

By Mr. AUCHINCLOSS:

H. R. 9664. A bill for the relief of Miss Kwangnyeng Chu; to the Committee on the Judiciary.

By Mr. BURKE:

H. R. 9665. A bill for the relief of Mrs. Marie Weir; to the Committee on the Judiciary.

By Mr. RIBICOFF:

H. R. 9666. A bill for the relief of Humayag Dildilian and his family; to the Committee on the Judiciary.

H. R. 9667. A bill for the relief of Maria Smeriglia and Irene Smeriglia; to the Committee on the Judiciary.

H. R. 9668. A bill for the relief of Cornelia Jean Seager; to the Committee on the Judiciary.

By Mrs. ROGERS of Massachusetts:

H. R. 9669. A bill for the relief of Mrs. Helen Herlihy; to the Committee on the Judiciary.

By Mr. WHITE of California:

H. R. 9670. A bill for the relief of Santiago Juanche-Oroz; to the Committee on the Judiciary.

By Mr. YATES:

H. R. 9671. A bill for the relief of Mrs. Paula Slucka (Slucki) and son Arief Slucki; to the Committee on the Judiciary.

## SENATE

FRIDAY, SEPTEMBER 15, 1950

(Legislative day of Thursday, July 20, 1950)

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

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

Merciful Father, whose faithfulness is constant with all our fickleness, whose forgiveness outlasts all our transgressions against Thy holy love: We bemoan the delusions which have led us to mistake shadows for substance, we confess that by the opiate of our own achieving we were lulled into cushioned optimism. Now, with jarred and jolted minds, we see the whole circle of the world grown somber and terrible with the fires of battle and the rumors of war and the smoke of a judgment which engulfs us all.

In this day when Thou art sifting out the souls of men before Thy judgment seat, give us that penitence for our own sins, that contempt for our own prejudices, that hatred for our own hate, that shall enable us to put on the whole armor of God as we fight against the rulers of the darkness of this world, against spiritual wickedness in high places. Amen.

### THE JOURNAL

On request of Mr. LUCAS, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, September 14, 1950, was dispensed with.

### 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, without amendment, the following bills of the Senate:

S. 3517. An act to authorize the construction, operation, and maintenance of the Vermejo reclamation project, New Mexico;

S. 4118. An act to increase the appropriation authorized for the Air Engineering Development Center; and

S. 4135. An act to authorize the President to appoint Gen. Omar N. Bradley to the permanent grade of General of the Army.

The message also announced that the House had passed the bill (S. 4136) to include the Coast Guard within the provisions of the Selective Service Act of 1948 and to authorize the President to extend enlistments in the Coast Guard, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had severally agreed to the amendment of the Senate to the following bills and joint resolution of the House:

H. R. 163. An act to authorize Sacramento Valley irrigation canals, Central Valley project, California;

H. R. 1920. An act to amend the Columbia Basin Project Act with reference to State lands; and

H. J. Res. 334. Joint resolution to amend certain laws providing for membership and participation by the United States in certain international organizations.

The message also announced that the House had agreed to the amendments of the Senate to each of the following bills of the House:

H. R. 7709. An act to provide for the acquisition, investigation, and preservation of lands to commemorate the historic Fort Caroline settlement, St. Johns Bluff, Fla.; and

H. R. 7934. An act to reduce and revise the boundaries of the Joshua Tree National Monument in the State of California, and for other purposes.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 6319) to authorize a \$100 per capita payment to members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. PETERSON, Mr. MORRIS, and Mr. D'EWART were appointed managers on the part of the House at the conference.

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

H. R. 7332. An act to authorize an appropriation for cooperation with joint district No. 5, towns of Almon, Barthelme, Morris, and Seneca, and the village of Bowler, Shawano County, Wis., for the construction, extension, improvement, and equipment of public school buildings at Bowler, Wis., to be available to both Indian and non-Indian children; and

H. J. Res. 536. Joint resolution to provide for the reappointment of Harvey N. Davis and Arthur H. Compton as members of the Board of Regents of the Smithsonian Institution.

### LEAVE OF ABSENCE

Mr. LODGE. Mr. President, I ask unanimous consent to be absent from the Senate next week, if the Senate is in session, in order that I may attend the meetings of the General Assembly of the United Nations, to which I have been appointed a delegate and confirmed by the Senate.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). Without objection, the leave is granted.

### CALL OF THE ROLL

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

The VICE PRESIDENT. The Secretary will call the roll.

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

Anderson	Hill	Malone
Benton	Hoyer	Martin
Bricker	Holland	Millikin
Butler	Humphrey	Morse
Byrd	Hunt	Mundt
Cain	Ives	Murray
Chapman	Jenner	Neely
Chavez	Johnson, Colo.	O'Connor
Connally	Johnson, Tex.	O'Mahoney
Cordon	Kem	Robertson
Darby	Kerr	Russell
Donnell	Kilgore	Saltonstall
Douglas	Knowland	Schoeppel
Dworschak	Langer	Smith, Maine
Eaton	Leahy	Sparkman
Ellender	Lehman	Stennis
Ferguson	Lodge	Taft
Frear	Long	Taylor
Fulbright	Lucas	Thomas, Okla.
George	McCarran	Thye
Gillette	McCarthy	Watkins
Graham	McClellan	Wherry
Green	McFarland	Wiley
Gurney	McKellar	Williams
Hendrickson	McMahon	Young
Hickenlooper	Magnuson	

Mr. LUCAS. I announce that the Senator from California [Mr. DOWNEY] is necessarily absent.

The Senator from Mississippi [Mr. EASTLAND] is absent because of illness.

The Senator from Arizona [Mr. HAYDEN], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Pennsylvania [Mr. MYERS], and the Senator from Maryland [Mr. TYDINGS] are absent on public business.

The Senator from Tennessee [Mr. KEFAUVER] is absent because of illness in his family.

The Senator from South Carolina [Mr. MAYBANK] is absent by leave of the Senate on official business as an adviser to the Secretary of the Treasury in connection with the fifth annual meeting of the Board of Directors of the International Bank for Reconstruction and Development and the International Monetary Fund, which is being held in Paris.

The Senator from Florida [Mr. PEPPER] is absent by leave of the Senate on official business, having been appointed a member of the American group at the Interparliamentary Conference, being held in Dublin, Ireland.

The Senator from Utah [Mr. THOMAS] is absent by leave of the Senate.

The Senator from Kentucky [Mr. WITHERS] is absent on official business.

Mr. SALTONSTALL. I announce that the Senator from Vermont [Mr. AIKEN], the Senator from New Hampshire [Mr. TOBEY], and the Senator from Michigan [Mr. VANDENBERG] are absent by leave of the Senate.

The Senator from Vermont [Mr. FLANDERS] is absent by leave of the Senate on official business as a temporary alternate Governor of the World Bank.

The Senator from Maine [Mr. BREWSTER] and the Senator from New Jersey [Mr. SMITH] are absent by leave of the Senate as representatives of the Amer-

ican group to the Interparliamentary Union.

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

The senior Senator from Indiana [Mr. CAPEHART] is necessarily absent.

The VICE PRESIDENT. A quorum is present.

**REAPPOINTMENT OF HARVEY N. DAVIS AND ARTHUR H. COMPTON AS MEMBERS OF THE BOARD OF REGENTS OF SMITHSONIAN INSTITUTION**

The VICE PRESIDENT laid before the Senate the joint resolution (H. J. Res. 536) providing for the reappointment of Harvey N. Davis and Arthur H. Compton as members of the Board of Regents of the Smithsonian Institution, which was read twice by its title.

Mr. LUCAS. Mr. President, I ask unanimous consent for the immediate consideration of the joint resolution.

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

There being no objection, the joint resolution (H. J. Res. 536) was considered, ordered to a third reading, read the third time, and passed.

**AMENDMENT OF NATIONALITY ACT OF 1940—VETO MESSAGE**

The VICE PRESIDENT laid before the Senate a message from the House of Representatives, together with a message from the President of the United States, which were read, and ordered to lie on the table, as follows:

IN THE HOUSE OF REPRESENTATIVES, U. S.,  
September 14, 1950.

The House of Representatives having proceeded to reconsider the joint resolution (H. J. Res. 238) entitled "Joint resolution to amend the Nationality Act of 1940, as amended," returned by the President of the United States with his objections, to the House of Representatives, in which it originated, it was

*Resolved*, That the said joint resolution pass, two-thirds of the House of Representatives agreeing to pass the same.

(For President's message, see House proceedings of September 11, 1950, p. 14556.)

**OUT-PATIENT TREATMENT BY VETERANS' ADMINISTRATION—VETO MESSAGE**

The VICE PRESIDENT laid before the Senate a message from the House of Representatives, together with a message from the President of the United States which were read, and ordered to lie on the table, as follows:

IN THE HOUSE OF REPRESENTATIVES, U. S.,  
September 14, 1950.

The House of Representatives having proceeded to reconsider the bill (H. R. 6217) entitled "An act to provide greater security for veterans of the Spanish-American War, including the Boxer Rebellion and Philippine Insurrection, in the granting of out-patient treatment by the Veterans' Administration," returned by the President of the United States with his objections, to the House of Representatives, in which it originated, it was

*Resolved*, That the said bill pass, two-thirds of the House of Representatives agreeing to pass the same.

(For President's message, see House proceedings of September 8, 1950, p. 14452.)

**LIMITATIONS ON EXPENDITURE OF ECA FUNDS**

Mr. ROBERTSON. Mr. President, on yesterday in connection with the Wherry amendment proposing limitations upon the expenditure of ECA funds, the Senate faced an issue that was both critical and vital. Fortunately, we were able to reach a decision well calculated to protect American interests against the future shipment from ECA countries to the Soviet Union or any of its satellites of war material which might strengthen the military position of our former ally who, shortly after we had saved her from destruction on the battlefield, started a cold war against us which last June flamed into a shooting war in Korea.

In the course of the debate on the Wherry amendment I referred to and protested the shipment of machine tools from Great Britain to the Soviet Union. I think that all Members of the Congress and the American public in general will be interested in the front-page article published in the Bulletin and Scots Pictorial of Edinburgh of September 5 in which Mr. J. R. Greenwood, chairman of Craven Bros., Ltd., the Stockport machine tool makers, who have the Russian order but do not wish to fill it, bitterly criticized the British Prime Minister for taking the position that the Government could do nothing with respect to canceling the order.

I therefore ask unanimous consent for the article in question to be printed at this point in the body of the RECORD.

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

**PRIME MINISTER ACCUSED OF TALKING NONSENSE**

Accusing Mr. Attlee, the Prime Minister, of talking "utter nonsense" in his Saturday broadcast, Mr. J. R. Greenwood, chairman of Craven Bros., Ltd., the Stockport machine-tool makers, criticized the Premier on several points.

He said that for 2 years his company had tried to convince the Government that the continued supply by Britain of machine tools and other war potential to Russia and its satellites was in fact "crazy."

"We have pressed in the strongest terms the opinion that it is the urgent responsibility of the Government to give manufacturers a direct lead or precise instructions as to their duties," he stated.

Mr. Attlee's claim that these exports had not injured either Britain's home or other export requirements was merely to confess that he did not know the extent of the present demand for machine tools and other engineering equipment either at home or from friendly countries.

**LOST BUSINESS**

"Nor does he realize the amount of time which purchasers have to wait for the supply of urgently required plant or the amount of business Britain is losing in friendly countries and the Commonwealth because of the long deliveries manufacturing engineers are compelled to quote," he added.

"For Mr. Attlee and other Government spokesmen to say that an order which came into operation on April 8, 1949, effectively

prevents the export of strategically important machines is utter nonsense," Mr. Greenwood said.

"We claim that the export to the U. S. S. R. of any machine tools or other engineering equipment which can be used at present at home or in any friendly country immediately is doing essential damage to our defense needs."

Referring to Mr. Attlee's statement that inspection in factories was made under conditions which prevented any disclosure of secrets, Mr. Greenwood said that visiting inspectors can usually see much more than their own goods when visiting British factories.

"The plain truth is we are allowing a possible enemy to see the extent of our resources, which, in the company's opinion, is plain lunacy."

**TRANSACTION OF ROUTINE BUSINESS**

Mr. LUCAS. Mr. President, I ask unanimous consent that Senators be permitted to submit petitions and memorials, introduce bills and joint resolutions, and present routine matters for the RECORD, without long debate and without long speeches.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

**EXECUTIVE COMMUNICATIONS, ETC.**

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

**SUSPENSION OF DEPORTATION OF ALIENS**

A letter from the Acting Attorney General, transmitting, pursuant to law, copies of the orders of the Commissioner of the Immigration and Naturalization Service, suspending deportation of certain aliens, together with a complete and detailed statement of the facts and pertinent provisions of law and the reasons for ordering such suspension of deportation (with accompanying papers); to the Committee on the Judiciary.

**GRANTING OF APPLICATION FOR PERMANENT RESIDENCE TO CERTAIN ALIENS**

A letter from the Acting Attorney General, transmitting, pursuant to law, copies of the orders of the Commissioner of the Immigration and Naturalization Service, granting the application for permanent residence to certain aliens, together with a detailed statement of the facts and pertinent provisions of law in each case (with accompanying papers); to the Committee on the Judiciary.

**LAWS PASSED BY LEGISLATURE OF HAWAII**

A letter from the Director, Office of Territories, Department of the Interior, transmitting, pursuant to law, a copy of the laws passed by the Legislature of the Territory of Hawaii, Special Session of 1949 (with an accompanying document); to the Committee on Interior and Insular Affairs.

**PETITIONS**

Petitions, etc., were laid before the Senate and referred as indicated:

By the VICE PRESIDENT:

A resolution adopted by the City Council of Los Angeles, Calif., favoring an additional appropriation for the work of the Federal Bureau of Investigation in detecting plots of sabotage, spying, and infiltration; to the Committee on Appropriations.

A resolution adopted by the Ninety-fourth Infantry Division Association, in convention assembled at Boston, Mass., pledging their support to the United States and the United Nations in their policy of seeking to stop Communist aggression in Korea; to the Committee on Foreign Relations.



A letter in the nature of a petition from the National Association of Railroad and Utilities Commissioners, Washington, D. C., signed by Walter R. McDonald, general solicitor, relating to the amendment of section 410 of the Communications Act; to the Committee on Interstate and Foreign Commerce.

**PRICE CONTROL AND RATIONING—RESOLUTION OF WISCONSIN RETAIL FOOD DEALERS ASSOCIATION**

Mr. WILEY. Mr. President, I send to the desk a fine resolution which I have just received from F. B. Wienke, secretary-manager of the Wisconsin Retail Food Dealers Association. This resolution expresses the patriotic cooperation of the food dealers of my State in holding the line against unreasonable price increases and against hoarding. It also expresses a very sensible view on the importance of nondiscrimination in the event price control and rationing are invoked. I ask unanimous consent, therefore, that there be printed in the body of the RECORD the text of this resolution, and that following it, there be printed in the RECORD a list of the officers and directors of this fine association.

There being no objection, the resolution, together with the list of officers and directors, was ordered to be printed in the RECORD, as follows:

WISCONSIN RETAIL FOOD  
DEALERS ASSOCIATION,  
Milwaukee, Wis., September 13, 1950.

Senator ALEXANDER WILEY,  
Senate Office Building,  
Washington, D. C.

DEAR SENATOR WILEY:

**RESOLUTION NO. 11—SUPPORT OF THE FEDERAL GOVERNMENT**

Whereas there is at present an undeclared war which has caused some maladjustment in our economic life with hoarding and price rises; and

Whereas there is a probability of again having price control and rations imposed on the retail industry: Therefore be it

*Resolved*, That the Wisconsin Retail Food Dealers Association, assembled in convention in Milwaukee on August 6, 7, and 8, 1950, do hereby pledge to the President and the Congress of the United States their unqualified support in holding the line against unwarranted price increases and hoarding by retailer or individual; and be it further

*Resolved*, Should it become necessary to impose price control and rations, that it be imposed at all levels—producer, processor, manufacturer, wholesaler, retailer, and laborer alike and further that the system used be simplified as to regulation and order; be it further

*Resolved*, In the event that controls be instituted careful consideration be given by the Federal Government in the appointments of administrators from local, State, and national levels within the food industry and that these administrators be held responsible in the administration of the rationing program; and be it further

*Resolved*, That copies of this resolution be sent to the President of the United States and all Congressmen and Senators from the State of Wisconsin.

Resolution adopted.

Sincerely yours,

F. B. WIENKE,  
Secretary-Manager.

Officers: Fred B. Wienke, secretary-manager; Carl Canavan, president, Kenosha; Ralph Larson, first vice president, La Crosse; Robert Connolly, second vice president, Superior; Harold Seemann, third vice president,

Milwaukee; Frank E. Schuster, treasurer, Milwaukee. Directors: R. J. Frederick, chairman of the board, Beaver Dam; Ewald Schueler (1950), Janesville; Arley Johnson (1950), Wausau; Harry Quick (1951), Eau Claire; Melvin Weber (1951), Sheboygan; Ray Van Dyck (1952), De Pere; Frank Rappel (1952), Manitowoc.

**REPORT OF A COMMITTEE**

The following report of a committee was submitted:

By Mr. THOMAS of Oklahoma, from the Committee on Agriculture and Forestry:

H. R. 9313. A bill to amend the Agricultural Act of 1949; without amendment (Rept. No. 2573).

**ESTATE OF JAMES FRANCIS LINNANE**

Mr. GREEN. Mr. President, as acting chairman of the Committee on Rules and Administration, I desire to report from that committee certain resolutions, all of which have been unanimously ordered reported, and with respect to all of which I ask immediate consideration. First, from the Committee on Rules and Administration, I report favorably, without amendment, Senate Resolution 343, and I ask for its immediate consideration. The resolution was submitted by the Senator from Connecticut [Mr. McMAHON] on September 7, 1950.

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

Mr. WHERRY. Mr. President, reserving the right to object, I ask the distinguished acting chairman to make an explanation of what the resolution provides.

Mr. GREEN. This resolution and the next one I shall report provide for gratuity appropriations for former employees of the Senate. They have been submitted by Senators who claim that these individuals fall in the proper classification and that the gratuities are based on the customary tables.

Mr. WHERRY. I have no objection.

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

There being no objection, the resolution (S. Res. 343) was considered and agreed to as follows:

*Resolved*, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate to the estate of James Francis Linnane, late an employee of the Senate, a sum equal to 6 months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

**MARGERY OAKES OYSTER**

Mr. GREEN. Mr. President, from the Committee on Rules and Administration, I report favorably, without amendment, Senate Resolution 346, and I ask for its immediate consideration.

The VICE PRESIDENT. Is there objection?

Mr. WHERRY. Mr. President, reserving the right to object, I ask the distinguished Senator from Rhode Island if the resolution is similar to the one he has just explained?

Mr. GREEN. It is. The resolution was submitted by the Senator from

Maryland [Mr. TYDINGS] on September 8, 1950.

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

There being no objection, the resolution (S. Res. 346) was considered and agreed to, as follows:

*Resolved*, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate to Margery Oakes Oyster, widow of Richard W. Oyster, late an employee of the Senate, a sum equal to 6 months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

**PRINTING OF DOCUMENT ENTITLED "LOW-INCOME FAMILIES AND ECONOMIC STABILITY"**

Mr. GREEN. Mr. President, from the Committee on Rules and Administration, I report favorably, without amendment, Senate Resolution 347, and I ask for its immediate consideration. It provides for the printing of a document entitled "Low-Income Families and Economic Stability," as a Senate document.

The PRESIDING OFFICER. Is there objection?

There being no objection, the resolution (S. Res. 347) submitted by Mr. O'MAHONEY on September 11, 1950, was considered and agreed to, as follows:

*Resolved*, That the committee print entitled "Low-Income Families and Economic Stability" printed for the use of the Joint Committee on the Economic Report, be printed with illustrations as a Senate document.

**PRINTING OF DOCUMENT ENTITLED "FACTORS AFFECTING VOLUME AND STABILITY OF PRIVATE INVESTMENT"**

Mr. GREEN. Mr. President, from the Committee on Rules and Administration, I report favorably, without amendment, Senate Resolution 348, and ask for its immediate consideration.

The VICE PRESIDENT. Is there objection?

There being no objection, the resolution (S. Res. 348), submitted by Mr. O'Mahoney on September 11, 1950, was considered and agreed to, as follows:

*Resolved*, That the committee print of the Joint Committee on Economic Report, entitled "Factors Affecting Volume and Stability of Private Investment" be printed as a Senate document.

**ESTABLISHMENT AND MAINTENANCE OF THE NATIONAL PORTRAIT GALLERY**

Mr. GREEN. Mr. President, from the Committee on Rules and Administration, I report favorably, with amendments, Senate Joint Resolution 202, to provide for the establishment and maintenance of the National Portrait Gallery, and for other purposes, and I submit a report (No. 2574) thereon. I ask unanimous consent for the immediate consideration of the joint resolution.

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

Mr. WHERRY. Mr. President, reserving the right to object, I would appreciate it very much if the distinguished chairman would explain what the joint

resolution provides so the Members of the Senate may know on what they are voting.

Mr. GREEN. Mr. President, there is an accompanying report which I will summarize briefly. For a number of years it has been suggested from one source or another, sometimes as far back as 20 years, that there be established a National Portrait Gallery such as exists in the capitals of some other countries where the portraits of those who have been distinguished in developing the Nation may be exhibited together. We have a nucleus for such a collection which was made by Mr. Mellon, and which will be available for this gallery. But in addition to that, there are a great many portraits of distinguished men scattered around in public buildings, sometimes behind doors in committee rooms, sometimes in dark corridors.

The proposal is to transfer the portraits to the old court building, which is itself an architectural monument, and which stands on Judiciary Square, on Fifth Street and Indiana Avenue. That building, as I said, is of itself a monument of American art, and very appropriate for the purpose, because it is in the near neighborhood of the National Gallery of Art. The building belongs to the United States Government and it is proposed to transfer the title to the Smithsonian Institution, and to have the building administered by the trustees of the National Gallery of Art, in connection with the Smithsonian Institution.

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

Mr. ELLENDER. Mr. President, let me inquire what the building is being used for now.

Mr. GREEN. It is being used as a courthouse. When the new courthouse—the largest and newest in the Nation—is ready, perhaps in a year or so, the present courthouse will, under this proposal, be transferred to the National Gallery of Art.

Mr. ELLENDER. Is there any estimate of the cost of maintaining the building following such transfer?

Mr. GREEN. Not now. We wish to get authority for this purpose now, so as to take the initial steps toward making the collection.

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

Mr. ELLENDER. Mr. President, in view of the shortage of space for office purposes I think this measure should be deferred until we can look into the matter further, because the building will cost a great deal to operate.

The VICE PRESIDENT. The Senator from Louisiana objects, and the joint resolution will be placed on the calendar.

Mr. GREEN. If the Senator will withhold his objection, I should like to answer it. The same objection was made by the Bureau of the Budget.

As the report will show, we consulted with the courthouse authorities, the Smithsonian Institution authorities, the authorities of the National Gallery of Art, and the General Services Adminis-

tration, and the Bureau of the Budget. The officials of the latter two organizations made the same objection which the Senator from Louisiana has just made. For that reason two committee amendments were incorporated before the joint resolution was ordered reported by the committee. One of the amendments provides that, if at the time when the court moves from the present building to the new building the old building should be needed for national services, then it would not be transferred to the Smithsonian Institution until that emergency passed.

The other amendment provides that no appropriation or authorization shall be made originally, whereas provision had been proposed for authorizing the conversion of the building to a national gallery.

So the joint resolution as now reported would impose no additional expense, and none would ever be imposed unless Congress took further action in connection with this matter.

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

Mr. GREEN. I yield.

Mr. ELLENDER. Why not wait until the courthouse is vacated? There may be good use for that building for other purposes.

Mr. GREEN. There may be.

Mr. ELLENDER. As the Senator knows, we are now in the process of appropriating millions of dollars to provide additional space in which to house officials during the present war effort.

Mr. GREEN. That is very true.

Mr. ELLENDER. Why not defer this matter until a later time?

The VICE PRESIDENT. The Senator from Louisiana has objected, and debate is not now in order.

Mr. GREEN. I asked the Senator if he would not withhold his objection until I had a chance to answer his criticisms.

Mr. ELLENDER. However, I would still object.

Mr. GREEN. Does not the Senator wish to hear what the answer is?

Mr. ELLENDER. Yes.

Mr. GREEN. The Senator asked a question.

Mr. ELLENDER. Nevertheless, I will still object.

Mr. GREEN. I think that very likely, but I should like to have the answer in the Record.

The VICE PRESIDENT. The Senator from Louisiana has objected; and, following the objection, the joint resolution goes to the calendar.

Mr. GREEN. There is no calendar for the joint resolution to go to, is there?

The VICE PRESIDENT. Yes, a large one. The joint resolution will be placed on the regular calendar, as in the case of other measures.

#### STATEMENTS TO ACCOMPANY REPORTS OF COMMITTEES OF CONFERENCE

Mr. GREEN. Mr. President, from the Committee on Rules and Administration, I report favorably, without amendment, Senate Concurrent Resolution 79, and ask unanimous consent for its immediate consideration.

There being no objection, the concurrent resolution (S. Con. Res. 79) submitted by Mr. HAYDEN on March 8, 1950, was considered and agreed to, as follows:

*Resolved by the Senate (the House of Representatives concurring),* That there shall accompany every report of a committee of conference a statement, in writing and signed by at least a majority of the managers on the part of each House, explaining the effect of the action agreed on by the committee.

SEC. 2. The foregoing section shall be a rule of each House, respectively, and shall supersede any other rule thereof but only to the extent that it is inconsistent with such other rule.

#### PRINTING OF COMMITTEE PRINT ENTITLED "FEDERAL CORRUPT PRACTICES AND POLITICAL ACTIVITIES"

Mr. GREEN. Mr. President, from the Committee on Rules and Administration, I report an original resolution providing that the committee print entitled "Federal Corrupt Practices and Political Activities" be printed as a Senate document, and I ask unanimous consent for its present consideration.

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

The resolution (S. Res. 352) was read as follows:

*Resolved,* That the committee print entitled "Federal Corrupt Practices and Political Activities," printed for the use of the Senate Committee on Rules and Administration, be printed as a Senate document.

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

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

#### PRINTING OF ADDITIONAL COPIES OF SENATE REPORT NO. 2501, RELATING TO REVISION OF CHARTERS OF CERTAIN INTERNATIONAL ORGANIZATIONS

Mr. GREEN. Mr. President, from the Committee on Foreign Relations, I report an original resolution authorizing the printing of additional copies of Senate Report No. 2501, relating to revision of charters of certain international organizations, and I ask unanimous consent for its present consideration.

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

The resolution (S. Res. 353) was read, as follows:

*Resolved,* That the Committee on Foreign Relations, be authorized to have printed for its use 5,000 copies of Senate Report No. 2501, Eighty-first Congress, second session, a report on resolutions relative to revision of the United Nations Charter, Atlantic Union, World Federation, and similar proposals.

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

Mr. WATKINS. May we have an explanation of the resolution.

Mr. WHERRY. Mr. President, reserving the right to object, let me ask the distinguished Senator whether the resolution came before the committee for consideration.



Mr. GREEN. I do not know. It was sent to me and I was asked to report it.

Mr. WHERRY. I understand, but I should like to know whether the committee had a chance to act on the resolution.

Mr. GREEN. I was not at the last meeting of the committee, and I do not know whether it was taken up then or not. It was to have been taken up.

Let me state what the resolution is, and then I do not think there will be any objection.

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

Mr. WHERRY. I do not know that I shall object; but in order to have an opportunity to obtain an explanation, I shall reserve the right to object, and then I shall ask the distinguished acting chairman of the committee for an explanation.

Mr. GREEN. Very well. The report has already been printed. There has been such a call for it by the general public that various Senators have asked for additional copies. Some Senators have asked for 50 copies, some for 100, and so forth. The report was made to the Foreign Relations Committee by a special subcommittee, and it explains the various proposals which have been made for world government and similar organizations. The report is very useful to Senators. I think probably all other Senators have had the experience which I have had, in that when letters asking for information about various world agencies are received by us, it saves a great deal of writing to be able to enclose one of these pamphlets.

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

Mr. GREEN. I yield.

Mr. WHERRY. Has this pamphlet already been printed?

Mr. GREEN. Yes.

Mr. WHERRY. Does the Senator know how many copies were printed at that time?

Mr. GREEN. I think the ordinary number were printed—1,500.

Mr. WHERRY. Does the Senator know how much the bill will be, under this resolution?

Mr. GREEN. Four hundred and ninety-eight dollars and eighty cents.

Mr. WHERRY. Mr. President, I do not believe I will object.

The VICE PRESIDENT. Is there objection?

There being no objection, the resolution (S. Res. 353) was considered and agreed to.

#### BILLS INTRODUCED

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

(Mr. WILLIAMS introduced Senate bill 4157, to amend the Mineral Leasing Act for Acquired Lands to require competitive bidding for leases of deposits of oil and gas not within any known geological structure of a producing oil or gas field, which was referred to the Committee on Interior and Insular Affairs, and appears under a separate heading.)

By Mr. WILEY:

S. 4158. A bill for the relief of Teruko Okuaki; to the Committee on the Judiciary.

By Mr. DARBY:

S. 4159. A bill for the relief of Robert T. Wieland, Jr.; to the Committee on the Judiciary.

By Mr. HUMPHREY:

S. 4160. A bill to provide for the distribution to members of the armed forces on active duty of waterproof cards advising them with respect to the requirements for proving the incurrence of service-connected disabilities and to provide for the preparation and immediate forwarding to the United States of duplicate copies of medical records with respect to service-connected injuries or diseases; to the Committee on Armed Services.

#### TEMPORARY PERSONNEL FOR SMALL-BUSINESS COMMITTEE

Mr. SPARKMAN submitted the following resolution (S. Res. 354), which was referred to the Committee on Rules and Administration:

*Resolved*, That in making the inquiry authorized by Senate Resolution 344, the Select Committee on Small Business, or any duly authorized committee thereof, is authorized to employ upon a temporary basis such technical, clerical, and other assistance as it deems advisable, and is authorized, with the consent of the head of the department or agency concerned, to utilize the services, information, facilities, and personnel of any of the departments or agencies of the Federal Government. The expenses of the committee under this resolution, which shall not exceed \$5,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

#### HOUSE BILL REFERRED

The bill (H. R. 7332) to authorize an appropriation for cooperation with joint district No. 5, towns of Almon, Barthelme, Morris, and Seneca, and the village of Bowler, Shawano County, Wis., for the construction, extension, improvement, and equipment of public-school buildings at Bowler, Wis., to be available to both Indian and non-Indian children, was read twice by its title, and referred to the Committee on Interior and Insular Affairs.

#### SUPPLEMENTAL APPROPRIATIONS ACT, 1951—CHANGE OF CONFERE

Mr. MCKELLAR. Mr. President, yesterday the Senator from New Hampshire [Mr. BRIDGES] was appointed as one of the conferees on the part of the Senate on the bill (H. R. 9526) making supplemental appropriations for the fiscal year ending June 30, 1951, and for other purposes. I am informed by the Senator's office that he cannot be present. I therefore ask unanimous consent that he be excused, and that the Senator from Oregon [Mr. CORDON] be appointed in his place as one of the conferees on the part of the Senate.

The VICE PRESIDENT. Is there objection to the request of the Senator from Tennessee? The Chair hears none, and it is so ordered.

#### OUR LAST, BEST HOPE FOR PEACE—ARTICLE BY BERNARD M. BARUCH

[Mr. BYRD asked and obtained leave to have printed in the RECORD an article entitled "Our Last, Best Hope for Peace," written by Bernard M. Baruch and published in LOOK magazine for September 1950, which appears in the Appendix.]

#### NEED FOR IMPROVED RADIO SERVICE FOR THE FARM—EDITORIAL FROM FARM AND RANCH

[Mr. ELLENDER asked and obtained leave to have printed in the RECORD an editorial

entitled "Improved Radio Service Needed," published in the May 1950 issue of Farm and Ranch, which appears in the Appendix.]

#### COMMUNISM—QUOTATIONS FROM WILL ROGERS

[Mr. ECTON asked and obtained leave to have printed in the RECORD an editorial from the Bozeman (Mont.) Daily Chronicle of September 10, 1950, referring to communism, and containing quotations from the Autobiography of Will Rogers, which appears in the Appendix.]

#### ON THE PHILIPPINE FRONT—EDITORIAL FROM THE NEW YORK TIMES

[Mr. LEHMAN asked and obtained leave to have printed in the RECORD an editorial entitled "On the Philippine Front," published in the New York Times of September 11, 1950, which appears in the Appendix.]

#### ATTEMPT BY JOHN LIBED TO REENLIST IN THE ARMY—ARTICLE BY JAMES F. CUNNINGHAM

[Mr. LEHMAN asked and obtained leave to have printed in the RECORD an article dealing with the attempt of John Libed to reenlist in the United States Army, written by James F. Cunningham, United Press Staff correspondent, under date of September 12, 1950, which appears in the Appendix.]

#### OUR FLAG—POEM BY ALBERT RALPH KORN

[Mr. IVES asked and obtained leave to have printed in the RECORD a poem entitled "Our Flag," written by Albert Ralph Korn, which appears in the Appendix.]

#### WORK OF SUBCOMMITTEE ON PREPAREDNESS—ARTICLE BY JOHN G. NORRIS

[Mr. LONG asked and obtained leave to have printed in the RECORD an article entitled "Five Task Forces Delving Into Defense Costs," written by John G. Norris, and published in the Washington Post on September 10, 1950, which appears in the Appendix.]

#### ST. LAWRENCE SEAWAY AND ITS RELATIONSHIP TO NATIONAL DEFENSE—ADDRESS BY SENATOR HUMPHREY

[Mr. HUMPHREY asked and obtained leave to have printed in the RECORD a radio address delivered by him on the subject of the St. Lawrence seaway and its relationship to national defense, which appears in the Appendix.]

#### THIS CAN STOP RUSSIA—ARTICLE BY SENATOR BENTON

[Mr. ANDERSON asked and obtained leave to have printed in the RECORD an article entitled "This Can Stop Russia," written by Senator BENTON and to be published in the September 22 issue of CORONET magazine, which appears in the Appendix.]

#### THE WISCONSIN GENERAL ELECTION—STATEMENT BY SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the RECORD a statement prepared by him regarding the forthcoming Wisconsin general election, which appears in the Appendix.]

#### EAST OF THE IRON CURTAIN—EDITORIAL FROM THE CHRISTIAN SCIENCE MONITOR

[Mr. MUNDT asked and obtained leave to have printed in the RECORD an article entitled "East of the Iron Curtain," published in the Christian Science Monitor, which appears in the Appendix.]

#### DEATH OF CAPT. JOHN M. BIRCH

Mr. KNOWLAND. Mr. President, on September 5, in the course of some remarks I made in the Senate, I discussed the case of Capt. John M. Birch, of Macon, Ga., who had been killed by the Chinese Communists in 1945. On the

Saturday afternoon following that I received a telephone message from Macon, Ga., from the mother of Captain Birch, saying she was going to send me some material the family had relating to the case.

I have quite a file, but for the information of the Senate, I ask that there be inserted at this point in my remarks the following:

Copy of a letter from Mrs. Birch to me dated September 14, 1950.

A copy of a letter which John M. Birch, then a civilian missionary in China, wrote to the American Military Mission to China, in Chungking, saying that he wanted to offer his services to his country as a volunteer, and asking to be taken into the Army as a private.

The first communication received by Mrs. Birch informing the family that Captain Birch had been killed, at that time saying that it had been the result of some stray bullets.

A letter of September 28, 1945, from Charles B. Stone III, major general, United States Army, commanding, which gave a little information, but not the full story at that time. I may say, in fairness, that perhaps the commanding officer at that particular time did not have the full story.

A letter dated January 8, 1946, to Mrs. Birch, from one of the officers who had served with Captain Birch in China. I believe it gives a very accurate account of what took place, though not in all the details shown in the Army records.

Finally, a letter dated February 16, 1946, from Maj. Gen. Ra. T. Maddocks.

Mr. President, I shall have more to say about this case at a later date.

The VICE PRESIDENT. Is there objection to the request of the Senator from California?

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

MACON, GA., September 14, 1950.  
HON. WILLIAM F. KNOWLAND,  
United States Senate,  
Washington, D. C.

DEAR SENATOR: This is to express appreciation to you for the special delivery airmail letter, enclosing that part of the CONGRESSIONAL RECORD that dealt with our son, the late Capt. John M. Birch, following our telephone conversation on September 9—also to send you the information I spoke of to you then, which Mr. Birch and I have been making copies of and preparing to forward to you.

It has been difficult to know just what to send, not knowing what might be useful to you. However, we are sending all the material we have been able to secure concerning John's last mission and death, also some material concerning his activities prior to that time. We are also sending information regarding recommendations for awards, though I hope in a day or two to go into this more fully in a letter which will follow. You will note that in addition to the recommendation for DSC, with its supporting material, that there are recommendations for the Silver Star Medal, and for the Congressional Medal of Honor, none of which have been awarded.

There is much that Mr. Birch and I would like to tell you regarding the apparently deliberate suppression of truth, the misrepresentation, and even actual lies we met at every turn, while those in authority went through the motions of cooperating.

The removal of Johnson and the recommendation that General Marshall succeed

him, as we heard the news over the radio last evening by Fulton Lewis, Jr., indicates that it is just a matter of time until Formosa falls into Communist hands, unless something very drastic is done at once. To us it is tragic that with one hand our Government gives aid to Communists and with the other sends our boys to be killed by the very ones our State Department is aiding.

