about the weaknesses and shortcomings of the Chinese Government and some Chinese officials than almost anybody else, including those who prepared the white paper. But that is completely beside the point. It is our problem, not our alibi. The greater the difficulties in helping China keep free from Communist control, the greater the problem it is our job to solve. The point is our own security. The essential fact is that those who are resisting Communist forces in China are on our side and to the extent that we refuse to help effectively those who are on our side, we are intervening in favor of those who are mortally opposed to us.

It has been seriously suggested that we write China off and then try to save the countries on her borders. That is like letting the hub of a wheel be chopped out and imagining we can save or make anything out of the individual spokes, such as Korea, Japan, the Philippines, Siam, Malaya, Indonesia, Burma, and India. How are you going to hold the wheel together if the hub is gone?

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. CHIPERFIELD. Mr. Chairman, I yield three additional minutes to the gentleman from Minnesota.

Mr. JUDD. My concern is not to save any particular persons or parties in China. It is to stop continued Communist conquests in China as we have in Europe. If you are faced with a mortal

enemy and want to survive, you have to assist whoever and whatever opposes that enemy; and you have to oppose whatever and whoever assists that enemy. It is just as simple as that.

There is no easy way to check the tide in Asia. Every day we wait it gets harder. But I believe it can be done—even yet. I know there are millions and millions of people in China, probably more today than there were a year and a half ago, who are opposed to this glacier of tyranny that is sweeping down over them. They will resist it if given moral support, as we gave Greece; and given American advisers and supervisors to help them handle their problems—they do not know how to meet them—military advisers without shackles so that they can advise and train at all levels, including the planning of operations as they have done in Greece; and given a modicum of suitable military supplies and economic assistance. It does not require a great deal at this stage, because the free peoples of China now have a chance to do to the Communists what the Communists did to them before. When the Reds were reduced to twenty or thirty thousand men more than 10 years ago, they got back into a remote area with natural barriers where they had to spend a minimum of their effort on defense and a maximum on building up economic conditions. They did not have to feed the cities. All that was grown or produced could be divided among the people. Their side of the fence became the greener. Many intellectual, idealists, and others, said, "That is good. We will go over to that side."

Now the Communists have got the headaches. They have the cities to feed, the railroads and industries to run. They have the touchy foreign relations to carry on. And the parts of China they have captured are the easy parts. There are 150 million Chinese with a million men under arms behind strong natural barriers where they can spend a minimum of their efforts for defense and a maximum for improving the general conditions of the people. If we will help them do that along the pattern that is succeeding in Greece, there still is, even at this late stage, a chance to build up the free side of the fence until it becomes the greener. There is a real chance to save that great group of people on our side who have never yielded to the Japanese and who will not yield to the Communists if given hope and a chance.

I recognize the cost will be great, but our choice is not between that cost and something less. Our choice is between that cost and something more. However late it is today, it will be still later tomorrow.

What is needed is a reversal of our basic policy toward communism in Asia, as we reversed it 2 years ago in Europe, changing it from appease to oppose. If we make that reversal quickly and with determination in Asia, there is a fair probability that the situation can be pulled together. The risk is greater if we do not make such an effort than if we do. For instance, if we do not, the Communists will be soon at the doors of Hong Kong. One way of getting the Chinese behind them, almost without exception, is for them to get Hong Kong by boycott or attack. They will make that attempt; then we will be up against it. Shall we then help white men shoot Asiatics and unite all Asia against us?

If Hong Kong goes, then Indochina, Siam, Malaya, Singapore, and all the rest go. Then how are France and England and Holland ever going to recover? England's largest source of dollars last year was tin and rubber from Malaya. Our problems in China will be nothing compared to our difficulties then. If we do not give inteligent and effective help to Chinese, on the Greek-aid pattern, so that they can stop Communists there, then I predict that much of the military assistance we contribute supposedly to the defense of the North Atlantic, will have to be used not by us but by the British, Dutch, and French for the defense of southeast Asia. Let us ourselves put it into both Europe and Asia where it will do the most good for their security and thereby for our own.

The CHAIRMAN. The time of the gentleman from Minnesota [Mr. JUDD] has again expired.

Mr. KEE. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. BURLESON].

Mr. BURLESON. Mr. Chairman, I realize it is late and I shall have to hurry.

I want to complement what the gentleman from South Carolina [Mr. RICHARDS] and others have said here.

In the first place, I do not consider the position taken by the gentleman from South Carolina [Mr. RICHARDS] in recommending half the aid proposed under this bill to be a compromise. One-half the aid that will be extended under the amendment which he will offer will be for 1 year. Mr. Chairman, as one who signed a minority view, I wish to make it clear that I am not opposed to the intents and purposes of the proposal before us. However, I believe that we should face the issue more realistically and with common-sense sagacity, and extend initial military aid, withholding additional assistance until there is opportunity to observe the extent and degree of the cooperation attained with the nations involved.

In this respect, cooperation should apply to those nations of western Europe living side by side. In other words, not only should it be determined within a reasonable time the degree of cooperation between those nations and the United States but also between those nations themselves.

It should not be taken as a matter of distrust on our part to first see the proof of such cooperation before the full amount of the proposed military aid be given them. It is a matter of common sense to recognize that the very nature of human intercourse suggests that it is easier to obtain the degree of cooperation necessary before the full bargain is consummated rather than dump the full amount into the laps of the beneficiaries and maintain a hope that it will accomplish all we expect it to accomplish.

There is no immediate proof that the nations concerned, particularly the countries of western Europe, are in any more danger today than they were a year ago. In fact, by reason of ECA they are stronger and in a better position to stand against pressures from the east than they have been since the end of the war. That, however, is not an argument to be projected for any influence against this measure, but I mention it simply to call attention to the fact that we should approach this matter with caution and surround it with the greatest possible safeguards.

We have been gambling with stakes running into the billions with taxpayers' money since the end of the war, and there is every indication in Europe that we are winning against what appeared to be considerable odds. In this program, we continue to take chances, and the preponderance of evidence strongly influences me to believe that we shall also reap dividends abundantly in this undertaking if we reduce to the greatest possible extent the uncertainties which are inevitably involved. Those uncertainties can be reduced by extending interim aid and projecting this program for 1 year within which time the machinery for a unified defense of western Europe can be perfected under article 9 of the Atlantic Pact

You will hear, and have heard, that it is necessary that the full amount of the aid be advanced at this time to build the morals of the nations which face the pressures of eastern communism. Perhaps that is true, but can you imagine any greater assurance and inspiration which could come to those countries than our agreement under the Atlantic Pact?

Initial aid, following the Atlantic Pact, should furnish without uncertainty the morale necessary to maintain strong internal security, and I am convinced that is the most important consideration at the immediate time, and in the foreseeable future. In fact, it appears to be the purpose of the entire program as it is now conceived, rather than to repel an invading force from the east.

Mr. COUDERT. Mr. Chairman, will the gentleman yield.

Mr. BURLESON. I yield.

Mr. COUDERT. I assume the gentleman refers to my question of a moment ago.

Mr. BURLESON. That is right.

Mr. COUDERT. Does the gentleman mean that the Atlantic Pact countries that we are supporting are unable to maintain their own internal security with the $5,000,000,000 worth of arms that they now have?

Mr. BURLESON. I do not mean anything of the sort; I simply mean that they are our friends and that we are supporting them to become stronger through ECA and the other considerations involved.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. RIBICOFF. Mr. Chairman, I yield the gentleman two additional minutes.

Mr. BURLESON. The gentleman from New York [Mr. COUDERT] asked that question a little while ago. Of course, it is for internal security.

It is my belief that the American people have been sold on the purposes of the

Atlantic Pact, but I doubt that they are convinced that such a program as proposed under this measure should be launched with no more information than is now before us. I do not mean to say that our officials and the Congress should not lead in shaping the course of these affairs, but before we do so we should have some idea as to where we are leading, and the citizen who pays the bills should have the opportunity to know something of his investment and should be assured to the greatest possible extent that it is an investment for world peace, and that the dollars of this country are not being wantonly strewn around this world without profit.

Experience has taught us some expensive lessons. Because of the very nature of democracies, we have suffered disadvantages at the beginning of every war. At the beginning of the last war, the British had certain commitments which they were not able to fulfill because of a lack of strength. Comparatively, the United States had strength, but was never committed. The gentleman from Wisconsin referred to the unpreparedness of the democracies at the beginning of the last war. Those two conditions were no deterrent to aggressor nations, and were an invitation to attack. We are now committed, and we are comparatively prepared. We are looking at the world through realistic eyes by having ventured into the agreements under the Atlantic Pact. We can continue to be realistic, both at home in world geopolitics, if we risk only a part of our investments for peace at this time, and view the results in approximately 1 year from now to determine our credits and debits.

Mrs. ST. GEORGE. Mr. Chairman, will the gentleman yield?

Mr. BURLESON. I yield to the gentlewoman from New York.

Mrs. ST. GEORGE. May I ask the gentleman, where is Poland now?

Mr. BURLESON. Poland is the same place as Czechoslovakia and others are.

Mrs. ST. GEORGE. But all of the commitments as to Poland's safety were not carried out; were they?

Mr. BURLESON. They were not carried out because the British did not have the power to carry out her commitments. That is what we are trying to do. We are trying to be committed and we are trying to have the power to carry it out.

The economy of this country cannot be a prime consideration during war, but it must be in peacetime. Our economy is not a prime consideration in preparation for war or preparation for peace, but common sense must apply to both, and when we bypass common sense without regard to economy, we may be draining the lifeblood from that goose which lays the golden eggs, to the point that it may suffer from anemia.

Therefore, I feel it is the duty of this Congress to retain the authority to review the success, in 1 year from now, of arming western Europe with one-half the funds now proposed for 2 years. Long before the end of the next 12 months, we should be able to determine the degree of unity attained between the nations of western Europe and this country, and to know with reasonable certainty that the machinery under article 9 of the Atlantic Pact is turning in the direction of its objectives, and to be able to tell the people of this country that such an investment is for the peace of the world, and particularly for the security of our own Nation.

I shall support this legislation, but I hope it will be for one-half the sum now proposed, and providing that the Congress may again consider additional aid in approximately a year from now, at which time there will be proof of the unity attained with and between the nations which are recipients under the plan.

Mr. VORYS. Mr. Chairman, I yield 15 minutes to the gentleman from Pennsylvania [Mr. FULTON].

Mr. FULTON. Mr. Chairman, the problem we have here is not a new one. It is part of a continuing problem. If you will look at page 60 of the supplemental report of the Committee on Foreign Affairs of the House of Representatives you will see a chart called Appendix 3 which gives the military assistance rendered by the United States to other countries in the period since the close of hostilities in World War II, exclusive of lend-lease pipe-line operations. That shows that this has been a continuing program since World War II's end; so we are not embarking on a new program.

May I comment on the figure of $15,910,000,000 that the gentleman from Connecticut [Mr. RIBICOFF] referred to as the appropriation for the National Military Establishment for the fiscal year 1950.

The history of that is as follows: Passing the House there was a bill on April 13 of the National Military Establishment which called for an appropriation of $13,272,000,000, as I recall it. There was reported recently to the Senate a $12,731,000,000 appropriation measure. The figure of $15,910,000,000 referred to by the gentleman from Connecticut [Mr. RIBICOFF], actually has in it contract authorizations for future years, so it is not simply for the fiscal year 1950 only. In addition, there are items in that figure involving other military expenditures such as stock piling and atomic energy.

For the purpose of the charts which you see on the stand, we have taken the figure $14,500,000,000 for the year as sort of a median, or a mean figure that can be easily followed, eliminating all of the veterans' benefits and indirect or unusual military expenditures.

I would like to show you some of these charts that I think will explain to you the program and to show you what international organizations we are dealing with so you will have a basic idea who is in them. When these organizations are spoken of you will know what the member countries are.

The countries we cover in this program as defense assistance recipients under title I are the United Kingdom, France, Belgium, Luxemburg, the Netherlands, Italy, Norway, Denmark, Greece and Turkey. The other outside countries that are covered under title III are Iran, Korea and the Philippines.

The countries in the North Atlantic Pact are these: United Kingdom, France, Belgium, Luxemburg, the Netherlands, Italy, Norway, and Denmark. You will note that those countries are all also defense assistance recipients. There are Iceland and Portugal who are in the North Atlantic Pact, but are not defense assistance recipients. In addition to that, Canada and the United States are in the North Atlantic Pact, and Canada is not a defense assistance recipient.

These countries are receiving nothing under this act: Iceland, Portugal, and Canada. They have not requested assistance, and only those countries requesting assistance receive aid under the bill.

Now, you have heard of the formation of the western union. The western union is composed of five European countries that are united for self-protection and mutal defense. The western union countries are: United Kingdom, France, Belgium, Luxemburg, and the Netherlands. All the western union countries are recipients.

Then look at the Marshall plan countries and see the variations: United Kingdom, France, Belgium, Luxemburg, and the Netherlands are also under the Marshall plan. Ireland is a Marshall plan country but is not in this program. You will notice that western Germany, Switzerland, and Austria are Marshall plan countries that are not included in this program.

What is the reason for this program? This chart shows the expansion of Russia. Look how much the Soviets have expanded westward into Europe, which our military men consider vital to our defense:

Estonia, Latvia, and Lithuania were taken over on August 1, 1940.
Yugoslavia March 3, 1945.
Rumania, April 4, 1945.
Bulgaria, September 5, 1946.
Poland, January 6, 1947.
Hungary, May 7, 1947.
Czechoslovakia, February 8, 1948.

That is the western expansion into satellite countries and shows the area of force that has taken over this part of the globe. You see how much or how little is left of Europe after this expansion has taken place.

Let us see what the military organization of the western union is. The gentleman from Missouri [Mr. SHORT] has said there was nothing organized militarily for joint action, and why, then, are we embarking upon this program? You can see by the chart how those five European countries—the Benelux countries and France and Great Britain—have organized themselves already for common defense. To begin with, there is at the top of command a consultative council with a permanent commission. That consultative council is divided into two sections: First, finance and economic; and, second, defense. The defense minister and the finance minister are the two blocks below the consultative council in the chart of organization of western union. Below the finance minister in chain of command is the financial and economic committee. Below the defense minister in chain of command

come the chief of staff in one block on the chart and the military supply board in another block. Between the financial and economic committee block and the chiefs of staff block, as well as the military supply board, you see on the chart dotted lines, which mean "liaison." There is liaison set up among those three groups to correlate their action. Below the chiefs of staff in the chain of command you will notice there are two blocks—permanent military committee and the commander in chief's committee.