Sincerely,

Mrs. GEORGE S. BIRCH.

SHANGHAI, KIANGSI, April 13, 1942.  
The AMERICAN MILITARY MISSION TO CHINA,  
Chungking.

GENTLEMEN: I am writing to inquire as to the present opportunities for and the need of volunteer service in the United States Armed Forces in this part of the world.

I am an American citizen (recently registered with the consulate in Kunming), 23 years old, able-bodied, and single. I was first-honors man, Mercer University, Georgia, 1939, and an independent Baptist missionary in Jap-occupied Chekiang from July 1940 to the outbreak of war on December 8, 1941. Since then I have been preaching here in free Kiangsi, but am finding that increasingly hard to do on an empty stomach. (No word of funds from home since November.)

To continue my self-glorification—I can preach and pray, both in English and Chinese, can speak enough Mandarin to get by, can build and operate radio transmitters and receivers, can stand physical hardship. I believe in God, His Son, in America, and in freedom; I hold them all more precious than peace and more precious than my earthly life. I have lived for more than a year behind the Jap front lines, and what I have seen strengthens my belief in the worth of freedom and the need of destroying the Japanese Army.

Why all this "I" stuff?—because I want to join the Army. Why do I want to join the Army?—There are two reasons: First, I want to do my patriotic bit in pushing back the gang that is swarming on our boys in Bataan, P. I., and second, the above-mentioned empty stomach.

I should like to be a chaplain—I am an ordained Baptist minister (I think that's what they wrote in minutes of the Georgia Baptist Convention 1937-39), but if there is no demand for chaplains I should cheerfully tote a rifle, run a short-wave set, or drive a truck, or be an interpreter, or whatever they tell me to do. What pay does a private draw a month? \$21? That's more than enough for me. Please write me what my chances would be if I were to go to Chungking to volunteer, even if you have to write "nil."

Yours for victory,

JOHN M. BIRCH.

P. S.—I should go to you myself with this inquiry, but I have an infant church here that I can't leave for a long and possibly fruitless journey. J. M. B.

WAR DEPARTMENT,  
THE ADJUTANT GENERAL'S OFFICE,  
Washington, D. C., September 12, 1945.  
Mrs. GEORGE BIRCH,  
Macon, Ga.

DEAR MRS. BIRCH: It is with deep regret that I confirm the telegram of recent date informing you of the death of your son, Capt. John M. Birch, O889028, Air Corps.

The official casualty report states that your son was killed on August 25, 1945, en route to Suchow, China, on the Lunghai Railway, as the result of stray bullets.

In order that families may receive as much information as possible, provisions have been made for the unit commander or chaplain to send a letter containing further information to the emergency addressee or next of kin of each person who dies overseas in the service of our country. It is not known just when the letter can be expected, but it is hoped that it will not be long delayed.

I sincerely regret that this message must carry so much sorrow into your home and I hope that in time you may find sustaining comfort in knowing that he served his country honorably.

My deepest sympathy is extended to you in your bereavement.

Sincerely yours,

EDWARD F. WITSELL,  
Major General, Acting the Adjutant  
General of the Army.

SEPTEMBER 12, 1945.

The Secretary of War has asked me to express his deep regret that your son, Capt. John M. Birch, was killed in China August 25, 1945. Confirming letter follows:

EDWARD F. WITSELL,  
Acting the Adjutant General of the  
Army.

HEADQUARTERS FOURTEENTH AIR FORCE,  
APO 287, POSTMASTER,  
New York, N. Y., September 28, 1945.  
Mr. GEORGE S. BIRCH,  
Macon, Ga.

DEAR MR. BIRCH: It is with deep regret that I must inform you that your son, Capt. John M. Birch, was killed August 25, 1945. No doubt you have already been notified by the War Department.

Captain Birch was en route to Suchow, China, on the Lunghai Railway on an official intelligence mission. At one point along the route there was a clash between Chinese Central Government forces and irregular Chinese troops and your son was struck by a stray bullet. According to the reports received, his death was instantaneous and without pain. His body was interred outside the city of Suchow. The specific location of his burial place is in the process of being properly registered.

As an intelligence liaison officer of the Fourteenth Air Force, Captain Birch performed invaluable services which greatly aided the achievement of ultimate victory. His work was performed to a great extent behind enemy lines and often under hazardous conditions, in circumstances of extreme personal hardship and immediate danger. His unassuming manner, unswerving loyalty, and personal courage earned him the respect and admiration of officers and enlisted men among both American and Chinese units alike. In recognition of his exceptional accomplishments, he has been recommended for the Distinguished Service Cross. If the recommendation is approved, it will be presented to you by the War Department without the need of further inquiry on your part. You can well be proud of your son's overseas record and contribution toward victory. We will always cherish his memory.

In this moment of bereavement, I wish to offer the deepest sympathy of the officers and men of my command.

Sincerely yours,

CHARLES B. STONE III,  
Major General, United States Army,  
Commanding.

ST. LOUIS, MO., January 8, 1946.

DEAR MRS. BIRCH: I'm awfully sorry that this information has not reached you in detail before now. I assumed that headquarters would have relayed it to you as soon as I sent in my report. Otherwise I should have done my best to send it to you myself.

Everyone with whom I talked that had met your son spoke with deepest sorrow of his death. Chinese officers and civilian personnel of both Nationalist and puppet China, Japanese officers, whom I met in Hsueh, and all the American personnel that had served with him spoke of him as a friend and a wonderfully fine man.

In order to give you a complete picture of the situation in which your son was killed,



I shall try to give the whole story of the trip as I heard it from all the available sources. There was only one eyewitness to it, Lieutenant Tung, of the Chinese Army. I spoke to him last, after compiling all other reports into one which I presented to him. He read it over and, with a few minor corrections, approved it as the actual story. I'm afraid that, while General Stone's account, which he sent to you, was believed correct from the first information received, the fuller, later account I bring you will differ considerably. At the same time I am sure that it will give you a far better understanding of your son's heroism and personal stature.

To begin with, near Tsingtao, on the Shangtung Peninsula, there was Nationalist pocket of resistance and Captain Birch believed it essential that an American liaison team be sent there and wished to go himself. The station he had established seemed in a large part to have served its purpose. The northern area was becoming more and more important. He flew to Chungking and had his plan approved and then returned to his station to prepare for the move. The plan was to fly up from there.

However, without knowledge of the reaction of the Japanese in China to the surrender, the war area commander, Chinese, felt that flying would not be safe and said that he could assure the safety of rail travel through Hsuechow. It was decided, therefore, to go by train, though a plane was available.

All went well for the party, consisting of your son, Lieutenant Ogle, Captain Grimes, Sergeant Meyers, Lieutenant Tung, five other Chinese, and two Koreans, until the train reached a point about 50 miles from Hsuechow. There the locomotive broke down and the party decided to continue by handcar to Hsuechow. During this stage of the trip they were stopped three times by Communist bands. The first time Captain Birch went up and spoke to them. The party was allowed to proceed. The second time Lieutenant Tung spoke with him and again they were allowed to proceed. The third time they were stopped at a small country railroad station, where a larger band of Communists were located. Here again Lieutenant Tung got out and attempted to clear the way. Here, however, the Communists refused to consider anything until the party was disarmed. Lieutenant Tung brought this word back to Captain Birch and the two of them went to find out by whose authority this order was given and to clear up the situation. The rest of the party was left on the car.

Your son immediately demanded that he speak with the officer in charge, the man responsible for the troops and the order. Everyone disclaimed responsibility and said that the commanding officer was in the station building and assigned an orderly to lead them there. As they were being led around, your son asked, "With all the world again at peace, how can you continue to cause trouble? What are you, bandits or soldiers?"

They failed to find the commanding officer in the station or outside in the street and were finally led up to the same officer with whom they had spoken first. "This is the commanding officer," the orderly informed them. As they approached, Lieutenant Tung heard the Communist officer give the order, "Disarm him." This, Tung knew, could only apply to Captain Birch as he was the only one armed. He carried only a .45-caliber automatic at that. The act of disarming Captain Birch against his will would have made them virtually prisoners. In order to avoid this, Lieutenant Tung stepped forward, saying, "If you must disarm him, let me take his gun for you." The only answer he received was "Shoot him first."

One shot was fired and a bullet struck Lieutenant Tung in the upper leg. As he fell, a second shot was fired and he heard

Captain Birch exclaim, "Aye ya!" and assumed that he, too, fell. Lieutenant Tung says that he was so dazed by the shock that from this point on he was not able to see anything, but he heard the following. The officer then gave the order, "Bring them along," and your son answered, "Wo bu len dso la" (I cannot walk anymore). The officer ordered them carried along anyway. Soon afterward, he and Tung were left lying by the side of an open pit. All this took place at about 2 in the afternoon.

Apparently the rest of the party, waiting on the handcar, were overpowered, disarmed, and forced to accompany the band. They were, I believe, finally flown back to our headquarters after they had been walked to Yen-an. I can tell you a little about them as I left China while they were awaiting a plane in Yen-an and have not met any of them since then.

Early in the evening an old woman wandered past and said, "We had better bury these dead." Lieutenant Tung was just able to speak and said, "I am not dead yet, please help me." The woman hurriedly told him to be quiet, the Communists were still there. When they left, she said, she would come back and help. Later in the evening she came back with help and carried him to a shelter. They gave him what little first aid they could. Your son was dead when she found them and the farmers buried him nearby.

The next morning a group of Japanese came through who recognized Lieutenant Tung as a member of the American party who had stayed with their party the night before and rushed him to a first-aid station. They then wired Hsuechow, giving all the information they had. Lieutenant Tung was then transferred to Hsuechow to a hospital where they gave him the best treatment they had in the command.

As is always true in China, word of the projected trip had preceded the party to Hsuechow and the Chinese forces had been expecting them for several days. They immediately sent Colonel Mah and a party to the scene and questioned the local people. The farmers and townspeople took Colonel Mah to the temporary grave where your son had been buried. They then brought the body back to Hsuechow.

The day the party got back to Hsuechow, Lieutenant Miller, an American Army officer of the Air Ground Aid Service, who knew your son in the field, arrived. He took charge of the funeral and Captain Birch was buried with full military honors. His body was wrapped in white silk and placed in a Chinese coffin. Missionaries and Chinese pastors of all the Christian churches in Hsuechow took part in the ceremony and the high-ranking officers of both the Chinese and Japanese forces attended. A guard of honor of 20 Chinese and 20 Japanese soldiers marched with the procession. The whole city was put in mourning.

Your son is buried in a raised mausoleum on a hillside on the outskirts of the city between the graves two American fliers who died at Hsuechow. I was not able to go to the grave myself, but Lieutenant Miller, who selected the site, told me that it was beautifully situated and being well cared for.

I spoke to General Ho and General Tang, who were the ranking Chinese officers present. Each spoke as if he had lost a personal friend. General Ho told me that he was having a stone raised to your son's memory with the inscription engraved on it: "He died for righteousness." He said that all China and all Chinese had lost a personal friend and a strong supporter. I know that he spoke with all sincerity.

I hope that this gives you a full account of your son's death and that from it you can see the bravery and self-sacrifice which preceded it. It was he, who, in the face of probable danger went ahead for the safety of his party. So far as refusing or resist-

ing giving up his gun, he did no more to cause his death than any man in a position of responsibility and leadership should have done. He asked to know by whose authority soldiers of our allies (for the Communists at all times were classed as such, though they had little actual contact with us) were disarming an American-led party. This would be necessary under any circumstances.

I cannot say with absolute assurance just how your son died. I assume from the fact Lieutenant Tung heard no more from him that he died almost immediately. Lieutenant Tung was at no time separated from him.

I am ashamed to say that I do not know Lieutenant Tung's full name and address. I had that information but sent it in with my report to headquarters. What I can tell you is that he was sent to the American Army Hospital at Chungking and that the Fourteenth Air Force, the Air Ground Aid Service, and the headquarters of the Special Intelligence Branch of the OSS in Washington should have this information.

As to the personal property your son was carrying with him at the time of his death, all of it was apparently carried off by the Communists. It may be that the other members of the party were able to reclaim some of it, but I can tell you nothing of that.

It is very hard to judge the necessity and importance of any mission which costs the life of a man. But in the considered opinion of your son before undertaking the mission, and in the opinion of his immediate superior in Chungking, the mission seemed of highest importance. The statement that the war was over in China meant a great deal to all of us. But it didn't mean that peace was immediately at hand. There were still many missions involving danger which had to be carried out before the peace could be assured. One assurance of the importance of your son's last mission which you can have is that, as soon as possible, others were sent to complete it.

The Communist headquarters at Yen-an, as soon as they heard of the shooting, radioed their deepest apologies, stating that the action of the officer involved was unauthorized and completely against their express policies.

I am awfully sorry that you had to write to me for this information. I had assumed that you would have heard both from headquarters and from your son's many friends. I did not realize how limited a number of people had this information, or I should have written immediately.

I regret that I never knew your son personally because all I ever heard of him both before and since his death show me that he was a wonderful man. His work made him invaluable to the organization, and his goodness and character made him a person with whom anyone would be proud to be associated.

I know how hard it is to understand that death can strike so late in the war and how much harder it is when peace is at hand and one can assume that loss and bloodshed is over. My deepest sympathies go to you, and I hope that this letter can help you understand better how his death occurred.

Yours sincerely,

Lt. JOHN S. THOMPSON.

HEADQUARTERS, UNITED STATES FORCES,

CHINA THEATER,

APO 971, February 16, 1946.

DEAR MRS. BIRCH: Your letter of November 7, 1945, addressed to Colonel Murphy, of the Fourteenth Air Force, has reached this headquarters after a thorough search of the records remaining in China relating to your son, John's, Army service in China had been made.

With regard to the outstanding quality of your son's service during the war and the sympathy extended to you over his loss, I cannot do better than echo the sentiments expressed by General Stone, former commanding general of the Fourteenth Air Force,



In his letter to your husband on September 22, 1945. He died in action while on an intelligence mission with a field team of the Office of Strategic Services to which he had been temporarily assigned. I know, too, that the Chinese Government is cognizant of the valuable service he rendered to the Republic. In testimony of Chinese gratitude and respect, a military award has been made, together with recommendations for a burial pension, the erection of a memorial tablet at the place of his death, and a commendatory mandate of the Executive Yuan. In addition, the townspeople at Suchow have planned a small memorial cemetery at the place where his body now rests in an above-ground vault on the hillside overlooking the town. It is my understanding that the Adjutant General in Washington has already inquired of your and your husband's desire as to whether his body should remain in its present resting place.

Since most of the pertinent service records were sent to the United States at the time of the deactivation of the Fourteenth Air Force, in regard to obtaining material for writing a story of your son's service, I suggest that you direct inquiry to the Adjutant General, War Department, Washington 25, D. C. A final report of the Chinese Army is being awaited and will be forwarded to the Adjutant General.

I know your son's record must be a source of pride to you, and I have collected a file of true copies of military awards, including citations of the latest American and Chinese awards, letters of commendation and other testimonials of his service. These I am enclosing, together with photographs of the casket, while lying in state, and of the military parade and burial, attended by Chinese Nationalists, Chinese puppet and Japanese troops.

Again, extending my sympathy on the loss I know you must feel, and assuring you of my deep interest in making available to the War Department and indirectly to you, all available information, I remain,

Sincerely yours,

RAY T. MADDOCKS,  
Major General, UDA, Chief of Staff.

**EXCESS-PROFITS TAX—STATEMENT OF  
MINISTER OF FINANCE OF CANADA**

Mr. GEORGE. Mr. President, I should like to read into the RECORD a brief statement from the Finance Minister of Canada made on Thursday, September 7, 1950. It is as follows:

We have, of course, given thought to suggestions that we should reintroduce an excess-profits tax, but I think members in all parts of the house who had experience with our wartime excess-profits tax will agree that such a tax is not desirable under present circumstances. To be efficient and fair, an excess-profits tax needs a recent base period representing normal operating conditions for various classes of business, and a tax related to the average profits of the last 3 years would not be likely to yield much revenue during the next year or two. But the more important objection at this stage is that an excess-profits tax, particularly one at a high rate, becomes an invitation to extravagance and waste in corporate management, whereas, as I have already said, what we need most urgently now is maximum efficiency and production. I have no doubt that all honorable members know or will have heard of cases of such waste and extravagance. Furthermore, in spite of our best efforts to make an excess-profits tax as fair as possible, there are bound to be severe inequities under this kind of legislation. Under conditions of total war, many businesses would be compelled to accept these inequities and hardships. I am reluctant, however, to impose this severe type of regulation under present circumstances.

The statement by the Finance Minister of Canada is a most pertinent one.

**THE INTERNAL SECURITY BILL—  
EDITORIAL COMMENT**

Mr. MURRAY. Mr. President, I ask unanimous consent to have printed in the body of the RECORD editorials from leading newspapers regarding the McCarran bill, which was recently passed by this body. The editorials are as follows: From the Washington Post for September 15, 1950, an editorial entitled "Hodgepodge"; from the New York Herald Tribune for September 15, 1950, an editorial entitled "A Dangerous Road"; from the New York Post for September 14, 1950, an editorial entitled "Bad Day for Miss Liberty."

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

[From the Washington Post of September 15, 1950]

**HODGEPODGE**

The internal security legislation adopted by the Senate on Tuesday combines at least three radically different and essentially contradictory approaches to the Communist problem. It includes: (1) The President's recommendations to protect the country from the real and immediate threat of espionage and sabotage by Soviet agents; (2) the Kilgore-Douglas proposals to protect the country from the contingent, yet nevertheless serious, threat of Communist fifth column activities in case of war, invasion, or insurrection; and (3) the Mundt-Nixon-McCarran provisions to protect the country from the remote and wholly imaginary threat of subversion by Communist propaganda. The hodgepodge bill into which all these measures were scrambled for reasons of political expediency deserves sober and realistic analysis.

The existing laws which forbid and penalize espionage and sabotage have loopholes which urgently need plugging. The President sought to plug them by asking Congress to extend the statute of limitations on espionage and to make punishable the disclosure of defense information as well as defense documents; to authorize the promulgation of regulations for safeguarding defense plants, facilities, and installations; and to provide for the supervision of deportable aliens whose actual deportation is blocked by the countries from which they came. These are sensible precautions entailing no trespass on personal liberty. We believe, as we urged in a recent editorial, that Congress should have enacted these measures, concerning which there was no responsible dispute, in separate legislation. Unfortunately they are now tied up with the highly controversial sections of the omnibus bill.

The Kilgore-Douglas proposals deal with a danger that does not now exist but that may arise in the near future. It was reported just the other day that the Director of the FBI had told a congressional committee he would at once arrest some 12,000 suspected enemy agents if the United States should become involved in war with the Soviet Union. The number seems fantastically high, but there is no doubt that some suspect citizens as well as aliens would have to be rounded up and detained pending clearance in the event of war. Since there is now no legislation to authorize such executive action, it would be sensible to provide it in advance and to provide at the same time, as the Kilgore-Douglas measure does, a rational procedure for judgment and review of every case on an individual basis.

The Kilgore-Douglas proposals as actually incorporated into the omnibus bill would be put into effect only in case of war, invasion, or insurrection. The original version would have made them applicable additionally in case of an "internal security emergency"

jointly declared by Congress and the President. The Senate did well, we think, to eliminate this uncertain contingency in accordance with an amendment offered by Senator McCARRAN. Quite needlessly, in our opinion, it also adopted an amendment by Senator FERGUSON stating that nothing in the detention provisions should abridge any right guaranteed by the fifth and sixth amendments or suspend habeas corpus unless in conformity with the Constitution. This seems sheer surplusage.

Admittedly there are grave constitutional questions involved in legislation which authorizes detention on the ground of mere suspicion of an intent to commit espionage or sabotage. Such authorization is a drastic measure repugnant to American traditions. But it is meant to meet an unprecedented danger threatening the survival of the American society. The validity of the measure would have to be determined by the courts in the light of the danger. We think it preferable in any case that it should be undertaken in conformity with considered legislative authorization instead of on the basis of Executive expediency. The Kilgore-Douglas proposals represent a conscientious, careful attempt to reconcile security and freedom.

Senator McCARRAN's contributions to the omnibus bill—including the Mundt-Nixon Communist registration requirements and the Senator's own provisions for an asbestos curtain shutting out all aliens with inflammatory ideas—have no direct relation to security at all. These are measures that would do no injury to spies and saboteurs but would do irreparable injury to rights of expression and association. These are the measures which prompted President Truman—correctly and courageously, in our opinion—to declare that he would interpose his veto. They are the measures which led an honor roll of seven Senators to vote against the bill. They are so dangerous and corruptive that they outweigh all the commendable protections that the bill provides and make a Presidential veto imperative. The United States needs protection against Communist treachery, but this country has no occasion to fear Communist ideas.

[From the New York Herald Tribune of  
September 15, 1950]

**A DANGEROUS ROAD**

The McCarran internal-security bill is admittedly a catch-all; it contains what its author likes to call segments of a broad and diverse nature. Among these segments are the President's recommendations for tightening espionage laws, the amended Hobbs bill, the Mundt-Nixon bill, and (as it now stands) the Kilgore bill. Some of these are good, some bad, and the whole is a mixture which, it seems to us, could have been more effectively dealt with on a piecemeal basis. There is, however, one portion of the bill which has received from the public less attention than it deserves, and which casts across the entire measure a disconcerting cloud. This is the portion dealing with immigration and naturalization.

Senator McCARRAN's general attitude toward foreigners and their admission to this country was made unpleasantly familiar to the country during the long debate on the Displaced Persons Act. Much of the mistrust and narrowness which the Senator revealed during his obstinate fight against the DP's found expression in his omnibus immigration bill, S. 3455, introduced last April, and that is in turn extended into his internal-security bill. The parts of the immigration bill incorporated in the new measure ostensibly deal with subversion and sabotage, but they are so broadly and so loosely framed, so inclusive in their prohibitions, and so generally menacing to our traditions of freedom and tolerance that it



is difficult to foretell the lengths to which they might lead us.

Aliens to be denied admission to the United States are classified, for example, under a diversity of novel heads. Those would be excluded who seek to enter the United States "principally or incidentally to engage in activities which would be prejudicial to the public interest." Or, again, those would be excluded who at any time may have written or published, or had in their possession, printed matter advocating (among other things) "the economic and governmental doctrines of any \* \* \* form of totalitarianism." These, it seems to us, go far beyond the safeguards required. They are not directives defining the role of administrative officers, but are invitations to every form of exaggerated and hysterical intolerance.

Other provisions of the bill would prohibit the naturalization of an individual who within the preceding 10 years had been in any way connected with an organization registered with the Attorney General as subversive, and would hold one to be prima facie disloyal to the Constitution who, within 5 years of naturalization, was found to have joined such an organization. The effect of the latter provision would be to create a second-class citizenship, the members of which could be deprived of basic rights on technical grounds or as a result of ignorance or misjudgment.

The problem of internal security is a real one; its very urgency requires that it be treated with soberness, clarity, and a rooted respect for traditional liberties. It is highly regrettable that there should have been injected into the present bill a group of provisions of a patently dangerous character. The duty of the President and the Congress is plain: they must deal—and deal resolutely—with the menace presented by communism. That duty, unfortunately, has not been made easier by Senator McCARRAN's particular contribution in the fields of immigration and naturalization where he has so often before shown himself prejudiced.

[From the New York Post of September 14, 1950]

#### BAD DAY FOR MISS LIBERTY

In the final hours that preceded the Senate vote on the McCarran antisubversive bill the upper Chamber was a house of horrors. Free institutions are the heart of our strength as a nation; they are our best advertisement in the world; they are our noblest answer to the prison-system of the commissars. Yet in a fateful test in the United States Senate only a handful of men felt that freedom was a safe political banner. On both sides of the aisle grown legislators vied with each other in desperate rhetoric designed to prove that they are no longer charmed by Miss Liberty. Only seven men dared to defend her against the assault of the know-nothings.

Senator LEHMAN, Democrat, of New York, was one of the seven and we honor him for his stand. LEHMAN's lifelong hostility to communism requires no elaboration. The Communists in this State are dedicated to his defeat in November. But while others went mad, LEHMAN refused to be stampeded. He had served notice that he would support the Kilgore bill, providing for wartime internment of proved Communists; such legislation is predicated on the incontestable claim that, in the event of war between America and Russia, the Communist parties throughout the world will serve as disciplined, secret Soviet battalions. He similarly supported the President's plea for tighter laws against sabotage and espionage. To deal with those eventualities is one thing. The McCARRAN monstrosity is quite another. It is a blunderbuss bill which would entrap the innocent far more often than the Communists, restrict dissenting opinion, establish intolerable anti-immigration quotas and, in general, make all Americans suspect

and fear one another, as men do in Russia's slave states. Conservative and liberal newspapers joined in opposing the bill. But only 7 men dared to vote against a measure which was proclaimed to be antisubversive. The Members of the Senate were the first victims of their own frenzy. We are sure many of them voted for it with sick hearts and troubled consciences. But 7 Senators—including Ives of New York—voted for it.

Unless the bill is miraculously altered in the Senate-House conferences, we are confident Mr. Truman will veto it. He will display the courage of the frightened Senators' convictions. When he does so his political foes will rejoice, just as Senator LEHMAN's enemies are prematurely celebrating here. But Republicans in this State must choose their language with care. Two years ago a man named Thomas E. Dewey defeated Harold Stassen in the crucial Oregon primary and the decisive issue was Stassen's advocacy of extremist legislation which Dewey branded "thought control." In that memorable debate Dewey said many memorable things in defense of civil liberties. We quote: "Everywhere, these two conflicting schemes of life, the free system and the police state, are struggling for the soul of mankind. The free way of life will triumph so long as it remains free." Dewey was as right then as Lehman was 48 hours ago, and as President Truman will be when he vetoes the wretched document being prepared for him.

#### WORK OF JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES

Mr. BYRD. Mr. President, I ask unanimous consent to have inserted in the body of the RECORD at this point a statement prepared by me in response to the remarks made by the junior Senator from Minnesota [Mr. HUMPHREY] regarding the work of the Joint Committee on Reduction of Nonesential Federal Expenditures.

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

#### STATEMENT BY SENATOR BYRD

The Senator from Minnesota yesterday inserted in the RECORD a letter from himself addressed to a number of professional political scientists and the responses which he received from eight college professors. The letter was critical of the Joint Committee on Reduction of Nonesential Federal Expenditures. And it was concluded by an invitation for comment on the views which he had expressed as his own on numerous previous occasions.

The Senator's letter quoted Dr. George B. Galloway as saying: "I suggest that the Joint Committee on Nonesential Federal Expenditures be discontinued." In the Library of Congress, Public Affairs Bulletin 80, dated April 1950, Dr. Galloway on page 117 says, "It has been suggested that the \* \* \* committee should be discontinued." He says further that the "Byrd committee has done notable work. \* \* \* Dr. Galloway concludes this discussion with the statement that "some believe this committee \* \* \* should be continued in order to focus attention on opportunities for reductions in outlays."

Further in his letter the Senator from Minnesota quotes Dr. Paul Appleby, director of the School of Citizenship of Syracuse University, as saying the joint committee requested one large governmental department to "transmit all memoranda, plans, studies, recommendations, records, and orders involving administrative changes and reorganizations in the preceding half dozen years." He further quoted Dr. Appleby as complaining that scores of persons were involved for weeks in locating and assembling such papers,

and "assembled, they could have filled a dozen trucks."

As chairman of the committee, I do not recall the case of this unidentified agency, but I submit that any agency which indulges in writing administrative and reorganization orders at the rate of two truckloads a year is an appropriate object for investigation into its administration for efficiency and economy.

The Senator from Minnesota, since February 24, has engaged in recurring potshots at the committee, largely in the nature of misstatements—all of which have been refuted with documented replies.

His recent insertion in the RECORD of the academic comments by eight college professors prompts me at this time to submit the practical comment of five times that many newspapers representing every section of the country. To conserve space I have abstracted these editorials to a minimum of pertinent statements. And I have omitted quotations from hundreds of others, not only to save space but also to avoid publication in the RECORD at this time personal and political references. I have also received thousands of letters endorsing the work of the joint committee.

Waynesboro (Va.) News Virginian, February 28: "We hope \* \* \* the committee is retained. It is the only voice against governmental waste that remains in the National Capital."

Newport News (Va.) Times-Herald, February 25: "The thing to do is not to abolish the Byrd committee but to listen its sound advice."

Philadelphia (Pa.) Inquirer, February 26: "The committee's continuous studies of trends of spending has at least kept the Nation's attention focused on the problem of bringing greater efficiency into the Government."

Sioux City (Iowa) Journal-Tribune, February 27, "But would it be in the public interest to lop off the Byrd committee? To the Journal-Tribune, the answer is an unequivocal 'No.'"

Greenville (S. C.) News, February 26: "What you may think of Senator Byrd's influence in Virginia has nothing to do with a fair evaluation of the Byrd committee. Many of the ablest members of both parties testify that it is doing a necessary job and doing it splendidly."

Norfolk (Va.) Ledger Despatch, February 28, "The Byrd committee has served an important purpose and until other Government committees demonstrate greater capacity and willingness to take over the work the Byrd committee should be retained."

Roanoke (Va.) World News, March 1: "The people will be more than foolish if they do not come to the aid of the committee now."

St. Joseph (Mo.) Gazette, March 3: "Undoubtedly those who regard Government thrift as old-fashioned and unnecessary become irritated at the Byrd committee's frequent reports on Federal spending. That, in itself, is as good an argument for making certain that the committee keeps up its good work."

Washington (D. C.) Times-Herald, March 1: "The Byrd committee has been relentless in exposing the waste incident to the swollen Federal bureaucracy."

Philadelphia (Pa.) Bulletin, March 4: "This particular watchdog has done more than bark."

Bluefield (W. Va.) Telegraph, March 3: "If the Byrd group were to be dissolved tomorrow the whole cause of Government economy would suffer. It would be about as dreary a piece of penny-wisdom and pound-foolishness as Congress could devise."

Dubuque (Iowa) Telegraph-Herald, March 6: "This committee in its persistent demand for economy and its regular exposures of waste and extravagance has probably saved the country billions of dollars."

Roanoke (Va.) Times, March 9: "The Byrd committee is worth many times what it costs the taxpayers."

El Dorado (Kans.) Times, March 2: "The suggestions of this committee have been barbed, and evidently many of them have penetrated the thick hides of the spenders."

Fargo (N. Dak.) Evening Forum, March 4: "More vital today for the country than when it was established, the Joint Committee on Reduction of Nonessential Federal Expenditures . . . has rendered a fine service through its studies and in focusing attention on the problem of getting more efficiency in Government. . . . A bill has now been introduced to abolish the committee. . . . It should not prevail."

Petersburg (Va.) Progress Index, March 8: "One of the least inspiring suggestions made in Congress in a long time is that . . . of abolishing the Joint Committee on Nonessential Federal Expenditures. . . ."

San Antonio (Tex.) Express, March 1: "The Byrd committee furnishes . . . salutary statistics not available elsewhere in the Government. . . ."

Washington (N. C.) Star, March 6: "This joint committee never ceases its efforts to bring Government expenditures down to reasonable limits, and always supports its effort with evidence that said expenditures could be substantially reduced if the Government practiced sound economy. . . . Without this committee there is no telling what extremes of extravagance the administration would go to in wasting public funds."

Oakland (Calif.) Enquirer, March 6: "In honest fact the Byrd committee is one of the few good things that have existed under the New Deal, the Fair Deal, and other sodden elements that feed on the Public Treasury and that promote the socialization of America while professing hypocritically to regard the Constitution."

Kansas City (Kans.) Kansan, March 11: "The question of the Byrd committee's existence is one to be settled by the entire Nation and there is little doubt of what its decision will be."

Kenosha (Wis.) News, March 11: "One of the most recent cockeyed developments in Washington was . . . that the committee be abolished as 'nonessential.' . . . This is a preposterous suggestion. Kenoshans and taxpayers elsewhere throughout the land, and Congressmen, know . . . our best and most accurate source of information on Federal spending."

Ashland (Va.) Herald, March 9: "We hope the administration-sponsored move to kill the Byrd committee in Congress fails. This joint committee, which for so long has kept a watchful eye on unnecessary Government expenditures, serves a useful purpose and should not be allowed to die."

Butte (Mont.) Standard, March 12: "It so happens that this committee . . . has done more to make people conscious of Government spending than any other agency."

Boone (Iowa) News Republican, March 7: "Taxpayers as voters should indicate clearly that they want . . . the committee left as is."

Akron (Ohio) Beacon-Journal, March 4: "The committee acts as a watchdog for the taxpayers."

Mobile (Ala.) Press, March 13: "The reports of the committee indicate where spending can be cut off and waste eliminated."

Springfield (Ill.) Tribune, March 9: "It exposes additional examples of waste and duplication. The Byrd committee isn't wasteful—but it is embarrassing."

Wallace (N. C.) Enterprise, March 16: "We have not always agreed with the declarations of the committee, but it is just as well that somebody in Washington is concerned with the subject matter of the duties assigned to the joint committee"

Amsterdam (N. Y.) Recorder, March 14: "A look at the report of the Byrd committee which has just completed a study of nonessential Government spending is all that is needed to get a pretty good idea

of why government comes so high these days."

Norfolk (Va.) Virginian-Pilot, March 19: "By keeping the spotlight on Federal employment figures alone the Byrd committee has put a hook in the Federal Leviathan at one of its most vulnerable spots."

Stanton (Va.) Leader, March 19: "It is doubtful that Congress will support . . . the effort to get rid of useful Byrd committee reports. . . . Congress hasn't acted on the findings of the joint committee to the extent that it should but a majority seems to value the work of this body and to realize the strong public support which it has."

Independence (Mo.) Examiner, March 18: "A move . . . that is not appreciated by the economy-minded public is the introduction of a bill . . . to scrap the bipartisan committee."

Omaha (Nebr.) Morning World-Herald, March 18: "Evidently the Fair Deal socialists . . . nesting at Washington dislike to be audited. That supposition—and little else—would explain why some of them want to abolish the economy-minded Joint Committee on Reduction of Nonessential Federal Expenditures."

Mobile (Ala.) Register, March 20: "This committee has been doing a splendid job of emphasizing the opportunities for economy in operating the Federal Government. Undoubtedly the existence of this committee has been a definite and continuing factor in preventing extravagance from reaching even greater proportions during the last several years. The committee has been performing a useful service to the country. This service is unquestionably appreciated by an overwhelming majority of the American people. For the people are aware of the waste which has been going on in Washington. They know that they have to foot the bill for that waste. And they are grateful to those who are making efforts to check that waste."

Grand Forks (N. Dak.) Evening Herald, March 20: "The need for greater attention to matters of Government economy is becoming increasingly important. Inasmuch as the Byrd committee has found a sufficient number of nonessential Federal expenditures to earn the wrath of the administration it would seem the best interest of the public would be served by continuing the group."

New Haven (Conn.) Register, March 20: "The accomplishments of this committee speak for themselves. It has saved much that otherwise would have been frittered away. It has gone beyond this by preventing countless other raids on the Treasury by holding them up in advance to the spotlight of scrutiny and publicity."

Norwich (Conn.) Bulletin, March 20: "There was no chance that Congress would follow the suggestion to terminate the committee. It was looked upon as a drive against the man from Virginia because he was not afraid to place country above party."

Yakima (Wash.) Sunday Herald, February 26: "The group . . . has done much constructive work on behalf of the American taxpayers."

Shreveport (La.) Times, April 11: "The Byrd committee is an official body of both House and Senate created virtually without dissent by more than 500 Members of Congress."

Fond du Lac (Wis.) Commonwealth Reporter, April 21: "Effectiveness of the committee's work in keeping the public informed on what is going on financially . . . is indicated by the fact that some Members of Congress, especially some of the newer ones in the Senate, are becoming slightly perturbed. . . . Principal argument for the abolition of the committee is the ridiculous contention that . . . it overlaps the legislative Committee on Expenditures in Executive Departments. Even if this allegation were valid, it would be difficult to see why any man in public office would quar-

rel with any committee of Congress which urges economy and efficiency."

Bloomington (Ind.) Herald, June 2: "The committee has maintained a constant fire on Government spending, notably the Government payroll."

Grand Rapids (Mich.) Herald, March 23: "Now about that duplication business. The . . . committee may be dealing with the same expenditures and the same agencies of Government, but somehow its reports are quite a lot different."

Enid (Okla.) News, April 30: "The truth is that this committee, and sometimes it alone among the . . . committees of Congress, has stood firm against wasteful spending and acted as a searchlight showing up the wastes of the fiscal fantasy practiced by the administration."

Savannah (Ga.) News, June 6: "The Byrd committee is working in practical fashion to put a stop to wasteful Government spending and establish in Government operations some semblance of sound business practices."

#### HYSTERIA ABROAD IN LAND—ARTICLE BY THOMAS L. STOKES

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an article entitled, "Hysteria Abroad in Land," written by the eminent columnist Thomas L. Stokes, and published in the Washington Evening Star of September 15, 1950.

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

#### HYSTERIA ABROAD IN LAND—SEVEN HAILED FOR COURAGEOUS STAND AGAINST COMMUNIST-CONTROL BILL

(By Thomas L. Stokes)

Some tribute should be paid in passing to the seven Senators who stood up and were counted against the legislative potpourri which started out as the Nixon-Woodmundt-Ferguson bill, became known afterward as the McCarran bill, and is variously designated as the Communist control and internal security bill.

They were Senators GRAHAM, of North Carolina; GREEN, of Rhode Island; KEFAUVER, of Tennessee; LEAHY, of Rhode Island; LEHMAN, of New York; MURRAY, of Montana; and TAYLOR, of Idaho. All are Democrats by party, and, beyond that, democrats with a small "d" in this instance.