It has not yet been decided, according to the United States Chiefs of Staff, just how this organization will fit either under the Atlantic Treaty, under article IX or under the particular joint-defense plan of this bill. Our Joint Chiefs have been abroad working on this problem recently, as you know.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I yield to my good friend, the gentleman from Missouri.

Mr. SHORT. So after all there is not in existence today unified planning. The gentleman from Minnesota [Mr. JUDD], a member of the gentleman's committee, frankly stated that there was no plan in existence at this minute. I notice in the minority views, signed by the gentleman from South Carolina [Mr. RICHARDS], the gentleman from Ohio [Mr. VORYS], and the gentleman from Minnesota [Mr. JUDD], and the gentleman from Texas [Mr. BURLESON], on page 9 they frankly state that they are agreeing upon a plan and program for united defense, which is not in existence, but they say the agreement may come in 90 days and should certainly be reached in 6 months.

Mr. FULTON. The gentleman is exactly right in everything that he quotes. We who were in World War II, and I am sure the good gentlemen know there is quite a difference between a joint military plan, and a unified command, or a unified organization for joint defense. I have been speaking of unification of organization among various countries. The gentleman is referring to joint plans. The gentleman from Missouri is completely correct. There is now no joint plan of defense in which the United States has yet participated, but there is already in Europe a unified organization which is trying to proceed to the formulation of joint defense plans. I might add further there is not yet a unified command. There is simply a unified form of western union organization that has been set up and that will be expanded somehow. As I have said previously, the joint chiefs of staff have not yet said how that joint organization will be integrated, either under article 9 of the Atlantic Treaty or under this particular assistance program.

Mr. SHORT. So there is very little, if any, difference between the gentleman from Pennsylvania and myself.

Mr. FULTON. No difference whatever.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I yield to the gentleman from Minnesota.

Mr. JUDD. Is it not true that there is a defense plan for the western union five? We are not a member of it, and Denmark, Norway, and Italy are not yet members of it. That is the delay. These three nations and ourselves have to be integrated into that common defense plan.

Mr. FULTON. There is a plan now being worked out in the western union in Europe to integrate the forces of the western union countries. It is not yet developed completely because they do not know whether they are getting these weapons under this program yet. It will help them integrate the plan under the western union if we go ahead with this plan.

May I show you the relative military strength of these various groups. At the top is the relative military strength of the Soviet bloc, consisting of Russia, Yugoslavia, Romania, Poland, Bulgaria, Czechoslovakia, Albania, and Hungary. Look at the North Atlantic Treaty recipient country strength just below that, which includes the United Kingdom, France, the Netherlands, Belgium, Luxemburg, Italy, Denmark, and Norway. You can see the great discrepancy in the two potential forces. Without the United States forces being included in this lower group, it is much the smaller of the two.

I want to show you the proportionate distribution of the Red forces among the navy, air force, and army, and of the North Atlantic Treaty recipients as among the navy, air force, and army. There is almost no difference in percentage. There is a slight difference in the percentage of the army. The Russians have slightly more in percent devoted to army. It must be remembered that we are talking of percentage.

The figure that has been given on the floor of Russia's strength today in divisions is not 200 divisions, but should be 210 divisions.

Mr. HAND. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I yield to the gentleman from New Jersey.

Mr. HAND. Does the gentleman think that discrepancy will be made up by a billion dollars' worth of arms?

Mr. FULTON. Under military procedure it takes about $400,000,000 to outfit and supply each division of our size.

So that if we were going to start new divisions, this amount of money does not have any weight in the scale, but if we are filling out deficiencies of presently constituted divisions, for example, with modern type of materials, then it does have a real effect. For example, the types of additional military production in western Europe that we expect under this program, and which we are going to supply her are as follows:

Additional military production that we will help by adding—and I will show you the figures later—are ammunition, artillery and small arms, radar and radio.

Do not underestimate those latter items. That is all I can say to you on this program.

A further listing of items to be supplied are antipersonnel and antitank equipment: Rocket jeeps and rockets, jet aircraft, vehicles, tanks and mine sweepers to defend the coast.

May I point out especially to the gentleman from New Jersey [Mr. HAND] under this particular program the major types of weapons which will be supplied that will answer the gentleman's question.

Mr. HAND. I wonder if the gentleman would answer one brief question at this point?

Mr. FULTON. I would be glad to.

Mr. HAND. Does the gentleman have any information as to how much surplus arms were left in these western European countries of their own, at the termination of World War II? I believe that would have bearing on the necessity of this program.

Mr. VORYS. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I would like to answer the gentleman, if I may. If you will look at appendix III on page 60 of the supplemental report of the Committee on Foreign Affairs of the House you will find what has been given by the United States to all these countries of military equipment whether surplus or not, since World War II, exclusive of lend-lease pipe-line operations, which means just what was in the pipe line when the war closed.

Mr. HAND. I am afraid the gentleman missed the point of my question. What arms did Great Britain have, for example, in Italy at the very end of World War II—not what we have given to them since then, but what they had of their own when the war was ended. Their armies then were large and now they are comparatively small in peacetime. What became of their surplus arms that they must have had when the war closed?

Mr. FULTON. There were surplus arms which we had left there which we transferred. They are included in the chart here. As a matter of fact they were not surpluses of good equipment in those countries at the end of the war. If you talk about "excesses" over their current mobilization needs, you then have usable equipment which could be used in the event of an emergency. But if you are talking about surpluses—surpluses technically mean things that are no longer usable in a particular military establishment and which should be thrown away or sold.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. VORYS. Mr. Chairman, I yield one additional minute to the gentleman.

Mr. KEE. Mr. Chairman, I yield five additional minutes to the gentleman.

Mr. FULTON. Mr. Chairman, the reason I have brought these charts here is for the Members to learn, as some of us have had to learn, what the program is about. It is my purpose to bring this program down out of the realm of all this talk about strategy in order to see its practical divisions. For example, here is what we are actually faced with today, and here is what the major items will be in the program which we are going to send to Europe, which any aggressor will be faced with if there is trouble, and I am one of those who hopes that there will not be any trouble.

For example, to Norway there will be sent under this program coastal defense

vessels, aircraft, vehicles such as trucks, and machine gun and small arms equipment.

To Denmark there will also be sent coastal defense vessels, aircraft artillery and machine gun equipment.

To the United Kingdom, that is England and her Dominions, just aircraft, and nothing else.

To the Netherlands there will be coastal defense vessels, tanks, trucks, artillery, and machine gun equipment.

For Belgium and Luxemburg there will also be coastal defense vessels, tanks, trucks, artillery, and machine guns.

For France, in addition there will be these items. Note how the army is stressed—first coastal defense vessels, then planes, tanks, auxiliary equipment such as trucks, artillery, and light arms, machine gun equipment, other army equipment, and so forth.

Note for Italy, what Italy will receive under the program: tanks, artillery, and light arms.

There are no vessels going to Italy and no planes. The program there is limited to ground defense purposes.

Mr. SMITH of Kansas. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I yield.

Mr. SMITH of Kansas. We had in the European theater 62 divisions, including 42 infantry divisions, 15 armored divisions, and 3 air force divisions. What became of all the equipment that they had?

Mr. FULTON. That is, the United States or the Europeans?

Mr. SMITH of Kansas. The United States had on the shores of Europe that equipment. They all had full equipment and the pipe lines were full at the back. We did not bring any of it home. Where is that equipment?

Mr. FULTON. Of course you know that the war ended almost 5 years ago in Europe and that if we were fighting a war today, the new world war III, you would find the various types of planes and equipment that we used then completely outmoded and pretty well worn out just with regular use. The equipment that we left there was equipment that does not now fit into our forces. We still have forces, as you know, in Austria and the western zones of Germany, but the equipment that is being supplied now and has been made since the war, is much improved. That is one of the troubles with the whole program. We have tried to modernize and standardize our own equipment since the war, but under this program we are going to send some of the less useful equipment. When we take the 210 current divisions of Russia, of which 175 are line divisions, and then match these against the so-called 62 divisions that you spoke of, even if these countries in Europe have the full equipment which we left there, you will find there is a great disparity of forces yet.

Mr. SMITH of Kansas. But that is not the question. The question is, What became of all that artillery, the guns? I am not talking about airplanes. I am talking about machine guns and rifles and ammunition and all that. France was full of it. It was full of spare parts.

Mr. VORYS. If the gentleman will yield, is that not included in the $440,000,000 which was transferred postwar, for approximately $36,000,000, shown in appendix 3?

Mr. FULTON. No; I believe not. He is speaking in addition to that, of what extra there might be. We had a lot more than $440,000,000 worth there. There is no doubt that those countries are keeping up their military establishments. I think that will partly answer your question. You are asking whether these countries kept up what we left with them, as well as what they had previously, after the close of the last war. I believe I can show you by their military expenditures that they are keeping up their equipment. I will read from the report the amounts they have expended for military purposes in proportion to their national income, which I think will surprise some of the people who have not looked into it.

For example, on page 23 of the supplementary report of the Foreign Affairs Committee, it will be seen that America is spending 6.4 percent of her national income on military expenditure.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. FULTON] has again expired.

Mr. KEE. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. FULTON. Great Britain is spending 7.6 percent of her national income for military expenditures. Little Netherlands, 7.7 percent. Italy, for example, is spending 6.3 percent. Turkey is spending 7.9 percent. The Philippines, our good allies, are spending for defense 34 percent of her total national budget. Turkey is spending 40 percent of her national budget for military purposes.

Mr. COUDERT. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I yield.

Mr. COUDERT. Let me say to the gentleman that if my question has already been answered during my brief absence from the hall, kindly disregard it. Is it contemplated that modern military-equipment factories shall be set up in these European countries?

Mr. FULTON. Yes; by comparison, I will show the Members a chart that will explain later how it will be done.

From this chart that is now before us it will be seen that the American income is $224,000,000,000. The western union over-all national income is $76,000,000,000; and the other recipients' national income is only $14,000,000,000.

As to total Government expenditures: In the United States we are spending $41,858,000,000; all the western European countries are spending $25,955,000,000; and the other countries only $3,290,000,000.

Looking at the military expenditures, our military expenditure for the fiscal year 1950 is about $14,268,000,000; that of the western union is $14,837,000,000; and the other smaller countries included in the program $732,000,000.

The chart I now present will answer the question of the gentleman from New York [Mr. COUDERT] on what is going to happen in Europe as to factories. Here is how the program will be divided up. You will notice that there will be $11,000,000 in the program for administration. Additional military production is set at $155,000,000. That will be performed in this way: Within Europe there are plants that can be put to work producing part of the arms necessary; $141,000,000 of the $155,000,000 that is to go directly to European plants either to expand their facilities to give them additional machinery or to put in new additions to let them help themselves in attaining better and more military production of their own.

Within the $155,000,000 is a special item called indirect impact. Fourteen million dollars is set aside for this indirect impact purpose. When the present military-aid program takes certain factories out of the European recovery program and puts them into the military program it is going to hurt the ECA aid. It has been calculated that the European recovery Marshall plan aid will suffer to the extent of $14,000,000. So, because of the impact of this program of production of arms in Europe on the European recovery program there is an item of $14,000,000 in this program to supplement ECA. One hundred and forty-one million dollars' worth of machinery and equipment goes directly to the European countries for arms production within their borders, and $14,000,000 to Marshall-plan countries to make up for the cut in their economic aid, through diversion of productive facilities to military production.

In addition to these items, there will be military training and financial assistance of $1,284,000,000, making a total program of $1,450,000,000, that was originally submitted by the President and the State Department. The geographical break-down is as follows: $895,000,000 to Europe; and actual aid to Greece and Turkey from their current appropriation of $50,000,000, and contract authority of $505,000,000.

The CHAIRMAN. The time of the gentleman from Pennsylvania has again expired.

Mr. KEE. Mr. Chairman, I yield the gentleman from Pennsylvania five additional minutes.

Mrs. ST. GEORGE. Mr. Chairman, will the gentleman yield for a question?

Mr. FULTON. I yield to my good friend, the gentlewoman from New York.

Mrs. ST. GEORGE. I wish to compliment the gentleman on these extremely instructive charts, and I presume that he knows exactly what is happening in Europe in the matter of arms factories.

Has any step been taken to prevent the shipment of armament factories from the western zone of Germany into the Soviet Union? During March of this year one of the largest armament factories in the western zone was shipped to the Soviet Union.

Mr. FULTON. As the gentlewoman knows, that is a reparations question, and is based on the Potsdam Agreement. Reparations questions are not within this program because the mutual-defense-assistance program does not extend in any respect to western Germany. It does not affect the plants there. They will be under reparations agreements solely. Nor does this program give the German people arms.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I yield to the gentleman from Minnesota.

Mr. JUDD. That $5,000,000,000 is not dollars to them; it is dollars worth of materials to them.

Mr. FULTON. That is correct.

Mr. JUDD. We do not turn over any dollars to them to spend as they please.

Mr. FULTON. That is correct.

Mr. COUDERT. The gentleman's answer was not responsive to my question. What I would like to know is whether there is any understanding as to the part to be played by the European production countries in the production of modern instruments such as tanks, airplanes, and so forth? In other words, it is contemplated that large and important modern factories will be set up in Europe at their expense to be operated by them for the purpose of producing a large part or a substantial part of the arms required for this program?

Mr. FULTON. There is a good bit of the gentleman's question in the "classified" category. I can simply say it is not intended to use the German economy or to supply western Germany with arms under this program.

Mr. LODGE. I would like to add one thing, and that is, none of this $141,000,000 will go to set up any new plants. It will all be used in connection with existing industrial facilities.

Mr. FULTON. The expansion of existing facilities.

Mr. Chairman, to proceed further, here is how the program is divided among the North Atlantic Treaty countries and other countries. The North Atlantic Treaty countries will receive the whole $155,000,000 item we have spoken of. In addition, under this program, they receive $995,000,000, and the other countries receive only $289,000,000. Of the $995,000,000 plus $155,000,000 going to North Atlantic Treaty countries, breaking it down into western union countries and other countries, there is $767,000,000 for the five western union countries and $228,000,000 for the other countries. If you will look at the $289,000,000 item to other countries which I mentioned before, you will see that $261,000,000 goes to Greece and Turkey and just $28,000,000 to the remaining countries—the Philippines, Korea, and Iran.