To Senator HERBERT H. LEHMAN, four times Governor of New York, is due special mention, since he is the only Senator up for reelection in November who voted against this measure, which contains, among its many provisions, some that are dangerous to our democratic tradition.

#### INDEX OF HYSTERIA

His very courageous stand dramatizes the meaning of what happened in the Senate—by its very rarity—and what seemingly is happening in our country. If the Senate is a representative body that reflects our people, as it is said to be, the overwhelming majority for the bill—70 voted for it—can only be taken, presumably, as an index of the extent of the hysteria among our people, or among enough of them to make a difference election-wise. That is a sad commentary on the state of affairs, especially since the Senate is further removed than the House from the passions and prejudices of the moment, with its 6-year tenure for Members and only a third required to face the voters every 2 years.

The mania abroad in our land, which is so unlike a proud, free people, already has been reflected in Congress, most recently in the groundless and reckless charges against a fine public servant, Secretary of the Interior Oscar Chapman, and associates in the Interior Department, by Senator SCHOEPEL, Republican, of Kansas, which the latter's own Republican colleagues were quick to disavow. Beyond



Congress, it has exhibited itself in numerous and fantastic ways, among them in the attempted purge of radio and television entertainers and performers at the mere whim of a self-appointed vigilante squad. This last sorry episode shows how quickly in these times those who are guardians of a part of our heritage of freedom of thought and expression can bow before the frenzy, for those who sponsor radio programs are endowed with responsibility also to preserve our traditions. They are in the keeping of all of us.

#### LIKE AMATEUR COOKS

Disillusioning, indeed, was the spectacle in the Senate when, like a lot of amateur cooks, our representatives were tossing their bits into the pot to fix up the McCarran legislative brew. It recalled, in a way, the old recipe for rabbit stew, in which the first item is to catch a rabbit.

Some little attention was given to the rabbit—the actual saboteur and spy—on which President Truman has placed chief emphasis in his recommendations for legislation, but many other provisions are found in the final product of the Senate cooks which infringe upon our fundamental rights of freedom of thought, speech, assembly, and person. They are so vague and broad that they could be used to persecute persons for unpopular beliefs, or even for progressive inclinations, and so destroy our traditional tolerance for our native brand of radicalism and progressivism which has contributed to the development of our democratic political philosophy and our society.

A number of Senators who were perfectly aware of these dangers, nevertheless, rationalized themselves into voting finally for the measure because it provided also needed tightening of our laws against spies and saboteurs, including concentration camps for such in event of war, which they supported as a substitute bill.

#### STATION WDEL, WDEL-TV

Mr. FREAR. Mr. President, I ask unanimous consent to insert in the body of the RECORD at this point a statement prepared by me expressing appreciation for the outstanding record of public service rendered by Station WDEL to the people of Delaware and surrounding areas.

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

#### STATEMENT BY SENATOR FREAR

As we approach the end of the Eighty-first Congress, I want to take this occasion to publicly express my appreciation for the outstanding record of public service which is constantly rendered to the people of Delaware and surrounding areas by a distinguished radio station in my State.

Station WDEL, which is now also WDEL-TV, has for many years been an integral part of Delaware's community life. It has always endeavored to follow a policy of service to the public. I am particularly grateful for the courtesy it has extended to me over the past 2 years in broadcasting a weekly report on congressional affairs which I issue regularly for the information of the citizens in my State. The extensive coverage afforded my remarks through the medium of WDEL, has brought widespread comments, and, what is even more important, opinions from many listeners concerning pending legislation. These views have been an invaluable source of information and guidance to me in reaching decisions on many important issues.

WDEL has also been most unselfish in offering its facilities to other public officials of the State for messages important to the welfare of our people. Supplementing this phase of its public-service program, WDEL's facilities have been widely used in many other ways. For instance, the station has for a number of years cooperated with safety

authorities in broadcasting traffic information and warnings to motorists. It has also been of much assistance to school authorities in relaying announcements regarding the opening or closing of schools. This is particularly true in times of heavy snowstorms when it has become necessary to close schools until roads have been cleared.

I could cite a number of other instances where this radio station has lent its all-out cooperation for the welfare of the communities it serves. For example, its daily program of farm information and weather news fulfills a tremendous need of farmers and city dwellers alike. WDEL's local programming, whereby many different individuals, groups and organizations are given an opportunity to present broadcasts of an entertaining and educational nature, is also a source of much satisfaction and pleasure to Delawareans.

High on its list of services are religious programs, a number of which are broadcast on a daily and weekly basis.

It is my feeling, Mr. President, that public attention should be drawn to these voluntary contributions on the part of WDEL, and for that reason I am happy to bring them to the attention of the Senate.

In singling out WDEL, I do not want to, in any way, indicate that Delaware's other radio stations do not perform important services as well, for indeed they do. All of our stations keenly recognize the necessity of providing their listeners with information of local interest. This is in addition, of course, to the many and varied broadcasts which emanate from their network facilities.

The radio outlets of our State, which, in addition to WDEL, include WILM, WAMS, WDOV, and WTUX, have all been most loyal public servants. They are a source of great pride to Delaware citizens, and they are splendid examples of public service organizations which contribute greatly to the American way of life.

#### ADEQUACY OF FUEL SUPPLIES IN NEW ENGLAND

Mr. BYRD obtained the floor.

Mr. BENTON. Mr. President, will the Senator from Virginia yield to me, in order that I may make two unanimous-consent requests?

Mr. BYRD. Yes, if I may do so without losing the floor.

The VICE PRESIDENT. Is there objection?

Mr. WHERRY. Mr. President, will the Senator explain the unanimous-consent requests he intends to make?

Mr. BENTON. My first request deals with a resolution from the Committee on Interstate and Foreign Commerce, by arrangement with the chairman of the committee, the Senator from Colorado [Mr. JOHNSON].

The second request—which I would postpone at the Senator's suggestion—relates to having the Senate take up a bill—

Mr. BYRD. Mr. President, if discussion is required in connection with those matters, of course, I must not yield.

Mr. BENTON. I concur that if these matters require any discussion, I shall postpone the request until a later time.

Mr. WHERRY. I simply wondered whether the Senator had in mind, in this connection, anything other than the housing bill.

Mr. BENTON. The other matter is a statement which will require 20 or 30 seconds, which I wish to make in accordance with an arrangement which has

been made with the Senator from Colorado.

Mr. WHERRY. I have no objection. The VICE PRESIDENT. Is there objection to permitting the Senator from Virginia to yield for that purpose? The Chair hears none, and the Senator from Connecticut may proceed.

Mr. BENTON. Mr. President, I am grateful to the Senator from Virginia, because I have been endeavoring to obtain the floor for this purpose for several days; and I do have engagements in Connecticut, as seems to be my weekend custom.

Mr. President, by arrangement with the distinguished senior Senator from Colorado [Mr. JOHNSON], I ask consent that the Senate proceed to consider the resolution (S. Res. 344) to inquire into the adequacy of fuel supplies in New England. The resolution calls for a modest inquiry into the adequacy of fuel supplies in New England now and for the coming winter, particularly with reference to the needs of small and independent business.

I think it is a wholly noncontroversial resolution. It does not call for any money. It was reported favorably, on Wednesday, by the chairman of the Committee on Interstate and Foreign Commerce. I can assure the Senate that this modest study will be undertaken in a very businesslike way, and I think it is of concern not only to New England but also to the entire United States, because of the many defense functions performed by New England industries. I shall ask for adoption of the resolution.

The VICE PRESIDENT. The clerk will state the resolution.

The LEGISLATIVE CLERK. A resolution (S. Res. 344) to inquire into the adequacy of fuel supplies in New England.

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

Mr. WHERRY. Reserving the right to object, I understand that the resolution has been reported by the Committee on Interstate and Foreign Commerce, a legislative committee, and that the resolution is now on the calendar. Is that correct?

Mr. BENTON. That is correct.

Mr. WHERRY. Was the resolution reported by the committee unanimously?

Mr. BENTON. So far as I know, it was. That is the report which came to me.

Mr. WHERRY. Of course, the committee would make this investigation with funds which have already been allocated to it as a legislative committee, would it not?

Mr. BENTON. With funds allocated to the Committee on Small Business; yes.

Mr. WHERRY. The Committee on Small Business?

Mr. BENTON. The Committee on Small Business does not have authority, as I understand, to report a resolution of this kind. Therefore it went through the Committee on Interstate and Foreign Commerce, and the inquiry will be referred to the Committee on Small Business.

Mr. WHERRY. Why is legislation needed? This sets up a committee to study the question, does it not?

Mr. BENTON. The resolution provides for a committee to make the investigation.

Mr. WHERRY. And the committee will be appointed from the Committee on Small Business, will it not?

Mr. BENTON. It will be appointed by the chairman of the Committee on Small Business.

Mr. WHERRY. Why can it not be handled by the Committee on Small Business without action being taken by the Senate?

Mr. BENTON. We had originally requested \$10,000, which was stricken out by the Committee on Interstate and Foreign Commerce. There may be a subsequent request for funds coming from the Committee on Small Business through the Committee on Rules and Administration.

Mr. WHERRY. That is the point I am making. If the Committee on Small Business is to make this investigation, I have no objection to it at all. But if the legislative committee, the Committee on Interstate and Foreign Commerce, is now to be authorized to make the study, that committee can make it through one of its legislative subcommittees with the funds it already has. However, if the purpose is to set up a committee, which will result in a request for an appropriation on the part of the Committee on Interstate and Foreign Commerce, I think the resolution should go to the Committee on Rules and Administration.

Mr. BENTON. As I understand, the resolution calls for no authorization now, but provides the background, so that if funds are later needed, a request for funds may be made by the Committee on Small Business.

Mr. WHERRY. I do not understand why the resolution does not go to the Committee on Rules and Administration for consideration. Can the Senator tell me why it should not?

Mr. BENTON. No money is now requested, and for that reason I understood it should not now go to the Committee on Rules and Administration.

Mr. WHERRY. Certainly it ought to go to some committee before it is considered by the Senate.

Mr. BENTON. Mr. President, I regret the delay. I did not expect this discussion. I had assured the Senator from Virginia it would not take long.

Mr. WHERRY. I am merely trying to assist the Senator.

Mr. BENTON. Yes; I know.

Mr. WHERRY. I am trying to find out why it should bypass the Committee on Rules and Administration.

Mr. BENTON. I have endeavored to explain to the Senator.

The VICE PRESIDENT. The resolution has been reported from the Committee on Interstate and Foreign Commerce.

Mr. WHERRY. I understand that. I appreciate the suggestion volunteered by the distinguished Vice President.

The VICE PRESIDENT. The Senator from Nebraska had suggested that it ought to be referred to some committee, and the Chair merely wanted to remind the Senator, in all good humor, that it had been referred to a committee and had been reported from a committee.

Mr. WHERRY. I appreciate that. But that is not the answer to my question. I asked why it should not be referred to a committee. I am not questioning that it has not been referred. I am asking why it did not go before the Committee on Rules and Administration. If there is no reason for so referring it, and if there is to be no future action by the Committee on Rules and Administration, I do not intend to argue about it.

Mr. BENTON. I do not anticipate any future action.

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

The VICE PRESIDENT. If the Chair may make a suggestion, without offense to anyone, he would suggest that the reason it did not and cannot go to the Committee on Rules and Administration is that the appropriation of funds was stricken from the resolution.

Mr. WHERRY. Mr. President, I appreciate that statement. But the Senator from Connecticut indicated a few moments ago that it might be necessary to have appropriations, at some future date in order to carry out the purposes of the resolution. It that not correct?

The VICE PRESIDENT. In that case it will be necessary to bring in a supplemental resolution.

Mr. BENTON. I assume that if it should become necessary to have an appropriation, a new resolution would be required.

The VICE PRESIDENT. Is there objection to the present considerations of the resolutions?

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

Mr. BENTON. I yield.

Mr. LUCAS. I understand that this resolution involves no funds to be appropriated from the contingent fund of the Senate.

Mr. BENTON. It involves no funds.

Mr. LUCAS. Therefore, there is no reason why it should go to the Committee on Rules and Administration.

Mr. BENTON. That is my understanding.

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

There being no objection, the Senate proceeded to consider the resolution (S. Res. 344) to inquire into the adequacy of fuel supplies in New England, which had been reported from the Committee on Interstate and Foreign Commerce with an amendment, on page 1, after line 10, to strike out:

SEC. 3. For the purposes of this resolution, the committee, or any duly authorized subcommittee thereof, is authorized to employ upon a temporary basis such technical, clerical and other assistants as it deems advisable, and is authorized, with the consent of the head of the department or agency concerned, to utilize the services, information, facilities and personnel of any of the departments or agencies of the Federal Government. The expenses of the committee under this resolution, which shall not exceed \$10,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

So as to make the resolution read:

Resolved, That the Select Committee on Small Business, or any duly authorized sub-

committee thereof, be authorized and directed to conduct a full and complete inquiry into the adequacy of fuel supplies in New England now and for the coming winter, particularly with reference to the needs of small and independent business.

SEC. 2. The committee shall report its findings, together with its recommendations for such legislation as it may deem advisable, to the Senate at the earliest practicable date but not later than December 15, 1950.

The amendment was agreed to.

The resolution, as amended, was agreed to.

#### PROVISION OF HOUSING AT REACTIVATED MILITARY INSTALLATIONS

Mr. BENTON. Mr. President, I had intended to take up another matter, but, in view of the lengthy discussion involved in the presentation of the resolution just agreed to I shall, in line with my understanding with the Senator from Virginia, postpone my efforts with respect to the second matter. I am grateful to him for having yielded.

Mr. WHERRY. Mr. President, will the Senator from Virginia yield, so that I may make a very brief statement to the Senator from Connecticut?

Mr. BYRD. Mr. President, I ask unanimous consent that I may yield for that purpose, without prejudicing my right to the floor.

The VICE PRESIDENT. Without objection, the Senator from Virginia yields to the Senator from Nebraska.

Mr. WHERRY. I wanted to state to the Senator from Connecticut that I am not going to object to the bill which I understand he desires to have considered. I thought he had asked unanimous consent to call it up. I knew nothing about the resolution. If the Senator wants to proceed with his housing bill, there is no objection on my part. I wanted the Senator to know that.

Mr. BENTON. Mr. President, could I delay the Senator from Virginia, and take a few more minutes?

Mr. BYRD. I yield for that purpose, with the understanding that it does not involve discussion.

The VICE PRESIDENT. Without objection, the Senator from Virginia yields to the Senator from Connecticut for that purpose.

Mr. BENTON. Mr. President, I am self-conscious about this matter, because of my understanding with the Senator from Virginia. On Wednesday, for myself, and for the Senator from Alabama [Mr. SPARKMAN], the senior Senator from Connecticut [Mr. McMAHON], and the Senator from Indiana [Mr. CAPEHART], I introduced a bill (S. 4145) to assist the national defense by authorizing the provision of housing at reactivated military installations, and for other purposes. I explained why the bill was not routed to a committee through the usual channels. The reason was that it dealt with an emergency situation, and the chairman of the Committee on Banking and Currency, to which I assumed the bill would be referred, was abroad on official business.

The bill is in the nature of a stop-gap, to serve until further consideration can be given to this problem in January by the Eighty-second Congress. It is wholly



a quick emergency bill, the purpose of which is to make a start toward the solution of a very real and a very human problem. As I explained, this bill would merely authorize the Housing and Home Finance Agency to use funds now on hand from the operation of temporary war housing under its jurisdiction to erect on or near military installations which have been reactivated since the outbreak of the Korean affair, livable housing of a prefabricated nature or other portable or mobile housing.

The particular thing which brought this matter to my attention is Camp Pickett, Va., where the boys from Connecticut are now stationed without suitable housing for their families.

Up to \$20,000,000 is authorized for such a program as is envisaged by this bill. Recently, the distinguished minority leader asked me whether the Housing and Home Finance Agency had \$20,000,000. I thought it had. I now discover it has but \$6,000,000, but it anticipates that, before the end of the fiscal year, it will have \$20,000,000, which will accrue through rents and sales of similar housing, for which the agency is responsible.

These houses would be reserved for rent to servicemen and their families, only; that is, to men on duty at Camp Pickett and other camps now being reactivated.

In the long run the bill would cost the Government nothing because adequate rent would be charged. If the crisis endures for a long time, as I fear it may, the entire cost would be repaid to the Government from the rents. However, if the crisis is short-lived, I agree that there might be some cost to the Government connected with this proposal. But there would still be the value in these demountable houses, and of course this is a loss which I think we would gladly pay on the assumption that the crisis will be short-lived.

At an estimate of \$7,500 per new unit, this authorization should be sufficient to supply something more than 2,500 new units. I am told—and the Senator from Washington confirmed this yesterday—that the Agency has now on hand 56,000 demountable units, largely occupied, but it could start with the ones that are unoccupied, and, as others become unoccupied, they could utilize as many of the 56,000 units as may be suitable. In that way the \$20,000,000 will be made to go as far as possible.

My present information is that a total of 21 other installations are being reactivated, including the four Army camps in Virginia, Indiana, Mississippi, and Kentucky.

Mr. President, only through this bill we now begin to provide vitally needed can we now begin to provide vitally needed housing facilities for the families of servicemen near the reactivated military installations at which the head of the family is on duty. From my own State of Connecticut, about 5,200 men are now on active duty at Camp Pickett, Va., due to the calling into Federal service of the Forty-third Division of the National Guard. As soon as I learned this was to occur, I started checking into the adequacy of housing near these

bases. By August 7 I had obtained enough information to send the following letter to the Secretary of Defense:

DEAR MR. SECRETARY: The Forty-third Infantry Division was recently notified that it is to be called into Federal service, in September. Of this New England division, about 5,200 men are residents of my States of Connecticut.

One of the many poignant problems accompanying a serviceman's transition from civilian to military life is the fact that at any time he may be torn from his family with the painful realization that he may never see them again. While this parting must occur earlier in some cases than in others due to varying reasons, it is imperative that this separation not be forced prematurely because of lack of adequate housing near the military installations in the continental United States where servicemen are ordered to duty.

I understand the Forty-third Division will be ordered to Camp Pickett in Virginia. I would appreciate your advising me what adequate housing is available to the families of servicemen in the immediate vicinity and whether Camp Pickett is being designated as a permanent military installation in order to make possible the construction of housing by private sponsors under title VIII of the National Housing Act, as amended (Public Law 201, 81st Cong., 1st sess., as amended).

Very sincerely yours,

WILLIAM BENTON,  
United States Senate.

A formal acknowledgment arrived quickly saying the matter had been referred to the Secretary of the Army. When no direct reply to my questions was forthcoming, I checked by telephone with the Army and urged the necessity of an early answer. I could not help but think that the day was approaching ever closer when these troops would have to leave Connecticut for Camp Pickett, and many families would have to break up which could remain together if there were adequate housing near the camp. I urged the Army to try to meet this problem.

On August 29, 1950, I received the following reply in writing:

DEAR SENATOR BENTON: Further reference is made to your letter of August 7, 1950, to the Secretary of Defense, regarding the availability of housing in the vicinity of Camp Pickett for the Forty-third Infantry Division.

The housing situation at Camp Pickett, Va., and immediate vicinity is very limited inasmuch as this installation, prior to its inactivation, was primarily used for training purposes. It is understood, however, that surrounding communities and the more populous centers of Petersburg and Richmond, Va., provide some opportunities for rental units.

It is expected that the current use of Camp Pickett will also be for training purposes only, therefore, housing at this installation does not qualify under provisions of title VIII, National Housing Act.

Your interest in this matter is appreciated. However, inasmuch as the reactivation of Camp Pickett was required as a result of the present international situation and since the continued activation of this facility is indefinite, the construction of additional housing units at this station cannot be justified at this time.

Sincerely yours,

T. A. YOUNG,  
Assistant to Chief.

This left me with the definite feeling that there was an inadequate supply of housing near Camp Pickett and that apparently no adequate plans were under way to relieve that shortage. Not satis-

fied to leave the problem unsolved, I then inquired of the Housing and Home Finance Agency and the National Security Resources Board what steps, if any, were being taken to remedy the situation of a housing shortage such as seems to exist at Camp Pickett. I received courteous and prompt replies from both agencies but I was still not satisfied that adequate plans were in process. I realize that many NSRB blueprints are of a secret nature but the information I received indicated there was no plan ready for immediate execution which would give relief to the families of the guardsmen going to Camp Pickett. I was assured there were plans to be implemented in event of a full mobilization. But that is no satisfactory answer to a guardsman who is being ordered to active duty now. For him that order is as full a mobilization as will ever come into his life as an individual. Many of these men have already been through one or even two wars and many have families. I appreciate the fact that the exigencies of warfare may send soldiers to areas where their families cannot follow, but it is a shame to force a premature separation from their families due to a shortage of housing.

I do not mean to criticize any individual or agency but I think the time has come when we must realize we have to prepare for some unpleasant situations and that a house "on paper" affords no shelter for a soldier's family.

I have the satisfaction that my inquiries prompted the agencies involved to cooperate in offering to work out an immediate plan for handling this situation. They have all been most helpful and it has been concluded that this bill is the best way to provide immediate relief.

Mr. President, before I ask unanimous consent for the consideration of this bill, I point out that it requires no additional appropriation. Immediate passage would send it to the House of Representatives with time in which we can hope for action before this session ceases to do business.

THE VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. CAIN. Mr. President, if this is the proper time to offer them, let me say that I have previously sent two amendments to the desk—

THE VICE PRESIDENT. It is not the proper time.

Is there objection to the consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 4145) to assist the national defense by authorizing the provision of housing at reactivated military installations, and for other purposes.

Mr. CAIN. Mr. President, I ask that the Clerk state the amendments, which I have sent to the desk.

THE VICE PRESIDENT. The Clerk will state the amendments offered by the Senator from Washington.

THE LEGISLATIVE CLERK. On page 1, line 6, it is proposed to insert after the word "prefabricated", the words "or other"; on page 1, line 10, after the numerals "1950", to strike out the period, insert a comma and "and is authorized

and directed to utilize for this purpose any available and suitable demountable housing under his jurisdiction which is unoccupied on the date of enactment of this act or which thereafter becomes unoccupied."

Mr. CAIN. Mr. President, these two amendments have been discussed previously with the Senator from Connecticut, and are acceptable to him. The first amendment would merely make certain that the demountable and mobile housing in question would not be restricted to prefabricated units. The second amendment would authorize the Housing Authority to utilize any available and suitable demountable housing under his jurisdiction which is unoccupied on the date of the enactment of the bill.

Mr. BENTON. Yes, Mr. President; the amendments improve and clarify the bill and make the money go as far as possible. They are wholly agreeable.

The VICE PRESIDENT. The question is on agreeing to the amendments offered by the Senator from Washington. The amendments were agreed to.

Mr. BRICKER. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The VICE PRESIDENT. The Clerk will state the amendment offered by the Senator from Ohio.

The LEGISLATIVE CLERK. It is proposed to add a new section 3, as follows:

SEC. 3. (a) To aid in procuring and financing housing necessary for the national defense, the Housing and Home Finance Administrator (hereinafter referred to as the "Administrator") is authorized—

(1) to organize and subscribe for the capital stock of a company or companies to be formed under the laws of the United States, or of any State, Territory, or insular possession, principally for the purpose of acquiring real estate or any interest therein, and developing and constructing all facilities necessary to comprise any rental housing project for military or civilian occupancy which is certified by the President, or such officer or agency as he may designate for the purpose, as necessary or useful for the national defense: *Provided*, That the entire capital stock of any such company shall be subscribed by the Administrator (excepting such stock as may be subscribed by and issued to Federal Housing Administration in connection with the insurance of mortgage loans by such Administration): *And provided further*, That, for the purposes of this paragraph (1), the Administrator is authorized to expend not exceeding \$10,000,000 from monies derived from the operation or rental of housing pursuant to Public Law 849, Seventy-sixth Congress, as amended.

(2) to cause such housing projects to be sold, for cash or on such credit terms as the Administrator shall determine, as expeditiously as possible taking into consideration the continuation of their need for the purpose of housing military personnel or defense workers and the public interest.

(b) The organizers, directors, and officers of any such company shall be officers or employees of the Housing and Home Finance Agency and shall serve without additional compensation, but the Housing and Home Finance Agency shall be entitled to reimbursement for the value of their services and for such other services and facilities furnished to such company. Services performed by any officer or employee of the Housing and Home Finance Agency in behalf of any such company, so long as the capital stock of such company is held by the Administrator, shall for all purposes be deemed and considered services performed in the employ and in

behalf of the Housing and Home Finance Agency.

(c) The Reconstruction Finance Corporation is hereby authorized and directed upon certification by the Administrator that the proposed housing project has been approved by him, to make and manage loans to any such company for the purpose of financing the development of such housing project and for the general expenses and overhead of such company, such loans to be made at such interest rate as the Reconstruction Finance Company shall prescribe, and upon the security of a first lien or deed of trust: *Provided*, That, to the extent practicable, such loans shall be insured by the Federal Housing Administration: *And provided further*, That the encumbrance of any such housing project with liens or other charges subject and subordinate to the liens securing loans insured by the Federal Housing Administration shall not operate to vitiate or impair such insurance to any extent whatever. The total amount of investments and loans made by the Reconstruction Finance Corporation, pursuant to this section, shall not exceed \$100,000,000 outstanding at any one time.

Mr. BENTON. Mr. President, I welcome the amendment offered by the Senator from Ohio. It carries the idea still further.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Ohio.

The amendment was agreed to.

The VICE PRESIDENT. The question is now on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### ANNOUNCEMENT AS TO RECESS OVER SATURDAY

Mr. LUCAS. Mr. President, last night I made the announcement that under the circumstances, because of the disagreement on the tax bill in conference, the Congress would not be able to adjourn or take a recess tomorrow evening. That is a certainty, now; and when the Senate concludes its business this afternoon a recess will be taken until Monday. We will come back on Monday and see what will happen next week.

#### APPOINTMENT OF GEN. GEORGE C. MARSHALL TO THE OFFICE OF SECRETARY OF DEFENSE

The Senate resumed the consideration of the bill (S. 4147) authorizing the President to appoint General of the Army George C. Marshall to the office of Secretary of Defense.

Mr. BYRD. Mr. President, in the absence of the Senator from Maryland [Mr. TYDINGS], the chairman of the Armed Services Committee, I should like to make an explanation of Senate bill 4147, the purpose of which is to authorize the President to appoint the General of the Army, Gen. George C. Marshall, as Secretary of Defense.

On Tuesday, September 12, the Armed Services Committee of the Senate was called into emergency session to receive a message from the President of the United States. Senator TYDINGS, chairman of the committee, read a letter from President Truman, in which it was stated that Mr. Johnson had resigned as Secretary of Defense, that the President desired to appoint Gen. George C. Marshall and requested that the Armed Serv-

ices Committee report promptly to the Senate legislation which would make possible this appointment.

After a discussion, the bill now pending in the Senate was reported by a vote of 10 in favor and 2 opposed. One Senator, the Senator from New Hampshire [Mr. BRIDGES], was absent. The 2 Senators opposing the legislation made clear that their opposition was not directed at General Marshall but that they did not believe it wise to make an exception to the basic unification law, passed in 1947, which provided, in section 202:

There shall be a Secretary of Defense, who shall be appointed from civilian life by the President, by and with the advice and consent of the Senate: *Provided*, That a person who has within 10 years been on active duty as a commissioned officer in a Regular component of the armed services shall not be eligible for appointment as Secretary of Defense.

It is necessary to modify that section in order to appoint General Marshall. Senate bill 4147, favorably reported by the committee, provides that this section is amended and that the President "is authorized to appoint the General of the Army, George C. Marshall, to the office of Secretary of Defense."

Let me emphasize, Mr. President, that the pending bill has specific application only to General Marshall. I would not support a suspension of the present law except under this condition, namely, that if the nomination of General Marshall is confirmed by the Senate the pending bill terminates at the time he retires from this position. It should be clearly understood that the unification law prohibiting such an appointment is modified only to the extent that it applies to General Marshall. No other part of the unification law is amended by this pending bill.

I stated in the committee meeting, and I repeat, that I would strongly oppose repeal or suspension of section 202, which I have quoted, but I support it only because in this emergency it applies to General Marshall alone.

I think the report of the committee clearly sets forth the position of the majority of the committee, and as it is short I shall read it. It is as follows:

General Marshall has had a long and distinguished career in public life. The committee feels there is no question but what he is eminently qualified to fill the very important position of Secretary of Defense.

The committee does feel, however, that the proviso contained in the above quotation from the National Security Act of 1947 is a wise restriction and is necessary if our traditional concept of civilian control over the military is to be maintained. The committee, therefore, takes the position that although the existing limitation against the appointment of a military man as Secretary of Defense should remain in the permanent law, the seriousness of the situation facing this Nation, coupled with the outstanding ability and prestige of General Marshall, fully justify an exception to the general rule. The proposed legislation has, therefore, been drafted in such a manner that it distinctly retains all permanent provisions of present law, but specifically excepts General Marshall from the limitations which would restrict his appointment as an individual to this very important post.

In filing this report and recommending the enactment of this proposed legislation the committee wishes emphatically to reaffirm



the principle enunciated in the proviso quoted above and to make it clear that the instant case is being treated as an exception justified by the gravity of the present world conditions and the great capacity, integrity, and prestige of Gen. George C. Marshall.

Two members of the committee, the Senator from California [Mr. KNOWLAND] and the Senator from Washington [Mr. CAIN], filed minority views, which I assume they will desire to discuss in their own time.

With respect to General Marshall's compensation, as provided in the pending bill. He now receives \$18,761. The bill provides that in the event the salary prescribed by law for the Office of Secretary of Defense exceeds such pay and allowances, General Marshall shall be authorized to receive the difference between such pay and allowances, and such salary. Therefore General Marshall will receive a total compensation of \$22,500 after crediting his present compensation, an increase of \$3,739 a year, should he be appointed and should he be confirmed by the Senate.

Mr. President, upon completion of 40 years of military service, General Marshall retired on February 28, 1947. In November 1945 the President announced that he was appointing General Marshall as his Special Ambassador to China. General Marshall arrived in China on December 19, 1945; he returned to the United States on January 8, 1947, at the end of his mission. After his return from China General Marshall was appointed Secretary of State and held office from January 21, 1947, to January 20, 1949.

As one who had a part in framing the Unification Act, prohibiting the appointment of a Secretary of Defense who had been on active duty within 10 years from the date of his appointment as a commissioned officer in a regular component of the armed services, I have a sympathy and understanding of the opposition of those who do not desire to establish a precedent which would make possible the appointment of those in the armed services as Secretary of Defense. I am fully and absolutely in accord with the principle that in normal times the Secretary of Defense should be a civilian, but the conditions confronting us today are not normal. We have been maneuvered into a position where we are fiscally vulnerable from within and so greatly extended in our commitments that we may be militarily vulnerable from without. Our reverses in Korea have resulted in a great loss of prestige in the military power of this country throughout the world.

It is possible for Russia to involve this country in a number of side-line wars through the activities of her communistic satellites.

One more sideline war would place this country in an extremely embarrassing position, to say the least. We cannot be oblivious to the great perils that confront us, and only an impregnable national defense may save us from ultimate disaster. It is my firm conviction that the chief deterrent to another world war is our strong national defense, which, unfortunately for us, we have not attained even though we have spent more than \$50,000,000,000 in military preparations in the past 4 years.

I have disagreed with General Marshall on his foreign economic policies, and others here have differed with him on some questions, but I do not believe there can be any difference of opinion, from a standpoint of a military leader capable of preparing this country militarily for any contingency that may occur, that General Marshall has supreme capacity in that field. He has demonstrated his great capacity many, many times.

Besieged, as we are, by perils on every side, I feel it is our obligation, as representatives of the people, to place in this position of authority a man who, above all others, is best capable to perform the duties of Secretary of Defense. General Marshall has the confidence—the nearly complete confidence, I may say—of the American people. I happen to know, from a personal experience, that he is completely devoid of political ambition, and I will give the Senate a personal instance of this.

About 10 years ago I prepared an article in which I suggested the wisdom of the nomination by the Democratic National Convention of General Marshall for the Presidency of the United States. I thought he would make a good President. That was about 10 years ago. In some way General Marshall heard of the article I had prepared, and he called me and asked me not to publish the article, although it had already been accepted by one of our leading magazines and was virtually in print. He said he had never had, did not have then, would never have in the future any political aspirations, and would not accept any political office. That is what happened 10 years ago. At that time General Marshall was 59 years old. He is now 69. He said then he had no political aspirations, never had, and never would have in the future. So I think we can rest assured that there is nothing to the fear of some people that General Marshall, holding the great power of Secretary of Defense, might use it for political purposes.

He desires only to serve the people of this Nation in his most effective capacity. He has both great ability and an integrity of mind and heart which inspire confidence in all who come in contact with him. General Marshall's appointment will serve notice to all the world that we intend to have an impregnable national defense, efficiently administered in such a way as not to impair our fiscal solvency. It will do much to repair the loss of prestige occasioned by our reverses in Korea.

Again I emphasize that the suspension of the provision in the Unification Act is taken at a time of crisis. This is a time of great crisis. I feel that the United States confronts today the greatest perils in its history since the days of the Revolution. We are menaced on many fronts. We are fighting on one front, and we may be compelled to fight on other fronts, without Russia firing a gun or losing a soldier. For that reason we need to have in charge of national defense operations the ablest talent we can obtain, because the very existence of our country depends upon adequate defense. So I emphasize that this action is being taken at a time of crisis and is

limited to the occupancy of the office by one man. Such legislation has never been enacted by the Congress of the United States. The bill permits the President to name one man for appointment to a great office, and only to that extent does it modify existing legislation.

It may be asked, "Are we so destitute of ability in this country that there is only one indispensable man?" I say no man is indispensable, but I challenge any man who opposes this measure to point to another person who is better qualified than General Marshall to fill this office in this day of great peril. If present conditions did not exist I would be the first to oppose such legislation, but I favor it because of my appreciation of our difficulties, anxiety, and fear in the face of the conditions which now confront America. So here under this bill one man, designated by name, selected because of his supreme qualifications, a man who has never had political aspirations and never will, would be permitted by law, to be named Secretary of Defense.

I repeat that in my opinion that no man in America or in the world can exceed General Marshall in his capacity for military tactics, which means adequate military preparedness. When we speak of a great military leader, we must concede that General Marshall knows military preparedness which is the very basis and foundation for military success. That, Members of the Senate, is what we lack today.

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

Mr. BYRD. I yield.

Mr. THYE. General Marshall also has the ability to work with men.

Mr. BYRD. That is correct.

Mr. THYE. General Marshall may do much to bring together all leaders of the North Atlantic Pact countries, which would bring about a strong military unit. I have followed the very able Senator's eloquent statement relative to General Marshall, and it is very encouraging and most heartening to me in this time of world crisis.

Mr. BYRD. I thank the Senator.

So a man is being selected by reason of his supreme qualifications; a man who has never had political aspirations, and never will; a man who has unselfishly served his Nation in periods of great emergency, and who is outstanding in the military field, both at home and abroad.

Under these conditions, with the legislation so limited, I do not believe it establishes a precedent for the future, unless the Congress of the United States desires in some other instance or some other great crisis to select a military man on a temporary basis as Secretary of Defense. Let us remember that this proposed legislation will die when General Marshall retires from office. When he retires it would be wiped off the books. It applies only to one man. It does not make a permanent change in the law. It is limited specifically to one man and for one purpose. It would aid the President and our military leaders to prepare the United States to meet her enemies, and not suffer further reverses of the kind such as have occurred in Korea.

Let me say that I believe we have suffered a most harmful blow to our prestige because of our inability and apparent unpreparedness to meet the challenge of the North Koreans. That is a subject which can come up for discussion at some future time.

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

Mr. BYRD. I yield.

Mr. KERR. In the formation of the Republic, when the Constitutional Convention met and looked about for the one who would be the most effective and successful man to preside over their deliberations, whom did they call?

Mr. BYRD. George Washington.

Mr. KERR. Had he been a military man?

Mr. BYRD. He had been.

Mr. KERR. They wrote a provision in the Constitution that a civilian should always take authority over the military, and in preparing that document they called the highest military man there was to preside.

Then, when they formed the Republic and chose the first President, whom did they call?

Mr. BYRD. George Washington.

Mr. KERR. He who had been the successful Commander in Chief. His military activities did not constitute a limitation upon his ability to serve in a great civilian capacity in either instance; did they?

Mr. BYRD. They did not.

Mr. KERR. I thank the Senator.

Mr. BYRD. I thank the Senator for his observations. In my judgment, George Washington did more than any other single man ever did for the United States of America. I do not say it in pride merely because he happened to be born in Virginia, but if we had to point to one man who did more than any other to establish the American Republic and chart its course along sound lines of progress, in my judgment, it would be George Washington.

Mr. GURNEY. Mr. President, will the Senator from Virginia yield?

Mr. BYRD. I yield to the Senator from South Dakota.

Mr. GURNEY. I am sure the Senator remembers that many times during and even before World War II, when the committees of Congress called upon General Marshall for information as to preparations, and then as to the progress of the different armies all over the world, every time he came before a committee and explained the situation the Members felt they had all the information there was on the subject about which they were inquiring, and that they were getting information straight from the shoulder. He gave us the reasons for his statements, and I am sure that every time Congress felt that when detailed information was necessary for Congress in carrying on the war effort it was not being withheld.

I should like to say that in my opinion General Marshall was more responsible for the success of our efforts in World War II than any other man. I believe the American people should remember all of the successes he achieved during World War II, and the different commanders all over the world who were selected by George Marshall. In my

opinion, all their successes went back to the ability, the sound judgment, the clear thinking of General Marshall.