The deliveries shown on this chart are for the fiscal year 1950 and will show you the speed of the program. On the Foreign Affairs Committee we have divided among ourselves as to how far and how fast to go with the program and whether Congress should be entitled to another look before the expiration of the fiscal year. If you will look at this chart before you now, you will see the estimated deliveries in millions of dollars to the various groups of countries.

You will note the item for administration and additional military production funds of $166,000,000. To break down that figure for you from my previous explanation, you will see that $14,000,000 of it is the "indirect impact" item because of damage to the ECA program, $141,000,000 of it is for plant facilities extension in Europe to increase the arms production program there, and $11,000,000 of it is for administration expenses of the assistance program.

You will notice the deliveries during the fiscal year 1950 under the $1,284,000,000 military equipment, training, and technical assistance figure. Of this amount $538,000,000 will be delivered to the North Atlantic Treaty countries during the fiscal year 1950 and $226,000,000 will be delivered to the non-North Atlantic Treaty countries during that period.

The item of $457,000,000 is the part of the equipment that will be undelivered by June 30, 1951, to the North Atlantic Pact Treaty countries. Sixty-three million dollars is the amount undelivered at the end of the fiscal year 1950—June 30, 1951—to the non-Atlantic Treaty countries.

To divide the program further as to where the deliveries go the first year, the western union countries get $416,000,000 of the $538,000,000 to the North Atlantic Treaty countries, and the other NAT countries get $122,000,000. As to the non-North Atlantic Treaty countries $211,000,000 of this aid goes to Greece and Turkey under the Greek-Turkey Aid Act of 1947, and to the other countries goes $15,000,000. In addition, there is $70,000,000 worth of aid that is going out of prior years' appropriations to Greece and Turkey.

Mr. WHITE of Idaho. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I yield to the gentleman from Idaho.

Mr. WHITE of Idaho. I am interested to know where those charts were prepared. Were they prepared by the Department of State?

Mr. FULTON. Many of these charts were prepared originally in the Department of State and in the Department of Defense, and other charts were prepared at my request through the chairman of the Committee on Foreign Affairs.

Mr. SADOWSKI. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I yield to the gentleman from Michigan.

Mr. SADOWSKI. Does the gentleman have a chart showing which class of taxpayers will pay for all this, whether it will be the workers in the factories or whether it will be the corporations or big business? Who is going to pay for all this or will it be by a national sales tax?

Mr. FULTON. Because the gentleman is speaking so much like my good friend, the gentleman from Pennsylvania [Mr. RICH], I like to hear the question but I cannot yield further.

This last card is a chart showing the percent of Communist strength in selected countries in order to answer the question that came up here, "Are we not just giving it to the countries who will then use it against us if the Communists move in?" You will see how few, in actual Communist Party membership, there are in countries which we are aiding, just 1 or 2 percent in many of them.

The CHAIRMAN. The time of the gentleman from Pennsylvania has again expired.

Mr. VORYS. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN of Michigan. Mr. Speaker, the debate today has been on a very high plane, and those who have previously spoken evidently know a great deal about the subject of which I know very little. In fact, I confess that I have not the slightest knowledge of what those in foreign countries who are in control of the governments of these lands intend to do in the future, either to keep the peace or to make war. I have absolutely no knowledge of their ability to carry out whatever purposes they may have in mind.

It might be well, however, to think a little bit about some of the lessons that experience has taught the world, and one of the lessons I gather from history is that every nation which has extended itself too far, sought to become the dominant world power, has disintegrated—has finally gone to pieces. The gentleman from Missouri [Mr. SHORT] with his knowledge and eloquence might give you a worth-while oration on that subject, that is the way I got it from my school books—nations, like individuals, sometimes overrate themselves. Russia, I think, is doing just that. Let us beware we do not fall into a like error. I have never had the benefit of listening to the representatives of foreign governments or even to those who are in authority in our own State Department. However, I do recall an editorial which appeared in the Chicago Tribune of yesterday and in the Washington Times-Herald of this morning.

It points out how, because we have disregarded Washington's advice to avoid entanglement in the affairs of other nations and, speaking in language that everyone can understand, stuck our nose into the business of almost every other country in the wide, wide world, we now find ourselves committed to participate in every war which may be started for whatever reason by any one of 11 comparatively defenseless and sometimes quarrelsome nations.

That editorial is as follows:

THE FABLE OF THE LAND THAT LOST ITS BORDERS

Once there was a country which knew exactly where it was and knew how it got there. Now it doesn't know where the heck it is. The situation is most strange. A large country has lost its borders and doesn't know how to make them stay put.

This country, which may be described as the land of the free and home of the brave, is a young but great country. It began its life on the Atlantic seaboard and spread westward to the Pacific. All the time it knew its borders. It knew each curve and zigzag in them. Its lands had increased in war and peace. Its preference was for increase by treaty and purchase. Even lo, the poor Indian, was not left wholly to the hijackers.

In this country which has now lost its borders, the earliest wise men had told the people to watch their step, to avoid entangling alliances, to keep out of Europe and keep Europe out of this hemisphere. This was a large order, but for a long time no one questioned the wisdom of this early advice. The peoples of Europe were welcomed. But their rulers had too many wars. They were too much on the get. The idea of staying away from this bunch prevailed until some public characters here thought it would be exhilarating to become global-minded.

What make of automobile did General Washington use, they asked. How many trips did Mr. Jefferson make abroad by airplane? How many submarines did Mr. J. Q. Adams know? The idea seemed to be that the early statesmen should be regarded as old fossils. They didn't know the world. They didn't know that the wise and safe thing was to get in trouble wherever there was trouble. That was the way to keep out of trouble. You fought other peoples' wars so as not to have any of your own. The global-minded were very noble. They took possession of Washington. Our frontiers took a running jump. But don't look now. It's too awful.

Our border in China has been erased. The term is a polite one. The Chinese Communists kicked us out. This sort of thing makes it hard to keep track of your borders. We have a border somewhere in Turkey and another somewhere in Greece, one in Iran, one in Korea, one in the Mediterranean (our sea), and one in England, where our border troops seem still to be posted. There are so many other borders there is only one way of finding out where they are. That is to start at the Treasury and follow the streams of good money. We lay a money main to each new border. The people at the other end come up with barrels.

The morals of this fable are too numerous to enumerate and almost too neat for explication. When we fight a war to end war, we get into a worse and bigger one. There seems to be a screw loose in the idea that the way to keep out of war is to get into it.

A public character who can travel at 300 miles an hour may be just as dumb as one who traveled at 10. He may be dumber.

Permit me now to point out how, here in America, we have already lost two of the "four freedoms" which, it is said, we fought World War II to establish throughout the world. The reference is to freedom of speech and to freedom from want, both of which President Roosevelt, in his message to the Congress on the 6th day of January 1941, said we should guarantee to the whole, wide, wide world.

First, freedom of speech.

Earlier today a point of order was made by me, challenging the right of the House to legislate. When the point was made, the following occurred, and I quote from the record:

Mr. HOFFMAN of Michigan. Mr. Speaker, I make a point of order. My point of order is that, inasmuch as the House is now sitting in the committee room of the Ways and Means Committee in the New House Office Building and that the Senate has not consented to the action which the House took some time previously, the House is not a competent, legal tribunal, qualified under the Constitution to act. I want to be heard.

The SPEAKER. The Chair is ready to rule. The Chair overrules the point of order.

Mr. HOFFMAN of Michigan. May I not cite the provision of the Constitution?

The SPEAKER. The Chair is ready to rule and has ruled on that question four times. The Chair does not desire to hear the gentleman on the point of order.

Mr. HOFFMAN of Michigan. May I cite the section?

The SPEAKER. The gentleman may extend his remarks to do that.

The Clerk will call the committees.

President Roosevelt, in a message to Congress on January 6, 1941, among other things, said—and again I quote:

In the future days, which we seek to make secure, we look forward to a world founded upon four essential human freedoms.

The first is freedom of speech and expression—everywhere in the world.

It has been said that we fought a war to establish the "four freedoms." Now, in all sincerity, I ask, on the occasion in question was there "freedom of speech and expression"?

And again I ask, Was not the Speaker in error when he said: "The Chair is ready to rule and has ruled on that question four times?" Although the issue is not important, I challenge the record on that one.

If a cat may look at the king, may not a Congressman question the accuracy of a statement of the Speaker?

The Speaker was in error in thinking he had ruled four times on that point of order.

Here we are in America, this great Nation where freedom of speech is guaranteed to everybody, and a representative of the people—and I make no claim to qualifications or intelligence or ability, but do suggest that the people of the district are the judge, and if they want to elect me that is their business. Even if I do not know anything, that is their business. But the Speaker said that I could not be heard. What he denied to me is of no importance to me personally, but that he should deny to the Representative of the Fourth Congressional District of Michigan is of moment—the right to speak.

Some folks in this House, I say about half the Members of this House, would feel hurt should the Speaker sit on them in that kind of way. I do not. I will not say that I have been sat on by better men, because I have the highest regard for the Speaker, but I have been sat on by justices of the peace, circuit judges, and even judges of the Federal courts. It never affected me very much. It may be because I am conceited, it may be because my hide is thick. I do not know what the reason is, but anyway, it does not bother me overmuch.

I am only citing that incident to show you how futile it is for us to attempt to regulate the world, other nations; to guarantee freedom of speech and freedom from want and the other freedoms to others throughout the world if we cannot guarantee freedom of speech, freedom from want, right here at home.

Moreover, I desire to state that the point of order was not made merely for delay. Had delay been my purpose, I would have sought recognition on a point of personal privilege or of privilege of the House, which, had it been granted, would have entitled me to at least an hour.

Again, personally, I have no criticism of the Speaker's ruling or of what to some might seem a denial of the right to free speech. I call attention to the incident as an illustration of what happens when the House attempts to legislate under the circumstances which now surround it.

It is extremely difficult to hear what is being said in the House. It is sometimes almost impossible to know what is going on. And certainly it must be extremely irritating not to know the legislative program from one day to another.

As noted the Speaker stated that permission would be granted to extend my remarks. Later, upon request, unanimous consent was given that the remarks heretofore made might be revised, extended, and amplified.

The point of order challenged the legal authority of the House meeting in the hearing room of the House Committee on Ways and Means. It is contended that the House, meeting in the Ways and Means Committee room in the new House Office Building, is not a competent, legal tribunal; that it has no authority to meet and act upon proposed legislation.

The point of order is based upon a subsection of section 5 of article I of the Constitution, which reads as follows:

Neither House, during the session of Congress, shall, without the consent of the other, adjourn for more than 3 days, nor to any other place than that in which the two Houses shall be sitting.

The resolution—House Resolution 271—purporting to give the House authority to meet in the hearing room of the House Ways and Means Committee in the new House Office Building, was adopted by the House on June 28, 1949. That resolution reads as follows—CONGRESSIONAL RECORD, June 28, page 8571:

Resolved, That when this House adjourns on Friday, July 1, 1949, it will adjourn to meet in the caucus room in the new House Office Building on Tuesday, July 5, 1949, and it shall continue to meet there until otherwise ordered.

Resolved, That all rules relating to the Hall of the House shall be applicable to the caucus room.

Resolved, That the Clerk communicate these resolutions to the President of the United States and to the Senate of the United States.

A copy of the resolution was thereafter sent to the Senate but no action was taken by the Senate, giving its consent to the change in the place of the meeting of the House.

At the time the resolution was adopted by the House, that is, on June 28, 1949, the House was meeting in the House Chamber in the National Capitol. That was the "place" where it was meeting.

The resolution purported to authorize the House to adjourn, to meet at another "place," that is, "in the caucus room in the new House Office Building."

The House, since that date, has been holding its sessions in the hearing room of the Ways and Means Committee in the new House Office Building. Certainly, that "place" is a place distinct and apart from the House Chamber in the Capitol Building.

The directory put out by authority of the House, listing the hearing and the committee rooms for the transaction of House business, lists a hearing room for the Ways and Means Committee. That is the room where the House is now meeting.

The same chart carries the words, "Caucus Room (H. O. B.) N. H. O. B."

Even though it be conceded that the hearing room of the House Ways and Means Committee is also designated as

"Caucus Room—N. H. O. B.", it is apparent that the House, when it adjourned on July 1, was sitting in the House Chamber in the National Capitol Building, and that it adjourned to meet in a different "place."

Certainly, the New House Office Building is not the same "place" as the National Capitol Building; nor is the hearing room of the House Ways and Means Committee or the "Caucus Room in the New House Office Building" the same "place" as the House Chamber in the Capitol Building.

A Member of Congress meeting in the caucus room of the New House Office Building on Tuesday, July 5, who recalled that he had left his brief case on the leader's table at the "place" where the House met on Friday, July 1, that is, the House Chamber in the Capitol Building—would not expect to find it in the "caucus room in the New House Office Building." He would not for one moment contend that the "place" where he left his brief case was the same "place" as where he was then sitting—in the caucus room in the New House Office Building.

I am fully aware of the argument that, as related to this question, any "place" in the District of Columbia is, technically and legally speaking, the same "place" as the House Chamber in the Capitol Building. However, the overwhelming weight of legal authority, as will be seen by a casual reading of Words and Phrases, published by the West Publishing Co., is to the effect that, as to courts and legislative bodies, the word "place" cannot be stretched to cover the territorial limits of a city, township, county, or State.

The average citizen would say that it is absurd to even argue that the caucus room in the New House Office Building is the same "place," that is, identical with the House Chamber in the Capitol Building.

I am fully aware, too, of the length to which the Supreme Court of the United States will go to uphold the acts of the legislative or the executive department.

The whole difficulty might easily have been avoided by a joint resolution fixing the place to which each House desired to adjourn and carrying the consent of each to such adjournment.

It is no answer to say that, on a previous occasion, the "place" of adjournment was fixed in the manner employed by the House on June 28, last.

The procedure but illustrates the present policy and trend to ignore or to bypass clear, constitutional provisions.

But let us get back to my statement that World War II did not guarantee to American citizens another of the "four freedoms."

Let us inquire whether individual citizens here in America are free from want. Let me cite a case where a peaceful, law-abiding, industrious, intelligent citizen is in want, and is in want because of the affirmative action of the Federal Government.