I for one wish to endorse all the statements the senior Senator from Virginia has made about George Marshall. I shall support the bill as it came from the Committee on Armed Services.

Mr. BYRD. I thank the Senator. I do not contend that General Marshall is a perfect man. I have never yet seen a perfect man. Such a man may exist on the earth, but I have not seen one. General Marshall no doubt has made mistakes. I do not agree with him on economic aid to Europe. Perhaps he is right, and I am wrong. Perhaps some others do not agree with him on the Chinese situation, and perhaps they are wrong, and he is right; I do not know. But I challenge anyone to contradict the statement that when it comes to military preparedness, when it comes to military strategy, there is no man in America, or even in the world, who surpasses George Marshall. When the country gets into a corner, as we are in one today, menaced here and there, menaced far more than many of us realize, it is fortunate to have a man like George Marshall on whom we can call.

Russia knows what to do. We have given her the formula. We have not been able so far to end the war in Korea. All she has to do is to start satellite wars here and there, depending on us to divide our forces and spread them all over the world.

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

Mr. BYRD. I yield.

Mr. KERR. Does the Senator think the country is entitled to the best we have?

Mr. BYRD. I think that if we do not get the best we have, we will get something that will destroy us.

Mr. KERR. Is it possible that we cannot afford to take less than the best?

Mr. BYRD. We cannot afford to take less, and we cannot afford to take any chances.

Let me make one comment about preparedness which I do not think has been discussed. We had a trained army of 1,600,000 soldiers when the South Koreans were invaded by the North Koreans. We have spent \$20,000,000,000 on the subsistence and the training of those soldiers in the past 4 years.

Yet, so far as I can find, we did not have 100,000 or 50,000 properly trained soldiers to put into the Korean conflict. I may not state the figures accurately; I do not ask for confidential information, but that is my opinion. Why was it that after spending \$20,000,000,000, not on the entire Military Establishment, because that expenditure was \$53,000,000,000, but after spending \$20,000,000,000 on the subsistence and training and payment of these soldiers, of 1,600,000, we had so few to put into the front-line combat in Korea who were trained? Of course we all know what has occurred due to this lack of preparedness.

I believe the appointment of General Marshall will give confidence everywhere. The other countries of the world will have faith in the capacity of America. We are arming the small nations all over the world. What good will that

do if they do not fight? It will be harmful, because in the end Russia will take the arms and use them against us when the ultimate showdown comes, if it does come.

I know the appointment of General Marshall will increase the confidence of the other countries. He is known everywhere. He is known in Russia, and the world will know that America had decided to get down to brass tacks, to practical application of the art of war, and to do whatever was necessary to defend ourselves and build up our national defenses in every respect possible.

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

Mr. BYRD. I yield.

Mr. WHERRY. I should like to refer back to the amount of money that was spent on the military forces when we were so short of foot soldiers in Korea. The distinguished Senator is an authority on the finances of the United States Government, and, as I understand, the appropriations for the fiscal year for which we are now appropriating may aggregate about sixty-one or sixty-two billion dollars. We do not have it figured up to the last dollar, but does the Senator have any figures as to how many additional foot soldiers we will have with an appropriation of that size?

Mr. BYRD. I believe it is proposed that we have three million in the armed services. Of course, that applies to all branches.

Mr. WHERRY. How many soldiers will that cover?

Mr. BYRD. I do not know; I have not the answer.

Mr. WHERRY. I do not know whether the Senator heard the remarks of the Senator from Massachusetts a few days ago, but it seems to me that the present plans call for only about six divisions, though I am not sure of the figure. It was certainly a small number of divisions.

The President of the United States is Commander in Chief of the Armed Forces, is he not?

Mr. BYRD. He is.

Mr. WHERRY. The amount that is being appropriated is his plan, is it not, and does the Senator mean that the Secretary of Defense will make recommendations which will be above those of the President of the United States?

Mr. BYRD. I do not think that follows at all. The recommendations for expenditures all are channeled through the President. The military asked for \$17,000,000,000, in addition to the normal appropriations, in the bill which was passed by the Senate last night. As I understand, there will be about \$17,000,000,000 more appropriated than the so-called regular appropriations, which run about twelve or thirteen billion.

Mr. WHERRY. I understand that, but of the total appropriations we are making for this fiscal year, the military appropriations will run well over \$60,000,000,000, and while some money might be used for manpower across the water, yet my understanding is, if my figures are correct, that there will be an increase of about six divisions. I am talking about men on the front, because it takes a good many men to support



the men on the front. My understanding is that the Commander in Chief has recommended what I have stated, and if there is to be more appropriated, and if the program has to be overhauled, I think General Marshall is the man to do it.

Mr. BYRD. I should like to complete my statement about our defense. We have spent \$53,000,000,000 in the past 4 years. That includes the cost of the atomic energy activities. We date that expense, when we make it applicable to our present defense, from July 1, 1946. I do not think it is fair to take the expenditure from the termination of the war in August 1945 with Japan, up to 1946, as a part of our present defense, because those expenditures were incurred largely in connection with World War II. But it is certainly reasonable to hold the armed services to an accountability for the fact that from July 1, 1946, to July 1, 1950, \$53,000,000,000, including the atomic energy cost, have been expended for national defense purposes. It is very difficult to secure a breakdown of these expenditures, but I think I can say from my investigation—and I am making it in more detail—that of the \$53,000,000,000 only a small percentage was spent for the procurement of military equipment.

Four billion dollars was spent for airplanes. Only \$600,000,000 was spent for weapons of war. Only \$600,000,000 in those 4 years was spent for tanks, for rifles, and for artillery, et cetera. Of course it is true that we had a large carry-over of war equipment from the last war. I do not want to criticize, without going into all the facts. But it is the fact that of the \$53,000,000,000, \$4,000,000,000 was spent for aircraft procurement, \$600,000,000 for so-called weapons of war, \$1,000,000,000 for radar, of which I greatly approve, and I think we should go further in that respect. I want to see the day when we have a radar screen around the country, no matter what it costs, because I think that is the greatest protection we can have here at home, affording, as it does, an opportunity to detect planes which may come to our shores with hostile intent. I should like to have the protection of radar without regard to cost.

Two billion dollars was spent for research and development. I thoroughly approve of that. I compliment the armed services for what they have done in that direction. I think they are making great progress in that direction. We cannot discuss the subject of guided missiles and such other new inventions on the floor of the Senate. But I want to give the armed services credit for what they have done along that line.

When we add those figures up we find that of the \$53,000,000,000 spent, only a small percentage of the total went to the procurement of arms, even assuming that \$3,000,000,000 of the total went to the cost for development of atomic energy, something for which we should not be given specific information, and for which I have not requested specific information, because that should be a secret of the Government.

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

Mr. BYRD. I yield.

Mr. GURNEY. Leaving out atomic energy, my information is that of the last \$24,000,000,000 appropriated to the Defense Establishment, the Defense Establishment received 40 percent of the \$24,000,000,000 in things they could use, such as ordnance, rolling equipment, guns and airplanes. That, of course, is understandable, because we do have a highly paid Army. Food and clothing cost a great deal of money. Much money goes into research. But that is the record of the last \$24,000,000,000 which covers a couple of years, as the Senator knows. I thought I should offer that information.

Mr. BYRD. Of course, I am taking a 4-year period. We have spent in the past 4 years \$1,000,000,000 for the reconditioning of ships, which is all right. So of the total amount, \$20,000,000,000 was spent for subsistence and other payments to the soldiers of the armed services and \$10,000,000,000 was spent for civilian employees. That is to say, 20 percent of the total was spent for civilian employees. We still have one civilian employee for every two in uniform. It now costs the Government \$4,254 a year to maintain each soldier in our Armed Forces, and it cost \$1,074 for World War II. That is one of the reasons I am for universal military training. I believe we should have universal military training in a long-range defense program. I believe we will be bankrupted if we have to pay \$4,000 a year for every soldier in our Army, and then keep a great standing Army. No nation has ever stood such a cost as that, during a long period of peace, in the history of the world. I believe the sooner we enact a universal military training law the better it will be for this country, because it is a long-range program that is confronting us.

The problem we face is not going to be settled tomorrow or the next day. If the Korean incident were closed tomorrow, it would not be a drop in the bucket in the solution of our problems in the world before we get back to normal conditions. The end of the Korean incident, in my judgment, will settle nothing. It has no military value. The very moment Russia declares war we would have to evacuate Korea. Everyone knows that to be so. That has been in the military plans ever since there was a possibility of war with Russia. Yet we are in Korea, fighting 10,000,000 Koreans who live in a country the size of the State of New York. Incidentally we have had more casualties there than the newspapers report, and we are not yet beginning to see daylight, though the war has been going on for more than 3 months. We are fighting a nation of 10,000,000, and quite a good deal of the military resources are now being diverted to the Korean War.

In conclusion let me say that I would not under other conditions support a military man for the position of Secretary of Defense. I was one of those who sought to strengthen the unification bill as far as possible by preventing the appointment of a military man. But I think that in the situation which confronts us we have got to call on the best talent available, and if the Senate believes that George Marshall is not the best talent we have, then the Senate should reject the bill. Indeed, it would

be the duty of the Senate to do so, because unless he represents the best talent available, we should not change the law as we are proposing to do now. We should not do it, even though we consider him to be the best talent available, if it were not for the crisis which confronts the Nation.

It is all right to say that we are for General Marshall but we are opposed to changing the law. Unless we change the law we cannot obtain General Marshall, because the law now on the statute books prohibits his appointment. So that is the question before the Senate. Do we think General Marshall is the best man in this hour of great peril and great crisis, for this particular position, or do we think that someone else can do the work? If I entertained the view that there is available a man equal to General Marshall, possessed of as much experience and having as great a worldwide knowledge as he has, I would vote against the proposed change in the law, because I think the change is being made as a course of last resort, and because of the condition the Nation is in. When a man gets his back to the wall, with enemies on all sides, he has got to do things he would not do under normal conditions.

By choosing General Marshall we will give notice to the world that we are going to get down to brass tacks, and do something about preparedness for America; that we are going to spend money for it, and are going to get results from the spending of the money. That is why I appear today in support of a change in the law which I myself helped to write, and which I thought we would never have to change. But in this changing world we have got to change with conditions if we are to survive. One cannot take a position and say, "I am going to stand here, and I will not stand over there no matter what may happen." We have to meet the conditions that occur in this country as well as elsewhere.

I wish to say just one more word. The restriction of the appointment to the powerful office of Secretary of Defense to a civilian has as its background, and a proper background it is, the fear in the minds of the American people that the appointment of a military officer might lead ultimately to a political dictatorship by the military. That is why we wrote the law providing that a military man could not be appointed to the powerful position of Secretary of Defense. A political dictatorship by the military has come about in some nations to the south of us. This will never occur with General Marshall. Put it down that it will never occur. He has never sought political office. He has requested that his name be not mentioned for political office. He has told me, and he has stated publicly, that he would never accept a political office if it were offered to him; that he would never permit his name to be discussed in connection with a political office. I predict that so soon as his great task is completed he will ask again for retirement, and then the pending bill will automatically cease to operate. The situation then will be as if no change had been made in the unification law.

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

Mr. BYRD. I yield.

Mr. THYE. I should like to associate myself with the remarks of the very able and distinguished senior Senator from Virginia. He has told us of George Marshall's great qualifications and why he is needed for this position, and I heartily subscribe to the Senator's very eloquent remarks.

Mr. BYRD. I thank the Senator.

Mr. KNOWLAND obtained the floor.

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

Mr. KNOWLAND. Yes, if I do not thereby lose my right to the floor.

Mr. WHERRY. I wish to ask the Senator to yield, so that I may suggest the absence of a quorum. I feel that this is a very important matter. Now the proposed legislation has been laid before the Senate, by the introductory statement of the Senator from Virginia.

So, Mr. President, if the Senator from California will yield, without jeopardizing his right to the floor, I should like to suggest the absence of a quorum.

Mr. KNOWLAND. I yield for that purpose.

Mr. WHERRY. I thank the Senator.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ELLENDER in the chair). The clerk will call the roll.

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

Anderson	Hill	Malone
Benton	Hoey	Martin
Bricker	Holland	Millikin
Butler	Humphrey	Morse
Byrd	Hunt	Mundt
Cain	Ives	Murray
Chapman	Jenner	Neely
Chavez	Johnson, Colo.	O'Connor
Connally	Johnson, Tex.	O'Mahoney
Cordon	Kem	Robertson
Darby	Kerr	Russell
Donnell	Kilgore	Saltonstall
Douglas	Knowland	Schoeppel
Dworshak	Langer	Smith, Maine
Eaton	Leahy	Sparkman
Ellender	Lehman	Stennis
Ferguson	Lodge	Taft
Frear	Long	Taylor
Fulbright	Lucas	Thomas, Okla.
George	McCarran	Thye
Gillette	McCarthy	Watkins
Graham	McClellan	Wherry
Green	McFarland	Wiley
Gurney	McKellar	Williams
Hendrickson	McMahon	Young
Hickenlooper	Magnuson	

The PRESIDING OFFICER (Mr. MAGNUSON in the chair). A quorum is present. The Senator from California has the floor.

Mr. KNOWLAND. Mr. President and Members of the Senate, Senate bill 4147, the measure we are being asked to vote upon is, contrary to the letter and spirit of the existing armed services unification law. In less than 48 hours' time, we are being asked to overturn American tradition, which has been departed from only rarely, and a well-established law of the land.

In a real sense, this deliberative body is not deliberating upon the basic principles involved. The Armed Services Committee met at 11:30 on Wednesday, September 13, and the chairman of that committee had alternative bills which would permit a professional military man

to occupy the position of Secretary of National Defense.

By 12:15 o'clock, Wednesday, the committee, by a 10 to 2 vote, had given its approval to the legislation which is before us.

On the same afternoon, the committee report and the minority views were filed with the Senate, and, up until about 10 a. m. the following day, the views were not even available to the Members of the Senate, because they had not been received from the Public Printer. In a real sense the Committee on Armed Services did not reach its determination on the merits of changing our basic law. The committee was confronted with what in effect was a Presidential fait accompli.

Late Tuesday night, the President publicly announced that he had asked General Marshall to become Secretary of National Defense. Wednesday morning, the President wrote the chairmen of the Senate and House Armed Services Committees asking for legislation which would permit General Marshall to occupy the position of Secretary of National Defense. This, of course, meant that the personality of General Marshall became involved in the wisdom of changing the policy of civilian control of our Military Establishment and the law governing the situation.

The law itself is very clear. Section 202 of the National Security Act of 1949, as amended, reads as follows:

SEC. 202. (a) There shall be a Secretary of Defense, who shall be appointed from civilian life by the President, by and with the advice and consent of the Senate: *Provided*, That a person who has within 10 years been on active duty as a commissioned officer in a Regular component of the armed services shall not be eligible for appointment as Secretary of Defense.

Mr. President, at this point in my remarks, I desire to have printed Public Law 804, Eightieth Congress, chapter 696, second session, an act to amend the Officer Personnel Act of 1947, Public Law 381, Eightieth Congress, and for other purposes, from which I read as follows:

*Be it enacted, etc.*, That the laws requiring retirement of Regular Army and Regular Air Force officers because of age shall not apply to officers of the Regular Army or Regular Air Force appointed in the grade of General of the Army pursuant to the act of March 23, 1946.

In other words, in a real sense, a five-star general does not retire.

I ask unanimous consent that the entire law be printed as a part of my remarks.

There being no objection, Public Law 804 was ordered to be printed in the RECORD, as follows:

[Public Law 804—80th Cong.]

[Ch. 696—2d Sess.]

[H. R. 6707]

An act to amend the Officer Personnel Act of 1947 (Public Law 381, Eightieth Congress), and for other purposes

*Be it enacted, etc.*, That the laws requiring retirement of Regular Army and Regular Air Force officers because of age shall not apply to officers of the Regular Army or Regular Air Force appointed in the grade of General of the Army pursuant to the act of March 23, 1946 (60 Stat. 59). The President, may, in his discretion, upon the re-

quest of the officer concerned, restore to the active list of the Regular Army or Regular Air Force any officer of the Regular Army or Regular Air Force on the retired list who was appointed in the grade of General of the Army pursuant to the act of March 23, 1946 (60 Stat. 59).

Officers appointed in the grade of General of the Army pursuant to the act of March 23, 1946 (60 Stat. 59), shall not be counted within the limited number of officers authorized to be serving on active duty in grades above lieutenant general, as provided in section 504 of the Officer Personnel Act of 1947 (Public Law 381, 80th Cong.), unless they be serving as Chief of Staff or in command of any territorial or tactical subdivision of the Army or the Air Force.

Sec. 2. In addition to the number of officers authorized to serve after July 1, 1948, on the active list in the grade of General in the Army and Admiral in the Navy pursuant to sections 504 and 413 of the Officer Personnel Act of 1947, officers now on the active list of the Army in the grade of general whose dates of rank in such grade are between March 8, 1945, and April 15, 1945, inclusive, and of the Navy in the grade of admiral whose dates of rank in such grade are prior to April 4, 1945, may, at the discretion of the President, be continued in such grades until July 1, 1950, unless sooner retired and the total number of officers authorized by these sections to have the grade, rank, title, pay, and allowances of vice admiral or admiral and lieutenant general or general, is temporarily increased accordingly: *Provided*, That the provisions of this section in no way affect the status of the officer who may be serving as Chief of Staff in the Army on the effective date of this act.

Approved June 28, 1948.

Mr. KNOWLAND. Mr. President, I ask unanimous consent to have inserted in the RECORD at this point a letter I have received today from Col. R. C. Bing, Office of the Chief of Legislative Liaison, Department of the Army.

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

DEPARTMENT OF THE ARMY, OFFICE OF THE CHIEF OF LEGISLATIVE LIAISON, Washington, D. C., September 15, 1950.  
HON. WILLIAM F. KNOWLAND,  
United States Senate.

DEAR SENATOR KNOWLAND: Pursuant to a telephone conversation between Mr. George F. Wilson of your office and Lt. Col. R. L. May, Office of the Assistant Chief of Staff, G-1, Department of the Army, the following information is furnished:

General of the Army George Catlett Marshall was retired on the twenty-eighth day of February 1947 at his own request after more than 45 years of service. He was restored to the active list of the Regular Army on March 1, 1949, under the provisions of Public Law 804, Eightieth Congress.

Sincerely yours,

R. C. BING,

Colonel, GSC, Office, Chief of Legislative Liaison.

Mr. KNOWLAND. Mr. President, it would seem not unreasonable that, if the national situation was so acute and the civilian population of this Nation of 150,000,000 people so devoid of men of ability, character, and patriotism that no qualified person could be found, that in such an event the President, sworn to uphold the law as he is, would have called members of the majority and minority parties into consultation and laid before them the reasons why in his opinion this move should be made in the face of the legal prohibition.



There are dangers involved in short circuiting the law providing for civilian control of the entire Military Establishment—Army, Navy, and Air.

Five-star generals in effect do not retire. They are all available for service.

If this bill is passed, we will have three civilian Secretaries of the Army, Air Force, and Navy reporting to and subordinate to a five-star general.

Will the President get his professional military, naval, and air advice from the Joint Chiefs of Staff or from the wartime Chief of the Army General Staff?

Where will the line of demarcation exist between the military and civilian part of the Defense Establishment?

Mr. President, if there was one thing that the late James Forrestal feared more than anything else, when the proposal was originally made for the unification of the armed services, it was that there might develop a super Chief of Staff. That is what the Army was reported originally to want. It so happened that when Congress passed the law it did not provide for a super Chief of Staff. But I have been more concerned about the matter since listening to my able and distinguished friend, the Senator from Virginia [Mr. BYRD], because, apparently, Mr. President, he believes that now the Secretary of Defense, who has been a civilian under the traditions and the laws of the country, will occupy the position as a super Chief of Staff to the President of the United States.

Where does that leave the Chairman of the Joint Chiefs of Staff? Where does that leave the Chief of Naval Operations, the Chief of the Air Force Staff, the Chief of the Army Staff? I say, Mr. President, in all sincerity, that I believe we are not clearing the confusion by this action; we are creating confusion worse confounded.

Already we are fighting a war within a war without any declaration of a state of war relative to the Korean conflict by the Congress.

The Constitution vests the power to declare war in the Congress. Yet we find ourselves at war in Korea without a congressional declaration or even a subsequent ratification of a necessary emergency action taken by the President. There is no police action we have taken in Central America, Mexico, or the Mediterranean area that is comparable in casualties of forces involved as now is the case in Korea.

Now we find a law passed by Congress after long consideration is being brushed aside on 48 hours' notice.

It may be far more difficult to return from the long journey upon which we are embarking.

The able Senator from Virginia mentioned the importance of this, because our forces had been pushed back to a beachhead operation. I assume the Senator is familiar with the fact that under the able leadership of General Douglas MacArthur, command of the United States forces in the Far East and also simultaneously commander of the United Nations forces, the Army, the Navy, Marines, and Air Force have made a major amphibious landing near the capital city of Seoul, at the port area, and in other locations.

Mr. President, the minority views are briefly set forth in the committee report. I desire to read them at this time:

No one in the United States Senate has a higher personal regard for General Marshall, nor a deeper respect for his ability and capacity as war time Chief of the Army General Staff than have the undersigned.

Notwithstanding this, the fact remains that civilian control over the military establishment traditionally has been an unalterable policy of our Government and of our people. There has been no time in the past history of this Nation when that policy has been deviated from in the slightest.

In the opinion of the undersigned there is no sound reason why we should at this moment abandon this traditional policy. The dangers which face this Nation today are genuinely serious; but they are not so overwhelming, nor are we so devoid of patriotic and courageous civilian leadership in this nation of 150,000,000 people that we must at this moment place this vast burden upon the shoulders of General George Marshall.

It is inconceivable that we should stand here on the floor of the United States Senate and say to ourselves and to the world that the civilian leadership of this great Nation has so deteriorated that it cannot provide a man qualified for the post of Secretary of Defense.

WILLIAM F. KNOWLAND.  
HARRY P. CAIN.

Mr. President, I should like to make a correction of the slight inaccuracy which came into our statement, due to the fact that the measure was being rushed through and we had to get the material so it could be included in the report. As a matter of fact, Maj. Gen. Henry Knox, who had served during the Revolutionary War, was the first Secretary of War, serving from September 12, 1789, to 1794. That precedent I believe was not again violated until about the time of President Andrew Johnson. In that case, as Senators may well recall, President Johnson got into a quarrel with Edwin M. Stanton, his Secretary of War. He removed Secretary Stanton from office, and called to serve as interim Secretary of War Ulysses S. Grant. General Grant served in that capacity for approximately 6 months. When the Congress reassembled, the Senate refused to approve the action taken by President Johnson in removing Secretary Stanton, Stanton went back in office, and Grant, of course, went out, never having been confirmed in his position as interim Secretary. He served, as I say, for approximately 6 months.

When General Grant became President of the United States, he selected for a very brief period of time his old comrade in arms, General Sherman, as his Secretary of War. That tenure of office lasted approximately 45 days.

So I do not believe those examples—and there may be one or two others—warrant a change in this very well established principle.

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

Mr. KNOWLAND. I yield.

Mr. CHAPMAN. Is it not a fact that at the time General Grant and General Sherman were appointed, they were active officers in the Regular Army?

Mr. KNOWLAND. I think that is perhaps correct.

In the hearings before the Senate and the House committees on the unification

bill and in the debates on the floor of both bodies on the same legislation the question was constantly raised as to whether or not the creation of the office of Secretary of National Defense was not placing too much power in the hands of one man and would tend to cause the military to overshadow the civilian control of the Government of the United States.

The answer was constantly given that this danger did not exist because the Secretary of National Defense under the law had to be a civilian.

I am not going to burden this RECORD with a vast array of evidence to demonstrate this, but it is available to the Members of Congress, to the American people, and to historians who will take the trouble to dig it out. There are a few examples, however, that should be made a part of this RECORD.

In the hearings before the Committee on Military Affairs of the United States Senate on S. 84 and S. 1492, Secretary of War Patterson testified as follows on Wednesday, October 17, 1945:

Again, you may hear it suggested that a single department of the Armed Forces would concentrate too much power in one man and that such power would tend to develop militarism.

This is the very bogie that is always raised here any time you try to get some efficiency.

Can such a suggestion be made in real seriousness? Our safety from militarism does not rest on any fabric of multiplicity of departments dealing with military affairs. It rests upon the solid conviction of our people and upon the basic democratic principle that the leaders of our Armed Forces are subordinate to the civilian department head, and, through him, to the President, to the Congress, and to the people.

Mr. President, I should like to read from the report to the Honorable James Forrestal, Secretary of the Navy, on Unification of the War and Navy Departments and Post War Organization for National Security, printed at the Government Printing Office, Seventy-ninth Congress, first session. I read from the statement of Mr. Eberstadt, at page 15:

1. Civilian control of the Military Establishment: The founding fathers understood that militarism could be dangerous from within as well as from without. In establishing the principles of our Government they sought to guard against both dangers.

In the Constitution they provided that our highest elected civilian official, the President, should be the Commander in Chief of the Armed Forces. They placed the purse strings of the Military Establishment in the hands of Congress.

A primary consideration, therefore, of any organizational plan for our military services must be its effect upon the maintenance of civilian control.

At this time, Mr. President, I desire to read from the hearings in 1947 on the National Security Act of that year. I read from page 134:

Mr. Brown. It often happens up on the Hill here that the chairman of a committee is outvoted, and it may happen any time on any committee, and it could possibly happen on this one. I have seen it happen many times on the Rules Committee, of which I am a member. I presume the same thing could happen where you have a civilian chairman of one of these committees and your military officials make up the large part of the membership of the committee.

Secretary PATTERSON. That is true. They could outvote him, but the whole thing is subject to the direction and control of the Secretary of National Defense, who is a civilian, and beyond him, the President.

I also wish to quote from page 55 of the hearings, from the testimony of Brig. Gen. Merritt A. Edson, United States Marine Corps:

Secretary Forrestal has testified before you that this bill represents a compromise between two theories. One of these theories is that a total war is best met by concentration of authority in the hands of a few individuals; that there should be set up a single department—the Germans would say "Führung," I believe—of all the Armed Forces; that there should be a permanent national general staff over all the Armed Forces, in other words, an over-all high command, an "Oberkommando," as the Prussians called it; that the services themselves should be organized into three divisions or branches rigidly corresponding to the three so-called basic media of land, sea, and air; and that under such an organization every operation must be a joint operation, directed and controlled by the high command.

Opposed to that theory is the one which believes that in days of total war, in which all the people are involved, there should be an increase of civilian control over the Armed Forces rather than a decrease; one which notes the inescapable historic parallel between the centralization of Armed Forces under a single high command or a national general staff, as was the case in Germany, Italy, and France under Napoleon, and the corresponding rise of totalitarian governments; and one which believes that in the constitutional governments which have survived, such as our own and England, there exists always a proper balance between the Armed Forces themselves, as well as between them and the civil governments of which they are the proper servants.

Within the framework of such a concept it is also historically true that there have been armies, navies, and air forces, each largely self-sustaining, each capable of bearing its weight as such, and each capable of conducting independent operations.

My personal opinion is that these two theories cannot be compromised, either within the narrow realm of military affairs or in the broader field of government.

One theory believes that the military, in time of war (if not when preparing for war) should control the nation. The other believes that control of the military must always remain with civilians.

The first theory points directly toward authoritarian dictatorship; the second, toward maintenance of constitutional government and free principles.

In the hearing before the Committee on Armed Services of the House of Representatives on June 28, 1949, the committee was considering S. 1843. Secretary of National Defense Louis Johnson had this to say:

For out of the Second World War have arisen conditions—stemming essentially from the total disruption of the prewar power relationships in Europe which unmistakably require that the United States maintain a strong Military Establishment throughout the foreseeable future. From that requirement have arisen, in their turn, questions of the most fundamental concern to every citizen of our Republic:

How to maintain civilian control over a military force which for the first time in the Nation's history must be permanently maintained at a strength of more than a million and a half men?

On Tuesday, March 25, 1947, General of the Army Dwight D. Eisenhower, who,

like Gen. George C. Marshall, has been a professional soldier and holds five-star military rank which is the highest in our Nation, had this to say: "In summary, therefore, I emphatically support the principle of providing a single civilian head of the Armed Forces, one who may give his entire attention to this vital phase of the Nation's affairs." Later on in his testimony, the following discussion took place:

Senator BYRD: Do you see any objection to establishing the basic functions of the Army and the Navy and the Air Corps and the Marine Corps in the bill itself? This is not a merger bill, as I understand it.

General EISENHOWER. No, I can see no objection, as long as the functions established are basic, and as long as you do not attempt to say that we must have X amount of this, Y amount of that and Z amount of something else, to be retained forever. Because what this plan is to set up for us is a responsible civilian, who will form recommendations based on professional advice, and so suggest just how you should divide these things up.

In House Report No. 961, to accompany H. R. 4214, the National Security Act, the committee had this to say relative to the Secretary of Defense:

The complexity and magnitude of the President's task in peace and war are such that your committee believes it is a generally accepted fact that he needs a full-time civilian official to assist him in the performance of his onerous duties as Commander in Chief of the Armed Forces. The Secretary of Defense fills this need. The military services may then be integrated on the departmental level in Washington as they were so effectively integrated in the field during the war, without reducing the ultimate responsibility of the President.

The conference report on the National Security Act of 1947, after the adjustments were made between the language of the Senate and the House bills, was made on July 24, 1947, and the conference report said, reading from page 19:

Both the Senate bill (sec. 202 (a)) and House amendment (sec. 102 (a)) provided that the new Secretary be appointed from civilian life by the President, by and with the advice and consent of the Senate. The House amendment contained a proviso (not contained in the Senate bill) providing that a person who held a commission in a regular component of the armed services shall not be eligible for appointment as Secretary of Defense.

I say, parenthetically, that apparently the House wanted to put on an absolute limitation. I now continue reading from the report:

The bill as agreed to in conference (sec. 202 (a)) contains a provision that a person who has within 10 years been on active duty as a commissioned officer in a Regular component of the armed services shall not be eligible for appointment as Secretary of Defense.

Reading from page 8504 of the CONGRESSIONAL RECORD of July 9, 1947, I find that the Senator from Alabama [Mr. HILL], one of the leading members of the committee at that time, in speaking in support of the unification bill then pending, said:

The traditional civilian control of our armed forces is guaranteed. The civilian Secretary of National Security is superior to the three military commanders—Army, Navy and Air Force. There is no single military chief of staff.

Further on in his remarks, the Senator from Alabama said:

Every precaution has been taken by the Army and Navy representatives who drafted the original bill, and by your committee in amending it to its present form, to insure adequate civilian control.

Mr. KEM. Mr. President—  
The PRESIDING OFFICER (Mr. McCLELLAN in the chair). Does the Senator from California yield to the Senator from Missouri?

Mr. KNOWLAND. I yield.  
Mr. KEM. When was the Senator from Alabama speaking?

Mr. KNOWLAND. He was speaking on July 9, 1947, and I was reading from page 8504 of the RECORD, when the unification bill was before the Senate. He was speaking in order to secure support for the bill.

Mr. KEM. Apparently the guaranty he mentioned at that time was good for only about 3 years.

Mr. KNOWLAND. Three years was the limit of the guaranty.

In the House of Representatives on July 19, 1947, as appears on page 9401, Mr. Manasco, in the course of his speech in favor of the legislation, had this to say:

First the opposition centered its attack upon the powers of the proposed Secretary of Defense, seeking to prevent the establishment of effective centralized civilian control and direction of our security forces in order to perpetuate the independent departmental status enjoyed during past years.

On March 24, 1949, the late Secretary of Defense James Forrestal appeared before the Senate Armed Services Committee to point out that the amendments under consideration were to "strengthen civilian control over the Joint Chiefs of Staff by providing the Chairman I have just mentioned, who would be directly accountable to the President and the Secretary of Defense, rather than to the military departments."

Mr. HICKENLOOPER. Mr. President—

The PRESIDING OFFICER (Mr. GRAHAM in the chair). Does the Senator from California yield to the Senator from Iowa?

Mr. KNOWLAND. I yield.

Mr. HICKENLOOPER. The Senator no doubt is well aware of the fact, and may mention it later, since he is a member of the Joint Committee on Atomic Energy, that one of the most emotional and vigorous arguments which have gone on in connection with our armament since the war has been the controversy which has on occasions been raised about the question of military control of, or even military participation in, the atomic energy program. The Senate and the House in general have assured the country that the military is not going to control the atomic energy program, and in addition to the provisions of law, we have gone so far as to provide a civilian chairman, so long as we will have a chairman, of the military liaison committee, and we have resisted the appointment of military men even of a military committee. I merely suggest that to the Senator. As I have said, he may mention it later in his remarks. It adds to the history of what the Senator is discussing.



Mr. KNOWLAND. I am glad the Senator mentioned that, because it was not and is not my intention unduly to delay the consideration of the bill. I did feel my responsibility as a Member of the Senate and of the Armed Services Committee, and considered that I would be derelict in my obligation to the country and to my colleagues in the Senate if I did not bring out some of the facts. Of course, the ultimate decision is up to the Senate and to the House of Representatives, but certainly we should not take the proposed step, which to me seems far-reaching in character, and may rise to plague us in the future, without every Member of the Congress and the country being amply on notice of what is proposed.

Mr. HICKENLOOPER. I merely wish to say that I was only trying to furnish another example, for emphasis, of the civilian administrative policy in connection with the atomic energy program.

Mr. KNOWLAND. I thank the Senator. He has made an excellent contribution to the discussion. I agree with him. He and I have both served on the Joint Committee on Atomic Energy since it was established under the Atomic Energy Act. One of the basic problems confronting the country has been whether atomic energy should be under civilian control safeguard, such as the Senator has been speaking of. The control has been very jealously guarded, and I think properly so, even to the extent of requiring a civilian head of the military liaison committee. I thank the Senator, because his remark has emphasized the point.

Mr. HICKENLOOPER. I did not mean to say that the law required a civilian head of the military liaison committee, but the Atomic Energy Commission believed it was the feeling of the people that the chairman of the military liaison committee should be a civilian.

Mr. KNOWLAND. I wish to say a word for my Democratic colleagues on the other side of the aisle, because they will not be able to read the RECORD, as I presume we will vote on the bill today, though I suppose their minds have already been made up.

Quite recently there was held a conference in Minnesota at which certain resolutions were adopted. I read from a news dispatch the following, among the resolutions adopted—

Urged strict adherence to the national tradition of control of the military by civilians and condemned encroachments of military personnel on functions of other governmental departments.

Mr. President, I shall not take time to read it, but I ask to have printed in the RECORD at this point several paragraphs in an article which appeared in the American Political Science Review under the heading "Civil-military relationships."

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

#### CIVIL-MILITARY RELATIONSHIPS

Finally, we shall hear much in our discussions of national security about the subject of civil-military relations. In his letter explaining why he was not available for the Republican nomination, General Eisenhower no doubt expressed a generally accepted

sentiment when he spoke of the necessary and wise subordination of the military to civil power.

Problems of civil-military relationships emerged in two important settings during World War II. In the first place, at various times in the heat of controversy between the War Production Board and the procurement authorities of the War Department, the Army was accused of wanting to take over control of the economy. While there was little substance to these charges, disagreements persisted on policy and procedural matters between the WPB and the Army. Yet the basic division of responsibility was never challenged. The Army bought military supplies directly; the WPB determined the total volume of that procurement and expedited its delivery. Cooperation and adjustment in this arrangement were indispensable, and not always so freely given as was desirable.

Secondly, the great demands upon America's scientists to assist in developing the weapons of World War II brought forth a whole new experience in relationships. There were times when the scientists regarded officers as obtuse and obstructionist; there were times when military men regarded scientists as impractical and temperamental. Security considerations often competed with the scientist's concern for exchange of data, and with his greater regard for professional recognition than for monetary compensation.

A conflict between military and political leadership over strategy was less evident in World War II than in World War I. On September 28, 1944, Prime Minister Churchill told the House of Commons: "In this war there have been none of those differences between professional and political elements that were such a large feature of the last war. We have worked together in perfect harmony." If some of the memoirs published since 1945 qualify this statement, they do not refute the generalization.

Some complaint has been voiced in the last 4 years about the military in various high governmental positions. Not only did the war years afford officers broad experience in large-scale administration of governmental affairs, but also since the war the military services have provided one of the most important sources of top career men in Government. Military personnel have played a large role in Government recently because they were often the only experienced persons able and willing to fill high public positions. Instead of criticizing military encroachments upon civilian administration, it is time we worried more about general Government salaries and personnel practices, in order to build up the supply of civilian top career people.

But in a time when national security is such a principal aspect of our political life, we face a vital challenge in defining the role and competence of the professional military, while simultaneously utilizing their abilities to the fullest, and in promoting mutual confidence and collaboration between civilian authority and military leaders.

Mr. KNOWLAND. I ask unanimous consent to have printed at the end of my remarks an article entitled "Military Men in Key Jobs: Shift From United States Tradition," published in the January 24, 1947, issue of the United States News.

The PRESIDING OFFICER. Without objection, it is so ordered. (See exhibit A.)

Mr. KNOWLAND. Mr. President, I shall take time to read some brief excerpts appearing on pages 25 and 26 of the book Constitutional Problems Under Lincoln, written by James G. Randall:

Concerning governmental powers in time of war, there is a striking contrast between the view which prevailed in imperial Ger-

many (to take an example of a militaristic nation) and that which holds in England or the United States. There is in English-speaking jurisdictions, for instance, nothing which corresponds to the German Kriegszustand. Under the old German system, it was within the competence of the Kaiser to proclaim a state of war throughout Germany, and thus to inaugurate a sweeping military regime under which the ordinary laws and the authority of the civil courts were superseded by the orders of the generals commanding the various districts into which the country was divided.