In the congressional district which I have the honor and try so hard to represent we have a lady 87 years of age, Miss Hoppe. This woman owns a little piece of land just outside Benton Harbor. When the war came on, they wanted to move foundry workers in there by the hundreds, maybe by the thousands, so they moved them in. Homes sufficient to house the workers were not available, so she signed up and turned over to the Government this little strip of property, from which she derived a small income, for use for a housing project, at $125 a year for the—as she was led to believe—the duration of the war.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. VORYS. Mr. Chairman, we want to hear the rest of this story, so I yield one additional minute to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. The story is not only interesting but it is typical of the situation in which thousands of Americans find themselves because of the refusal of the President and the Congress to declare the war has come to an end. It should be interesting to you who want to give to the people of other countries everything available but as to our own people not only not give them anything but take away all which they—what does the Scripture say? I have forgotten. It runs something like this: To him that hath shall be given and from him that hath not shall be taken away even that which he hath.

Anyway, Miss Hoppe, 87 years of age, owned this little strip of property. The Government took it over. After the war was over, and the fighting has been over now 4 years, she wanted it back. She has been trying to get it back, but she cannot get it back because now Public Housing Administration extends the lease from year to year. She needs something more than that $125 rental. There are a couple of little cabins on the land. She could rent that site for a trailer camp if she could get it. She lacks the means to buy food and clothing. But the Government of the United States, under the fiction that war is still on, deprives her of her property. Oh, yes; who gets the use of it? The people who came in from the outside, who need housing, I admit, but what right has this Government of ours to take from a citizen of the United States in need—she sells Christmas cards on the streets to earn a living. She is not on relief; she will not accept it—her small income in order to benefit some husky worker even if he is out of a job. She tries to get enough to keep body and soul together. And yet great Uncle Sam, who has billions to give abroad, takes from Miss Hoppe, 87 years of age, that which would enable her to live without accepting the charity of her friends.

Will my colleagues who are on the Foreign Relations Committee, who know so much about world conditions, and who can see so far into the future; who have such great, tender, bleeding hearts for all the rest of the world, as they go to bed tonight breathe a silent prayer that in some way Uncle Sam will soon, before Miss Hoppe dies, repent of his hardness of heart, relinquish the property which is rightfully hers, so that the income therefrom will aid her to obtain the food, the clothing, the shelter, of which she is so greatly in need?

Or should I advise her to travel abroad, become a displaced citizen, and so be able to participate in the generosity of the Government which now oppresses her?

Mr. VORYS. Mr. Chairman, I yield such time as he may require to the gentleman from Iowa [Mr. MARTIN].

Mr. MARTIN of Iowa. Mr. Chairman, I have devoted a great deal of time during my life to a study of our national defense problems. I am particularly interested in approaching this problem of foreign military aid from the standpoint of its bearing upon adequate and timely defense for our own country.

Mr. Chairman, to a release of the National Security Organization Task Force of the Commission on Organization of the Executive Branch of Government dated April 14, 1949, is attached an excerpt from the task force report, as follows:

> The Army has stated that it has material sufficient to equip only 18 divisions, although at the end of the war it had 89 fully equipped divisions and great additional quantities of material in the pipe line (vol. II, p. 147).

There is then added the Army comment regarding this point, as follows:

> The Army had on hand at the end of World War II 89 division sets of equipment. The equivalent of 30 division sets has been disposed of by (1) disposition to United States civilian economy, (2) disposition overseas, (3) destruction or demilitarization, (4) transfers to Red Cross and UNRRA, (5) salvaging, and (6) rendering military aid to Greece and Turkey. Since equipment was disposed of by these means, a serious imbalance has resulted in Army stocks. For example, the Army has enough 90-mm. guns for over 200 divisions and only enough motorized road graders, 12-inch moldboard, for 25 divisions.
>
> At the cessation of hostilities, equipment overseas in areas in which occupation troops were or would be deployed in the main was left in place for their consumption. As of January 31, 1948, distribution of the property in overseas areas was as indicated below. This equipment is not readily recoverable in an emergency.
>
> Division sets of equipment:

Alaska	1
Caribbean	1
EUCOM	5
China, USARPAC, MARBO, Japan, Korea, PHILCOM	11
Total overseas commands	18

> There remain, therefore, 41 division sets of equipment for use in an emergency. Of the 41 division sets, the equivalent of 23 is either unbalanced in quantity, obsolescent, or requires overhaul and rebuild. Therefore, only 18 division sets of equipment are definitely available to meet an emergency.

Following the Army's comment is the task-force response, as follows:

> The Army comment confirms the fact that although there were 89 divisional sets of equipment, plus substantial supplies in the pipe line, on hand at the end of the war, there are now only 18 sets "definitely available to meet emergencies." The balance of the Army's comment is an explanation of what happened to the equipment. This information was not supplied to the committee's investigators, although requested.
>
> According to the Army comment, the Army had at the end of the war enough tanks for the armored divisions necessary to support an army of at least 89 divisions. Based on the Army comment, 25,045 tanks presumably covered this requirement. The question arises as to how large an army the 17,875 tanks now on hand would equip.

The Army's fighting equipment at the end of the Second World War may not have been perfect, but its possession today would be of great comfort and value to the peaceful countries of the world. The committee reiterates that the recovery and rehabilitation of misplaced equipment is a subject worthy of attention.

There is certainly no misstatement of the fact by the committee here.

The Washington papers of June 10, 1948, reported a very interesting meeting of the American Ordnance Association that was held in Detroit on June 9, 1948. General Bradley was reported as having spoken of the appalling decay in the Army's combat capabilities and urged an immediate repair, also that contrary to popular belief the Army lacks sufficient balanced stocks of weapons and equipment to tide the Nation through industrial conversion in event of another war.

The news article included also a statement of criticism of the Nation's preparedness by Gen. Joseph T. McNarney, of the Air Forces, that if war occurred today the Air Force combat groups would be composed primarily of planes that were on the drawing boards prior to Pearl Harbor and that several years would be required to tool up for proper production because of the weakened state of the aviation industry.

Because of the importance of these statements and their bearing upon the condition of our own preparedness I secured from the Department of the Army a complete copy of the release covering General Bradley's statement on that occasion. I believe Congress should have General Bradley's complete statement available at the time they are called upon to supply other nations of the North Atlantic Pact with military assistance in the sum of $1,450,000,000 together with additional materials and equipment now called excess but which originally cost $450,000,000.

The complete release is as follows:

ADDRESS BY GEN. OMAR N. BRADLEY, ARMY CHIEF OF STAFF, BEFORE THE AMERICAN ORDNANCE ASSOCIATION, BOOK-CADILLAC HOTEL, DETROIT, MICH., WEDNESDAY, JUNE 9, 1948

At a time when the abundant talents of this great industrial city should be devoted unreservedly to the production of peacetime goods, I am dismayed by the tell-tale events that compel me to speak tonight of weapons—weapons we must have to halt the growing fear of war.

For despite our generous aid in relief and reconstruction, the vacuum that might tempt a military adventure in central or western Europe has involved us in a struggle where power has once again become the arbiter of decision. Therefore, even as we continue to strain toward peace through justice, even as we subscribe to United Nations with the full force of our convictions and with belief in its eventual triumph, we are left with no present-day choice but to arm ourselves if we are to champion its principles as our own. For, if in this period when power politics have clouded the council chambers of nations, we ignore the need for competent military strength, we may be forced to abdicate a share of the leadership we bring to the world. And the abdication of vigorous strong democratic leadership anywhere at this time can only result in strategic gains for those who would oppose us.

However patient, tolerant, and hopeful we may be, it is clearly apparent that the world cannot find peace if half of us abide by the council table while the other half revert to force. Only when force is rebuffed by force and the risk of retaliation, can we hope to demonstrate that international cooperation is not a screen behind which nations may mask their intentions—but that it is instead our best prospective guaranty against world conflagration.

We are in urgent need of time to reconcile these differences that threaten the peace of the world. And preparedness is the price we must pay to purchase this needed time.

As your Army adviser I went reluctantly before Congress on March 25 to recommend an increase in the strength of the Army. For in spite of the alarming dispersal of our forces in occupation duties, in spite of the appalling decay in our combat capabilities, I am readily aware that an increase at this time in military expenditures will not only harass an already overburdened tax system, but that it will absorb critical labor and material needed in the replenishment of the civilian economy. And I am perfectly aware that further Government expenditures, further competition by the military in civilian markets, will heap additional and dangerous inflationary pressures on top these unnatural present conditions.

Yet notwithstanding the critical economic nature of this decision to strengthen our defenses, I could not in good conscience assume responsibility for our share in defense of the Nation, without urging the immediate repair of ground-force effectiveness.

It is not the responsibility of your armed forces to predict, to estimate, or to venture the political or even the military intentions of other states. Rather we are concerned with those military capabilities which could be brought to bear in pursuit of national ambitions. When those military capabilities are overwhelmingly concentrated in the hands of aggressive states and when they pose a threat to the free and peaceable competition of nations in the political and economic arenas of the world, then we feel it our duty to urge that deterrents be mobilized against the possible use of that force.

I am convinced that the clearly expressed determination of the American people to repair the inadequacy of their armed forces has awakened the nations of eastern Europe to full realization of the risks their policies entail. But I am likewise convinced that failure on our part to proceed with resolution in the rearming of our forces could be interpreted only as vacillation or as temporizing in our position.

For that reason if lullabies are to be piped from Europe between the rumble and drums of tension, then the American people must be prepared to discern whether these lullabies mean a change in tempo or in reality a change in heart.

In warfare, ordnance and tactical doctrine go hand in hand, each stimulating the other's development. During the last 3 years, your Army has devoted a share of its annual appropriation to research and the development of test equipment and weapons. Throughout our vast school system, we are constantly exploring tactical doctrine to employ to full advantage the results of this research. Those who would contend that generals always prepare for the last war ignore the unique structure of this American Army school system where thousands of young officers and men are provided avenues for intellectual and scientific inquiry into the techniques and problems of war.

Tactical doctrine, however, must not only absorb and keep pace with the technical advances of American industry, but it must constantly point the way for the design and development of equipment for war. And thereafter, the employment of air, artillery, or armored power by any nation is predicated upon its ability to turn out efficient planes, guns, tanks, and vehicles in such quantities as to assure superiority. Throughout the battle for France, it was not numerical superiority in manpower but the vast superiority of our equipment over that of the German Army which gave us our decisive advantage.

In any contest of power today American industrial might again holds the decisive advantage. If we can employ this dominance with but a token share of its output in ready machines for war, we can demonstrate that whosoever risks war through aggression must also risk destruction beneath the force of this industrial giant. For Detroit alone is worth a score of divisions on any front.

During recent Washington discussions on the size and character of our armed forces, some observers expressed serious doubts on the ability of the separate services to concur in a joint and effective plan for defense. This speculation was unfounded. The Joint Chiefs of Staff of the Armed Forces have agreed upon and devised a plan which could be put into immediate action were we attacked tomorrow.

Like all joint strategic plans for defense, it will be subjected to such continuous changes and revisions as further study may require. We anticipate, however, that this emergency plan for defense will soon be so sufficiently hardened that the civilian-governed Munitions Board may proceed with its industrial mobilization planning.

Contrary to popular belief, the Army does not have sufficient balanced stocks of weapons and other equipment to tide us through industrial conversion in the event of another war. After the defeat of Japan, vast stocks of equipment and matériel were scattered throughout the world. In many instances, the cost of transporting these items back to the United States would have exceeded the cost of procurement. In most theaters, the demand for instant demobilization denied the Army the shipping space that would have been needed for return.

By the end of the war, some of this military equipment had already been outmoded and the rate of obsolescence has accelerated in the last 3 years. The maintenance of vehicles, weapons, and the vast complicated matériel of war burdened the Army with an impossible task. Industry could not be asked to manufacture replacement parts for equipment soon to be junked or outdated. And hundreds of thousands of the skilled and technically trained soldiers required to maintain this equipment were immediately demobilized in response to demand. At advanced bases throughout the world there were facilities only for open storage, and climatic conditions took a costly toll. Substantial portions of stocks had to be disposed of immediately to prevent deterioration and complete loss.

Because demobilization was forced by public opinion into a disorderly rout, the United States not only wrecked the essential pattern of its armed forces, but it discarded and consigned to the junk heap in unmanned bases through the world billions of dollars worth of equipment and supplies. This was the price we chose to pay for expediency, haste, and a quick ticket home.

In addition the urgent need for prompt reconversion of our war economy produced an early and unavoidable demand for release by the Army of trucks, tractors, bulldozers, construction machinery, and a vast variety of tools and equipment. And whenever the Army showed reluctance in relinquishing these essential supplies, it was immediately charged with hoarding to the detriment of our economy at home.

Moreover, the power vacuum in Europe and the unsettled internal conflicts in China resulted in a high priority program of military assistance to our wartime allies. This grant to friendly nations consisted primarily of equipment within or near their borders. But at the same time it materially decreased our reserves for postwar forces.

This rapid depletion of reserve stocks permitted little planned control. As a result, some categories of supply were crippled worse than others. Consequently, the military value of our existing reserve stocks is limited not only by their inadequate overall quantities but likewise by their unbalanced composition.

For example, it is apparent that if we have sufficient reserves of rockets but no rocket launchers, the rocket reserves will be of no use until the production of launchers comes apace our needs.

Even with the best advanced planning of civilian consultants to the Munitions Board, and even with the full cooperation of industry, we shall face an irreducible lag of 1 year or more in the production of munitions in the event of war. Our ability to defend sensitive outposts and to support a limited offensive during that first year of waiting will depend entirely upon our stock pile of equipment reserves. Without this margin of safety, we could conceivably lose a war or certainly prolong a costly conflict—long before our industrial plant could be brought into action.

For the first time since World War II, the United States Army may be in the market for quantities of new equipment during the coming fiscal year. Because these Army equipment purchases will compete with rather than subsidize your normal peacetime operations, we freely recognize that industry may show some compunction in diverting part of its machine to defense production. But because this production is vital to the strengthening of our Nation in this period of unrest, we are confident you will freely undertake your part.

As the range and power of offensive weapons are increased with each passing year, it becomes more and more necessary for us to bank upon strength-in-being rather than upon our potential reserves. Not only will these annual increments in new equipment create a balanced striking force with the power to provide a deterrent to war, but they will also give to American industry the tooling and production experience essential to effective industrial preparedness.