This military regime, be it noticed, was launched purely by executive action, and covered the whole country. It was universal martial law, not limited martial law based on the fact of invasion, or actual defiance of authority in particular parts of the country. It applied everywhere, and rested merely on the Emperor's proclamation of the state of war. Under it the commanders could make seizures and arrests without warrant, imprison without judicial process, suppress newspapers, prevent political meetings, and do many similar things with entire disregard of the restraints of the civil law.

Such a condition actually existed in Germany throughout the World War and it may serve for us as a starting point to illustrate what is meant by the war power when carried to the extreme.

In contrast to this expansion of executive action during war, the Anglo-Saxon tendency has been always to emphasize the rule of law, and to regard the military power as subordinate to the civil. In England, and also in the United States, martial law, which has been described as no law at all, has been very sparingly used; and any general order, subjecting the whole Nation to military rule for the duration of the war, regardless of any insurrection or threat of invasion, would be most unlikely. This disposition to hold the government at all times within the law, and this wariness in the exercise of military power over civilians, are fundamental postulates in any discussion of war powers in the United States.

Mr. President, a short time ago I was quoting from the statement of Secretary Forrestal made at a hearing when the bill was being considered. Earlier in his statement he said that the Unification Act of 1947 was to "provide for their authoritative coordination and unified direction under civilian control."

Certainly no one would want to deny to the President of the United States the advice on military affairs of Gen. George C. Marshall, our wartime Chief of the Army General Staff. He could have requested General Marshall to become his personal Chief of Staff in the same way that both Presidents Roosevelt and Truman had Admiral Leahy as a personal Chief of Staff at the White House in close contact with the President at all times.

He could have brought General Marshall into the Government in some other capacity—as a Cabinet member or otherwise, rather than place him at the head of the Military Establishment, which is contrary to the law of the land and a violation of a long-established principle that the military shall always be subordinate to civilian control.

This is a fundamental question the Senate is facing today.

If this principle is violated once, in the new and powerful position of Secretary of Defense in the case of General Marshall, it will be the case of the camel getting his head in under the tent and future breaking will come with greater

ease. It has not been my intention to delay the action by the Senate on this matter. The responsibility, of course, rests upon each individual Senator. I make only one request, and that is that on this fundamental change in the Armed Services Unification Act, which is here proposed, we have a roll-call vote.

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

Mr. KNOWLAND. I yield.

Mr. WHERRY. During the delivery of his speech, the distinguished Senator from Virginia [Mr. BYRD] was, I believe, reading from the majority report, and in connection therewith he said in effect that "in breaking this statute we are reaffirming it." I do not recall his exact words. He is not on the floor at this time. Does the Senator from California feel that when we breach the law, no matter who the individual is who is appointed Secretary of Defense, we are reaffirming the action we took when we adopted the unification law?

Mr. KNOWLAND. No; I think we are making it easy to break it a second, a third, a fourth, and a fifth time.

Mr. WHERRY. A time such as this is the very time the statute was supposed to hold fast, a time of crisis, when hysteria may exist.

Before we passed the bill 3 years ago it had been debated coolly and calmly, and we wrote language into it to protect the country against the very suggestion now being made. Is that not true?

Mr. KNOWLAND. In my judgment the Senator is correct. I merely want to say at this point, if I may, for the benefit of a few Senators who may have come into the Chamber after I began my statement. I have become more alarmed since the speech of the able Senator from Virginia, because he indicates that General Marshall is needed for this position so that he may be the chief military adviser to the President of the United States. If that be so, not only does he assume this great and powerful position which overshadows the Army, Navy, and Air Force combined, including the Marines, but in addition to that it leaves, I think, in a most incongruous position the three civilian Secretaries of the Army, the Air Force, and the Navy, who will be reporting to and subordinate to a five-star general.

Furthermore, I think it leaves in a most untenable position the chairman of the Joint Chiefs, the Chief of Naval Operations, the Chief of Staff of the Air Force, and the Chief of Staff of the Army. They are supposed to be the ones giving the professional advice to the Secretary of Defense and to the President of the United States. These individuals would also be subordinate to a five-star general.

I say with the utmost respect—and I have been throughout my entire speech most respectful to General Marshall and the job he did as Chief of Staff of the Army of the United States during World War II—that I think, instead of bringing order out of chaos, in the long run chaos will be created.

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

Mr. KNOWLAND. Yes.

Mr. WHERRY. It is a fact, is it not, that the Joint Chiefs of Staff are the ones who make their recommendations to the President as to the military program? It is a fact, is it not, that the civilian secretaries make their recommendations? It is a fact, is it not, that when the statute was passed it was provided that the Secretary of Defense should come from civilian life so that there would be more or less of a check and balance respecting the various recommendations? Is it not a fact that it is going to be very difficult for a five-star general to furnish the check and balance on recommendations of the military to the Commander in Chief, if he comes with a military experience rather than from civilian life?

That is no reflection on the reputation of General Marshall or on the high regard which all the American people and peoples throughout the world have for him, of course, as the distinguished Senator has said.

Mr. KNOWLAND. Yes. There are many ways by which the President could have sought the advice of General Marshall; and I certainly think the President would take the advice of General Marshall on military matters—

Mr. WHERRY. Certainly.

Mr. KNOWLAND. Particularly if the President felt that he needed some additional information.

However, there are many ways by which he could have obtained information of a military nature without violating the Unification Act and upsetting what I think is and will continue to be a well-established American tradition.

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

Mr. KNOWLAND. I yield.

Mr. MUNDT. I should like to have the Senator from California give me the benefit of his views on this question: If the President feels, as I can well imagine he might, that he would like to have the advice of a great and talented military man, such as General Marshall, would not it be perfectly possible and appropriate for the President to appoint General Marshall to serve in the capacity of a personal aide or adviser to the President, in order to keep the President advised? For example, the President might give General Marshall such an appointment, to take the place of the rather unusual type of functions being performed by Gen. Harry Vaughan. Could not the President give General Marshall a position of that type, so that General Marshall could keep the President personally advised on various military matters?

Mr. KNOWLAND. I think General Marshall would be entitled to occupy a position of more importance than that.

However, before the Senator from South Dakota entered the Chamber, I had suggested that it might be well to re-create the position which Admiral Leahy occupied—that of personal chief of staff to the President. General Marshall could occupy such a position without upsetting the law of the land and the traditions of the country.

Mr. MUNDT. Let me say to the Senator from California that it was precisely the type of position in which Admiral Leahy served President Roosevelt

for so long that I had in mind when I mentioned General Vaughan. When I mentioned Vaughan, I did not at all intend to suggest that General Marshall be relegated to the position now occupied by General Vaughan, but I thought perhaps we could kill two birds with one stone, in connection with this matter, by giving the President the benefit of General Marshall's assistance, advice, and also by getting rid of General Vaughan. We could save Vaughan's salary and turn his spacious office quarters over to General Marshall.

Mr. KNOWLAND. Mr. President, I now ask unanimous consent to have printed in the RECORD, at this point in my remarks, excerpts from the book entitled "Civil-Military Relationships in American Life," edited by Jerome G. Kerwin, and published by the University of Chicago press. The excerpts which I request to have printed in the RECORD begin at the bottom of page 70 and continue to about the middle of page 72.

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

Let us begin with the secretary of a defense department. And let us observe at once that much of what will be said here is applicable to any governmental department; it is especially applicable to a defense department because there civilian popular control tends to be weakest.

A very large part of any administrator's function is to defend and uphold his organization to keep it strong for its designated task. He must create and maintain a climate in which the zeal and abilities of his personnel have opportunity and scope. Average administrators, including most administrators who come from another field into the leadership of a highly specialized, going organization and men who are not administrators at all in fact, do little more than this. It is not strange, therefore, that most Secretaries of War and Navy have been little more than civilian public advocates of the product and program of their military organizations. This would be in any case a considerable part of their responsibility.

But the responsibility of these Secretaries demands more, for effective civilian control is dependent on other elements. The second important element is the very opposite of the first—the establishment of bounds for and restraints on the organization. In many administrative situations the necessary restraints against overreaching are substantially provided by the outside forces provided by competition, laws, and general social disciplines. To provide this necessary discipline is one of the functions of social organization and one of the functions of a top administrator. With respect to the Army and Navy, many of these restraints—as distinguished from the very strong military disciplines of a different sort—are relatively weak for the reasons indicated early in this discussion.

A third but similar and important element in the administrator's function is to provide a critical and imaginative climate for his organization. Reference already has been made to the tendency of an organization to confuse means with ends. With respect to the military this tendency involves danger that national defense will not be sufficiently imaginative, flexible, and dynamic; for from such confusion springs much of the tendency to follow convention, precedent, and hardened dogma. In a richly diversified society, diversified civilian activity and civilian leadership and control must provide the technology, the resource, and the stimulation increasingly necessary to a progressively more effective national defense. Instead, a military organization not critically and imaginatively led will tend simply to seek more dominance



over our whole society and more funds, substituting sheer crude power for more complex and less devastating effectiveness.

In the first instance, then, the whole balance of the situation is a matter of secretarial management of a department. And the crucial fact is that no secretary can manage his department alone or exclusively through military executives. No secretary, undersecretary, and group of assistant secretaries can manage a department simply through bureau chiefs and technical staff of the same character as operating personnel. The first essential to secretarial control is that there be staff—adequate staff—exclusively serving the purposes of secretarial control. If a principal purpose of secretarial control is civilian control, as it is in the case of a national defense department, there must be civilian staff.

Mr. KNOWLAND. Mr. President, I also ask unanimous consent to have printed at this point in the RECORD an article entitled, "Army Men in High Posts," by Hanson W. Baldwin, published in the New York Times for January 12, 1947.

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

**ARMY MEN IN HIGH POSTS—NAMING OF MARSHALL RAISES QUESTION OF HOW FAR PRESENT TREND IS DESIRABLE**

(By Hanson W. Baldwin)

The resignation of Secretary of State Byrnes and of Bernard M. Baruch and his associates, and the appointment of General of the Army George C. Marshall as Mr. Byrnes' successor, is a disturbing interruption in the continuity of our foreign policy.

Whether or not General Marshall—able administrator and excellent planner—endorses and perpetuates the policies of Mr. Byrnes (and it is probable that he will), the methods, if not the ends, of the new Secretary of State will necessarily be different. The successes or failures of diplomatic dealings are built so much around personalities and methods of doing business that any change in the top jobs of any foreign office or state department in the world affects those dealings, indeed, delays progress, while the new personality is estimated and his method studied.

Moreover, and more important, the same cogent arguments against shifts in our top positions in Washington that prevailed during the war—that it is bad to change horses in the middle of the stream—are even more applicable now in the battle for peace. Though Mr. Byrnes' accomplishments have been considerable, the main job is still to be done; the great problems for the world—atomic energy, Germany, Japan, Austria, Korea, China—are still unsettled.

**NEW TEAM TO TAKE OVER**

A new "team" will have to take over on the eve of the most important Moscow conference, with all the disadvantages that that inevitably entails. Mr. Byrnes' resignation already has been misinterpreted abroad; General Marshall's first acts must be to reaffirm the basic tenets of American foreign policy, which have the overwhelming endorsement of the majority of the American people.

But there is a more disturbing factor in the recent shift. It emphasizes a trend that is unhealthy in any democracy, regardless of the personalities and capabilities of the military men concerned. It is a trend that has been most pronounced in this country during and since the war—the execution, and even the direction and formulation, of foreign policy by the military.

The Navy and Army Air Forces have both exerted powerful influence, even in recent months, on State Department policies; more important, the execution of those policies,

and now even the top direction of them, have been entrusted in increasing measure to the hands of the military.

General Marshall, as Secretary of State, heads a large and growing number of Ambassadors and officials with military antecedents. His Assistant Secretary of State (for occupied areas) is Maj. Gen. John H. Hildring, United States Army, retired, who deals directly with the military commanders who control the execution of policy in Germany, Austria, Japan, and Korea. These areas—all of them powder kegs of peace—are all controlled by military commanders with more or less power, not only in the execution of basic policy but in its day-to-day direction and even in its formulation.

In Japan, for instance, General of the Army Douglas MacArthur has been running his own show without benefit of much control or direction by the State Department. And even in Germany, as George Meader, counsel to the Special Senate Committee Investigating the National Defense Program, pointed out in at recent report, "the basic United States document governing the administration of our affairs in Germany is JCS 1067, meaning the Joint Chiefs of Staff Directive of that number. \* \* \*

"It is not wholly clear," Mr. Meader commented, "just what function the Joint Chiefs of Staff have to perform with respect to the government of Germany. From their document and from their status it would appear that their authority encompasses matters both of policy and operation."

**IN KEY POSITIONS**

In addition to these key posts in the foreign policy field military men occupy the following embassies:

Russia: Lt. Gen. Walter Bedell Smith, United States Army.

Belgium: Vice Adm. Alan G. Kirk, United States Navy, retired.

Union of South Africa: Gen. Thomas Holcomb, United States Marine Corps, retired.

Panama: Brig. Gen. Frank T. Hines, United States Army, retired.

It is noteworthy that General Smith, in the most important Moscow Embassy, is on a "duty" status and is not retired from the Army. Nor, for that matter is there any provision for retirement of generals of the Army, the rank that the new Secretary of State holds.

Other military men occupy important positions in the Washington administration, some of them—such as the War Assets Administration, the Maritime Commission, etc.—indirectly concerned with the economic aspects of foreign policy.

These men are able; that is a major reason why they hold these positions.

But the appointment of military men to such posts is nevertheless disturbing on two counts: First, it indicates the paucity of adequate top-rank men in the State Department and shows the need, therefore, for reorganizing and revitalizing the Foreign Service and Government service in general, and second, it steadily extends—no matter how able and impartial these military men may be—military influence into nonmilitary fields.

**REACTION IN BRITAIN**

There is another aspect of the Marshall appointment that so far has not been stressed. The British reaction has been politely but reservedly laudatory—and for a reason. The British respect General Marshall, but those who knew him during the war felt he was often too formidable a representative of the American point of view to be to their liking. It is no secret that General Marshall's appointment in 1943 to be supreme commander of Allied forces for the invasion of western Europe was canceled at the last minute partially because of British reluctance to grant to him the broad powers we requested. Moreover General Marshall is reserved and dignified and has less of the native Yankee charm and enthusiasm than has Gen. Dwight

D. Eisenhower, who was extremely popular in Britain, as well as among those Russian representatives whom he came to know.

Nevertheless, if a change in the secretaryship had to be made at this time, General Marshall was a good choice. There were and are some capable civilians available, but none perhaps with the world-wide prestige of General Marshall, and few of them could match his experience at international conferences. The new Secretary also combines administrative ability and vision, patience, a facility for the quick analysis of problems, a remarkable memory and a judicial mind. He should serve his country well.

**CUT IN MILITARY BUDGET**

Preliminary examination of the defense budget of \$11,587,000,000 submitted to Congress last week does not reveal any very major cut in the operating appropriations for the Army and Navy—except in one respect, the number of personnel. Some of the reductions in the 1948 military budget are more apparent than real; for the expenditures for atomic energy and supplies to, and administration of, occupied areas have been transferred from the military account to nonmilitary sections of the budget. This accounts for a seeming reduction, vis-à-vis the 1947 fiscal year of more than \$1,000,000,000.

Another \$1,000,000,000 reduction represents a decrease in mustering-out pay and contract termination expenditures. Most of the rest of the reduction is due to the smaller number of personnel, i. e., continued demobilization.

Many of the arms of both services—used to wartime standards—will feel a severe pinch, but rather generous sums have been provided for research and development, operations and construction, and a cursory examination of the budget does not support the view expressed by some that the cuts are crippling.

The budget will provide for an average Army strength of 1,070,000 throughout the 1948 fiscal year, which is the figure the Army had long projected. The average strength of the Navy and Marine Corps will be about 571,000—considerably less than the authorized strength of about 660,000—but still considerably larger, in the opinion of many, than the strength needed for a permanent peacetime Navy. If Congress cuts the military budget still further, as it seems likely to do, it would seem that the number of men in the Navy and Marine Corps could be further reduced—by perhaps another 25,000 to 50,000 without crippling effect.

Mr. KNOWLAND. Mr. President, finally, I wish to read two paragraphs from an article by Hanson W. Baldwin, published in Harper's magazine for December 1947, under the headline, "The military move in":

Some wise man once wrote that each victorious war costs us a few more of our liberties. Not only does the government, like an octopus, draw to itself during war extensive new powers, many of which are not repealed when peace comes, but the great emotional upsurge of victory inevitably has the double effect of carrying to new positions of authority the military architects of victory, and encouraging in the rest of us dreams of an expanded manifest destiny for our country.

Heretofore in our history this trend has rarely been serious, although it can be argued that the damage done to the country by the Grant regime following the Civil War and the brutal reign of the scalawags and carpetbaggers in the conquered South—both of which were in some degree products of the military mind—affected adversely the history of our country and kept us a divided Nation for generations. But today the traditional postwar veneration of the military is coupled with the inevitable centralization

of economic and political power in the Federal Government, and with the necessity of preparing the Nation for total war and even atomic war. All three of these factors work toward the same end; the militarization of our Government and of the American state of mind.

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

Mr. KNOWLAND. I yield.

Mr. KEM. I think it has been made clear by everyone who has spoken on this subject that no one thinks General Marshall has any idea of setting himself up or would set himself up as a military dictator. However, if an exception is made to this wise and salutary law in the case of General Marshall, would not that give an excuse for the making of an exception in the case of some other man who might come along a few years later?

Mr. KNOWLAND. The Senator is absolutely correct. As I have pointed out, it is the old story of the camel's getting his nose under the tent. Once this principle is violated and once the law is changed in that regard, such a precedent would be used, in my humble judgment, many times in the future. Other persons could protest as much as they wanted to; but once the law is broken—and this is a proposal to break the law, although technically it is stated that the law would be waived temporarily—it would be just that much easier for future violations to occur.

As I pointed out, however, the Congress was confronted with a fait accompli, namely, the announcement by the President that General Marshall would be appointed. That announcement was made without consulting Congress, and the announcement was circulated throughout the Nation, as if it were taken for granted that Congress would waive the law—in short, as if it were taken for granted that Congress would give rubber-stamp approval.

Mr. President, does anyone believe that the United States is so lacking in competent patriotic civilians among its population of more than 150,000,000 people, that there is not a single person on whom the President could call to head this powerful executive department, in conformity with the law? If the Nation were in such a desperate strait, I say the President should first have come to the Congress to see whether Congress would agree to change the law, before he announced that he would appoint to that position someone who does not meet the qualifications required by the law.

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

Mr. KNOWLAND. I yield.

Mr. KEM. As I understood the argument presented by the able senior Senator from Virginia, it was that General Marshall is an indispensable man, that there is no other man in the United States who could take the helm of the Military Establishment at this time, in fact, that there is no other man in the world who could do so at this time and could successfully carry on under these circumstances.

I should like to ask the Senator from California if it is true that exactly the same argument has been made time and time again in the history of the world,

when the free people have lost their liberties?

Mr. KNOWLAND. I will say to the able Senator that although there was no law prohibiting it, yet there used to be a tradition in the United States against a third term in the Presidential office. That tradition was violated once. I think every American citizen realizes now that it will be far easier to violate the no-third-term tradition in the future than it was prior to the time when the first violation occurred.

Mr. KEM. Is not that in keeping with common experience, namely, that when a person once departs from the path of virtue, a later transgression is just that much easier?

Mr. KNOWLAND. I think the Senator is correct.

Mr. KEM. Is not this indispensable man idea the very thing about which the founding fathers were so much concerned when they established the rule and the tradition that a military man should not head the Military Establishment?

Mr. KNOWLAND. I believe that is true.

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

Mr. KNOWLAND. I yield.

Mr. HICKENLOOPER. The Senator's very calm and able presentation of the fundamental reasons surrounding his objection to this bill has been very fine. I think one of the most powerful arguments the Senate and the people of the United States should consider, perhaps, should be emphasized more, although the Senator from California did emphasize it substantially. However, it seems to me to be a very important argument, a fundamentally important argument from the standpoint of this body, most of the members of which took part in the passage of the Reorganization Act, that after due debate and careful consideration and a desire to throw the greatest possible safeguards around the principle of civilian control, we adopted, in a time of comparative calmness, a safeguard against emotional activity or precipitate action; but here, today, we are being asked, within 24 or 48 hours, under the statements of emergency and of urgent necessity, to destroy the safeguards—in time of emergency—which were erected in time of calmness to protect against such emergency action.

Mr. KNOWLAND. The Senator is absolutely correct.

Mr. HICKENLOOPER. I think that point cannot be overemphasized, Mr. President. I am highly pleased that the country has been favored by having the Senator from California bring out that argument in the course of his statement.

Mr. KNOWLAND. The Senator is absolutely correct. The record is ample, and if Members of the Senate, or of the press, and others will examine the Record, from the very earliest reports of Secretary Forrestal, to the committee hearings in 1946-47, in the Seventy-ninth Congress, when the act was finally passed by both Houses, they will find, in the debates on the floor at that time, and in the testimony before committees, that always the question was raised, as it quite properly could be

raised, as to why we were, for the first time in our history, concentrating this vast power over the Military Establishment—not merely one arm of it, but all three arms of it—in one man. The question was raised, "Is there not danger of too much military control?" The answer came back from our generals of the caliber of General Eisenhower, from our admirals, from our civilian Secretaries, and from the Members of Congress, who were responsible for convincing the Congress that this bill was a safe one to pass, "You need fear no danger in that regard, because we have written into the law a provision that the Secretary of National Defense shall be a civilian."

Mr. President, the ink is hardly dry on the law—and I say this with the deepest conviction, before an effort is made here to violate the very provisions which Congress had been assured were such that that danger might never arise. The men in the Air Force, the men in the Navy, and civilians, who were concerned about the situation, relied upon that assurance. Yet here, in a very brief period of 48 hours, we are asked to sweep it aside and to violate a tradition which has had the utmost significance to the American people.

Mr. CAIN, Mr. MUNDT, and Mr. WILLIAMS addressed the Chair.

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

Mr. KNOWLAND. I yield to the Senator from Washington.

Mr. CAIN. It has been said by the administration that if the Congress changes the law, or votes to upset an abiding principle which has governed our way of doing business in our country for a long time, the American people will rise unanimously in support of such an action. The Senator from Washington feel that this is in fact not the case and that the action will backfire if we proceed to change the law today.

But my question is, Has the Senator from California, since he and the Senator from Washington recently submitted very brief minority views, heard from any American citizens throughout the land? If he has, to what extent have the people of this country, in telegraphing or writing to the Senator from California, supported the action we are being urged to take?

Mr. KNOWLAND. I can only cite the experience of my own office, but I may say that I have had a very substantial number of letters and telegrams from the State of California and elsewhere in the Union, though preeminently from my own State, which have voiced opposition overwhelmingly to this change, many of them at the same time expressing the highest regard for General Marshall as a military figure, as a man who has given great service to his country. As a matter of fact, I was so surprised by the information given me concerning these communications that I sent to my staff and asked, "Are you only sending to me only communications which approve of the position I have taken?" They said, "No, Senator; you are getting all of them." I may say that I have long followed the principle, not only in a political campaign, but at all other



times, of asking for the bad news. I find that the good news takes care of itself. So I thought perhaps I was getting some screened replies. To the contrary, the communications were overwhelmingly to the same effect. So far as I know, until this morning there had not been received a single communication on the other side of the question; though I have no doubt that in the mail there will come communications of another type.

Mr. CAIN. Mr. President, will the Senator yield for another brief observation?

Mr. KNOWLAND. Yes. May I ask what the Senator's own experience has been?

Mr. CAIN. I wanted to say that it is a very strange thing, but a thing which can be established, that the experience since Tuesday, which I think was the day on which the two Senators submitted minority views, has been that the Senator from Washington received a substantial volume of mail on this question, and, like the Senator from California, no American is included among the senders of those communications, who, over his signature, voiced support of what the Senate is being asked to do this afternoon. So strange was it—for it has never before happened during the 4 years I have been in the Senate—that I called one of my associates into the office this morning, and posed the question, "Are you trying to keep from me the communications expressing views on the other side of the question?" The answer was, "You have been given every single letter and telegram on this subject, as they have been received by the office." To me it is a very interesting and provocative item, an item to be considered by Senators in passing judgment on this question. Were I able to "write the ticket"—which obviously I am not—I should hope that the Senate, after a full afternoon's discussion, or after having discussed the matter for at least a substantial part of the afternoon, would lay this question aside for at least overnight, in order that other Senators might reflect upon what the Senator from California has said and what the Senator from Virginia has said on the other side of the question, so that Senators might more carefully consider the matter before voting.

Mr. KNOWLAND. I merely say, as a personal observation—and I may be wrong; a man may honestly differ on this subject—it is my judgment that if this proposal could have gone through a normal committee hearing, of which the public would have been given advance notice, and at which people could have come forward to give testimony for and against the change, rather than being called, as members of the committee were, at 11:30 o'clock in the morning of the day the bill was presented to Congress by the President, and, at 12:15, having the bill reported without any public hearing whatever; if public hearings could have been held so that the basic issue could have been presented to the American people, not merely at the first blush, of a change in the status of the Secretary of Defense, so that the question could have been considered soberly; and then, if we could have con-

ducted the normal congressional process of debate on the floor, instead of running up against the deadline which we have encountered, I believe that the Members of the Congress would have received many communications from people throughout the country to the effect that at least they should stop, look, and listen before taking this very vital step.

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

Mr. KNOWLAND. I yield.

Mr. CAIN. I shall appreciate it if the Senator sees fit to hazard a guess on this question: Had the President of the United States, in the face of a resignation which he had just received from his Secretary of Defense, come quietly to the Senate Armed Services Committee and said, "Will you help me find a successor?", does the Senator from California think that a majority of the committee would ever have suggested to the President for his serious consideration a five-star general to fill a post which the law of the land provides shall be filled by a civilian?

Mr. KNOWLAND. No. I can say in all seriousness—and I do not want to betray any confidence—that I cannot help but believe that the action taken by the committee was, with respect to a large majority of the members of the committee, taken with misgivings that we were creating a precedent which might involve some danger; and, as the able Senator from Virginia said on the floor today, so I feel at liberty to quote him, "If this matter gets into conference, and the conferees should strike out the limitation to the name of General Marshall alone, and say that for a period of 2 years a general may be selected or for a wartime period a general may be selected, I would oppose such legislation on the floor." That is how dangerous the Senator from Virginia feels that this precedent is. He has tried to write around it such safeguards as he believes can be written in a situation of this kind.

I yield the floor.

#### EXHIBIT A

[From the United States News of January 27, 1947]

**MILITARY MEN IN KEY JOBS: SHIFT FROM UNITED STATES TRADITION—OFFICERS AS PRESIDENTIAL ADVISERS, DIPLOMATS, AND AGENCY HEADS—READY ADMINISTRATIVE ABILITY WEIGHED AGAINST CIVILIANS' OLD FEARS OF ARMY-NAVY RULE**

All precedents in United States history are being broken by the strong trend toward use of military men for key positions in Government service. The influence of the military is more and more widespread in the civilian arm of the Government.

This trend toward use of professional military men for civilian jobs is emphasized by the selection of General of the Army George C. Marshall to be Secretary of State and, in effect, Vice President. It underlies the boomlet that has developed for General of the Army Dwight Eisenhower, Army Chief of Staff, for the 1948 Presidential nomination in one or the other of the major parties.

Fleet Adm. William D. Leahy, Chief of Staff to the President, is a very influential White House adviser on many matters of policy. Several positions in the diplomatic service are filled by military men. Generals will dominate the coming conference on a German treaty. High officers are running a number of the Government's domestic agencies.

Use of generals and admirals from the Regular Army and Navy to perform tasks

that civilians once performed is giving rise to questions of whether the military is taking over the country. There is also some questioning from abroad as to whether the United States is veering to an imperialist course. Actually, the new role of the military rests upon a complaint by the White House that it cannot find civilians to do what needs to be done. President Truman, however, has let his associates know that he has no further generals or admirals in mind for major posts.

#### PRESENT SET-UP

Specifically, this is the situation brought about:

At the White House, President Truman now is to have among his closest advisers two of the Nation's prominent military men—General Marshall as well as Admiral Leahy. The scope of their past experience is very wide. General Marshall, as Chief of Staff, ran the Army during the war. Admiral Leahy, as Chief of Naval Operations, ran the Navy for several years before the war. Both were close to President Roosevelt as members of the wartime Joint Chiefs of Staff. Both are respected and trusted by Mr. Truman, and their advice will carry much weight.

In the diplomatic service, professional military men are being utilized increasingly. Lt. Gen. Walter Bedell Smith, who has been in the Army since 1917 and was chief of staff to General Eisenhower during World War II, is in a vitally important spot as Ambassador to Russia. Vice Adm. Alan G. Kirk, veteran of 36 years in the Navy, climaxed by his part in the Normandy landings in 1944, is Ambassador to Belgium. Gen. Thomas Holcomb, who served in the Marine Corps for 43 years and rose to be its Commandant, is Minister to the Union of South Africa. Brig. Gen. Frank T. Hines, an officer in the Spanish-American War and in World War I, and later head of the Veterans' Administration, is Ambassador to Panama.

In the postwar settlements, generals are playing a decisive role. United States occupation forces in Germany are under Lt. Gen. Lucius D. Clay, and those in Japan and Korea are under General of the Army Douglas MacArthur. Maj. Gen. John H. Hildring, another Army career man, is keeping track of their work from the Washington end, as Assistant Secretary of State. In the coming conference at Moscow on German peace terms, key decisions affecting the future of the world will be made for the United States by four military men—General Marshall, General Clay, General Smith, and Lt. Gen. Mark W. Clark, until recently commander of United States occupation troops in Austria.

Intelligence work of the Government is being placed under a professional Army man, Lt. Gen. Hoyt Vandenberg, nephew of Senator Vandenberg, Republican, of Michigan. He has been named as head of the new Central Intelligence Group and will retain his military status.

In other agencies, professional military men are being utilized as administrators. Gen. Omar N. Bradley, who commanded the Twelfth Army Group in the invasion of Germany, is head of the Veterans' Administration. Maj. Gen. Philip B. Fleming, in the Army since 1911, is director of the recently established Office of Temporary Controls. He also is head of the Federal Works Agency. Vice Adm. William W. Smith is chairman of the Maritime Commission. Maj. Gen. Robert M. Littlejohn, as head of the War Assets Administration, is disposing of surplus war goods.

Taken all together, these men make a rather imposing array of military figures holding top places in the Government.

#### PAST RECORD

In contrast, the work of professional military men in the past was confined largely to their own field.

It is true that 10 men were elected President after achieving prominence as military commanders in war. They were George

Washington, Andrew Jackson, William Henry Harrison, Zachary Taylor, Franklin Pierce, Ulysses S. Grant, James A. Garfield, Rutherford B. Hayes, Benjamin Harrison, and Theodore Roosevelt. But, of these, only Presidents Taylor and Grant had followed professional military careers, and President Grant, previous to 1861, had been out of the Army for 7 years.

Three professional military men were nominated for President, but were not elected. These were Gen. Winfield Scott, in 1852; Gen. George B. McClellan, in 1864; and Gen. W. S. Hancock, in 1880.

The tradition has been that civilian posts should be manned by civilians. Even the Secretaries of War and Navy customarily have been nonmilitary men. President Roosevelt, however, began to call on career generals and admirals to fill diplomatic and administrative posts, and the new tendency has gone much further under President Truman.

#### REASONS FOR CHANGE

One of the big reasons for the present trend is that officers in the armed services are always available for assignment to any Government job that needs to be done. If other men decline, or if no others with the right qualifications can be found, the appointment of a military man of proved ability is a convenient solution. Other advantages are that many officers have had long administrative experience, and they are accustomed to serving the public rather than any special interest.

In the current phase of history, when the United States is entering upon a new world role, still another factor is that the men who ran the war on a global basis have some understanding of world affairs.

#### OBJECTIONS

Persons who object to dominance of civilian activities by military officers, on the other hand, contend that the military men have a strong tendency to be dictatorial. This, say the objectors, is only natural, in view of the officers' lifelong training in discipline. Also, it is held, officers are not responsive to public opinion, are unwilling to compromise, and sometimes disregard civilian rights.

Another criticism is that military organization methods, if applied to civilian activities, result in overstaffing, delay, and waste. General Bradley, for example, was accused by the Veterans of Foreign Wars of setting up an unnecessarily ponderous machine in the Veterans' Administration, where he established an office of coordination and planning, with a staff of 2,000, many of whom were former officers. Recently he eliminated this branch.

Thus opponents of administration by military men make the point that not only does military domination threaten democracy, but it often is a blow to efficiency.

#### ISSUES AHEAD

The question of military versus civilian control is arising in a related field—that of scientific research. The Army and Navy, through their contracts with educational institutions for carrying out special research projects, are increasingly in a position to exert leverage on scientific research in general. Control of research in atomic energy, however, originally in military hands, has been shifted by Congress to a civilian commission. And recently civilian influence in the field of science was given a new boost by President Truman when he established the Presidential Research Board to exercise general supervision of Federal research programs.

A second question to be threshed out is that of compulsory military training. Here, again, there is objection that it would subject civilian life to domination by the military.

#### GENERAL MARSHALL'S PROBLEM

An immediate question will be the type of appointments General Marshall will make

as Secretary of State. He can call on Army officers with whom he is acquainted, or he can call on career diplomats, or he can go outside of both groups and look for others who are qualified. According to reports, he intends to avoid militarizing the State Department and also will avoid relying entirely on career men. He has a wide acquaintance outside the military and diplomatic fields.

#### REVERSE TREND?

General Marshall's reported attitude, coupled with signs of concern at the White House, give indication that President Truman is aware of the public's fear of dominance by the military and is swinging back toward reliance on civilians for top Government jobs. Meanwhile, however, the military officers are exercising more influence on United States civilian affairs than ever before.

Mr. WILLIAMS obtained the floor. Mr. HICKENLOOPER. Mr. President, I wonder if the Senator will yield, in order that I may propound a question to the Senator from California.

Mr. WILLIAMS. I should be willing to yield with the understanding that I shall not lose the floor.

I ask unanimous consent that I may yield so that the Senator from Iowa may propound a question to the Senator from California.

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

Mr. HICKENLOOPER. The Senator from California, in his last statement, touched on a matter about which I wanted to inquire. It was, in effect, what the Senator's view may be on the question whether the personality of General Marshall, a great and pre-eminent general, and the respect in which a great many persons hold him, may or may not have been a major factor in the support of the precedent-breaking precipitous action by the Armed Services Committee.

Mr. KNOWLAND. I think I can say, without fear of successful contradiction by any Senator on the floor, that had the President of the United States called all the members of the Armed Services Committee to the White House and, without mentioning any names, had said, "Do you believe it is advisable under these circumstances to change the law to permit a military man to head this department?" if he did not get unanimous advice against it from the committee, it would have been very close to unanimous advice against it.

Mr. HICKENLOOPER. I thank the Senator.

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

Mr. WILLIAMS. Mr. President, I ask unanimous consent that I may yield to the Senator from Massachusetts without losing the floor.

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

Mr. LODGE. Mr. President, I intend to support the appointment of General Marshall as Secretary of Defense. Ordinarily I would be opposed to having a military man in control of our defense. I believe, however, that this is one instance, of which we have had several in our history, when we should make an exception to the rule. General Marshall by his actions has proven that he has a very broad civilian viewpoint, that

he is not in any sense of the word a militaristic man. He would bring to the office not only splendid qualifications of character and intellect, but also a unique experience, as recently as 5 years ago, which we would be very foolish to forego. Furthermore, his appointment would have an excellent effect throughout the world: in Europe, where he is identified with the Marshall plan, which in my view has been a conspicuous success, and in the Far East, where everything he has done certainly makes impossible any accusation of imperialism against him. These are a few of the reasons which decide me to support his appointment.

#### CRITICISM OF GOVERNMENT'S POLICY IN THE SALE OF MINERAL RIGHTS AND LEASING OF PUBLIC LAND

The PRESIDING OFFICER. The Senator from Delaware has the floor.

Mr. WILLIAMS. Mr. President, my remarks are on an entirely different subject, but it is a subject which I feel is of equal importance not only to the Members of the Senate but to the country. It is going to be particularly interesting, I think, to the members of the Committee on Agriculture and Forestry. I have promised some of the Members that prior to delivering my remarks I would suggest the absence of a quorum so that they might be on the floor to ask questions during the delivery of my speech.

I ask unanimous consent that I may suggest the absence of a quorum, without losing the floor, in order that members of the Committee on Agriculture and Forestry may be notified.

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

Mr. WILLIAMS. Mr. President, 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	Hill	Malone
Benton	Hoey	Martin
Bricker	Holland	Millikin
Butler	Humphrey	Morse
Byrd	Hunt	Mundt
Cain	Ives	Murray
Chapman	Jenner	Neely
Chavez	Johnson, Colo.	O'Connor
Connally	Johnson, Tex.	O'Mahoney
Cordon	Kem	Robertson
Darby	Kerr	Russell
Donnell	Kilgore	Saltostall
Douglas	Knowland	Smith, Maine
Dworshak	Langer	Sparkman
Ecton	Leahy	Stennis
Ellender	Lehman	Taft
Ferguson	Lodge	Taylor
Frear	Long	Thomas, Okla.
Fulbright	Lucas	Thye
George	McCarran	Tydings
Gillette	McCarthy	Watkins
Graham	McClellan	Wherry
Green	McFarland	Wiley
Gurney	McKellar	Williams
Hendrickson	McMahon	Young
Hickenlooper	Magnuson	

The PRESIDING OFFICER. A quorum is present.

Mr. WILLIAMS. Mr. President, on August 24, 1950, in a discussion on the floor of the Senate I stated that at the appropriate time I would discuss in detail the manner in which the Government has been leasing and disposing of its valuable mineral rights for a fraction of their real worth.



This afternoon I wish to first call the attention of the Senate to the unbusinesslike method in which the mineral rights under our public lands are being leased by the Department of the Interior at millions of dollars below their marketable value, and second, the inexcusable manner in which the Department of Agriculture, through the Federal Farm Mortgage Corporation, has been selling to outside speculators mineral rights which had been retained by the Government under farm property. These sales have been made by the Federal Farm Mortgage Corporation without giving the owner of the farm any opportunity to buy these rights and thereby acquire a clear title to his farm.

The Department of the Interior, under the provisions of a law passed in 1947, has been leasing public lands for the development of minerals by private negotiation at a nominal fee of 25 cents to 50 cents an acre, sometimes even lower, instead of negotiating these leases on a competitive-bid basis.

According to Mr. Marion Clawson, Director of the Bureau of Land Management of the Department of the Interior, this rejection of competitive bidding has resulted in the loss of millions of dollars annually. For instance, in the State of Mississippi alone before the inauguration of this non-competitive-leasing program, there had been issued leases on 92,212 acres upon which the Government collected in excess of \$2,500,000 as bonuses from the competing applicants. Since 1947 under this non-competitive leasing program, 94,232 acres have been leased in the same State—Mississippi—for which the insignificant sum of only \$1,680 was collected as filing fees.

I directed an inquiry to Mr. Clawson, asking him whether or not these lands were of comparable value; and if not, what differential he would place on the valuation of the land. This is what Mr. Clawson replied:

The 94,232 acres referred to in the Department's letter, which were leased pursuant to the Mineral Leasing Act for Acquired Lands, enacted on August 7, 1947 (30 U. S. C., sec. 351 et seq.), from the information available appear to be of generally comparable value to the 92,212 acres which were leased pursuant to competitive bidding prior to the enactment of this statute. The lands leased before and after that date are located in the same national forests of Mississippi; all the leases affect wildcat lands of unproven mineral value. I know of no reason why there would be any significant difference in their respective values. The tremendous difference in revenue, without doubt, is the result of the issuance of mineral leases without competitive bidding under the terms of the 1947 act.

I wish to reemphasize the last sentence:

The tremendous difference in revenue, without doubt, is the result of the issuance of mineral leases without competitive bidding under the terms of the 1947 act.

This same policy has been in effect in every State of the Union in which there are public lands or in which any activity in either oil, gas, or other minerals prevail. This policy of rejecting competitive bids, sometimes as high as \$20 to \$30 per acre and accepting only a nominal fee is explained by the Department as

being required under an interpretation of the existing law. I cannot understand why any such absurd law would ever have been enacted, but if any such asinine provision has been incorporated in a law authorizing this willful waste of millions of dollars belonging to the American taxpayers, then it is high time such law be repealed.

Mr. LANGER. Mr. President, is the Senator reading from the letter, or was that last part interjected?

Mr. WILLIAMS. I was reading from the letter when I said that "the tremendous difference in revenue, without doubt, is the result of the issuance of mineral leases without competitive bidding." It appeared to me that, the 94,000 acres leased in Mississippi in later years would be more valuable than the 92,000 in earlier years, because oil development was making more rapid progress in the later years, yet there was over \$2,500,000 difference in their sales.

Mr. LANGER. I wanted to know whether Mr. Clawson said it was an asinine law.

Mr. WILLIAMS. That is my own opinion, but I venture to say Mr. Clawson will not defend this policy.

Mr. LANGER. I wanted to be sure.

Mr. LONG. Mr. President—

The PRESIDING OFFICER (Mr. HOL- LAND in the chair). Does the Senator from Delaware yield to the Senator from Louisiana?

Mr. WILLIAMS. I yield.

Mr. LONG. I suppose the Senator knows, does he not, that some time back the New Orleans Times-Picayune, which has one of the widest circulations in the South, carried a series of editorials pointing out that the situation to which the Senator is referring was prevalent all over the State of Louisiana, where enormously valuable Federal oil prospects were being leased at a mere fraction of their value?

Mr. WILLIAMS. I am sure the Senator is right, although I have not seen the editorials. Perhaps I was the only Member of the Senate who did not know of it until recently, but I repeat what I said before, that in my opinion, this is one of the most absurd programs I have ever heard of being carried on by any responsible Government agency or business.

Mr. LONG. I completely agree with the Senator.

Mr. WILLIAMS. The Department of the Interior in confirming this estimated loss of \$2,500,000 in the State of Mississippi alone under this program, have endorsed a correction in the law. The question which naturally comes to my mind, and to the minds of other people who hear about this, is, Who has benefited during the past 2 years from these million-dollar bargains in Mississippi and the other oil-producing States? Has some company or some group of individuals been favored in the allocation of these bargains? Congress should not close its eyes to the fact that this policy of noncompetitive bidding leaves wide open the possibility for fraud, favoritism, and collusion—in fact, the law as it now operates openly invites such practices.

Mr. President, with all due respect to the officials of the Department of the Interior, it is impossible for any indi-

vidual or any agency of the Government to satisfactorily allocate these leases on a noncompetitive basis at 25 or 50 cents per acre when at the same time numerous buyers are seeking an opportunity to bid for the same acreage at substantially higher figures. This gives rise immediately to the suspicion that somebody is obtaining preferential consideration in the allocation of these bargains. There is no other answer to it. The program cannot be administered on any such basis as it is now being administered without arousing a lot of suspicion. Not only must this absurd policy of noncompetitive bidding be corrected immediately, but also the appropriate committee of Congress should request the records of the Departments to see just who has been obtaining these low-priced leases in order that we might determine whether or not any favoritism has been shown.

These low bids have often been accepted when at the same time the Department of the Interior either had higher offers in its possession or knew that if the leases were offered on a competitive bidding basis, they would bring a substantially higher price. One particular instance, as I have said before, was called to my attention where the Government leased its land for 50 cents per acre when at the same time mineral rights under adjoining land which was privately owned, was sold for \$30 per acre. This was one of the things I had hoped to correct in H. R. 4800 had the committee cooperated, and not rushed the bill through so rapidly.

In the instance which I have just mentioned, the man who called it to my attention sent a map showing that he leased 200 acres surrounding Government land, for which he paid \$30 an acre, and he enclosed copies of letters where he had asked the Government to put their land up for competitive bidding, but they would not do it, rather they leased it for 50 cents an acre.

Mr. LANGER. Will the Senator yield?

Mr. WILLIAMS. I yield to the Senator from North Dakota.

Mr. LANGER. What year was that? Was that under the present Secretary of the Interior, or under his predecessor?

Mr. WILLIAMS. That has been going on since 1947. It is going on at this time. They are still leasing land under this provision.

I am not an attorney, and I am not prepared to say whether the Department is right or not, but the argument made by them is that their interpretation of the law is that they must not lease these lands on a competitive-bidding basis except when they actually know oil exists under the land. If they do not know that oil exists, they insist upon leasing it for 25 or 50 cents per acre. So they are leasing the land at 25 to 50 cents an acre when they could get \$25 or \$30 an acre. Whether or not the interpretation of the Department is correct, I do not know. Regardless of that, however, the law should be changed, and I cannot understand why someone did not more forcefully call this to the attention of the Congress before now. Most anyone administering a program like this surely knew this was wrong.



But there is another phase in the Government's handling of mineral rights which is subject to even more severe criticism. And that is the indefensible manner in which the Department of Agriculture, through the Federal Farm Mortgage Corporation, has been selling mineral rights to outside speculators which it had previously retained under certain farm properties, without giving the farmers a chance to protect themselves.

During the depression years the Government acquired title to thousands of farms, located mostly in the Midwest. Later as these farms were sold, the Government reserved 50 percent of the mineral rights. Congress recently enacted legislation, H. R. 4800, the purpose of which was supposedly to make possible the return or sale of these mineral rights to the owner of the land at its appraised value. What the Congress did not know last month at the time it acted upon this legislation, and what I think we should have known, was that for the past several years the Department of Agriculture, through the Federal Farm Mortgage Corporation, had already been selling these rights to outside speculators.

Prior to the enactment of H. R. 4800, the bill which was supposed to make possible the return of these rights to the farmers, I appeared before the Senate Committee on Agriculture and Forestry and requested that consideration of the measure be withheld until we could determine to what extent the farmers had already been sold out, and requested that they obtain from the Department of Agriculture an explanation as to why they had made these sales to outside speculators. I suggested that the committee obtain an explanation from the Department of Agriculture as to why the owners of these farms were being denied an opportunity to buy the rights under their own property.

I also requested that consideration of this legislation be withheld until the committee could determine the accuracy of certain rumors that Government employees had been involved in the speculations of these mineral rights. That employees of the Farm Credit System were involved was later confirmed by Mr. I. W. Duggan, Governor of the Farm Credit Administration, in his testimony before the Senate Agriculture Committee on August 24, 1950, when he said that in the St. Louis farm credit district a small number of individuals, while serving as officers or employees had through investment pools, or individually, purchased varying mineral interests including interests in oil and gas leases and fractional royalty interests. These purchases were in areas where there was considerable mineral activity at the time. At that time Mr. Duggan listed as members of this so-called investment pool five men, whom he described as persons who at the time of acquiring such mineral interest were, and still are—as of August 1950—employed by a unit of the Farm Credit System. These names were given to the committee on August 24, 1950, and are as follows: W. H. Droste, Farm Credit Administration of St. Louis,

president, Federal land bank; W. R. Frankhanel, Farm Credit Administration of St. Louis, vice president, Federal land bank; H. W. Snodgrass, Farm Credit Administration, land bank appraiser assigned to St. Louis district; J. L. Barrett, Farm Credit Administration, land-bank appraiser assigned to St. Louis district; D. M. Hardy, Farm Credit Administration of St. Louis, president, Bank for Cooperatives, and general agent.

Mr. Duggan also listed the following persons who at the time of acquiring such mineral interests, or at any time previously, were employed by a unit of the Farm Credit System, but are not so employed as of August 1950: E. C. Maxwell, vice president, Federal Land Bank of St. Louis; M. L. Brueggeman, chief accountant, Federal Land Bank of St. Louis; W. H. Bengel, attorney, Federal Land Bank of St. Louis; S. Alden Perrine, temporary appraiser.

Over a 4-year period these individual employees of the St. Louis farm credit district had acquired a number of mineral interests. In some of these cases the mineral interests acquired were under farms upon which the Federal Farm Mortgage Corporation had mortgages.

While the employees involved claimed that they did not know at the time they purchased these mineral rights that the Federal Farm Mortgage Corporation had mortgages on the land involved, it is an acknowledged fact that these employees who were involved in this so-called investment pool were holding positions of authority in which they had access to full information regarding all loans held by the Federal Farm Mortgage Corporation in that district, and unquestionably were in a position of having inside knowledge. Whether they used that knowledge or did not, no one disputes the fact that they were holding positions which gave them inside information.

It is rather significant that within 30 days from the date that I directed my first letter, dated June 9, 1950, to the Farm Credit Administration raising the question as to what extent, if any, employees of the Farm Credit Administration had ever been involved in speculating in these mineral interests, we find that the Farm Credit Administration issued regulation No. 514 prohibiting such activities on July 7, 1950.

While these speculations were discovered and investigated by the Department of Agriculture long prior to that date, no action was taken to prevent their recurrence until July 7, 1950, after I had made inquiry as to the irregularities.

While testifying before the committee on August 24, 1950, Mr. Duggan said:

We prefer to sell to the owner of the surface rights. Since July 1, 1949, it has been the policy of the Corporation to sell mineral interests only to the present fee owner of the surface land. \* \* \* We felt that the title to mineral reservations should go with surface rights.

Mr. Duggan failed to tell the committee that this somewhat belated decision on the part of the administration was not made until after the senior Senator from Delaware had demanded from the

administration a full explanation and a breakdown of all sales of mineral interests which had been made by the Department of Agriculture to parties other than owners of the farm. The Department of Agriculture need not take too much credit for reversing its policy because the record shows that no action was taken to protect the American farmer or to correct any of these irregularities until July 1, 1949, after my first letter, dated May 9, 1949, had been received indicating that I was aware of these transactions.

It was only then that the Department reversed its policy of selling the mineral rights to outside speculators. My first correspondence with the Department of Agriculture which indicated my suspicion that Federal employees might be involved was dated June 9, 1950, and on July 7, 1950, we find the Department issued a regulation prohibiting Government employees, from speculating in mineral rights.

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

Mr. WILLIAMS. I yield.

Mr. KEM. I should like to ask the Senator whether any oil or gas in paying quantities has been found on any of the properties the Senator is mentioning, that is properties on which the oil interests or the oil and gas leases have been sold?

Mr. WILLIAMS. Yes, there has been, and I shall go into that in a moment. At that time I will discuss the chart and will point out as briefly as possible, from letters I have received, the manner in which some of these gas and oil leases have been handled. I cannot understand why correction of these abuses should have been dependent upon their discovery by a Member of the United States Senate.

What the Members of the Congress should also have been told was that in a large number of cases the legislation enacted is meaningless to many American farmers since the mineral rights on their farms have already been sold without their knowledge.

As an example of how these mineral rights have been sold away from the American farmers, I have assembled 92 cases showing how these mineral rights have been sold.

This chart which I am going to insert in the RECORD, shows the name of the farmer from whom and upon what date the Government first obtained the property. It shows the name of the farmer to whom the Government subsequently sold the farm, the location of the farm, the acreage, the price paid, and percentage of mineral rights reserved by the Government. The chart shows the names of the outside buyers of the mineral rights, percentage sold, the date of the sale, and the purchase price. At this point I ask unanimous consent to have inserted in the RECORD a breakdown of these 92 transactions where the farmers have been betrayed and sold out by an agency of the Government which had been set up for the avowed purpose of protecting their interests.

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



Land acquired by Government			Sale of land					Sale of minerals			
Date	County	From—	Purchaser	Purchase price	Surface acres	Date of sale	Mineral reserve	Mineral purchaser	Interest sold	Date of sale	Consideration
1	MISSISSIPPI Copiah	J. D. Harris Estate, Route 3, Hazlehurst, Miss.	H. Miller, Hazlehurst, Miss.	\$800	340.15	Feb. 20, 1940	1/2	C. A. Kelly, Houston, Tex.	1/32 R. I. under 135 acres.	Aug. 12, 1943	\$337.50
2	do	Albert B. Flynn, Wesson, Miss.	J. C. Ashley, Wesson, Miss.	800	55.44	Dec. 6, 1938	1/2	Juanita A. Spitzfaden, Hibernia Bank, New Orleans, La. H. G. Shuman, New Orleans, La.	1/128 R. I. 1/64 R. I. under 205.15 acres.	July 4, 1944 Oct. 30, 1943	1,063.00 384.60
3	Adams	Ruby M. Zurhellem et al., Natchez, Miss.	Ferdinand L. Passbach, Natchez, Miss.	12,500	444.00	Aug. 13, 1941	1/2 mineral for 25 years.	Thos. L. Richards, care of Chase National Bank, New York, N. Y. E. L. Richardson, Vidalia, La.	1/64 R. I. 1/128 R. I.	Aug. 1, 1946 Oct. 13, 1943	207.90 416.25
4	do	do	Mrs. Annie McL. Smith, Natchez, Miss.	5,500	325.10	Oct. 25, 1941	do	City of Natchez, Natchez, Miss. E. L. Richardson, Vidalia, La.	1/2 Min. I. under 186.16 acres. 1/128 R. I.	Aug. 9, 1946 Oct. 13, 1943	4,072.69 304.80
5	do	do	C. C. Miller and A. B. Webb, Natchez, Miss.	2,800	192.50	Jan. 6, 1942	do	M. C. and C. J. Finklea, Warner, Okla. E. L. Richardson, Vidalia, La.	1/256 R. I. 1/128 R. I.	May 4, 1944 Oct. 13, 1943	279.37 180.45
6	Mar. 5, 1938 Attala	R. G. Sims, McCool, Miss.	H. V. Rones and H. C. Reynolds, Ethel, Miss.	275	107.00	Nov. 16, 1939	do	C. F. McClendon, care of New York Life Insurance, Slatery Bldg., Shreveport, La. H. N. Brown, 140 Pinehaven, Jackson, Miss.	1/32 R. I. 1/64 R. I.	June 17, 1944 Nov. 4, 1944	267.50 367.81
7	Sept. 23, 1938 Chickasaw	W. T. Small, Route 1, Houston, Miss.	R. R. Woodruff, transferred to J. A. Smith, Route 1, Houston, Miss.	1,350	80.00	Mar. 7, 1941	1/2	State of Mississippi, Jackson, Miss. Robert H. Davidor, 807 Colcord Bldg., Oklahoma City, Okla.	1/2 Min. I. in 31.84 acres. 1/64 R. I.	July 29, 1941 Apr. 25, 1944	*63.69 1,068.75
8	May 3, 1937 Claiborne	Mrs. Estelle Hill, Wil lows, Miss.	W. G. Brown, transferred to Mrs. Jno. L. Brown, Port Gibson, Miss.	1,000	171.00	Dec. 29, 1938	1/2	W. W. Bradley, P. O. Box 271, Gladewater, Tex.	1/64 R. I.	July 28, 1944	125.00
9	Jan. 29, 1938 Clarke	Mrs. J. S. Hardee, Pachuta, Miss.	H. E. Culbreath, transferred to Mrs. A. M. Gordon, Pachuta, Miss.	550	80.00	Dec. 13, 1939	1/2	Thos. L. Richards, care of Chase National Bank, New York, N. Y.	1/64 R. I.	Aug. 1, 1946	298.23
10	May 11, 1938 Copiah	W. A. Hutson, Wesson, Miss.	Maxie Greer, Wesson, Miss.	1,000	79.53	Oct. 27, 1938	1/2	M. Carl Jones and H. E. Linam, Giddens-Lane Bldg., Shreveport, La. E. L. Richardson, Vidalia, La.	1/32 R. I. 1/64 R. I.	Jan. 12, 1943 Oct. 13, 1943	343.10 356.70
11	Aug. 18, 1936 do	Lige Thomas, Hermanville, Miss.	W. P. Drummonds, Hermanville, Miss.	500	137.25	Aug. 5, 1937	1/2	The Texas Co., P. O. Box 252, New Orleans, La. B. B. Jones, Audley Farm, Berryville, Va.	1/4 Min. I. 1/32 R. I.	Apr. 16, 1945 Jan. 24, 1940	1,871.88 87.50
12	Dec. 17, 1938 do	Lee D. Reynolds, Hazlehurst, Miss.	Robert Williams, transferred to L. D. Reynolds, Gallman, Miss.	2,600	285.37	Dec. 14, 1942	1/2 mineral for 25 years.	Mrs. R. L. Windham, Collins, Miss. H. A. Potter, care of W. J. Morris, P. O. Box 173, Hattiesburg, Miss.	1/64 R. I. for 20 years from Aug. 2, 1944. 1/32 R. I.	Aug. 4, 1944 Jan. 24, 1940	346.25 100.00
13	June 2, 1938 do	W. A. Gill, Route 1, Wesson, Miss.	Constance H. Rumbough, Nashville, Tenn.	3,000	299.50	Dec. 26, 1941	do	H. A. Potter, care of W. J. Morris, P. O. Box 173, Hattiesburg, Miss.	1/64 R. I. for 20 years from Aug. 2, 1944.	Aug. 4, 1944	75.00
14	Aug. 29, 1936 Covington	J. M. Napier, Route 2, Seminary, Miss.	McRae Griffin, transferred to Sonnett Herrin, Seminary, Miss.	678	70.00	Feb. 2, 1937	1/2	H. Guinn Lewis, Jr., Hattiesburg, Miss. G. C. Francisco, Jr., 816 Neils Esperson Bldg., Houston 2, Tex.	1/64 R. I. 1/64 R. I.	July 3, 1947 Mar. 30, 1945	319.37 250.00
15	July 9, 1938 do	George L. and Curtis E. Shows, Sanford, Miss.	N. R. Duckworth, Sanford, Miss.	1,832	138.50	Mar. 29, 1939	1/2	C. C. Mangum, Magee, Miss. C. H. Osmond, 2008 Fort Worth National Bank Bldg., Fort Worth, Tex.	1/64 R. I. 1/64 R. I.	May 3, 1945 Feb. 14, 1947	156.25 250.00
16	Apr. 5, 1938 do	Alfred Magee Estate, Route 1, Collins, Miss.	James McNair, Route 1, Collins, Miss.	1,000	80.00	June 2, 1938	1/2	B. B. Jones, Audley Farm, Berryville, Va.	1/32 R. I.	Jan. 24, 1940	80.00
17	July 7, 1937 do	R. C. Graham, Sanford, Miss.	N. R. Duckworth, Sanford, Miss.	157	30.00	Mar. 29, 1939	1/2	H. A. Potter, care of W. J. Morris, P. O. Box 173, Hattiesburg, Miss.	1/64 R. I. for 20 years from Aug. 2, 1944.	Aug. 4, 1944	75.00
18	May 26, 1937 do	Mary M. Gunter, Route 1, Sanford, Miss.	C. F. Boleware, Seminary, Miss.	800	85.00	Dec. 23, 1937	1/2	C. H. Osmond, 2008 Fort Worth National Bank Bldg., Fort Worth, Tex.	1/64 R. I.	Feb. 14, 1947	500.00
19	Nov. 10, 1936 do	J. W. Thompson, Seminary, Miss.	L. A. Funchess, transferred to Tommy Eaton, Route 2, Seminary, Miss.	700	80.00	Dec. 1, 1938	1/2	C. C. Mangum, Magee, Miss.	1/64 R. I.	May 3, 1945	156.25
20	Aug. 15, 1938 do	Hugh Durr, Route 3, Mount Olive, Miss.	R. E. Polk, Mount Olive, Miss.	550	50.00	Sept. 22, 1938	1/2	C. C. Mangum, Magee, Miss.	1/64 R. I.	May 3, 1945	156.25
21	Aug. 18, 1937 do	John Frank Magee, Route 1, Collins, Miss.	Alice Magee, Route 1, Collins, Miss.	400	40.00	Feb. 14, 1938	1/2	C. H. Osmond, 2008 Fort Worth National Bank Bldg., Fort Worth, Tex.	1/64 R. I.	Feb. 14, 1947	500.00
22	July 6, 1938 do	Ransom Easterling, Route 3, Mount Olive, Miss.	J. W. Warren, Route 3, Mount Olive, Miss.	350	50.00	Jan. 16, 1940	1/2 mineral for 25 years.	C. H. Osmond, 2008 Fort Worth National Bank Bldg., Fort Worth, Tex.	1/32 R. I.	Feb. 14, 1947	500.00
23	June 26, 1939 do	Clifton McNair, Mount Olive, Miss.	Clifton McNair, Jr., transferred to Clifton McNair, Sr., Mount Olive, Miss.	650	70.00	Dec. 26, 1940	do	C. C. Mangum, Magee, Miss.	1/64 R. I.	May 3, 1945	218.75

24	Aug. 16, 1937	Forrest and Pearl River.	Eli Seal, Lumberton, Miss.	Dr. J. B. Davis, Poplarville, Miss.	450	70.00	Feb. 3, 1938	1/2	S. P. Borden, First National Bank of Shreveport, Shreveport, La.	1/64 R. I.	July 23, 1946	218.75
25	Nov. 6, 1937	Greene	W. M. Freeman, Rich-ton, Miss.	Henry W. Byrd, Richton, Miss.	700	90.00	Nov. 12, 1938	1/2	Geo. D. Hunt and E. R. Whitaker, Deposit Guaranty Bank Bldg., Jackson, Miss.	1/32 R. I.	July 24, 1943	675.00
26	Jan. 31, 1938	Grenada	R. W. Coffey, Route 5, Grenada, Miss.	J. M. Clark transferred to E. G. Able, Route 4, Grenada, Miss.	2,000	250.00	Nov. 21, 1938	1/2	M. T. Williams, Duck Hill, Miss.	1/32 R. I.	Mar. 25, 1944	625.00
27	Oct. 23, 1942	Holmes	F. C. Ambrose et al., Route 1, Goodman, Miss.	Sam D. Hall, Jackson, Miss.	1,000	80.00	Nov. 30, 1942	1/2 mineral for 25 years.	E. P. Boyd, Durant, Miss.	1/32 R. I.	July 30, 1946	500.00
28	July 6, 1938	Jefferson Davis	Hollie Ward, Prentiss, Miss.	B. C. Griffith transferred to Vernon Lee and Arthur Daughdrill, Route 2, Prentiss, Miss.	1,750	177.40	Dec. 30, 1938	1/2	B. B. Jones, Audley Farm, Berryville, Va.	1/32 R. I.	Jan. 24, 1940	221.75
									George D. Hunt and E. R. Whitaker, Deposit Guaranty Bank Bldg., Jackson, Miss.	1/64 R. I.	June 22, 1940	2,217.50
29	Aug. 29, 1936	do	Doek and Albert Thompson, Carson, Miss.	R. A. Carraway and H. T. McNeese, Carson, Miss.	1,100	98.00	Jan. 27, 1937	1/2	B. B. Jones, Audley Farm, Berryville, Va.	1/32 R. I.	Jan. 24, 1940	122.50
30	do	do	do	A. F. Carraway, Jr., Bassfield, Miss.	100	40.00	Dec. 13, 1938	1/2	do	1/32 R. I.	do	50.00
31	do	do	J. C. Griffith, Mount Olive, Miss.	J. C. Griffith, Mount Olive, Miss.	650	82.50	Mar. 24, 1939	1/2	A. F. Carraway, Jr., Bassfield, Miss.	1/64 R. I.	Jan. 16, 1945	125.00
									B. B. Jones, Audley Farm, Berryville, Va.	1/32 R. I.	Jan. 24, 1940	103.10
									George D. Hunt and E. R. Whitaker, Deposit Guaranty Bank Bldg., Jackson, Miss.	1/128 R. I. in 35 acres.	June 22, 1944	656.25
32	do	do	Edgar Magee, Prentiss, Miss.	W. F. Langston, Prentiss, Miss.	1,100	160.50	Apr. 23, 1938	1/2	B. B. Jones, Audley Farm, Berryville, Va.	1/32 R. I.	Jan. 24, 1940	211.85
33	May 30, 1936	Jones	L. T. Rainey, Sanford, Miss.	R. L. Smith, Moselle, Miss.	1,600	82.00	Dec. 30, 1936	1/2	do	1/32 R. I.	do	162.50
34	Dec. 9, 1938	do	Mrs. Belle Blackwell, R. F. D. 2, Moselle, Miss.	C. J. Overland and Quentice Blackwell.	450	36.22	Oct. 14, 1939	1/4	J. L. Wheless, Hattiesburg, Miss.	1/128 R. I.	Dec. 13, 1944	56.59
35	July 2, 1938	do	J. E. Riels, Route 3, Laurel, Miss.	Archie Ingram, Seminary, Miss.	800	120.00	Dec. 10, 1938	1/2	H. A. Potter, Esperson Bldg., Houston, Tex.	1/32 R. I. for 20 years from July 31, 1944.	Aug. 2, 1944	600.00
36	Nov. 10, 1939	do	B. Z. Shows, Route 3, Ellisville, Miss.	E. M. Pearson, Ellisville, Miss.	1,400	100.00	Feb. 4, 1943	1/2 mineral for 25 years.	W. L. Jolley, Laurel, Miss.	1/64 R. I.	Mar. 23, 1948	312.50
									Thomas L. Richards, care of Chase National Bank, New York, N. Y.	1/64 R. I.	July 26, 1946	500.00
37	Nov. 23, 1937	do	C. W. Sanford, Sanford, Miss.	H. Arrington and Jackson Arrington, Sanford, Miss.	1,800	126.24	Oct. 18, 1939	do	H. A. Potter, Esperson Bldg., Houston, Tex.	1/32 R. I. for 20 years from July 31, 1944.	Aug. 2, 1944	631.20
38	June 17, 1939	do	H. H. Wade, Route 1, Hattiesburg, Miss.	P. C. Humphries, Hattiesburg, Miss.	972	80.00	Dec. 20, 1941	do	Walter E. Knight, 1920 Trevell-an Way, Louisville, Ky.	1/64 R. I.	Nov. 8, 1946	500.00
39	May 13, 1939	do	do	do	2,628	124.00	do	do	do	1/64 R. I.	do	775.00
40	Aug. 24, 1936	do	Anderson Wallace, Mo-selle, Miss.	S. L. Butler, transferred to V. C. Stringer, Moselle, Miss.	700	40.00	Oct. 23, 1937	1/2	B. B. Jones, Audley Farm, Berryville, Va.	1/32 R. I.	Jan. 24, 1940	50.00
41	May 1, 1939	Lamar	H. A. Flicker, Route 3, Lumberton, Miss.	R. Z. Stepp, transferred to I. E. Rouse, 205 12th Ave., Hatties-burg, Miss.	500	80.00	Dec. 16, 1942	1/2 minerals for 25 years.	Pres Cochrane	1/64 R. I.	Oct. 17, 1944	625.00
42	Aug. 16, 1937	do	Henry S. Robertson, Baxterville, Miss.	T. G. Broadus et al., Purvis, Miss.	200	40.00	Dec. 14, 1942	1/2	Mrs. R. L. Windham, Collins, Miss.	1/64 R. I.	Apr. 9, 1943	50.00
43	Feb. 14, 1938	do	Homer Reynolds Estate, Route 2, Purvis, Miss.	R. L. Pylant, Purvis, Miss.	2,000	73.22	June 23, 1938	1/2	Pres Cochrane	1/128 R. I.	Oct. 25, 1944	183.05
44	May 19, 1941	do	Mrs. Ethel Brothers Es-tate, Purvis, Miss.	Jerry Logaras, 5450 Dauphine St., New Orleans, La.	900	46.90	Oct. 6, 1941	1/2 minerals for 25 years.	do	1/128 R. I.	do	117.25
45	May 27, 1939	Lawrence	Doek Sartin, Route 1, Jayess, Miss.	Homer Riels, Jayess, Miss.	750	102.00	June 5, 1941	do	do	1/4 Min. I.	Apr. 22, 1943	510.00
46	Mar. 1, 1939	Lincoln	L. R. Bullock, Monticello, Miss.	Geo. W. Upton, Jr., Brook-haven, Miss.	400	39.00	Oct. 25, 1940	do	Mrs. R. L. Windham, Collins, Miss.	1/64 R. I.	Mar. 27, 1943	48.80
47	May 4, 1937	do	T. J. Riels, Route 4, Brookhaven, Miss.	Jesse DeLaughter, Brookhaven, Miss.	600	80.00	Dec. 22, 1939	1/2	E. L. Richardson, Vidalia, La.	1/64 R. I.	Nov. 3, 1943	250.00
48	Mar. 4, 1939	do	W. C. Gatlin, Route 1, Bogue Chitto, Miss.	Edgar Gatlin, Bogue Chitto, Miss.	900	100.00	Mar. 27, 1939	1/2	J. L. Wheless, Hattiesburg, Miss.	1/128 R. I.	Dec. 12, 1944	312.50
49	May 27, 1937	do	W. M. Smith, Baskin, La.	W. T. Blackburn, Deposit Guaranty Bank Bldg., Jack-son, Miss.	1,800	240.00	Dec. 18, 1939	1/32 R. N. J.	Eileen Gates Hunt, Deposit Guaranty Bank Bldg., Jack-son, Miss.	1/128 R. I.	Aug. 4, 1945	1,125.00
50	May 3, 1937	Madison	B. H. Collins, Canton, Miss.	C. H. Sutherland, Canton, Miss.	3,000	184.50	Sept. 22, 1938	1/2	W. C. Feazel and R. W. Wil-liams, 508 City Bank Bldg., Shreveport, La.	1/32 R. I. under 235.6 acres.	Feb. 20, 1945	397.50
				Josh Penquite, Canton, Miss.	2,041	94.95	Dec. 9, 1938	1/2	do	do	do	425.50
				Levi Jackson, Canton, Miss.	2,200	100.60	do	1/2	do	do	do	412.50
				James Brown	1,780	82.80	do	1/2	do	do	do	237.50
51	July 8, 1938	Marion	W. M. Gates, Route 1, Columbia, Miss.	Beno Moree, transferred to Olivia McNeese, Columbia, Miss.	850	80.00	Dec. 3, 1938	1/2	Clayton N. Smith, Esperson Bldg., Houston, Tex.	1/64 R. I.	Feb. 28, 1946	250.00
52	Jan. 12, 1938	do	J. S. Buchanan, Route 1, Foxworth, Miss.	Mrs. M. L. Brumfield, Route 1, Tylertown, Miss.	750	80.00	Dec. 7, 1938	1/2	Pres Cochrane	1/64 R. I.	Oct. 30, 1944	350.00
53	Mar. 16, 1936	do	C. Toxie Cooper, Route 1, Foxworth, Miss.	J. L. Cooper, transferred to Mrs. C. L. Holmes, Columbia, Miss.	450	87.00	Nov. 3, 1937	1/2	do	1/64 R. I.	do	380.63