To those of you who produced the magnificent equipment with which we assaulted the coast of France 4 years ago this week, I need not repeat that industry has as great a stake in preventing war as it has in winning one. For 30 years your American Ordnance Association has encouraged the armed forces with its appeal for reasonable military strength for national security. You know as well as I that freedom is at once a powerful and a fragile thing—powerful as a force when used in defense of dignity and the human rights of man—fragile when neglected and permitted to lie fallow.

We have in our lifetime the great opportunity to work for peace—or the chance to lose it again through timidity and inaction.

Mr. Chairman, in addition to giving heed to the above information I think Congress should give heed to the prospective total cost of the foreign aid arms program that will be launched if the bill now before us, H. R. 5895, is enacted into law, Hanson W. Baldwin, the eminent military writer in the New York Times, in that paper dated December 5, 1948, made the statement that—

A lend-lease program of arms and equipment amounting over a 4- or 5-year period to perhaps $15,000,000,000 to $18,000,000,000 is one of the duties expected of the United States when the alliance has been completed.

My question to the proponents of this legislation is whether America can carry out such a program of foreign military assistance and at the same time rehabilitate and construct our own defenses adequately and without dangerous delay.

Mr. KEE. Mr. Chairman, I yield 5 minutes to the gentleman from Arkansas [Mr. TACKETT].

Mr. TACKETT. Mr. Chairman, I realize that opposition to the program under consideration is not popular with this Congress, but I venture to state that such position is very popular with a majority of the people who elected this Congress. The Atlantic Pact doctrine is no world federation with authority to legislate, declare policy, settle international differences, or enforce a decision; but is an agreement between some of the western powers whereby the United States in substance agrees to not only be a world protector, but to participate on behalf of any member who may be attacked by a nonmember regardless of provocation or intimidation by the Atlantic Pact member. It will be argued now that Congress will make the decision as to whether or not we will participate in a conflict between an Atlantic Pact member and a non-Atlantic Pact member; but when the time comes for the decision to be made, the flags start flying, and the music starts playing, we will have become so involved because of the Atlantic Pact and our wild foreign policies that no Member of this House would dare vote not to live up to our agreement to protect the members of this foreign-policy agreement. When the time comes for us to make the decision it will be argued that we cannot afford to make one step in any direction that would indicate our unwillingness to live up to the agreement of 1949 made with the smaller western powers.

Mr. Chairman, this whole foreign protection proposition is a one-sided contract. The United States is to guarantee everything—protection, defense, money, food, clothing, war implements, and even bravery for the assurance of the other country that they will accept our charity.

Let us take the Luxemburg area as an example. The subjects of that area can afford to become very brave with our assurance of protection. They may be just a little bit more anxious for war than we are, and we can easily find ourselves in World War III at the hands of some little country that could be taken over by its neighbor in 15 minutes.

Other than the armaments being given to socialistic England, Russia could take our gifts from all the other membership of the Atlantic Pact in 30 days' time. No one will question that statement. This armament program is just a roundabout method of giving war implements to our enemies.

Mr. Chairman, this bill can be justified upon the theory that it is a part of the great foreign spending program being launched by the United States, and upon no other basis. Surely it will not be brazenly argued that the United States is to support the world. Our people are being taxed to support our people, and not to support foreign nontaxpaying people. England has been using us for a sucker ever since we won our independence. Under our foreign-policy system, we would be better off as subjects of England. That country is carrying on a political socialistic government, doing more for their people with the American dollar than we are doing for our own people.

The proponents of this legislation argue that the measure is justifiable because Russia is preparing for war. No doubt Russia argues that its preparations are in the interest of defense because the United States is preparing for war. Now, let us just use a little bit of common, ordinary judgment. If Russia were making such an agreement with countries upon the American soil, neighboring the United States, as the Atlantic Pact, and was arming our neighboring countries, would we say that Russia was preparing for war or for defense? We have been a peace-loving people and slow about even preparing to defend our democracy. This is the first time in the history of this democracy that we have ever so boldly prepared for war. I favor spending every necessary dollar for defense of this country, but we cannot afford to defend the world.

No person in the United States has any less use for communism or the Russian system of government than I. While serving as district attorney in Arkansas, it was my pleasure to close the first Communist college to ever be established in the United States. I will vote for any measure or go to any extent to remove every Communist from the United States, but I shall not vote 1 penny to satisfy a few greedy people who are anxious to make some more war dollars at the expense of the fine manhood of our country.

Those little European countries that are taking our armament are not going to allow the powder to spoil or the guns to rust. They have never known anything but war, and never expect to have peace. Little countries over there less than the size of the smallest State in this Union cannot speak to their neighbors because of the different tongue. They have entirely different beliefs, and they have been fussing, fighting, and feuding at the least excuse ever since time immemorial, and will continue to do so. Now, we are even paying them to let us become mingled in the feud.

More than half of our national budget is being spent combating a cold war with Russia that is going to get hot by virtue of this bill and other wild foreign policy ideas being advanced at this time. We find it necessary to curtail that portion of the budget that would benefit our own people, in an effort to stick our neck into the troubles of foreigners. Many of our people are without the necessities of life; the disabled due to age, physical incapacities, and mental deficiencies, in this country are to depend upon their relatives, neighbors, and poorhouses. Incidentally, I am not one of those politicians favoring the wild fairy-tale Townsend plan Utopia; we have a poor highway system; the floodwaters are destroying our soil; we do not have sufficient funds to provide adequate public buildings to carry on governmental affairs; we are lacking in many of the essentials to make this country the Utopia that many foreigners believe it to be. We are taxed to the hilt to assist socialistic England

and every other country that wants to use us for what she can get out of us—which is always whatever she wants.

The CHAIRMAN. The time of the gentleman from Arkansas has again expired.

Mr. VORYS. Mr. Chairman, I yield 10 minutes to the gentleman from Connecticut [Mr. LODGE].

Mr. LODGE. Mr. Chairman, much of the background of this legislation has already been capably covered by my colleagues on the Foreign Affairs Committee.

You have heard an able and detailed description, with charts, by the gentleman from Pennsylvania [Mr. FULTON] of the break-down of this military aid. You have heard some opponents of this legislation and some who would like to have it amended. I should like to take up a few of the points which have been raised in opposition, because I think I might be able to throw some light on these questions.

The gentleman who just preceded me, the gentleman from Arkansas [Mr. TACKETT], asserted that the Russians are quite justified in assuming that we are preparing for war against them. The trouble with that theory is that the facts do not sustain it. We conducted the most massive demobilization after World War II that any nation has ever conducted in the history of the world. So it is intellectual legerdemain, it is misleading, and it is a harmful perversion of our peaceful purpose to assert that, in the presence of 210 Russian divisions and 17,000 Soviet aircraft, because we are now taking steps which in prudence we should take to maintain an adequate military posture, therefore we are bent on aggression. That is the attitude which the Russian Communists are taking. That is the propaganda which is being spread by the Communists, that is the Communist line. But surely it has no basis either in fact or in reason.

Then I should like to say something about what has been referred to as a 2-year program. This is not a 2-year program as it stands in the legislation. It is a 10-month program, running to June 30, 1950. So that when one of my distinguished colleagues said that we could come back a year from now and look at this, it appears that a year from now will be too late under this legislation, because the legislation will have expired.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. LODGE. I shall be delighted to.

Mr. JENNINGS. I have profound respect for the gentleman from Connecticut. Does he assure me as his devoted friend that this is a 10-month program, that when the curtain is rung down on this program of arms and aid that we will then desist and everything will be as merry as a wedding bell?

Mr. LODGE. I may answer the distinguished gentleman from Tennessee by saying this: I will not say that this is a 10-month program; I say that the authorization contained in this legislation is for 10 months. I say that the program should be continued or changed as circumstances may dictate and that depends on the imponderables and unpredictables of the future. I think the judge is too wise a man tc depend on gazing in the crystal ball.

Mr. WHITE of Idaho. Mr. Chairman, will the gentleman yield?

Mr. LODGE. I yield.

Mr. WHITE of Idaho. I have not been able to discern from the gentleman's statement so far whether he is for or against the program. I would like for him to inform us whether he is supporting the bill.

Mr. LODGE. I am sorry that I have not been quick enough to satisfy the gentleman. I favor this program; as a matter of fact I favor the full amount subject to the condition which is now written into the bill, and which is to be found on page 5. Under that provision the authorization is divided into two parts. The sum of $498,130,000 will be made available for such purposes by way of appropriations to March 31, 1950, and then a further sum of $157,710,000 for the period from March 31 to June 30, 1950:

Provided, That any assistance to be furnished, or any obligation of funds hereunder, after March 31, 1950, shall be furnished or obligated, only if the President shall have certified to the Congress the agreement of the United States with unified plans for the defense of the North Atlantic area developed by the Council and the Defense Committee under article 9 of the North Atlantic Treaty. Any assistance furnished after March 31, 1950, shall be in accordance with such unified defense plans.

And there is a further provision in section 409 (c) for $428,100,000 of contract authorizations up to March 31, 1950, and then an additional $77,050,000 in contract authorizations from March 31, 1950, to June 30, 1950, if this proviso has been fulfilled.

The purpose of this proviso is to respond to the very natural preoccupation which many of us had that if there should be a D-day in Europe—which God forbid—we do not want to have another debate going on as there was in May 1940. In other words, what this proviso postulates is that there should be a comprehensive logistics, tactical, and strategical plan for the defense of western Europe with specific assignments for each nation and each component unit and command. I know that under article 9 of the Atlantic Treaty it is not going to be possible for the Consultative Council to set up a Defense Committee and arrive at a unified plan right away. Under this provision the nations involved will have 8 months to achieve this desirable objective. But the Western Union Council, comprising some of the most important nations of Europe have already been working on this matter and we have been sitting in as observers of their deliberations. Under the Western Union Council a plan is being worked out both at the advance headquarters at Fontainebleau and in London. So it is my hope that as this plan proceeds, as the Consultative Council is set up under article 9 liaison will be achieved between the Western Union Council and the Consultative Council.

I was so preoccupied about the implications of this program that I addressed a letter to the Secretary of State on July 27, in which I propounded seven questions which I regard as significant. I received his answers today, and I am putting them in the RECORD. But because I think it might be interesting to my colleagues, I should just like to read to you the questions which I asked him. I asked:

Is it the view of the Department of State that the military plan for western Europe should be based on European rather than on national considerations thereby effecting significant economies and furthering the goal of a European federation which is also a principal objective of the European recovery program?

I feel that we must bring this military program forward on a concurrent front with ERP as an integrating federating effort.

My second question was:

Is it proposed that insofar as practical there should be a gradual standardization of arms in the countries receiving military aid from the United States in order to work toward (a) substantial economies in military budgets; (b) a simplification of the problem of rearmament, logistics, and the furnishing of spare parts; (c) greater strategical strength of the nations involved and particularly of "Uniforce"; and (d) a European federation?

Of course, the whole question of standardization is extremely complex because research and improvements are constantly proceeding. Standardization is not something you can achieve overnight. In the first place, it would be uneconomical to do so. In the second place, it is not desirable to have complete standardization because you must have healthy competition in the field of research in order to have the most satisfactory developments in that vital field.

Third. Is it the view of the department that military aid to Korea is more important and urgent with relation to American national security than military aid to China?

Quite obviously it seemed to me that there was a glaring inconsistency there. Surely, if we are supplying arms to Korea for a possible war which they might have with the northern Koreans, surely if we are supplying arms to the Filipinos in the war in which they are now engaged with the rebel Filipinos, there is no reason why we should not supply arms to certain anti-Communist Chinese in the war which they are waging against the Chinese Communists. But this in itself is a vast question which I hope to discuss when I offer my China amendment.

Fourth. Are the nations which are to receive military aid making a military effort comparable to that of the Soviet Union, taking into consideration their relative size and population, their economic strength and the over-all objectives of the European recovery program?

It seemed to me that we had a right to ask this. The question has been asked here this afternoon in a different form. Are the western Europeans making the maximum effort which they should make, given these considerations? We do not want to do anything to harm the European recovery program because that, after all, has demanded a tremendous effort on our part and most of us recognize the desirability of the objectives of that great undertaking.

Fifth. Has the Council of Western Europe, acting under the Brussels Pact, evolved plans which make it appropriate that we proceed at once with the full amount of the military aid requested rather than as has been proposed by some, proceed with an interim aid bill until under the council to be established under Article IX of the Atlantic Treaty there have been developed the comprehensive plans I have spoken about?

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

Mr. VORYS. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. LODGE. Mr. Chairman, I attempted to deal with this question in discussing the condition precedent set forth in section 102 of the bill.

Sixth. Will the military aid to be furnished result within the period of the proposed legislation in a corresponding or substantial reduction of our domestic military budget, as advocated by Dr. Nourse, Chairman of the Council of Economic Advisers? Or will this program be, in his words, "A simple addition to other military plans as they stood before the new alignment"?

It appears that no immediate reduction in our defense budget is considered desirable by the Secretary of State and the Secretary of National Defense. However, an eventual reduction in anticipated as the military aid program evolves.

I am inserting the answer of the Secretary of State to these questions in the RECORD and I suggest to my colleagues, if they have time, to read these answers because I think they will find them illuminating even though they may not seem to all to be entirely satisfactory.

Some people have objected to this program because they say that this military assistance cannot stop an onslaught by Soviet Russia. Of course, that is perfectly true. If there should be a war, if there were an onslaught by Russia even after this legislation had run its course, no one contends that this would enable them to resist indefinitely and so defeat the Russian forces. What this program attempts to do is to buy time, to buy delay, which will enable us to get our power into action. Such a delaying action might even mean the difference between victory and defeat—between the necessity of liberating a conquered Europe and protecting Europe from conquest.

There is the further question, how are we going to make full use of Italy in spite of the limitations of the Italian peace treaty?

In Italy you have a twofold problem. For Italy is a signatory of the Atlantic Treaty and this I believe to be excellent and right. And you have the further fact that the Italian economy suffers tremendously from overpopulation, and that is a tremendous load on the European recovery program. Italy can be most useful under this program without any breach of the Italian Peace Treaty not only because of her armed forces but by using her, in large part, as a repair shop, especially in the north in Milan, Turin, and Genoa where there are large numbers of unemployed skilled workers.