1 Purchaser of minerals owns surface.



Land acquired by Government			Sale of land					Sale of minerals				
Date	County	From—	Purchaser	Purchase price	Surface acres	Date of sale	Mineral reserve	Mineral purchaser	Interest sold	Date of sale	Consideration	
MISSISSIPPI—con.												
54	Aug. 25, 1937	Marion	J. A. Fillingame, Route 1, Columbia, Miss.	Wilks Bros., Route 1, Columbia, Miss.	\$1,300	40.00	Apr. 23, 1938	7/16	Clayton N. Smith, Esperson Bldg., Houston, Tex.	1/64 R. I.	Feb. 28, 1946	\$250.00
55	Aug. 29, 1936	do	Jess W. King, Route 1, Goss, Miss.	A. H. Slade, Route 3, Columbia, Miss.	600	40.00	Sept. 30, 1937	1/2	Mrs. R. L. Windham, Collins, Miss.	1/64 R. I.	May 20, 1943	125.00
56	do	do	L. R. Echols, Route 1, Columbia, Miss.	Myrtis Davis, Route 1, Columbia, Miss.	160	40.00	Dec. 17, 1936	1/2	Clayton N. Smith, Esperson Bldg., Houston, Tex.	1/64 R. I.	Feb. 28, 1946	125.00
57	May 25, 1937	do	Need Leggett, Route 3, Columbia, Miss.	Ollie Patton, Columbia, Miss.	840	104.30	Apr. 22, 1940	1/2	Pres Cochrane.	1/64 R. I.	Oct. 30, 1944	456.31
58	Apr. 13, 1937	do	Isham Tyner, Rural Free Delivery, Hub, Miss.	E. J. Evans, Hub, Miss.	250	57.00	Oct. 30, 1943	1/2	Thomas L. Richards, care of Chase National Bank, New York, N.Y.	1/64 R. I.	July 29, 1946	651.87
59	Jan. 12, 1938	do	Vernon Sylvest, Route 1, Columbia, Miss.	Tom and Mrs. J. C. Tagert, Columbia, Miss.	1,000	150.00	Dec. 3, 1938	1/2	Eileen Gates Hunt, Deposit Guaranty Bank Bldg., Jackson, Miss.	1/128 R. I.	Aug. 13, 1945	356.00
60	Mar. 21, 1938	do	J. A. Coleman, Hub, Miss.	W. S. Hobbs, Monticello, Miss.	3,500	627.85	Mar. 6, 1940	1/2 mineral for 25 years.	Clayton N. Smith, Esperson Bldg., Houston, Tex.	1/64 R. I.	Feb. 28, 1946	468.75
									John Dale, Jr., Vidalia, La.	1/256 R. I.	Nov. 4, 1944	981.00
									Eileen Gates Hunt, Deposit Guaranty Bank Bldg., Jackson, Miss.	1/128 R. I.	Aug. 13, 1945	3,924.00
61	Mar. 23, 1937	Perry	S. C. Mills, New Augusta, Miss.	O. M. Mixon, New Augusta, Miss.	700	80.00	Dec. 30, 1938	1/2	B. B. Jones, Audley Farm, Berryville, Va.	1/32 R. I.	Jan. 24, 1940	100.00
62	June 21, 1941	Pontotoc	Edward Hall, Route 3, Pontotoc, Miss.	L. J. Lyon, Pontotoc, Miss.	360	80.00	Aug. 29, 1941	1/2 mineral for 25 years.	Kennard Cook, Pontotoc, Miss.	1/32 R. I.	June 25, 1943	200.00
63	July 11, 1936	Scott	W. W. Singleton, Forest, Miss.	Mrs. Jessie Traywick, transferred to H. F. McCormick, Forest, Miss.	3,500	269.00	Jan. 14, 1939	1/2	W. W. Bradley, P. O. Box 271, Gladewater, Tex.	1/64 R. I.	July 28, 1944	420.31
64	June 2, 1936	Simpson	E. R. Runnels estate, Magee, Miss.	C. J. Dilmore, Route 4, Mount Olive, Miss.	300	20.00	Oct. 1, 1937	1/2	B. B. Jones, Audley Farm, Berryville, Va.	1/32 R. I.	Jan. 24, 1940	25.00
65	Oct. 19, 1935	do	Clarence Williams, Mendenhall, Miss.	C. Jackson, Route 1, Mendenhall, Miss.	1,000	70.00	Sept. 7, 1937	1/2	C. T. Haynes, Mendenhall, Miss.	1/64 R. I.	May 5, 1944	218.75
66	Sept. 20, 1937	do	C. C. Neely estate, Magee, Miss.	Ance Cole, Star Route, Magee, Miss.	1,500	117.00	Dec. 19, 1938	1/2	B. B. Jones, Audley Farm, Berryville, Va.	1/32 R. I.	Jan. 24, 1940	146.25
67	Aug. 25, 1936	Smith	Wm. M. Grissom, Summerland, Miss.	W. R. Ham, Soso, Miss.	3,340	310.00	Feb. 20, 1940	1/2	H. M. Christie, 1504 Esperson Bldg., Houston, Tex.	1/64 R. I.	Feb. 10, 1944	581.25
68	June 10, 1938	do	J. W. Ainsworth, Bay Springs, Miss.	D. G. Brown, Bay Springs, Miss.	2,250	189.60	Jan. 11, 1939	1/2	L. D. Dale, Vidalia, La.	1/256 R. I.	Dec. 30, 1944	726.56
69	May 31, 1938	do	Jack Agee, Bay Springs, Miss.	Irvin Ishee, Bay Springs, Miss.	1,100	90.24	Oct. 19, 1939	1/2	H. J. Porter, Tower Bldg., Jackson, Miss.	1/64 R. I.	Apr. 25, 1945	411.75
70	Nov. 25, 1938	do	J. H. Dollar, Magee, Miss.	Hercial Cole, transferred to Curtis Sellers, Route 1, Magee, Miss.	875	60.00	Dec. 21, 1939	1/2 mineral for 25 years.	Eileen Gates Hunt and Bonnie Compton Whitaker, Deposit Guaranty Bank Bldg., Jackson, Miss.	1/64 R. I.	June 4, 1945	375.00
71	Apr. 21, 1939	do	Joseph B. Dixon, Summerland, Miss.	J. D. Simmons, Summerland, Miss.	1,000	114.00	Jan. 18, 1940	do	L. D. Dale, Vidalia, La.	1/256 R. I.	Dec. 30, 1944	267.19
72	Apr. 30, 1937	do	Jessie B. Duckworth, Route 1, Taylorsville, Miss.	Ira Mayfield, Route 2, Taylorsville, Miss.	500	70.00	Feb. 25, 1938	1/2	B. B. Jones, Audley Farm, Berryville, Va.	1/32 R. I.	Jan. 24, 1940	87.50
				J. L. Sims, Taylorsville, Miss.	600	40.00	Aug. 25, 1937	1/2	B. B. Jones, Berryville, Va.	1/32 R. I.	do	50.00
									Mrs. R. L. Windham, Collins, Miss.	1/64 R. I.	Mar. 27, 1943	50.00
73	June 3, 1937	Stone	John L. Bond, Wiggins, Miss.	Mrs. Bessie E. Ratcliff transferred to B. P. Russum, box 1203, Hattiesburg, Miss.	500	40.00	Dec. 17, 1938	1/2	E. L. Richardson, Vidalia, La.	1/64 R. I.	Oct. 14, 1943	75.00
74	May 26, 1937	Wayne	Harry Taylor, Route 4, Waynesboro, Miss.	Edward T. Power, Waynesboro, Miss.	400	26.00	Sept. 25, 1937	1/2	B. B. Jones, Audley Farm, Berryville, Va.	1/32 R. I.	Jan. 24, 1940	32.50
75	Oct. 18, 1937	do	Mrs. Bob Stanley, Route 4, Shubuta, Miss.	E. Pitts, Waynesboro, Miss.	750	152.00	Dec. 18, 1937	1/2	B. B. Jones, Berryville, Va.	1/32 R. I.	do	190.00
76	May 30, 1938	do	M. C. Moseley, Route 3, Shubuta, Miss.	G. C. Clark, Waynesboro, Miss.	600	116.12	Nov. 3, 1939	1/2 mineral for 25 years.	Geo. D. Hunt and E. R. Whitaker, Deposit Guaranty Bank Bldg., Jackson, Miss.	1/32 R. I.	Feb. 26, 1943	290.30
									C. B. Small, Jr., Commercial National Bank Bldg., Shreveport, La.	1/64 R. I.	Oct. 11, 1943	2,903.00
77	May 26, 1937	do	Wilbur W. Jordan, Route 2, Waynesboro, Miss.	W. T. and O. Turner, Waynesboro, Miss.	1,000	247.14	Sept. 4, 1937	1/2	W. M. Tittle, Laurel, Miss.	1/64 R. I.	Oct. 26, 1948	3,089.25
78	Sept. 15, 1941	Wilkinson	Bunyan Tillery, Rositta, Miss.	Robert L. Smart, transferred to Bunyan Tillery, Rositta, Miss.	7,000	800.00	Nov. 12, 1941	1/2 mineral for 25 years.	E. L. Richardson, Vidalia, La.	1/256 R. I.	Oct. 13, 1943	250.00

LOUISIANA													
79	Feb. 4, 1939	Franklin	G. C. Folds, Winnsboro, La.	J. T. Keen, Winnsboro, La.	2,250	120.00	Oct. 16, 1943	1/2	Charles W. and Thelma J. Hanslip, care of Standco Brake Lining Co., Houston, Tex.	1/64 R. I.	Dec. 27, 1943	225.00	
80	July 29, 1939	do	J. F. Kincaid estate, Winnsboro, La.	C. D. Cobb, transferred to B. D. Pardue, Winnsboro, La.	3,000	120.00	Nov. 24, 1942	1/2	do	1/64 R. I.	do	225.00	
81	July 13, 1940	Natchitoches	Charles H. Sullivan, Springhill, La.	G. W. Stansbury, Castor, La.	600	79.47	Oct. 28, 1940	1/2	Winston L. Stokes, Bunkie, La.	1/128 R. I.	Dec. 20, 1944	248.34	
									Harold L. Woods, Onachita National Bank Bldg., Monroe, La.	1/64 R. I.	Dec. 23, 1944	1,490.06	
82	Aug. 24, 1940	Richland	Mrs. Jennie P. Voss	K. T. Templeton, Rayville, La.	1,400	40.00	Nov. 19, 1942	1/2	L. D. Dale, Vidalia, La.	1/256 R. I.	Dec. 28, 1944	248.34	
83	Aug. 9, 1941	do	F. C. Cumpton, Rayville, La.	Doyle Rogers, Rayville, La.	3,250	160.00	Nov. 13, 1942	1/2	Carl W. Earle, Rayville, La.	1/64 R. I.	Nov. 27, 1944	150.00	
									W. H. Eddins, Rayville, La.	1/32 R. I.	June 4, 1946	1,000.00	
									H. D. Sims, P. O. Box 27, Rayville, La.	1/128 R. I.	June 12, 1946	300.00	
TEXAS													
84	Dec. 9, 1936	Lubbock and Hockley	G. H. Milligan, Route 1, Shallowater, Tex.	Scott McWilliams, Box 893, McCamey, Tex.	16,250	650.19	Oct. 4, 1937	1/16	O. Dale Smith, Amarillo Bldg., Amarillo, Tex.	1/32 R. I.	May 10, 1944	3,500.00	
85	Feb. 1943	Jim Wells	Henry J. Baker, Route 1, Orange Grove, Tex.	C. H. Austin, Alice, Tex.	16,900	322.00	Jan. 20, 1944	1/16 mineral for 10 years.	Ernest and Robert Ancra, San Antonio, Tex.	1/32 R. I.	Aug. 4, 1944	1,610.00	
86	May 3, 1938	Houston	Martin Grau, Route 2, Crockett, Tex.	A. L. Welch, Route 2, Crockett, Tex.	3,037	243.00	Oct. 5, 1939	1/16	John L. McMeans, Palestine, Tex.	1/32 R. I.	Sept. 24, 1945	1,518.75	
OKLAHOMA													
87	Oct. 9, 1939	Beckham	A. J. Herring, Pampa, Tex.	W. M. Yarberry, Erick, Okla.	800	160.00	Jan. 12, 1940	1/2	W. W. Walden, Hugo, Okla.	Undivided 1/2 of the 1/2.	Mar. 28, 1949	2,000.00	
MICHIGAN													
88	Aug. 23, 1938	Osceola	Clayton Williams, Reed City, Mich.	Albert O. Welk and Louis Gabel, Reed City, Mich.	400	40.00	Apr. 11, 1940	1/2	Peter J. Bolder	All	Sept. 4, 1940	400.00	
89	Oct. 25, 1938	do	Fred Schillen, Michigan.	Ernest Bregg, Route 2, Reed City, Mich.	1,050	80.00	Aug. 20, 1940	1/2	Ray Partee and Irving Woester, Reed City, Mich.	20 acres	Mar. 23, 1942	2,500.00	
90	Oct. 26, 1937	Oceana	William Anderson, Route 1, Mears, Mich.	Paul Weiner, 1001 Summit Ave., Muskegon, Mich.	5,000	240.00	July 6, 1939	1/2	Albert Stevens, Hart, Mich.	60 acres	June 6, 1949	1,200.00	
									John H. Schultz, Tentapolis, Mich.	do	do	1,200.00	
91	June 1, 1937	Osceola	Fred M. Morris, Route 3, Reed City, Mich.	Denzil Youngs, Route 1, Reed City, Mich.	700	80.00	Apr. 6, 1939	1/2	Martin Jensen, Reed City, Mich.	20 acres	Aug. 30, 1941	3,000.00	
92	Nov. 2, 1937	Oceana	Duman Bloomfield, Pentwater, Mich.	Martin Schwass, Scotville, Mich.	400	38.00	Mar. 30, 1939	None					
				Elker P. Johnson, Route 1, Pentwater, Mich.	300	160.00	Dec. 29, 1939	1/2	Augie Busk, 324 Gracewood Dr. SE, Grand Rapids, Mich.	All mineral interest under 40 acres.	May 24, 1948	800.00	
									W. L. Belden, St. Elmo, Ill.	All mineral interest under 20 acres.	July 28, 1948	2,500.00	
									Augie Busk, 324 Gracewood Dr. SE, Grand Rapids, Mich.	do	Oct. 27, 1948	6,000.00	



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

Mr. WILLIAMS. I yield.

Mr. KEM. Where did the Senator from Delaware obtain the information which is embodied in the chart to which he is referring?

Mr. WILLIAMS. My first interest in this matter developed in 1949.

It was in May 1949 that I called upon the Department for details regarding their transactions in mineral rights. Of course, that was some time ago; but, as the Senator from Missouri well knows, the departments are rather slow to answer inquiries, particularly when they are somewhat embarrassing to them.

Mr. KEM. Then the information contained in the chart has been obtained from official sources; is that correct?

Mr. WILLIAMS. Oh, yes. Not only that, but before presenting this information today it has been verified by the departments affected.

Mr. KEM. Does the chart set forth all the sales which were made by the Federal Farm Mortgage Corporation?

Mr. WILLIAMS. I would prefer to have the Department answer that question; but I have listed on the chart the cases which I have been able to follow through in their entirety. They cover six States.

Mr. KEM. Does the Senator have reason to believe that there are other cases which have not been uncovered?

Mr. WILLIAMS. It would be most unusual if I had found all of them. I have checked with the departments downtown, and also with the land banks, because it is through the Federal land banks in the respective districts that these sales have been made. I have here letters—and I shall make them available to any Senator who wishes to see them—from the various land banks; and in the letters the banks confirm that these are the sales.

I may say that I have had correspondence with most of the farmers and most of the purchasers of the mineral rights, although due to transfers or changes of address I have not heard from all of them.

I have received in reply from only one farmer who indicated that he had been given an opportunity to purchase the mineral rights on his own farm. All the rest of them have emphatically answered that they did not have such an opportunity.

As an example, I shall now refer to one case on the chart, No. 90. I have numbered the cases, in order to make verification more easy. This is a case from Michigan, that of Mr. Paul Weiner, of 1001 Summit Avenue, Muskegon, Mich. He purchased 240 acres in Oceana County. The date of the purchase was July 6, 1939. In my letter to Weiner, I asked:

Were you notified that these mineral rights were being offered for sale, and thereby given an opportunity to buy the minerals under your own farm?

He replied as follows:

I was not notified of the lease nor of the sale of these mineral rights, nor did I even know that the Government had retained one-eighth of the mineral rights in the deed

until February 24, 1949, when someone tried to secure a lease from me for the other one-eighth, in order to drill for oil.

He went on to say that on the same date, when that was called to his attention, he wrote to the Federal Farm Mortgage Corporation—and I have a copy of the letter, evidently prepared by his attorney—requesting an opportunity to buy these mineral rights under his own farm. I shall read a portion of the letter. This is a letter written by his attorney to the Federal Farm Mortgage Corporation, dated February 24, 1949, and in the first part of the letter he describes the property. Then the attorney says:

Naturally he was quite surprised to discover that your corporation had leased the land for the development of oil and gas without consultation with him. He has not entered into any lease involving his rights to oil and gas and does not intend at this time to do so for fear that any such development would seriously lower the value of his farm and lessen its value greatly for living purposes as well as impair its productivity.

Any oil activity in the neighborhood is better than 2 miles away from the premises herein described, and I am wondering if your concern would be willing to sell, convey, and release to Mr. Weiner your oil rights. If you are interested in this, please let me know what sum you would accept therefor.

That letter was directed by a representative of Mr. Weiner to the Federal Farm Mortgage Corporation, under date of February 24, 1949. He did not send me a copy of the reply, but he said he received a notice that the mineral rights were not for sale and he could not obtain them.

If Senators will examine this chart, they will find that just a few months thereafter, the Federal Farm Mortgage Corporation did sell the mineral rights involved in this particular transaction, selling them to two men in Michigan, Albert Stevens, of Hart, Mich., and John H. Schultz, of Tentapolis, Mich. The oil rights on the property were sold for \$1,200. Mr. Weiner has as yet not been notified of the sale.

Mr. KEM. When the rights are sold, who fixes the sale price?

Mr. WILLIAMS. That is a question which I raised. In each instance the sale was made, according to the Federal Farm Mortgage Corporation by private negotiation, not by public sale.

Mr. KEM. Who passed on those sales; who had or who arrogated to himself the authority to fix the price, when the sale was made?

Mr. WILLIAMS. I cannot answer that question; but that decision was apparently made by some official in the Farm Credit Administration. Whether or not that is done in Washington or in the field, I am not able to determine. In a letter dated July 28, 1950, I insisted that Mr. Duggan answer the question, because I said either they did not give the farmers an opportunity to buy the land. I insisted upon having an answer made to the question, which was:

Is it the practice of the Federal Farm Mortgage Corporation to dispose of the mineral rights by sealed or public bids?

His answer to that question was:

Sales are made by private negotiation.

Mr. KEM. Were the sales cleared with the Secretary of Agriculture?

Mr. WILLIAMS. I am unable to say whether the Governor of the Farm Credit Administration has authority to clear them or whether the Secretary of Agriculture does. I have been unable to find out.

Mr. KEM. Does the Senator happen to have before him the law under which the sales were made?

Mr. WILLIAMS. I have had that checked, and I understand they did have the right to make the sales. I also understand that perhaps under the law they had the right to make the sales on a noncompetitive basis.

Mr. KEM. In whom does the statute vest that authority?

Mr. WILLIAMS. Apparently with the Department of Agriculture. The fact that I was trying to establish is whether or not the sales are made by private negotiation. It is my position that regardless of who may have the authority, it is a bad policy and one under which the taxpayers have lost millions. I think the only satisfactory way to handle these sales is by public, competitive bidding. That is the only fair way to handle them.

As I have said before, in all of the sales which I have outlined, it is inconceivable that we should find that the Federal Farm Mortgage Corporation, a subdivision of the Department of Agriculture, was not following the practice of notifying the surface owners that the mineral rights which the Corporation had retained on their farms were being offered for sale. These farmers were not extended any opportunity to purchase these mineral rights.

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

Mr. WILLIAMS. I yield.

Mr. LANGER. I am a little confused about this matter. Do I correctly understand that if the Federal land bank forecloses on John Doe and gets title to the land, and then sells that land back to John Doe, the Government reserves one-half of the oil or mineral rights?

Mr. WILLIAMS. Yes. That was the practice under which the Government was operating through the Federal Farm Mortgage Corporation and almost all other loan agencies of the Government, since 1934. During the depression years, the Government acquired title to several million acres of farm land. When the land was later sold, the Government, under a law passed by Congress, reserved, at the time, generally 50 percent of the mineral rights. That percentage varied in some cases, but usually it was 50 percent.

Last month Congress decided that it would sell these mineral rights back to the farmers who owned the farms. The Government's retention of these mineral interests was operating as a cloud on the title of the farmers to their land, regardless of whether oil was actually found in the land.

Congress thought that these mineral rights should be sold back to the farmers at an appraised valuation, and, if they had no value, the farmer should be allowed to have them for a nominal charge.

But the amazing thing is that we now find that the Federal Farm Mortgage Corporation already had full authority under existing law to have sold these mineral rights to the farmers. But instead of selling these reserved interests to the farmers, they have been selling them to outside speculators since 1940. So far, no official of the administration or the Department of Agriculture has even attempted to justify that policy. It just cannot be justified.

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

Mr. WILLIAMS. I yield.

Mr. LANGER. Supposing the Government reserved one-half of the oil and mineral rights, and then sold them to a speculator, and suppose that speculator could sell one-sixty-fourth or one-thirty-eighth, the result would be that if the farmer came to sell his surface rights, the abstract would have to be continued, and there would be entry after entry showing the one-thirty-second or one-sixty-fourth; whereas, if the land were sold, say, for \$10 an acre, the abstract would run into several hundred dollars; is not that correct?

Mr. WILLIAMS. That is true, and that is what is happening. If the Senator from North Dakota will notice case No. 1, which happens to be a farmer by the name of H. Miller, in Hazelhurst, Miss., he will note that this farmer paid \$800 for 340 acres of land on February 20, 1940, and the Government kept one-half of the mineral rights. Later, as oil activities began in that area, the Government has sold, on August 12, 1943, to C. A. Kelly, of Houston, Tex., one-thirty-second royalty interest under 135 acres of the original 340. On July 4, 1944, they sold to Juanita S. Spitzfaden, of New Orleans, La., a one one-hundred-and-twenty-eighth royalty interest. On October 30, 1943, they sold to H. G. Shuman, in New Orleans, a one sixty-fourth royalty interest in 205 acres. I do not know how this poor fellow is ever going to clear his title. Certainly the bill which was passed by the Congress last month cannot deliver back to this farmer his mineral rights.

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

Mr. WILLIAMS. I yield.

Mr. LANGER. I notice further down in the Senator's exhibit that there were sales of as little as one one-hundred-and-twenty-eighth.

Mr. WILLIAMS. That is correct, and I think you will find some sales of as low as one two-hundred-and-fifty-sixth of our interest in a farm.

The bookkeeping and clerical work involved has cost the taxpayers more than was realized from the entire sales.

Mr. LANGER. The result would be, if they sold to every one of the fellows a one one-hundred-and-twenty-eighth interest there might be 128 entries on that fellow's abstract.

Mr. WILLIAMS. It would be possible.

Mr. WHERRY. Mr. President, if the Senator will yield, is it not true that the farmers do not know that these transactions have been made, unless they take the trouble to look them up, and that that would be a very difficult thing to do, would it not? It would be necessary to

go all over the country, in order to ascertain the fact, would it not?

Mr. WILLIAMS. That is correct. In my replies from farmers referred to in the chart just inserted I find that I have had less than half a dozen farmers who knew that these rights were sold from under them, before I called it to their attention; only one was given an opportunity to buy.

Mr. WHERRY. I asked that question as the result of actual experience as a lawyer. We have had some difficulty. Men would come in and sell a portion of the mineral rights reserved to this group and to that group, and some of them pass out of the picture, and we have a terrific time getting the title cleared up so the farmer can give good title to his land. I was just wondering whether this involves not only the surface rights, but also the mineral rights. That makes it a more complicated problem. The Senator has said, has he not, that he has contacted different farmers on the question?

Mr. WILLIAMS. I have written all of them and have received a large number of replies.

Mr. WHERRY. What has been their response? What do they say about it?

Mr. WILLIAMS. I found one farmer who said he was notified and given an opportunity to buy the mineral rights under his farm, but he could not raise the money to pay for them. Outside of that, I found less than half a dozen who said that they knew, prior to my writing, that the mineral rights had been sold under them. They were very bitter to find that the Department of Agriculture had double-crossed them. They have a right to be bitter, and I shall follow with interest Mr. Brannan's explanation to these farmers as to why he sold them out.

Mr. WHERRY. Let me get this correct. These lands have been taken over through foreclosure by some Government agency, and thus came into the possession of the United States Government; is that not true?

Mr. WILLIAMS. That is correct as far as the farm land is concerned. Of course, we already owned millions of acres of public lands.

Mr. WHERRY. So that the party or parties who were foreclosed have lost all title?

Mr. WILLIAMS. Their titles are gone.

Mr. WHERRY. They do not own anything; is that correct?

Mr. WILLIAMS. They do not.

Mr. WHERRY. The Government then sells these lands and sells the mineral rights to them, or a certain percentage of it; is that correct?

Mr. WILLIAMS. In the resale the Government sold 50 percent of the mineral rights.

Mr. WHERRY. And the Government then sells those mineral rights, does it?

Mr. WILLIAMS. That is correct. They have been selling them to outside speculators without giving the farmers a chance.

Mr. WHERRY. They not only sell the rights to a third party but the third party, in turn, divides it and sells the mineral rights of which he gets possession. Now, does the farmer who owned the land when the Government sold the mineral rights receive notice that the

Government is going to sell the mineral rights, and does he have a chance to buy them, or are they sold without his knowledge?

Mr. WILLIAMS. They are sold without his knowledge, and he is not even notified that the sale has been made.

Mr. ELLENDER. Mr. President, will the Senator yield at that point?

Mr. WILLIAMS. I should like to reply first to the question of the Senator from Nebraska.

Mr. ELLENDER. I should like to clarify that if the Senator will yield.

Mr. WILLIAMS. I will yield in a moment. I desire to quote from a letter by Mr. Duggan dated July 28, 1950. It is signed by I. W. Duggan, the Governor of the Farm Credit Administration, and I read:

The Corporation did not follow the practice of notifying the owner of the surface rights when the Corporation's interest in the mineral rights had been sold to a third party.

In answer to the other question, Mr. Duggan said that they did not have the policy of notifying the farmers or of giving them an opportunity to protect themselves.

Mr. WHERRY. If I may ask the distinguished Senator, as I recall, only recently the Senate had before it the matter of what we should do in the future about the notification of farmers, and how the sale of mineral rights belonging to the Government should be handled. Did the legislation passed by the Senate clarify the situation to any extent?

Mr. WILLIAMS. Somewhat, yes, although it fails to correct all the abuses I am outlining. Prior to the legislation and after I began investigating these sales, the Farm Credit Administration had changed its policy as confirmed by Mr. Duggan's letter:

Since June 30, 1949, the Corporation has followed the practice of selling its mineral interests only to the surface owners of the land involved.

I presume it is now the law as to three agencies mentioned in the bill. Whether it applies to all departments of the Government I would not say. I think it was the understanding of most Members of the Congress, and if the Senator from Louisiana understood differently, I wish he would correct me on this, that under no circumstances were these mineral rights to be sold to outsiders. Did the Senator from Louisiana know that the Federal Farm Mortgage Corporation, a division of the Department of Agriculture, for the last 7 years had been selling the mineral rights under these farms to outside speculators?

Mr. ELLENDER. Yes.

Mr. WILLIAMS. The Senator knew it?

Mr. ELLENDER. Yes—to outside people.

Mr. WILLIAMS. I am surprised. I cannot understand why the Senator allowed this condition to exist. Many of the farmers in your own State were being sold out.

Mr. ELLENDER. I mean I learned it only sometime ago, when the Senator brought it to my attention.



Mr. WILLIAMS. That was in 1950 when I called it to your attention.

Mr. ELLENDER. That is not a law, is it?

Mr. WILLIAMS. Just a moment. But the significant part is that this program or policy was not reversed until June 30, 1949, after I had called it to the attention of the Department of Agriculture and requested an explanation. I yield to the Senator from Louisiana.

Mr. WHERRY. Mr. President, one more question, if the Senator will yield.

Mr. WILLIAMS. I yield first to the Senator from Louisiana.

Mr. ELLENDER. That is now the law, is it not, that the oil rights owned by the Farm Mortgage Corporation cannot be sold except to the land owner?

Mr. WILLIAMS. That still does not explain these sales to outside speculators before the law was passed.

Mr. ELLENDER. Yes.

Mr. WILLIAMS. Did the Senator know it before I brought it to his attention?

Mr. ELLENDER. No.

Mr. WILLIAMS. That is the point. And I do not understand why any division of the Department of Agriculture should have adopted such a policy. Who in this Administration authorized this sell-out. It should not be forgotten that the Department of Agriculture is an agency which was set up to operate supposedly in the interest of the farmer. It is supposed to protect the farmer, not double cross him. Here is the Department of Agriculture, an agency which is always damning the speculator as being one of the most vicious and unscrupulous of men, yet we find that this same agency, while condemning the speculators, was selling the American farmers out behind their backs.

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

The PRESIDING OFFICER (Mr. CHAPMAN in the chair). Does the Senator from Delaware yield to the Senator from Washington?

Mr. WILLIAMS. I yield to the Senator from Nebraska, and then I shall be glad to yield to the Senator from Washington.

Mr. WHERRY. I am a member of the conference on the appropriation bill, and I should like to ask a question before I return to the conference.

The Senator has cleared up for me the system whereby third parties convey percentage interests in the amount of mineral rights sold. Has the Senator traced out any of them? I notice a chart containing a great many names. Are the sales open to competitive bidding?

Mr. WILLIAMS. Oh, no. They are made through private negotiations. The amount of revenue which the Government has received from the sales would not pay more than a fractional part of the cost of Government employees who have been required to administer the program during the past few years. Considering the small amount realized from these sales, the taxpayers would be better off if they had given the lands away.

Mr. WHERRY. That is the next question I was going to ask the Senator. Third parties did buy an interest from speculators, the Senator says.

Mr. WILLIAMS. They had a right to buy these mineral interests. It was the responsibility of the Government officials to protect the taxpayers.

Mr. WHERRY. Has the Senator traced any of these deals through and found that some of the sales had been made at a ridiculously low price, whereby the third party has been the beneficiary of oil on the land within a short time, and has received a tremendous benefit out of it at very little cost?

Mr. WILLIAMS. Yes; I was getting ready to call attention to one particular example. There are many.

Mr. WHERRY. Will the Senator give me the number of the item?

Mr. WILLIAMS. It is on page 5, and I invite attention to item 92 on the chart. I shall follow it through.

On November 2, 1938, the Government acquired title to a 198-acre farm in Oceana County, Mich. The consideration was \$2,529.72. Subsequently this farm was sold as follows:

On March 30, 1939, 38 acres was sold to Milton Schwass, of Scotsville, Mich., for \$400. No mineral rights were reserved. A few months later they sold the remaining 160 acres to Elker P. Johnson, Pentwater, Mich., for the sum of \$300, at which time 50 percent of the mineral rights on this 160-acre tract were reserved in the name of the Government. Later, considerable interest developed in this area regarding the possible discovery of oil.

On June 3, 1948, a discovery well in the field which was drilled by the Roosevelt Oil Co., was completed.

On May 27, 1948, just 7 days prior to the discovery well being completed, the Government sold, through private negotiations, one-half of its reserved mineral rights in this 160-acre farm to Augie Busk, 324 Gracewood Drive Southeast, Grand Rapids, Mich., for \$800.

On July 28, 1948, 2 months later, after the discovery was made, the Government sold one-fourth of its original interest, one-half of the remainder, to W. L. Belden, St. Elmo, Ill., for \$2,500.

On October 27, 1948, the Government sold its remaining interest in the mineral rights on this farm to Mr. Augie Busk of the above address for \$6,000.

To summarize that, we find that the Government, which owned a one-half interest in the mineral rights on this 160-acre farm, sold one-half of its interest for the sum of \$800, and shortly thereafter sold the rest for \$8,500, in the center of a pool which had actually been discovered. Today there are ten producing oil wells on this farm. There has not been a dry hole on it. I have had some photographs taken on that farm, in which the Senator from Nebraska will be interested, I think.

Mr. WHERRY. I am interested in it because I want to know if those third parties got information in some fashion so as to receive the benefit of the sale and receive an oil field which had ten producing wells on it. I want to know how

they got that information. How did they know about it?

Mr. WILLIAMS. That is one of the questions that would be very interesting to get an answer. The first sale was made 7 days before the discovery well was capped, and the sale was made through private negotiations. Someone must have known they were on the verge of the discovery.

Mr. WHERRY. Within 7 days after the \$800 sale was made?

Mr. WILLIAMS. The discovery was announced 7 days after the sale.

Mr. WHERRY. Here is an additional sale of a one-fourth interest at \$2,500, and within a few months, on October 27, after the well was brought in, there was an additional sale for \$6,000. How can we account for the Government disposing of its interest at such a small amount, with those prospects in view?

Mr. WILLIAMS. It cannot be accounted for. I am not an appraiser of oil properties but I think almost anyone would agree that if he had a one-half interest in a farm where oil drilling was going on, he would not sell out a one-half interest in the farm for \$800.

Mr. WHERRY. Has the Senator made any research in connection with it? Has he asked any questions about it?

Mr. WILLIAMS. I have asked many questions.

Mr. WHERRY. Has the Senator received any answers?

Mr. WILLIAMS. No.

Mr. WHERRY. Does the Senator know anything about Government employees who might have given information?

Mr. WILLIAMS. I have no information about that in this particular case. The Senator has a right to his own suspicions, as I have. I have been trying to follow through, asking how these men knew about it and how they got their information. Those are the dates of the sales, according to the records.

Mr. WHERRY. Have any third parties purchased these lands who may have been formerly employed by the Government?

Mr. WILLIAMS. In testifying before the committee Mr. Duggan said there was a so-called investment pool, as he described it, in the St. Louis district, in which employees of the Farm Credit Administration were involved, and that they had been speculating in mineral rights.

Mr. WHERRY. Has the Senator run down that testimony?

Mr. WILLIAMS. I am trying to run it down. A rather unusual situation has developed during the past week, namely, I have been advised by the Governor of the Farm Credit Administration, a division of the Department of Agriculture, that any inquiries which I make to the Department, the answers to my questions will be prepared and forwarded first to the majority members of the Committee on Agriculture and Forestry, and then if the majority members of that committee see fit, I may get a reply. Evidently there will be a little cloak of secrecy in this case as far as the senior Senator from Delaware is concerned.

This decision of the Department of Agriculture to refuse to answer an inquiry of a Member of the United States Senate is bordering close to totalitarianism.

It shows to what extremes this administration will go to cover up a prospective scandal.

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

Mr. WILLIAMS. I yield.

Mr. LONG. I wonder whether the Senator is familiar with information which was inserted in the CONGRESSIONAL RECORD some time last year to the effect that Federal leasing in Louisiana had been bringing an average of 50 cents an acre as compared with State leasing of similar lands at a price of \$14.16 average an acre. In connection with the leasing of water bottoms lying off the shores of Louisiana, the State government has collected, over a period of 4 years, \$36,000,000 in bonuses and rentals, and by contrast the Federal Government, leasing similar lands under the Federal leasing statute, would have collected \$1,275,000 as against \$36,000,000 collected by the State government.

Mr. WILLIAMS. In other words, the Government has been passing out \$35,000,000 worth of bargains to some group of individuals or some companies in your own State, by leasing these public lands for a fraction of their value.

Mr. LONG. To go a step further, I wonder whether the Senator from Delaware knows that editorials and articles appeared in Louisiana newspapers citing the fact, for example, that in Winn Parish the Federal Government in the Kisatchie National Forest was getting 50 cents an acre, and landowners in the same area were getting \$16.13 an acre.

Mr. WILLIAMS. I appreciate the Senator's calling that fact to my attention, because it confirms the information which I have before me.

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

Mr. WILLIAMS. Yes.

Mr. LONG. Near the mouth of the Mississippi River, on land which the Federal Government leased at the same time that the State leased contiguous property, the Federal Government received an average of 50 cents an acre, whereas the State received an average of \$34.58 an acre on contiguous leases.

Mr. WILLIAMS. I thank the Senator from Louisiana for calling these facts to my attention. They further emphasize the inexcusable manner in which the American taxpayers have been betrayed. I think he will agree that the situation should be corrected immediately.

Mr. LONG. To give an idea of how it works out in dollars and cents, Louisiana leased 56,156 acres, and received \$1,941,880. At substantially the same time the Federal Government leased 9,472 acres at 50 cents an acre, for which the Federal Government received \$4,871.

Mr. WILLIAMS. That situation was emphasized by Mr. Clawson, who admitted that millions of dollars are being lost to taxpayers annually. I agree fully with what Mr. Clawson has said, to the effect that no executive can administer any such program without laying himself open to criticism.

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

Mr. WILLIAMS. I yield.

Mr. JENNER. I should like to ask the Senator from Delaware whether he has any information relative to any such cases in my State.

Mr. WILLIAMS. No; I have not, fortunately for the farmers of the Senators State. I will say, however, that I have run into situations where leases have been made on Indiana farms without the farmers' knowledge. To what extent these leases have been issued at below market value I cannot say.

Mr. LONG. In line with what the Senator has said, it is apparent that the Federal Government is not beginning to receive a fraction of what it should receive from leasing oil prospects in my State.

Mr. WILLIAMS. I appreciate the Senator's observations, and I agree with him fully. While it was the State of Mississippi I singled out as my example, I understand that similar situations will be found to exist in other States. However, there was so much work for me to do that I did not have time to go into all States, but I intend to continue my investigation and I shall not be satisfied until this deplorable situation has been corrected by law.

Mr. LONG. It is an absolute giving away of Federal leases.

Mr. WILLIAMS. It could be called nothing else.

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

Mr. WILLIAMS. Yes.

Mr. FREAR. I should like to ask the distinguished Senator if I understood him correctly to say that any inquiry which he may direct to the Secretary of Agriculture regarding the subject on which he is now addressing the Senate would be sent to the majority members of the Senate Committee on Agriculture and Forestry, as well as the reply of the Secretary of Agriculture, but that such letter and reply would not be sent to the minority members of the committee?

Mr. WILLIAMS. That is what I have been given to understand. I have before me the letter which I received from Mr. Duggan to that effect. Of course he is under the jurisdiction of the Secretary of Agriculture. In his reply to me he advised that I would not be able to obtain any additional information from that Department relative to this subject except as such information was obtained through the committee. A copy of my letters addressed to the department, together with the reply, would be forwarded to the Committee on Agriculture and Forestry of the Senate. That would automatically mean the chairman of the committee or the chairman of a particular subcommittee. If they gave their consent, I would later get a reply to my letter. I objected strenuously to that procedure, because that is throwing a cloak of secrecy around this whole matter, which is unprecedented. I said I was sure that the minority Members would not endorse any such procedure. I asked him, supposing the minority Members unanimously reject such a proposal and insisted on my getting a reply, what would happen then?

He said it would have to be on action of the committee.

I do not understand why he would put this cloak of secrecy around this case, unless he is afraid that questions which I am asking are proving embarrassing to the administration.

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

Mr. WILLIAMS. Yes.

Mr. FREAR. Does the senior Senator from Delaware have any idea that the Secretary of Agriculture has knowledge of this correspondence with the Governor of the Farm Credit Corporation?

Mr. WILLIAMS. I am sure he has.

Mr. FREAR. Does the Senator believe it is done with his countenance?

Mr. WILLIAMS. I am reasonably certain; if not, let him reverse Mr. Duggan's decision. All these bureaus are under the supervision of the Secretary of Agriculture. Even prior to this about two or three months ago, they inaugurated a policy under which copies of my letters to the Department of Agriculture and replies were being furnished to the members of the committee on the other side of the aisle. Apparently that is being done so that they could be on guard as to what I was investigating. I do not understand why they did this, because on May 24, 1950, I offered to give the committee all the information I had available.

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

Mr. WILLIAMS. Yes.

Mr. FREAR. I am unable to understand why this action has taken place. Is it the opinion of the senior Senator from Delaware that the chairman of the Agriculture Committee of the Senate has been requesting these replies to come down through the majority members of the committee and has so instructed the Governor of the Farm Credit Corporation or the Secretary of Agriculture?

Mr. WILLIAMS. Mr. Duggan said he had received such instructions from the committee. Why they gave such instructions, I do not know, although I have my opinion.

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

Mr. WILLIAMS. Yes.

Mr. FREAR. Earlier in the statement made by the senior Senator from Delaware I believe he was talking about mortgages held by the Federal Farm Mortgage Corporation. Were any of these mortgages held by either the Federal land bank or in conjunction with the Federal Mortgage Corporation? Does the senior Senator from Delaware know if the Federal Farm Mortgage Corporation held the only mortgage on these lands, or were they held in conjunction with the Federal land bank?

Mr. WILLIAMS. In many instances they were with the Federal land bank. In some instances they were only in the Federal Farm Mortgage Corporation. However, in all instances which have come to my attention the Federal land bank handled the work of both servicing the mortgage for the Federal Farm Mortgage Corporation. A portion of the expense of that service was paid by the Corporation to the bank.



Mr. FREAR. I believe that is the practice. However, what I am trying to gather from the senior Senator from Delaware is whether the majority of cases were Federal Farm Mortgage Corporation mortgages or a combination mortgage.

Mr. WILLIAMS. All of these cases involve either partially or entirely the Federal Farm Mortgage Corporation.

Mr. FREAR. I am sure the senior Senator from Delaware is aware of the fact that the Federal Farm Mortgage Corporation is a 100 percent Government corporation, whereas the Federal Land Bank is a 100 percent farm corporation.