Mr. Chairman, more than half a century ago Lord Bryce wrote that the United States could not indulge its easy optimism had Canada or Mexico grown to be a great power, had France not sold Louisiana, or had England, rooted on the American Continent, become a military despot. "America lives in a world of peace, safe from attack, safe from menace, she hears from afar the warring cries of European races and faiths. For the present, at least—it may not always be so—American sails upon a summer sea."

Lord Bryce's warning came true when the balance of power system was wiped out in World War II. No longer could America afford to rely upon the great nations of the other continents to neutralize each other's power. Only two great areas of military might were left. The strategic objective of the United States—born of the necessities of the new situation—became that of insuring that the whole of the Eurasian land mass, with its vast resources in manpower and economic strength, should not fall into the possession of the one power which might threaten our security. For, should the great Eurasian continent become united against us, we would find ourselves under siege in this hemisphere. We are paying now for the failure of certain people to recognize the dangers and necessities of the new situation. Our leaders have been slow to understand the portentous implications of the postwar conflict.

Mr. Chairman, we are involved in Europe whether we like it or not. We are involved without the Atlantic Treaty. We are involved without this program. We are involved by virtue of the presence of our forces in Germany, Austria, and Trieste. A putative enemy could attack the Western Powers only by attacking us first in Germany and Austria. Accordingly, the only question remaining is: Will we be involved for the protection of our own national security, to our own advantage and in the interest of peace, or will we be involved ineffectively, timidly, and with a vacillating policy which can lead only to calamity?

Mr. Chairman, when the Secretary of State came before our committee he quoted from Mr. Justice Holmes, who said: "The judgment of nature upon error is death." I think the administration has made a great error in China, and I hope that we shall soon go from the area of discussion of a Far Eastern policy into the field of action. But I think that, in spite of certain defects this military-aid program for western Europe is sound. I think it should be approved by the Congress. We must think very deeply about this problem for in truth we live in a dangerous world in which our freedoms—nay, our very lives—are at stake.

Mr. KEE. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. SADOWSKI].

Mr. SADOWSKI. Mr. Chairman, I think this is a good time to ask questions instead of making speeches.

A few years ago, the older Members of Congress will recall, we voted on the last British loan and the second UNRRA appropriation. The President of the United States came to the Congress and said, "These are the last requests we shall make of you. This is as much as our people can stand, as much as the taxpayer can stand. We have a terrifically big debt, a big budget to meet, and we cannot burden our people further. From here on, the assistance that will be given to Europe and to Asia will be on a business basis." They were to get their loans and their assistance out of the World Bank. The International World Bank was set up. The International Trade Organization was set up within the United Nations Organization. That is how we were supposed to help the people of the world. England could not come to America and say, "We want some more free dollars and we want another big gift," because the Congress of the United States would not vote that way. So in comes a package labeled the Marshall plan, under which England gets the biggest bulk of this money, and we are hornswoggled out of these dollars. We still dip into the Treasury of the United States, and England achieves her end indirectly. She did not get her loan directly but she got it indirectly through the Marshall plan. England sold us that package. Churchill was the fellow who really pushed over the deal. He did the job. It was a fine deal for England.

What happens? We go along here, and now comes this Atlantic Pact. What is it? Why should we kid the American people? Why fool the public? Why not tell them the truth? The truth is that the American people do not want, and the United States Congress is not going to dip in here for any more dollars, because we have a big debt to meet. Our people are going to be tax-burdened for many years to come, so we are asked not to dip in directly for additional Marshall plan dollars, but indirectly they desire to shift their armaments burden on to the American taxpayer. This is the means for taking the burden of the arms program of Europe, those few countries of England, France, and the Benelux, which now carry about $5,500,000,000 of tax burden for armament, and swinging this burden over onto the backs of the American taxpayers.

Certainly Russia is not afraid of this program. I agree very much with what the gentleman from Arkansas said, but I do not agree with him when he said that Russia is afraid of this, that this is something against Russia. It is not. This is just another dip into the United States Treasury to implement the Marshall plan, to give them more dough. They know that we are not going to give more money to the Marshall plan because we are fighting about it now. The Senate is going to try to cut down the Marshall plan a billion or so, so England and the other countries know that they cannot increase the Marshall plan dollars, so they have to implement the Marshall plan dollars in an indirect way by the United States giving them arms and taking this burden of taxation off of their people for the arms program and shifting it onto the backs of our own people, the American taxpayer. That is all there is to it, and that is how simple it is.

I do not know how anyone can help but see the picture and know what it is all about. Certainly that is the truth of it.

What will they do with a billion and a half? It has been said that they will purchase our arms, made here, of course, for about 10 cents on the dollar. They are not going to pay dollar for dollar value, but for the billion and a half they will buy about seven or eight billion dollars worth of armament that is now stock-piled in the War Department. That is seven or eight billion dollars that the American taxpayer will have to pay to replace those armaments for our own armies, for our War Department and the Navy, for our own defense program. It will cost our taxpayers seven or eight billion dollars to replace what they are going to take away for a billion and a half. What is the result? The American taxpayers are going to pay seven or eight billion dollars more. The United States News and World Report of last week said that we will have a deficit of $6,000,000,000 to meet next year just before the election. That is wrong. I say it is going to be $7,000,000,000. I said that 6 months ago and at that time many people said that I was wrong.

I said 6 months ago it would be a $7,000,000,000 deficit which we would have to face next year before election. There is only one question that I will have to answer, and there is only one question every Member of Congress must answer to his taxpayers: Who is going to pay the taxes? Which taxpayers are going to pay it? Is it going to be the CIO brothers, the boys who work in the shops? Is labor going to pay this additional $7,000,000,000 tax bill, or can we put it upon the big corporations? Can it be placed upon big business? Who is going to pay this additional tax increase? Is it going to be a national sales tax put upon all the people? Is that the way we are going to raise this $7,000,000,000? Certainly we cannot say that we are going to finance it by deficit financing to carry this on—no. This man TAFT from Ohio—Senator TAFT—he is not a dull fellow, he is a shrewd politician and he is playing a smart game. I am a Democrat, but I have to agree with Mr. TAFT insofar as the kind of politics he is playing right now about this Atlantic Pact. Because the question that every one of us must answer, whether he be a Democrat of a Republican—the people are going to say "Who is going to pay the tax? Where are you going to get this money from? Who is going to pay it, the little fellow or the big fellow? Is big business going to pay, or is the workingman going to pay? What are you going to put this burden on?"

That is the thing I have to face next year and which you have to face. I am going to say, "Look, my friend, I did not vote for all this money. I have been opposing this program. I did not do this to you. I am not responsible for this."

That is what I am going to tell my people. I am going to say the other Members of Congress did it. Of course I am going to do that. I think I will be justified in saying that, because that is exactly the way I have been voting. On one thing I have dissented with my party, and that is on the foreign aid program, because I believe the people of Europe should go to work the same as our people work for every doggone dollar that we get.

Mr. KRUSE. Mr. Chairman, will the gentleman yield?

Mr. SADOWSKI. I yield.

Mr. KRUSE. I listened to the gentleman with a great deal of interest. I respect his views. I, too, differ with my party if, conscientiously, I think they are wrong. I served for 4 years during the last war. I have children who, if we get in another war, may have to fight that war.

Mr. SADOWSKI. Yes, and I have five children.

Mr. KRUSE. Here is what I would like to know, and I ask this in all good conscience. I am as concerned about economy as you and anyone else in the Congress of the United States, but are you more interested in saving the dollars than in trying to get together, whether we are Democrats or Republicans, in attempting to solve in a sensible and sane fashion this problem and to have a program which might prevent another war? We ought to have learned by the lessons of experience. The road we have followed up to now has taken us no place except to war. Surely we should try to learn something from the lessons of experience. But you stand here and talk about dollars. While I respect your views, I thoroughly disagree with you. What are you more concerned with?

Mr. SADOWSKI. Of course, I love America. I love America probably as much as the gentleman who just spoke, and perhaps even more, because my father and mother were immigrants. They came here because they wanted to come here. They came to America. They loved America. The first-generation Americans, I think, probably are more deeply loyal and patriotic than fifth- and sixth-generation Americans.

But let me answer your question. I do not believe you can save America by giving arms all over the world, for instance, giving of arms to South American countries so that they can kill each other and have more revolutions and more fights and the same applies to Europe. I know something about European history. There has been nothing but struggles and fights and revolutions for the last couple of thousand years and the more arms and bullets you give them the more people they are going to kill and the more fights they are going to have, as long as we give them the stuff to fight with.

In South America we have the same situation. But I believe that the solution to the problem is not distributing arms all over the world. I think that America should keep itself strong. I have voted for every phase of our program to make America strong. And in that I believe. But I do not believe you can make America strong by giving away your strength to other people, to other nations. I do not think that is the answer at all.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. VORYS. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. JACKSON].

Mr. JACKSON of California. Mr. Chairman, as one who has been a passenger on the "foreign assistance limited" since he has been a Member of the Congress, I feel that perhaps I can speak with considerable objectivity with respect to the pending legislation. I have voted, out of a feeling of deep conviction, for all of the measures which have been proposed for the alleviation of human suffering and which have been brought before our committee for action. I felt very deeply that the European recovery program was a program which was needed to fill a great void in Europe. I felt that without such assistance freedom and liberty were indeed in jeopardy and in danger of being lost.

I voted for and supported aid to Greece and Turkey because I felt that the national interest and the national security of this Nation were at stake, and I still feel so today with respect to those two countries.

I voted for long-term assistance, interim assistance, and short-range assistance. As a matter of fact, I have been one of the most faithful passengers on the foreign aid train.

However, with respect to title I of the pending bill, I feel that at long last I have arrived at the point where I must reach up, pull the stop cord and get off the train.

I might say at this time that I have the deepest affection for every member of the Foreign Affairs Committee. I believe that when they bring in their diverse views on this legislation that they do so out of a feeling of deep personal conviction and that each believes that what he proposes to do is the thing that should be done in the interest of a strong America in a sound world. Our chairman is a gracious and kindly gentleman and it is not easy to disagree with him, as it is not easy to disagree with the distinguished gentleman from Ohio [Mr. VORYS] or my very good friend and a great American from Connecticut [Mr. LODGE]. But I feel that I, too, have a responsibility to the people whom I represent back in California to do only those things which I can do in good conscience and all honesty.

Perhaps no piece of legislation which has come before the Committee on Foreign Affairs since I have been a member of that distinguished body has had inherent in it the elements of controversy which have surrounded this measure. The truth of this statement is made evident by the fact that no less than 10 members of the committee have filed minority views or supplemental minority views on the subject of military aid. The views vary in degree and they extend from a point of no assistance at all, through various programs which would reduce the amount of aid, across the spectrum to the other extreme, the proponents of which say we should not dot an "i" or cross a "t" in the legislation which we have had under consideration. Those who take the latter position do so, I am sure, quite honestly, and their principal argument is that, after all, we who serve on the committee and I am sure that this is true of every other committee of the House are not experts in such things as military tactics, military

strategy, logistics, and all of the other things that comprise military operations. Therefore, we on the committee, so the argument goes, must necessarily be guided by the recommendations of the governmental agencies and departments who bring their views to us.

I must say that I am not a slave to the doctrine that the military or the diplomatic are infallible or that their decisions and their testimony is not open to question and should not be seriously and very carefully scrutinized by every member of every congressional committee. These agencies have made mistakes in the past. I say this not in a spirit of recrimination. But we can all remember the tragic fate of Gen. Billy Mitchell, who because of his advocacy of air power was court-martialed and left the service in disgrace. We can also remember that due to one of these diplomatic-military decisions the great naval power of this nation lay burning and in ruins at Pearl Harbor not so long ago. No; the decisions of the military and the diplomats' decisions are not infallible. Their opinions should, of course, be given every weight and every consideration; but if after having given them that weight and that consideration and after searching one's soul for an answer we arrive at a different conclusion than that proposed, I consider it our duty to follow conscience and the dictates of reason.

In the first place, I am firmly convinced that the passage of H. R. 5895 will impair the economic recovery of western Europe. There has been the evidence of administration to the contrary; there will be a great many more statements made here on the floor of the House during the course of debate in refutation of that charge. We do know, however, that already some millions of dollars have been set aside in the program to take care of the impairment of the economic recovery program, due to the impact of the proposed arms aid. It is reasonable to expect, in the light of history, that as other arms plants are activated other sums are going to have to be taken from the one and applied to the other. It is not valid, I contend, to say that the arms program and the economic recovery program are one and the same thing and complementary each to the other, because when you need to take matériel when you must take manpower from the economic program and from economic reconstruction and assess them to the making of arms and munitions it is certainly quite another thing.

My principal contention, my principal objection to the bill now pending before the House is not one of philosophical difference; I do not oppose title I because of what the Soviet Union may do or may not do. We can be assured of one thing, and that is that whatever we do is going to be propagandized and is going to be made the most of east of the iron curtain. So that, in itself, does not influence my thinking. My principal preoccupation and a matter of grave concern to me and to many others is the concept adopted by the State Department and the Military Establishment of a ground defense of western Europe, a defense which has never worked in history, which has never stopped the onrush of an aggressor and certainly will not do so in the future. If it is intended that this program is to give us 2 days, or 10 days, or 30 days of grace in order to prepare ourselves better to meet the attack, then let it be frankly stated on the floor of the House; let our allies in western Europe know that they are simply being intended as living sacrifices and that theirs are the breasts which are to be bared to the brunt of an attack. Let us not trip around the edge of this thing; let us make some frank statements. When the Russians drove the German panzer divisions from the gates of Moscow they did it with 500 divisions. At the same time there were 100 divisions on the allied front, of which 63 were American divisions. There is not the military potential in western Europe today to stop a drive to the North Sea or to the English Channel at any time the Russian Army wants to move. They will probably not move until such time as we have constructed $155,000,000 worth of armament plants and have placed in the hands of the allies the balance of the arms and the weapons which we propose to give under this program.

We must remember that the Japanese drive eastward through Burma was speeded by American trucks and jeeps, and with American guns they had captured at Singapore.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. CHIPERFIELD. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. JACKSON of California. Mr. Chairman, we must remember that the Communist hordes that are pressing south through China today are speeded in their efforts by American matériel and guns that they captured. Had we given military equipment and supplies to the democratic government of Czechoslovakia which preceded the present Communist government in power, it is entirely reasonable to assume that American trucks and American guns would today be a feature of Communist parades in Prague exactly as they are half a world away in Shanghai.

There are a great many momentous issues connected with this program. It is a program that should not be adopted in haste. There has been no evidence given, no testimony adduced, which in any way indicates that the Red Army is any more ready to drive westward today than it was a year ago or than it will be a year from now.

My principal objection, I repeat, Mr. Chairman, deals with this antiquated, fallacious, and dangerous concept of a ground defense. The next war, when it comes, will come out of the air. It will come out of the skies with a fury so devastating that it will completely dwarf what happened at Pearl Harbor. It is entirely possible that the next war, if and when it comes, will never see the ground armies locked in combat. That war may be won, for all practical intents and purposes, before the armies slogging toward each other through the mud have succeeded in making contact. Our thinking, to my mind, should be skyward and not mudward.

I favor the Atlantic Treaty and the terms of that document. I certainly do not want to see our allies in western Europe live longer under this constant shadow of dread and fear. I know and I realize that in taking issue with the Joint Chiefs of Staff I am being most presumptous, but I think that they themselves, in their hearts, know the utter fallacy of the politically dictated position. I have talked to other military leaders who were not thought-conditioned over in the State Department, and I have been assured by them that this program is not now, and cannot in the future, hold back any Soviet aggression in western Europe.

At the proper time tomorrow it is my intention to offer an amendment to this measure which I should like to read now as advance notice of what I intend to do. The amendment will strike out everything after the enacting clause and set forth an alternative plan as follows:

> The President is authorized to enter into negotiations with any one or more of the recipient governments, upon request of such government or governments, for the use and occupancy, by elements of the United States Air Force, of airfields, bases, and other air-defense facilities, when in the opinion of the President and the government or governments concerned such use and occupancy is deemed to further the collective security of the North Atlantic area.
>
> Command and direction of any such elements of the United States Air Force so stationed in another country under the provisions of this act, shall remain vested in the United States, but it is the sense of the Congress that air planning for strategic and tactical defense should be integrated and coordinated with the planning of agencies or defense councils which may be hereafter established for joint collective security.

Attached to this will be an appropriation of $250,000,000 to implement it.

I feel, Mr. Chairman, that under the terms of the North Atlantic Treaty we are pledged irrevocably to the use of armed forces if the Soviet Union attacks western Europe. So, this is not a matter of sending our boys overseas, because if the Soviet attacks, our boys are going overseas anyway. But, I say, let us make a straightforward statement. Let us tell the Soviet Union that we have gone backward as far as it is our intention to go. That, I think, is what the American people want to hear more than talk of guns, more than chit-chat bullets, more than conversation of tanks and howitzers and all of the other paraphernalia of ground warfare. Ground arms, I feel, will be lost. If Russia marches, the world will see the attempted evacuation of a continent which will make Dunkerque look like a Sunday afternoon at the beach. Let us be factual, let us be realistic, let us recognize our true responsibilities—for indeed we do have responsibilities. But, if we are to keep men free, we will keep them free through the air and not through the mud.

Mr. VORYS. Mr. Chairman, I yield 5 minutes to the gentleman from North Dakota [Mr. BURDICK].

Mr. NICHOLSON. Mr. Chairman, will the gentleman yield for a parliamentary inquiry?

Mr. BURDICK. I yield.

Mr. NICHOLSON. Can the Chair state when it is likely that we will get through for the day?

The CHAIRMAN. The Chair cannot advise the gentleman of that. That is not a parliamentary inquiry.

Mr. BURDICK. Mr. Chairman, I am greatly handicapped here in speaking on this subject because I have no maps. However, I do not belong to the Committee on Foreign Affairs, so I think I know something about the subject.

As I understand, from living away out in the middle section of the United States, the purpose behind the Marshall plan was to stop communism. Now, that is all it was. It was not to feed the hungry, by giving them something to eat so that they would not embrace communism. But the sole purpose was to stop communism. Those loans to those foreign countries were for the purpose of stopping communism. I would like to see somebody exhibit a chart here to show us what became of the $92,000,000,000 we put into that jackpot since the shooting stopped in Europe. That is what we spent, $92,000,000,000. Now we are starting in on another $92,000,000,000, and we have not accomplished anything.

Why do people want communism in Europe and Asia? I will tell you why, because I have talked to persons who came from there. In Europe and Asia the people are concerned about land, just four letters, l-a-n-d, and if any ism promises the landless a piece of land to live on, they will embrace it, and they do not care what kind of a government gives it to them. Why has MacArthur handled the Japanese so well in Japan? He has just taken those large estates and let the people use them. What happened in Poland? They had more large estates than any nation in the world, and if the Committee on Foreign Affairs does not know that, they can take this down. When the Russians got in there they divided up those estates and gave the farmers a piece of land and a shotgun and a bunch of ammunition and they said, "Now, this is your land. You can live on it and you defend it." I presume that is exactly what happened in China. We spent $2,000,000,000 over there. The gentleman from Minneapolis thinks we ought to spend more, but the only thing we have accomplished in China so far has been to build up one of the finest Chinese Communist armies the country ever saw. If we had put in more money, Communists would have more money at this time.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. BURDICK. Yes, I will be happy to. I referred to the gentleman.

Mr. JUDD. I think the gentleman knows that I have steadfastly opposed the methods by which we have given aid in the past. I am not for more aid to China, I am for starting proper aid to China which we have never yet been willing to carry out there, as we have in Greece, and which is a quite different thing.

Mr. BURDICK. I am very glad to have the gentleman state that. That is my point exactly.

Have we settled anything in Greece? Not a thing. Have we settled anything in Italy. No. The last vote showed 31 percent of all the people of Italy Communist. That is a strange thing, because Catholic people generally are not Communists, and Italy is a Catholic country.

If you want to stop communism, I will go right down the road with you to stop it, because they are the people that follow me around and try to beat me up every time I run for office in North Dakota. I will be glad to put them all out of business. Just see what the Russians are doing, and beat them to it. Give the landless some land and tell them to hold it, and they will stay with you.

We do not feel that pressure here in America, because we do not have the pressure of over population; but they do have it in those countries. Why do you suppose I voted for housing and every movement to help the people out in this country? What did I do that for? Because I knew that was what would make this country strong. Let everybody have a chance to own a home. Forty-six percent of us in the United States do own homes today. You need not be afraid of communism. That is the most senseless scare you could imagine. You just let the people of America have their own homes, and you do not need to fight communism over in Europe, because it will never come over here.

Mr. KEE. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. MILLS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 5895) to promote the foreign policy and provide for the defense and general welfare of the United States by furnishing military assistance to foreign nations, had come to no resolution thereon.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H. J. Res. 339. Joint resolution amending an act making temporary appropriations for the fiscal year 1950, as amended, and for other purposes.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 974. An act to amend the Veterans' Preference Act of 1944 with respect to certain mothers of veterans.

HOUR OF MEETING TOMORROW

Mr. PRIEST. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 10 o'clock tomorrow.

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

There was no objection.

EXTENSION OF REMARKS

Mr. CANNON (at the request of Mr. PRIEST) was given permission to extend his remarks in the RECORD and include a tabulation on the civil functions bill.

Mr. BLATNIK asked and was given permission to extend his remarks in the RECORD and include a resolution.

STATEHOOD FOR ALASKA AND HAWAII

Mr. MARSHALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. MARSHALL. Mr. Speaker, polls and news reports from throughout the Nation indicate that the American people are strong in support of statehood for the Territories of Alaska and Hawaii. Their strategic importance alone is a sound and realistic argument for statehood. At the same time, the tremendous natural resources of these lands can and will be developed under the impetus of statehood. Certainly those people who have carried our way of life to the frontiers of America deserve to be admitted to first-class citizenship in the United States.

The Public Lands Committee, of which I am privileged to be a member, reported to the House two bills, H. R. 331 and H. R. 49, on March 10, to give statehood to Alaska and Hawaii. The committee acted early to give this Congress an opportunity to consider this legislation, and, Mr. Speaker, I feel that the Members of this House deserve an opportunity to vote on this important measure now.

We all realize the importance of these two Territories as bulwarks of our Nation's military defense. We need, also, to realize their importance as the source of numberless natural resources which must be developed not only for the good of Alaska and Hawaii, but for the good of the United States. It is a matter for the Members of this House to decide, and I urge that these two bills be brought before the House at the earliest possible date so that we will have the opportunity of voting statehood for Alaska and Hawaii.

SPECIAL ORDER GRANTED

Mr. PRIEST. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER], who had a special order for today, may have that special order transferred to tomorrow.

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

There was no objection.

AUTHORIZING SALE OF PUBLIC LAND IN ALASKA

Mr. PETERSON submitted a conference report and statement on the bill

(H. R. 2859) authorizing the sale of public lands in Alaska.

ADDITION OF CERTAIN LANDS TO BIG BEND NATIONAL PARK, TEX.

Mr. PETERSON submitted a conference report and statement on the bill (H. R. 2877) to authorize the addition of certain lands to the Big Bend National Park in the State of Texas, and for other purposes.

EXTENSION OF REMARKS

Mrs. DOUGLAS asked and was given permission to extend her remarks in the RECORD, and include a report on the acreage allotment provision of the Federal Reclamation Law, notwithstanding the fact that it exceeds the limit fixed by the Joint Committee on Printing and is estimated by the Public Printer to cost $184.50.

GEORGE HAMPTON

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 1279) for the relief of George Hampton, with an amendment of the Senate thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment as follows:

Page 1, line 7, strike out "$12,361.23" and insert: "$25,000."

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

Mr. VORYS. Mr. Speaker, our minority leader asked me to take his place on the floor at this time. I was given to understand that there would be no action on any bills.

Mr. LANE. May I explain to the gentleman that this matter has been cleared with his side. I have taken the matter up with the gentleman from Michigan [Mr. MICHENER]. He told me that it was not necessary to take it up with the minority leader. The matter has been passed unanimously by the House Committee on the Judiciary. There are no objections to it. It has been agreed to and it is simply for the purpose of concurring with the Senate in raising the sum in a private bill for a man injured in the State of Pennsylvania.

However, in view of the circumstances, Mr. Speaker, I withdraw my request.

EXTENSION OF REMARKS

Mr. O'SULLIVAN asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

Mr. PHILBIN asked and was given permission to extend his remarks in the RECORD and include a communication.

ELIMINATING PREMIUM PAYMENTS IN PURCHASE OF GOVERNMENT ROYALTY OIL

Mr. ENGLE of California submitted a conference report and statement on the bill (S. 1647) to eliminate premium payments in the purchase of Government royalty oil under existing contracts entered into pursuant to the act of July 13, 1946 (60 Stat. 533).

EXTENSION OF REMARKS

Mr. DAVENPORT asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

Mr. WHITE of Idaho asked and was given permission to extend his remarks in the RECORD and include certain press reports.

Mr. JUDD asked and was given permission to extend his remarks in the RECORD in two instances and in each to include extraneous matter.

SPECIAL ORDER GRANTED

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent that on Monday next, after the disposition of business on the Speaker's desk and the conclusion of special orders heretofore granted, I may address the House for 20 minutes.

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

There was no objection.

EXTENSION OF REMARKS

Mr. VAN ZANDT asked and was given permission to extend his remarks in the RECORD and include an editorial by Hanson W. Baldwin, of the New York Times.

The SPEAKER. Under previous order of the House, the gentleman from New Jersey [Mr. HAND] is recognized for 15 minutes.

ONE-WAY STREET

Mr. HAND. Mr. Speaker, I should like briefly to call attention to the fact that in the current fiscal year the American taxpayer will be asked to dig into his pockets and turn over to the Federal Government over $5,000,000,000 for various foreign-aid programs. The major undertaking, of course, is the European recovery program, of which the lion's share is being given to Great Britain, helping her to maintain her socialistic experiment. Great Britain frequently pays us for our generous assistance by a slap in the face. The latest example is her bilateral commercial treaty with Argentina, a private trade agreement between the two countries to the exclusion of the interest of the United States. This is another illustration of the theme that I have sought to emphasize; that reciprocal trade is not reciprocal, and that our foreign policy is, indeed, a one-way street.

In addition to this primary program, we continue to carry on with imperialistic activities in Greece and Turkey and are spending and will continue to spend hundreds of millions. The military-aid program now being debated, in addition to arming western Europe, also provides additional millions for military equipment for Greece and Turkey. These reckless expenditures will never be terminated until the people themselves awaken to the realities of the situation.

Mr. Speaker, this money does not come from some inexhaustible hoard that is provided here in Washington. It comes out of the pockets of our fellow Americans who pay income taxes, who pay taxes on bread, milk, cigarettes, travel and moving picture theater tickets, handbags, telephone calls, and other so-called luxuries.

The people of New Jersey, for their share of this program, will pay $162,204,000. If this money were allowed to stay in New Jersey, instead of being extracted for the use of Greece, the rest of Europe, and Arabian refugees in Palestine, it could do an immeasurable amount of good at home.

By application of a formula, which I believe to be reasonably correct, we can break down this New Jersey share of the funds and localize them to a point where the problem is brought into sharp focus. We are getting anesthetized when we talk of billions, and we cannot conceive that the money is real, or that it belongs to us; but when we say that the share of the cost of this foreign program alone will cost the people of Atlantic County $4,704,000, the people of Cumberland County $2,109,000, the people of Cape May County $1,135,000, our people will understand that they are chipping in $8,000,000 for their share of the present annual cost of the foreign-assistance program alone. When they realize that $8,000,000 is coming directly out of their pockets in one way or the other, they are in a better position to judge for themselves whether the program is worth it to them.

Localizing this money problem even further, I find that cost allocated to sample cities of my district is as follows:

Atlantic City	$2,903,000
Bridgeton	633,000
Ocean City	195,000

Mr. Speaker, I am informed that the $162,000,000 cost to New Jersey of the foreign-assistance program is more than the entire amount of property taxes levied for the support of all of New Jersey's 566 municipal governments in 1949. It is also more than the entire State budget for fiscal 1949–50. Thus in this one phase of Federal spending alone—for foreign assistance—the people of New Jersey are paying out of their pockets more money in taxes than they pay for their local services including roads, schools, courts and all the hundreds of things which are locally provided.

Moreover, we have to look to the future for a threatened increase in the foreign-relief bill. In commenting on the President's point 4 program recently, the New York Times warned:

It is quite plain that the world's full productive and distributive equilibrium will not be achieved by 1952, and that something bigger will eventually have to take the place of Marshall plan aid.

On June 30, 1949, the House Committee on Foreign Affairs reported favorably on a scheme to give $150,000,000 to South Korea. No one knows who will be next, or for how much.

However, useless it may be, I feel obliged to call attention from time to time to this remarkable chapter in our history, when, and not for the first time either, the great hearted and generous people of this country have allowed

themselves to be the victims of an impractical idealism.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. HOEVEN (at the request of Mr. DOLLIVER), until August 22, on account of official business.

To Mr. BYRNE of New York, for an indefinite period, on account of sickness in family.

To Mr. DINGELL, indefinitely, beginning August 24, on account of official business to attend the interparliamentary conference.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1232. An act to increase the equipment maintenance allowance payable to rural carriers; to the Committee on Post Office and Civil Service.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mrs. NORTON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 3440. An act for the addition of certain lands to Rocky Mountain National Park, Colo., and for other purposes; and

H. R. 5086. An act to accord privileges of free importation to members of the armed forces of other nations, to grant certain extensions of time for tax purposes, and to facilitate the tax administration.

The SPEAKER announced his signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 555. An act for the relief of Eiko Nakamura;

S. 622. An act for the relief of Isaiah Johnson;

S. 787. An act for the relief of William (Vasilios) Kotsakis.

S. 855. An act to authorize a program of useful public works for the development of the Territory of Alaska;

S. 1026. An act for the relief of Roman Szymanski and Anastosia Szymanski;

S. 1949. An act to authorize the lease of the Federal correctional institution at Sandstone, Minn., to the State of Minnesota;

S. 1962. An act to amend the cotton-and wheat-marketing-quota provisions of the Agricultural Adjustment Act of 1938, as amended;

S. 1977. An act to extend the time within which legislative employees may come within the purview of the Civil Service Retirement Act;

S. 2170. An act for the relief of W. P. Bartel;

S. 2391. An act to authorize the construction, operation, and maintenance of the Weber Basin reclamation project, Utah; and

S. J. Res. 3. Joint resolution to provide that any future payments by the Republic of Finland on the principal or interest of its debt of the First World War to the United States shall be used to provide educational and technical instruction and training in the United States for citizens of Finland and American books and technical equipment for institutions of higher education in Finland, and to provide opportunities for American citizens to carry out academic and scientific enterprises in Finland.

BILLS PRESENTED TO THE PRESIDENT

Mrs. NORTON, from the Committee on House Administration, reported that that committee did on the following dates present to the President, for his approval, bills of the House of the following titles:

On August 16, 1949:

H. R. 559. An act to confer jurisdiction upon the United States District Court for the Central Division of the Southern District of California to hear, determine, and render judgment upon the claims of the city of Needles, Calif., and the California-Pacific Utilities Co.;

H. R. 631. An act for the relief of Mrs. Dorothy Vicencio;

H. R. 1137. An act for the relief of J. W. Greenwood, Jr.;

H. R. 1505. An act for the relief of Harry Warren;

H. R. 1604. An act conferring jurisdiction upon the Court of Claims to hear and determine the claim of Breinig Bros., Inc.; and

H. R. 2634. An act to provide transportation on Canadian vessels between Skagway, Alaska, and other points in Alaska, and between Hyder, Alaska, and other points in Alaska or the continental United States, either directly or via a foreign port, or for any part of the transportation.

On August 17, 1949:

H. R. 3417. An act to amend the act entitled "An act to provide for cooperation by the Smithsonian Institution with State, educational, and scientific organizations in the United States for continuing ethnological researches on the American Indians," approved April 10, 1928, and for other purposes; and

H. R. 3825. An act to amend the Federal Crop Insurance Act.

ADJOURNMENT

Mr. PRIEST. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 39 minutes p. m.), under its previous order, the House adjourned until tomorrow, Thursday, August 18, 1949, at 10 a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

866. A letter from the Chairman, United States Maritime Commission, transmitting a draft of a proposed bill entitled "To authorize the United States Maritime Commission to provide war risk and certain marine and liability insurance; to the Committee on Merchant Marine and Fisheries.

867. A letter from the Secretary of Defense, transmitting a draft of a proposed bill entitled "To authorize attendance of civilians at schools conducted by the Departments of the Army, Navy, and Air Force, and Joint-Service Schools, and for other purposes"; to the Committee on Armed Services.

868. A letter from the Secretary of the Army, transmitting a draft of a proposed bill entitled "For the relief of Mrs. Maud E. Raymond, widow of Alcide Raymond"; to the Committee on the Judiciary.

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. JENNINGS: Committee on the Judiciary. S. 934. An act to provide for the detention, care, and treatment of persons of unsound mind in certain Federal reservations in Virginia and Maryland; without amendment (Rept. No. 1273). Referred to the Committee of the Whole House on the State of the Union.

Mr. HESELTON: Committee on Interstate and Foreign Commerce. House Joint Resolution 338. Joint resolution to authorize the Administrator of Civil Aeronautics to undertake a project under the Federal Airport Act for the development and improvement of Logan International Airport at Boston, Mass., during the fiscal year 1950; without amendment (Rept. No. 1274). Referred to the Committee of the Whole House on the State of the Union.

Mr. PETERSON: Committee of conference. H. R. 2859. A bill to authorize the sale of public lands in Alaska; (Rept. No. 1275). Ordered to be printed.

Mr. PETERSON: Committee of conference. H. R. 2877. A bill to authorize the addition of certain lands to the Big Bend National Park, in the State of Texas, and for other purposes: (Rept. No. 1276). Ordered to be printed.

Mr. ENGLE of California: Committee of conference. S. 1647. An act to eliminate premium payments in the purchase of Government royalty oil under existing contracts entered into pursuant to the act of July 13, 1946 (60 Stat. 533) (Rept. No. 1277). Ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE 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. LANE: Committee on the Judiciary. S. 377. An act for the relief of Ernest J. Jenkins; without amendment (Rept. No. 1270). Referred to the Committee of the Whole House.

Mr. BYRNE of New York: Committee on the Judiciary. S. 1834. An act for the relief of the widow of Robert V. Holland; without amendment (Rept. No. 1271). Referred to the Committee of the Whole House.

Mr. KEATING: Committee on the Judiciary. H. R. 2087. A bill for the relief of S2c Joseph T. Sypko; with amendments. (Rept. No. 1272). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ALLEN of Louisiana:

H. R. 6022. A bill to increase the rates of compensation of certain employees of the Department of Medicine and Surgery of the Veterans' Administration, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BREHM:

H. R. 6023. A bill to provide more efficient dental care for the personnel of the United States Army and the United States Air Force; to the Committee on Armed Services.

By Mr. CARNAHAN:

H. R. 6024. A bill to amend the Federal Alcohol Administration Act with respect to labeling and advertising certain domestic whiskey as aged; to the Committee on Interstate and Foreign Commerce.

By Mr. CASE of South Dakota:

H. R. 6025. A bill to repeal the excise tax on the sale of electrical energy for domestic or commercial consumption; to the Committee on Ways and Means.

By Mr. HERTER:

H. R. 6026. A bill to establish a program of foreign economic development; to the Committee on Foreign Affairs.

By Mr. HORAN:

H. R. 6027. A bill to amend the Tariff Act of 1930, and for other purposes; to the Committee on Ways and Means.

By Mr. JENNINGS:

H. R. 6028. A bill to provide for the establishment of a ferry across the Powell River at or near Lead Mine Bend, Tenn.; to the Committee on Public Works.

By Mr. KEATING:

H. R. 6029. A bill to amend part VIII of Veterans Regulation No. 1 (a) so as to provide entitlement to educational benefits for those individuals who enlisted or reenlisted prior to October 6, 1945, on a same basis as for those individuals who enlisted or reenlisted within 1 year after October 6, 1945; to the Committee on Veterans' Affairs.

By Mr. MOULDER:

H. R. 6030. A bill to amend the Federal Alcohol Administration Act with respect to labeling and advertising certain domestic whisky as aged; to the Committee on Interstate and Foreign Commerce.

By Mr. PHILLIPS of California:

H. R. 6031. A bill to authorize an agreement between the United States and Mexico for the joint construction and operation and maintenance by the International Boundary and Water Commission, United States and Mexico, of a sanitation project for the cities of Calexico, Calif., and Mexicali, Lower California, Mexico; to the Committee on Foreign Affairs.

By Mr. QUINN:

H. R. 6032. A bill to amend section 5 of the Federal Alcohol Administration Act as amended, to provide a definition of the term "age" as used in the labeling and advertising of whisky; to the Committee on Interstate and Foreign Commerce.

By Mr. RANKIN:

H. R. 6033. A bill to provide for a preliminary examination and survey of the Hatchie and Tuscumbia Rivers in Mississippi and Tennessee, for the purpose of determining action necessary to control floods and provide proper drainage in the areas through which such rivers flow; to the Committee on Public Works.

H. R. 6034. A bill to provide for the establishment of a veterans' hospital for Negro veterans at the birthplace of Booker T. Washington in Franklin County, Va.; to the Committee on Veterans' Affairs.

By Mr. CHUDOFF:

H. R. 6035. A bill to amend the National Housing Act, as amended, and for other purposes; to the Committee on Banking and Currency.

By Mr. GRANAHAN:

H. R. 6036. A bill to authorize the construction of a research laboratory for the Quartermaster Corps, United States Army, at a location to be selected by the Secretary of Defense; to the Committee on Armed Services.

By Mr. LANE:

H. R. 6037. A bill to amend the National Housing Act, as amended, and for other purposes; to the Committee on Banking and Currency.

By Mr. BENNETT of Florida:

H. Res. 328. Resolution providing for the consideration of the bill H. R. 4766, to authorize certain construction at military and naval installations, and for other purposes; to the Committee on Rules.

By Mr. COOLEY:

H. Res. 329. Resolution providing for the consideration of Senate Joint Resolution 53, to provide for the reforestation and revegetation of the forest and range lands of the national forests, and for other purposes; to the Committee on Rules.

By Mr. LANE:

H. Res. 330. Resolution creating a Select Committee on Potato Price-Support Program in Aroostook County, Maine; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ENGLE of California:

H. R. 6038. A bill to provide for issuance of a supplemental patent to Charles A. Gann, patentee No. 152419, for certain land in California; to the Committee on Public Lands.

By Mr. HOFFMAN of Illinois:

H. R. 6039. A bill for the relief of Anna K. McQuilkin; to the Committee on the Judiciary.

H. R. 6040. A bill to provide for the naturalization of Leo Battistella; to the Committee on the Judiciary.

H. R. 6041. A bill to provide for the naturalization of Mrs. Annunziata Vittore; to the Committee on the Judiciary.

By Mr. KEATING:

H. R. 6042. A bill for the relief of Mannuel O. Zariquiey; to the Committee on the Judiciary.

By Mr. McCARTHY:

H. R. 6043. A bill for the relief of Anastazia Bolek; to the Committee on the Judiciary.

By Mr. MANSFIELD:

H. R. 6044. A bill for the relief of Anna Russo; to the Committee on the Judiciary.

H. R. 6045. A bill to direct the Secretary of the Army to reconvey certain land to the Missoula Chamber of Commerce, Missoula, Mont.; to the Committee on Armed Services.

H. R. 6046. A bill to reimburse the Missoula Chamber of Commerce, Missoula, Mont., for its expenditures in connection with the acquisition, and conveyance to the United States, of certain land for the enlargement of the Fort Missoula Military Reservation; 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:

1416. By the SPEAKER. Petition of John Jarrett and others, Chambersburg, Pa., requesting passage of H. R. 2135 and H. R. 2136, known as the Townsend plan; to the Committee on Ways and Means.

1417. Also, petition of Mary Herzog and others, Blaine, Wash., requesting passage of H. R. 2135 and H. R. 2136, known as the Townsend plan; to the Committee on Ways and Means.

1418. Also, petition of Mrs. C. A. Anderson and others, Seattle, Wash., requesting passage of H. R. 2135 and H. R. 2136, known as the Townsend plan; to the Committee on Ways and Means.

1419. Also, petition of I. C. Ellis and others, Orlando, Fla., requesting passage of H. R. 2135, and H. R. 2136, known as the Townsend plan; to the Committee on Ways and Means.

1420. Also, petition of St. Petersburg Townsend Club No. 1, St. Petersburg, Fla., requesting passage of H. R. 2135 and H. R. 2136, known as the Townsend plan; to the Committee on Ways and Means.

1421. Also, petition of Associated Townsend Clubs of Hillsborough County, Tampa, Fla., requesting passage of H. R. 2135 and H. R. 2136, known as Townsend plan; to the Committee on Ways and Means.

1422. Also, petition of Mrs. Mae Clayton and others, Tampa, Fla., requesting passage of H. R. 2135 and H. R. 2136, known as the Townsend plan; to the Committee on Ways and Means.

1423. Also, petition of West Palm Beach Townsend Club No. 1, West Palm Beach, Fla., requesting passage of H. R. 2135 and H. R. 2136, known as the Townsend plan; to the Committee on Ways and Means.

SENATE

THURSDAY, AUGUST 18, 1949

(Legislative day of Thursday, June 2, 1949)

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

Rev. Ralph Candler John, S. T. M., William Frazer McDowell professor of religion, American University, Washington, D. C., offered the following prayer:

Eternal God, Thou in whose mind a thousand years are as but a day and a watch in the night, we pause midst the rush of this bourne of time and place to acknowledge Thy sovereignty over our lives and to beseech Thy guidance. Our prayer is that Thou wilt help us to share the perspectives of Thy understanding, that small things may appear to be what they are and that great things may have their due share of the resources of our time and talent. We would live, O God, in a manner relevant to the needs of the day which Thou hast given.

Make us to know the benediction of Thy presence. Be with us for direction, for comfort, and for strength. Through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. McCARRAN, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, August 17, 1949, was dispensed with.

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.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 1279) for the relief of George Hampton.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

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

NOMINATION OF TOM C. CLARK TO BE ASSOCIATE JUSTICE OF THE SUPREME COURT

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

Mr. WHERRY. Mr. President, will the acting majority leader yield for a moment? We are working under a unanimous-consent agreement and it is very vital that the full amount of time be allowed to the proponents and the opponents of this nomination. I see the distinguished Senator from Michigan [Mr. FERGUSON] is present now. I am wondering——

Mr. FERGUSON. Mr. President, I hope a quorum call will be waived.

Mr. McCARRAN. I thought the Senator wanted a full Senate.