Mr. WILLIAMS. That is correct. Not only has the American farmer been sold down the river under the administration's program, but the interests of the American taxpayers have also suffered by these sales. The most valuable of all the mineral rights in the possession of the Federal Farm Mortgage Corporation has been sold to outside speculators for a total consideration which will not even cover the cost of the salaries of the Government employees required to administer the sales. While some of the properties sold have so far not been proven, on many of these farms oil or gas has been discovered.

As I said before, I have been unable to follow through on all the individual transactions listed above to determine to what extent oil or gas actually has been discovered. It is a recognized fact, however, that the mineral rights which the Government has sold to these speculators in the areas listed above are located in the richest and most potential oil- and gas-producing areas in the United States.

These sales have all been made by private negotiations and the farmer owning the land was not even given an opportunity to bid for these mineral rights on a competitive basis. There is absolutely no excuse why these mineral rights, if they were going to be sold by the Government, should not have been first offered to the owners of the farms.

It is clearly evident to anyone who examines the record I have called attention to that the interests of both the American farmers and the American taxpayers have been completely ignored to an almost unbelievable extent. Perhaps the knowledge that this deplorable situation was about to be uncovered explains why the administration was in such a panic to rush H. R. 4800 through the Congress prior to the reopening of the hearings on this question, as I had requested them to do.

When President Truman in his 1948 political campaign said that someone in Washington had "stuck a pitchfork in the farmer's back," evidently he was referring to this betrayal of the American farmer by his own Department of Agriculture.

To correct this situation I urge that the Senate, before adjournment, pass Senate Resolution 301, which Senator WHERRY and I introduced on June 21, 1950. The effect of this resolution would be to suspend immediately the sale of all mineral leases and the leasing of all public lands by any Government agency until such time as Congress had enacted a law correcting these abuses.

The Congress should proceed immediately to prepare legislation outlining an established policy of leasing these public lands on a competitive-bidding basis only.

On those mineral rights which the Government owns under the farm land, a provision should be incorporated which would prevent their sale to outside interests. We should provide for the sale of these mineral rights to the owners of the farms at an appraised valuation.

Congress should approach the solution to this problem with the recognition that the Government does have a moral obligation to rectify the wrong which has already been done to the farms whose

mineral rights have been sold to outside speculators.

Mr. President, in conclusion I ask unanimous consent to have inserted in the RECORD a chart showing the number of acres of public land which are in the possession of the Department of the Interior for leasing, as well as a chart which shows the total mineral leases on public lands, and a third chart showing the number of mineral permits and leases on acquired lands.

The PRESIDING OFFICER. Is there objection?

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

Mineral leases on public lands, as of June 30, 1950

State or Territory	Oil and gas		Coal		Other		Total	
	Number	Acres	Number	Acres	Number	Acres	Number	Acres
Alabama.....	8	888	2	321			10	1,209
Alaska.....	9	19,014	6	7,165			15	26,179
Arizona.....	298	179,098	1	80	1	166	300	179,244
Arkansas.....	16	3,082					16	3,082
California.....	2,583	<sup>1</sup> 1,151,214	1	80	8	<sup>3</sup> 11,152	2,592	1,162,446
Colorado.....	2,293	2,194,377	97	16,925	1	<sup>4</sup> 120	2,391	2,211,422
Florida.....	1	40					1	40
Idaho.....	332	553,889	1	120	13	<sup>2</sup> 2,680	346	556,689
Kansas.....	75	35,319					75	35,319
Louisiana.....	98	16,429					98	16,429
Michigan.....	12	12,065					12	12,065
Mississippi.....	88	7,562					88	7,562
Montana.....	2,381	1,955,879	50	7,434	10	<sup>1</sup> 7,792	2,441	1,971,105
Nebraska.....	71	11,912					71	11,912
Nevada.....	2,013	1,250,668			3	<sup>5</sup> 560	2,016	1,251,228
New Mexico.....	3,852	4,153,596	27	4,295	23	<sup>6</sup> 54,386	3,900	4,212,277
North Dakota.....	113	28,553	38	5,007			151	33,560
Oklahoma.....	328	66,516	27	27,285			355	93,801
Oregon.....	21	29,027					21	29,027
South Dakota.....	198	199,842	4	198			202	200,040
Utah.....	1,955	2,473,252	77	33,047	1	<sup>1</sup> 640	2,033	2,506,939
Washington.....	3	576	2	720			5	1,296
Wyoming.....	10,552	8,532,232	52	18,070	4	<sup>7</sup> 5,409	10,608	8,555,711
Total.....	27,300	22,872,030	383	120,747	64	82,805	27,747	23,075,582

<sup>1</sup> Phosphate leases.  
<sup>2</sup> Does not include leases in naval petroleum reserves.  
<sup>3</sup> 3 sodium leases (2,199 acres); 5 potash leases (8,953 acres).  
<sup>4</sup> Sodium lease.  
<sup>5</sup> 1 phosphate lease (160 acres); 2 silica-sand leases (400 acres).  
<sup>6</sup> 1 sodium lease (1,839 acres); 22 potash leases (52,547 acres).  
<sup>7</sup> 1 sodium lease (1,280 acres); 3 phosphate leases (4,129 acres).

Mineral permits and leases on acquired lands as of June 30, 1950

State	Mining permits		Oil and gas leases		Total	
	Number	Acres	Number	Acres	Number	Acres
Ala.....	1	120			1	120
Ark.....	19	4,132	28	42,447	47	46,579
Colo.....			5	3,931	5	3,931
Fla.....	1	390	7	17,507	8	17,897
Ga.....	9	160			9	160
Idaho.....	1	117			1	117
Ill.....	7	1,049	2	434	9	1,483
Ind.....	1	38	3	2,034	4	2,072
Kans.....			1	160	1	160
Ky.....			1	60	1	60
La.....	1	2	23	40,083	24	40,085
Maine.....	1	5			1	5
Mich.....			31	29,437	31	29,437
Miss.....	3	563	272	308,157	275	308,720
Mo.....	12	16,483	1	1,529	13	18,012
Mont.....			36	32,553	36	32,553
N. H.....	1	14			1	14
N. Mex.....	1	2,560	14	19,255	15	21,815
N. C.....	22	1,253			22	1,253
Ohio.....	4	436	10	4,193	14	4,629
Okla.....	3	5,148	14	3,643	17	8,791
S. C.....	2	7			2	7
S. Dak.....			3	2,640	3	2,640
Tenn.....	8	508			8	508
Tex.....			17	20,813	17	20,813
Utah.....			9	11,001	9	11,001
Va.....	5	748			5	748
Wyo.....			10	8,662	10	8,662
Total.....	102	33,703	487	548,539	589	582,242

Area of lands patented or certified with minerals reserved to the United States<sup>1</sup>

State	Type of mineral reserved			
	All minerals	Oil and gas	Other	Total
Alabama.....	4,412	12,452	63,746	80,610
Alaska.....	6,501	1,868	11,017	19,386
Arizona.....	2,547,517	27,497	108,049	2,683,063
Arkansas.....	1,107	15,083	1,885	18,075
California.....	2,352,070	156,806	7,809	2,516,685
Colorado.....	4,271,042	253,917	1,353,643	5,878,602
Florida.....	1,154	2,584	71,541	75,279
Idaho.....	1,291,163	221,000	288,174	1,800,337
Illinois.....	634		120	754
Indiana.....				
Iowa.....	359			359
Kansas.....	54,384	1,421		55,805
Louisiana.....	1,223	19,027	1,922	22,172
Michigan.....	1,935	3,261	504	5,700
Minnesota.....	235		159	394
Mississippi.....	974	10,231		11,205
Missouri.....	166		160	326
Montana.....	3,993,640	1,005,260	6,673,995	11,672,895
Nebraska.....	72,964	3,253	1,556	76,773
Nevada.....	242,717	1,199	10,550	254,466
New Mexico.....	6,378,118	183,428	2,879,751	9,441,297
North Dakota.....	134,578	13,079	4,636,891	4,784,548
Ohio.....	38		744	782
Oklahoma.....	48,781	10,917		59,698
Oregon.....	1,639,742	14,849	11,780	1,666,371
South Dakota.....	1,565,802	6,328	187,925	1,760,055
Utah.....	856,083	107,079	246,374	1,209,536
Washington.....	262,444	2,902	15,228	280,574
Wisconsin.....	1,546		120	1,666
Wyoming.....	9,541,179	394,247	2,333,240	12,268,666
Total.....	35,272,508	2,467,688	18,905,483	56,645,679

<sup>1</sup> Preliminary, subject to revision.

Mr. WILLIAMS. Mr. President, at the same time I send to the desk a bill for appropriate reference which would correct this situation I have been discussing. Pending this bill's passage I urge that the Senate Resolution 301, introduced by Senator WHERRY and myself, be adopted suspending further leasing and all sales of mineral rights until Congress has adopted a constructive policy.

The bill (S. 4157) to amend the Mineral Leasing Act for Acquired Lands to require competitive bidding for leases of deposits of oil and gas not within any known geological structure of a producing oil or gas field, introduced by Mr. WILLIAMS, was received, read twice by its title, and referred to the Committee on the Interior and Insular Affairs.

During the delivery of Mr. WILLIAMS' speech,

Mr. LONG. Mr. President, may I ask the Senator from Delaware whether he would be willing to insert at the close of his remarks, or have me insert, an article concerning one of the transactions in the State of Louisiana?

Mr. WILLIAMS. I shall be glad to have the Senator do so.

Mr. LONG. Mr. President, I ask unanimous consent that the article I refer to, entitled "Louisiana Receives \$10.22 for Oil Leases, United States 50 Cents an Acre in Same Area," be printed in the RECORD at the close of the remarks of the Senator from Delaware.

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

LOUISIANA RECEIVES \$10.22 FOR OIL LEASES, UNITED STATES 50 CENTS AN ACRE IN SAME AREA—FEDERAL PRICES REFLECT LACK OF COMPETITIVE BIDDING FOR OIL RIGHTS ON LANDS

(By B. L. Krebs)

The United States Government has granted oil leases for 50 cents an acre after the State of Louisiana leased its lands in the same area for \$10.22 an acre.

Within the same marshland area near the mouth of the Mississippi River in Louisiana, the United States Government owns the land surface, which it operates as a migratory wildlife refuge, and the State of Louisiana owns the water bottoms.

Last July the State mineral board, at competitive bidding, leased its water bottoms to the California Co., large oil operator, for a bonus of \$15,130 for the first year, and an annual rental of \$7,565 for each of two succeeding years.

The State water bottoms were estimated at that time to contain 1,480 acres, but engineers for the State board of public works now estimate the bayou beds and small ponds at half that acreage.

However, on the original estimate of 1,480 acres the State received \$10.22 per acre for the first year of its lease.

On March 1 of this year the Government's 9,742 acres of land surface were leased by the Bureau of Land Management of the Department of the Interior on a competitive basis. The lessees paid the Government 50 cents per acre for the first year, with the second and third years' rental free.

Thereafter if they wish to continue holding the leases, and no drilling for oil has started they will pay 25 cents per acre for the fourth year, with the fifth year again rent-free. That would make an average return to the Government of 15 cents per acre per year for the 5-year period.

This is in accord with the law passed by Congress a couple of years ago, with the ac-

tive support of the Department of the Interior. This law placed the leasing of mineral rights in acquired public lands under the Bureau of Land Management.

Within a 6-mile half circle of the wildlife refuge, leased by the Government March 1, 1949, for 50 cents an acre, the State mineral board in the past couple of years has negotiated at public bidding a score of leases which have netted the State in bonus and rentals from \$3.30 per acre to as high as \$103 per acre.

#### AVERAGE \$34.58 PER ACRE

There have been four public lettings by the State in this area, most of them on tide-water lands. Bids have been approved on a total of 56,156 acres, which have brought bonuses and rentals amounting to \$1,941,880 to the State of Louisiana by three big oil companies. The average paid for prospective oil lands was \$34.58 per acre.

One of the profitable deals made by the State was on July 22, 1947, when Shell Oil Co. was high bidder on three tracts of tidelands 6 miles northwest of the migratory game refuge. Their three leases contained 10,722 acres. Shell paid a total bonus of \$595,592. It is now holding one of the tracts by drilling, and has paid rental of \$163,748 for the second year on the other two.

Return to the State to date on these leases has been \$759,341, or \$70.82 per acre, plus a drilling program that may bring in an oil field from which the State would receive a one-eighth royalty.

The 50 cents per acre leases on the Government's land were applied for August 6, 1947, under the provisions of the public lands leasing law which at that time was being extended by Congress to include lands acquired by the United States Government for various purposes. The law had previously applied only to mineral leasing in the original public domain.

The applicable provision of the law under which these applications were filed reads:

"Any person qualified to hold a lease, who on the date of this act had pending an application for an oil and gas lease for any lands subject to this act, which on the date the application was filed was not situated within the known geologic structure of a producing oil or gas field, shall have a preference right over others to a lease of such lands without competitive bidding."

The question of the tidelands was at that time before the Supreme Court, and they were specifically exempted from the law, pending final Court determination as to whether the United States Government or the States had title to their oil and gas.

This act was approved August 7, 1947. The applications filed the previous day by Allen L. and Frank J. Lobrano of Pointe-a-la-Hache, La., were thereby pending and they had priority in leasing the land. These applications were for four leases, covering about 2,400 acres each in the Delta migratory waterfowl refuge and the Big Delta migratory wildlife refuge.

While the lease applications were following their leisurely progress through the Fish and Wildlife Service and the Bureau of Land Management of the Department of the Interior, the State mineral board held three additional public lettings on water bottoms in the general area of the wildfowl refuges.

Six leases with a total of 11,670 acres, mainly tidelands, were granted to two bidders December 9, 1947, for an average return to date of \$43.11 per acre. One of these leases brought an initial bonus of \$153,000 for 3,000 acres, and was subsequently drilled and brought into oil production. It lies a few miles southeast of the combined Government-State leases to the California Co. and the Lobranos.

In April 1948, the State mineral board let two more leases, one for \$504,700 bonus on 4,900 acres, or \$103 average per acre. This tract, 4 or 5 miles northwest of the California

Co.-Lobrano leases, is now being drilled. Last July the State held its fourth letting, receiving an average of \$4.47 per acre on 13,451 acres of land, but including the lease to the California Co. of the water bottoms in the wildfowl areas for \$10.22 per acre.

The leases by the Bureau of Land Management to the Lobranos for 50 cents per acre of the land surface in the wildfowl area where previously the State had leased its water bottoms for \$10.22 per acre, was brought to the notice of the State mineral board at a meeting April 21, 1949. An attorney for the California Co. told the board that the Lobranos had obtained the Government areas and had entered into an agreement with his company whereby the latter would drill a wildcat well.

The California Co.'s attorney asked the mineral board to agree to unitization of the State and Government leases. This would mean that regardless of whether a well was drilled on Government surface lands or State water bottoms, the royalty would be divided on the basis of the amount of acreage owned by each in the unitized lease.

Over the objection of Harley Bozeman of Winnfield, one of its members, the board approved the project, 4 to 2. Bozeman dictated into the minutes the following statement:

"In voting against the motion to unitize State-owned lands, under lease by the California company with United States Government lands leased by the Department of the Interior, I did so because I oppose in principle the practice of said United States Government lands being leased by the Department of the Interior without competitive bids."

Prior to the unitization application to the State mineral board the arrangement between the Lobranos and the California Co. had been approved by the Bureau of Land Management on April 19. The Washington representative of the Times-Picayune was requested to ask the Bureau of Land Management:

One. The amount of the overriding royalty reportedly received by the Lobranos from the California Co., or any other consideration involved, and

Two. Why the Government itself shouldn't have gotten this extra consideration by making direct leases to the California Co., which already held the water bottoms.

To which the Bureau replied:

That the Government under the leasing law can't accept more than a one-eighth royalty;

That the owners of leases may do whatever they please about arranging for overriding royalties, except for a limit of 5 percent on wells producing 15 barrels or less per day; and

That any considerations involved in the deal between the Lobranos and the California Co. are confidential, so far as the Bureau of Land Management is concerned.

#### 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. Snader, its assistant reading clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2317) to authorize grants to the States for surveying their need for elementary and secondary school facilities and for planning State-wide programs for emergency school construction to school districts overburdened with enrollments resulting



from defense and other Federal activities, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2822) to amend the Federal Deposit Insurance Act (U. S. C., title 12, sec. 264).

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 9526) making supplemental appropriations for the fiscal year ending June 30, 1951, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. CANNON, Mr. NORRELL, Mr. WHITTEN, Mr. ROONEY, Mr. GARY, Mr. RABAUT, Mr. TABER, Mr. WIGGLESWORTH, and Mr. STEFAN were appointed managers on the part of the House at the conference.

The message also announced that the House had severally agreed to the amendments of the Senate to the following bills of the House:

H. R. 4901. An act to authorize the Eastern Band of Cherokee Indians, North Carolina, to lease certain lands for a period not exceeding 40 years;

H. R. 8710. An act to provide for the improvement of stadium facilities at the Eastern Senior High School in the District of Columbia;

H. R. 8797. An act to exempt property of the Young Men's Christian Association of the City of Washington (incorporated under the act of Congress of June 28, 1864, 13 Stat. L. 411) from taxation; and

H. R. 9430. An act to amend the act entitled "An act to authorize certain administrative expenses in the Government service, and for other purposes," approved August 2, 1946 (60 Stat. 806), to simplify administration in the Government service, and for other purposes.

The message further announced that the House had agreed to the amendment of the Senate to the bill (H. R. 7722) to provide for the acquisition and preservation, as a part of the National Capital Parks system, of the Old Stone House in the District of Columbia.

The message also announced that the House had agreed, without amendment, to the concurrent resolution (S. Con. Res. 106) authorizing certain changes in the enrollment of S. 2822, amending the Federal Deposit Insurance Act.

#### ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

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

S. 1640. An act to amend section 4 of the act of March 1, 1911 (36 Stat. L. 962; 16 U. S. C. 513), relating to membership of the National Forest Reservation Commission;

S. 2636. An act to amend the Soil Conservation and Domestic Allotment Act, as amended;

S. 3517. An act to authorize the construction, operation, and maintenance of the Vermejo reclamation project, New Mexico;

S. 4118. An act to increase the appropriation authorization for the Air Engineering Development Center;

S. 4135. An act to authorize the President to appoint General Omar N. Bradley to the permanent grade of General of the Army;

H. R. 163. An act to authorize Sacramento Valley irrigation canals, Central Valley project, California;

H. R. 1025. An act for the relief of Waymon H. Massey;

H. R. 1503. An act for the relief of George Washington;

H. R. 1662. An act authorizing the Secretary of the Interior to acquire on behalf of the United States Government property and facilities of the Rainier National Park Company;

H. R. 1799. An act for the relief of Dr. Jacob Ornstein;

H. R. 1860. An act for the relief of Kenji Takumi;

H. R. 1920. An act to amend the Columbia Basin Project Act with reference to State lands;

H. R. 2401. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of the State of California;

H. R. 2631. An act to authorize cancellation of deportation in the case of Frank Grimaldi;

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

H. R. 3274. An act to provide for the conveyance of certain historic properties to the State of Georgia, and for other purposes;

H. R. 3314. An act for the relief of the estate of the late Eulogio Reyes Suarez;

H. R. 3419. An act to amend the Merchant Ship Sales Act of 1946;

H. R. 4045. An act for the relief of Katherine L. Anderson, a civil-service employee, permanently injured through negligent treatment at the Army Advisory Group Station Hospital in Nanking, China;

H. R. 4365. An act for the relief of Fe'R. Dumaguig;

H. R. 4600. An act for the relief of the legal guardian of Janet Judith Koeninger, a minor;

H. R. 4836. An act for the relief of Xylida L. Driver;

H. R. 4891. An act for the relief of Albert E. Schefflen;

H. R. 4904. An act for the relief of the estate of Conrad L. Steele, deceased;

H. R. 5381. An act for the relief of Billy Ray Ridenour and L. L. Ridenour;

H. R. 5679. An act to authorize the transfer of certain agricultural dry land and irrigation field stations to the States in which such stations are located, and for other purposes;

H. R. 5810. An act relating to the furnishing of accommodations at Klamath Falls, Oreg., for the United States District Court for the District of Oregon;

H. R. 5941. An act to incorporate The Military Chaplains Association of the United States of America;

H. R. 5972. An act for the relief of Ivar G. Johnson;

H. R. 6020. An act for the relief of Richard H. Sears;

H. R. 6106. An act for the relief of Daniel Kokal;

H. R. 6409. An act for the relief of Mrs. Grace A. Olson;

H. R. 6489. An act for the relief of United Transformer Co. (formerly United Transformer Corp.);

H. R. 6528. An act for the relief of the Western Chemical & Manufacturing Co.;

H. R. 6537. An act to provide funds for cooperation with the Territorial school authorities of Nome, Alaska, in the construction, extension, improvement, and equipment of school facilities, to be available to both native and nonnative children;

H. R. 6640. An act to amend an act entitled "An act relating to the disposition of public lands of the United States situated in the State of Oklahoma between the Cimarron base line and the north boundary of the State of Texas," approved August 7, 1946, and for other purposes;

H. R. 6750. An act for the relief of Achilleus Maroulis;

H. R. 6986. An act relating to the acquisition and addition of certain lands to Fort Frederica National Monument, in the State of Georgia, and for other purposes;

H. R. 6990. An act for the relief of Christina Karamanos Demas and Antonia Karamanos Demas;

H. R. 7095. An act for the relief of Rosette Selina Romano, a minor;

H. R. 7114. An act for the relief of John Joseph Griffin;

H. R. 7336. An act for the relief of Mrs. Fumie Ishibashi Akimoto;

H. R. 7393. An act for the relief of Francisco Blanco and Mrs. Celine Smith;

H. R. 7451. An act for the relief of Sumiko Fujita;

H. R. 7563. An act for the relief of Dr. Nicola Di Palma;

H. R. 7670. An act to regulate the height, exterior design, and construction of private and semipublic buildings in the Georgetown area of the National Capital;

H. R. 7709. An act to provide for the acquisition, investigation, and preservation of lands to commemorate the historic Fort Caroline settlement, St. Johns Bluffs, Fla.;

H. R. 7733. An act for the relief of Sisters Rita Pinto de Carvalho, Maria Leite da Silva, Carmelinda Lopes de Aguiar, Maria Adozinda da Fonseca Melo, Joaquina de Jesus, and Maria Luisa Pinto Carvalho;

H. R. 7854. An act to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon a certain claim of the Board of County Commissioners of Sedgwick County, Kans.;

H. R. 7856. An act for the relief of Mrs. Teruko Tominaga Ikeuchi;

H. R. 7891. An act to amend section 3224 (b) of the Internal Revenue Code, relating to the transportation of narcotic drugs;

H. R. 7934. An act to reduce and revise the boundaries of the Joshua Tree National Monument in the State of California, and for other purposes;

H. R. 7964. An act for the relief of the estate of Francis A. Waldron;

H. R. 7990. An act to incorporate the American Society of International Law, and for other purposes;

H. R. 8093. An act for the relief of Regolo Gagliacco and his wife, Gina;

H. R. 8118. An act for the relief of the estate of the late Ismael Miranda;

H. R. 8158. An act to repeal certain laws as they affect the Territory of Alaska;

H. R. 8184. An act for the relief of Michiyo Takada and her minor daughter, Michiko;

H. R. 8258. An act for the relief of Il Nai Che;

H. R. 8337. An act for the relief of William A. Hogan;

H. R. 8345. An act to amend the Columbia Basin Project Act with reference to recordable contracts;

H. R. 8362. An act for the relief of Bernard Croft;

H. R. 8401. An act for the relief of Mrs. Maurice N. Goss;

H. R. 8458. An act authorizing the Housing and Home Finance Administrator to release the trustees of Columbia University, in the city of New York, and the Citizens' Veterans Homes Association of Rockland County, Inc., from obligations under their contracts for operation of veterans' temporary housing project, NY-V-30212;

H. R. 8523. An act for the relief of Marianna Gantschnigg and Merle Richard Gantschnigg;

H. R. 8533. An act for the relief of Emiko Nishimura;

H. R. 8534. An act to authorize the acceptance of donations of land to supplement present parkway lands along the line of the Chesapeake and Ohio Canal between Great Falls and Cumberland, Md.;

H. R. 8562. An act for the relief of Yukie Yabe and her son;

H. R. 8563. An act for the relief of Alonzo P. Brown;

H. R. 8687. An act for the relief of Angelo Messina;

H. R. 8761. An act for the relief of Susan E. Scott;

H. R. 8780. An act for the relief of Lella M. Dodd;

H. R. 8829. An act for the relief of Sisters Pasqualina Bova, Rosa Pellanda, Emilia Del Riso, Speranza Zois, and Domenica Lapadula;

H. R. 8874. An act to authorize the sale of lands to the city of Flagstaff, Ariz.;

H. R. 8971. An act for the relief of Gertrude Hell;

H. R. 8975. An act to amend the Synthetic Liquid Fuels Act, as amended;

H. R. 8987. An act for the relief of Setsuko Kato;

H. R. 9055. An act for the relief of Cynthia Anne Kane;

H. R. 9056. An act for the relief of Hideko Kasahara, and her minor child;

H. R. 9062. An act for the relief of Mrs. Willie G. Heath;

H. R. 9077. An act for the relief of Kimie Jurlo;

H. R. 9082. An act for the relief of Mrs. Chang-Sei Kim, David Kim, and Arthur Kim;

H. R. 9086. An act for the relief of Maria Luisa Mercado;

H. R. 9087. An act for the relief of H. Dale Madison;

H. R. 9111. An act to incorporate the United States Olympic Association;

H. R. 9144. An act for the relief of Mrs. Olga Kowalik and Czeslaiva Kowalik;

H. R. 9166. An act for the relief of Louis J. T. Hendrickx;

H. R. 9334. An act for the relief of Mrs. Else Samstag Yurchak;

H. R. 9434. An act for the relief of Christina Shalfeieff;

H. J. Res. 334. Joint resolution to amend certain laws providing for membership and participation by the United States in certain international organizations;

H. J. Res. 487. Joint resolution to confirm title in fee simple in Joshua Britton to certain lands in Jefferson County, Ill.;

H. J. Res. 511. Joint resolution providing for recognition and endorsement of the Inter-American Cultural and Trade Center; and

H. J. Res. 519. Joint resolution to permit the National Grange to erect a marker on Federal land in the District of Columbia.

#### ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, September 15, 1950, he presented to the President of the United States the enrolled bill (S. 4135) to authorize the President to appoint Gen. Omar N. Bradley to the permanent grade of General of the Army.

#### APPOINTMENT OF GEN. GEORGE C. MARSHALL TO THE OFFICE OF SECRETARY OF DEFENSE

The Senate resumed the consideration of the bill (S. 4147) authorizing the President to appoint General of the Army George C. Marshall to the office of Secretary of Defense.

Mr. JENNER obtained the floor.

Mr. FREAR. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Does the Senator from Indiana yield for that purpose?

Mr. JENNER. I would rather not. It bothers Senators in their work.

Mr. FREAR. I thought perhaps the Senator from Indiana would like to have a full House to speak to.

Mr. JENNER. Mr. President—

Mr. LEHMAN. Mr. President, I know that there are a number of Senators who

would be interested in hearing the remarks of the Senator from Indiana, and I renew the request made by the Senator from Delaware for unanimous consent to suggest the absence of a quorum.

Mr. JENNER. Mr. President, I do not yield for that purpose.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. JENNER. I might say at this time that my reason for not yielding is my desire to save time. We are trying to get through with this session. I do not like to take up the time in the closing days, so in order to accelerate the business of the Senate, I shall not yield for any purpose until I conclude my prepared remarks.

The PRESIDING OFFICER. The Senator from Indiana declines to yield.

Mr. JENNER. Mr. President, I would be derelict in my duty and recreant to my oath were I to remain silent in the face of this latest piece of political chicanery and fail to warn the Senate and the American people of the consequences should we yield to White House demands and permit Gen. George Catlett Marshall to become Secretary of Defense.

Despite the fact the Military Unification Act sets forth the qualifications of the Secretary of Defense, qualifications which were adopted after long deliberation by the Congress, now we are asked to change that law on few hours' notice to permit the nomination of a man who in my opinion is unqualified to fill this important Cabinet post.

All over this Nation for the past several weeks there has been an increasing demand for the resignation or removal of Louis Johnson as Secretary of Defense and Dean Acheson as Secretary of State. Now, the Congress is being asked to change the law, which would result in the delivery—lock, stock, and barrel—of the two most important Cabinet posts in our Government to the complete domination of the completely discredited present Secretary of State.

I have fervently hoped that the blow-up of the bipartisan-foreign-policy fraud in the outbreak of war in Korea would so shock the American people to their senses that they would demand a day of reckoning, a national political house-cleaning, and an honest stock taking of where we are and where we go from here. But it seems that exactly the opposite has taken place, and that, instead of straightening out the tragic mess we are in, the Korean War has only furnished the occasion for this administration to plunge us deeper and deeper into an inevitable catastrophe.

Mr. President, only a fool can fail to realize that if the abandonment of our traditional principles and the betrayals of our interest in the past have produced the present chaos, a repetition of these betrayals on a larger scale will lead to our destruction.

The tragedy is that this administration continues to cover up the most frightening betrayal of America in history, because if ever the truth becomes known of how the Democratic Party has been captured from within and used to hasten our destruction, both from within and from without, during these tragic years, those who have been responsible will go

down in history as America's greatest criminals in peace and war.

The American people do not yet realize how desperate this administration is to cover up its bloody tracks of treason. The American people cannot believe how far this same administration will go to postpone a day of reckoning, and this administration continues its treachery only because the American people cannot believe these things.

But the day of reckoning, Mr. President, is on its way.

Slowly but surely across this country there is a rising wave of disillusionment and of bitter distrust.

The American people, who were indoctrinated with the vicious propaganda of the "four freedoms," and who were glibly assured that our only fear was the fear of fear itself, now are awakening for the first time in our history to a frightening fear for the future of our own land, for the future of our own homes, for the future of our own children, whom they now see again being poured into the bloody maw of the hideous god of war.

Yet those in control of our destiny are so desperate that I believe this disillusionment will have to run its full course before the American people are sufficiently aroused and shocked not only to demand but to hold a day of reckoning.

Mr. President, that is why I believe the time has come to expose this whole sordid, tragic conspiracy in which we are caught, to hew to the line of truth, and to let the chips fall where they may.

I can assure the Senate there is no pleasure, no pride of authorship, and no sense of personal satisfaction in taking this stand.

There is only a growing sense of shame, of outraged decency, and of painful duty as I speak the dictates of my conscience.

Even if I have to stand and speak alone, I am both unable and unwilling by my silence to be an accomplice in the compounding of crimes that have already been committed against my native land.

Mr. President, this background is necessary because without it we cannot understand where the appointment of Gen. George C. Marshall as Secretary of Defense fits into the picture.

With this background we can understand what a staggering swindle, what a horrifying hoax is the fool's paradise we have been living in for the past 10 years.

With this background we can help the disillusionment of the American people to run its course by exposing Gen. George C. Marshall as a living symbol of the swindle in which we are caught.

I know full well how General Marshall's prestige has been built up and propagandized across the country and around the world. But I know that this prestige has been made possible only because the true history of this period has been torn up by the roots, locked in State Department and Hyde Park vaults and in the deep freezes of the White House and distorted and perverted and rifled and destroyed.

Yet in spite of this treachery, this administration has been unable to alter certain historic facts which have finally wormed their way out to the light of day.



These facts in themselves provide conclusive proof that the appointment of Gen. George C. Marshall at this peculiar juncture in our destiny is a last desperate attempt of this administration to swallow up the treachery of the past in the new treachery they are planning for the future.

General Marshall is not only willing, he is eager to play the role of a front man, for traitors.

The truth is this is no new role for him, for Gen. George C. Marshall is a living lie.

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

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Illinois?

Mr. JENNER. I decline to yield until I complete my remarks.

On the one hand he has been built up to the point where President Truman has called him the greatest living American, and on the other hand, everything he has been a party to during the past 10 years has helped to betray his solemn trust and to set the stage for the staggering Soviet victory that is sweeping across the earth. I am going to document this, and Members of this distinguished body can then judge for themselves and for the American people.

It is true, history will have to pronounce the final verdict on General Marshall's conduct and character, but the American people cannot afford and dare not wait for the pronouncement, in the light of the known facts of what Gen. George C. Marshall has already been a party to.

Even the general himself announced on March 12, 1950, only 5 months ago, that he would not write his memoirs because—and I want to be fair, I want to quote him; I quote from General Marshall his reasons. He said:

To be of any historic importance they have got to be accurate; that is, one mustn't omit, and make it pleasant reading.

Now, if you do put it all in, you may do irreparable harm.

You almost ruin a man, but if you don't mention that, it is not history.

So now it is seen why the general does not want to write his memoirs.

Well, Mr. President, Gen. George C. Marshall has plenty of reason for not writing his memoirs, for if General Marshall were to tell the American people the truth as to what he has been a party to during prewar, the war, and postwar years, his reputation, along with those with whom he served as an errand boy, would die of the withering contempt of the American people.

And the fact that General Marshall refuses to tell the American people the truth in the face of the fearful chaos we now confront, forces us to put the story together ourselves and to dare to act on the facts as we find them, if we are to preserve our sense of honor and self-respect.

The truth is, Mr. President, that no one has been as much a part of the tragic betrayal of America that has taken place during these recent years.

No one has held a higher position of responsibility for safeguarding our vital interests.

No one has occupied a more strategic position to influence the course of decisions and events than Gen. George C. Marshall, and as the following could well prove, General Marshall has either been an unsuspecting, well-intentioned stooge, or an actual coconspirator with the most treasonable array of political cutthroats ever turned loose in the executive branch of our Government.

What are the facts, Mr. President?

As far back as April 26, 1938, Gen. George C. Marshall was appointed as a member of the liaison committee which had been created by the President for the coordination of policy of common concern to the Departments of State, War, and Navy. That was in 1938, Mr. President and Members of the Senate. Note the history of this.

And from that time on, Gen. George C. Marshall remained one of the top-ranking policy makers in our Government.

This means that General Marshall was in close consultation with the President of the United States on every vital policy matter affecting our security and the defending of our interests around the world.

This means that General Marshall knew of the deceit and the duplicity that was indulged in by President Roosevelt during the critical years of 1939, 1940, and 1941, by which we were secretly committed to go to war.

General Marshall knew of the 1,700 messages which passed between Prime Minister Churchill and the late President and of the skulduggery they contained, which set the stage for the Pearl Harbor debacle.

On April 25, 1945, Winston Churchill admitted these messages had passed between him and the late President, and General Marshall must have known.

General Marshall also must have known of the secret commitments made aboard the *Augusta* August 11 to 15, 1941, at the Atlantic Charter meeting, the secret agreements to go to war against Japan, secret agreements about which the late President deliberately lied to the American people.

General Marshall also knew of the plans to invite a Japanese attack.

For in Henry L. Stimson's diary of November 25, 1941, we read:

Then at 12 o'clock we went to the White House. At the meeting were Hull, Knox, Marshall, Stark, and myself, Stimson. There the President \* \* \* brought up the event that we were likely to be attacked perhaps as soon as next Monday for the Japanese are notorious for making an attack without warning, and the question was what should we do.

The question was how we should maneuver them into the position of firing the first shot without allowing too much danger to ourselves.

It was a difficult proposition.

General Marshall was there, Mr. President.

We also know that General Marshall is the man who swore on a stack of Bibles that he could not remember where he was the most important night of his life, December 6, 1941, the night the administration, along with the general, were awaiting to be surprised by the first shot they had been maneuvering the Japanese into firing.

In Senate Document No. 244, a report of the investigation of Pearl Harbor, we find the general admitting that he knew General Short had been alerted by the Navy for sabotage in Hawaii, and that it was his responsibility to have warned Pearl Harbor of the threatened attack, a responsibility he failed to carry out.

In the same hearings we learned that General Marshall was out horseback riding on that fateful December 7 morning until 11 o'clock, which still left him 6 hours to alert General Short.

Yet, instead of picking up the phone and talking directly, he sent his warning through the commercial channels of Western Union, a warning which did not arrive until the bombs had already started falling.

Mr. President, I have stood at Pearl Harbor and looked at the shambled wrecks of proud American ships, which still contain, buried in their watery graves, the bodies of hundreds of American boys which have never been removed.

I say to General Marshall that 6 hours might have been important in their lives.

Mr. President, America must wake up. We cannot trust the future to those who have betrayed us in the past.

Mr. President, as the following record will show, all through this period, General Marshall was an accomplice in a deliberate conspiracy against the American people, for General Marshall knew better than anyone else that all the lend-lease propaganda and all the secret agreements that were being made and all the steps that the administration was taking, were leading us directly into war, and that secrecy itself was used to trick the American people into a war they would not have entered in any other way.

General Marshall knew that when the formal American-British military staff talks began in Washington in January 1941, the members of the British delegation wore civilian clothes and disguised themselves as technical advisers to the British Purchasing Commission. He knew these staff talks continued until March 29, and produced a plan known as ABC-1, which contained the grand strategy for the coming war.

Robert E. Sherwood, writing in *Collier's* magazine for June 12, 1948, on the secret papers of Harry L. Hopkins, admitted that this secrecy, in which General Marshall was an accomplice, was necessary because, if these secret deals had become known—

If the isolationists had known the full extent of it, their demands for the impeachment of President Roosevelt would have been a great deal louder.

If these plans had fallen into the hands of the Congress and the press, American preparation for war might have been well-nigh wrecked and ruined.

Oh, you shameful men, I say to the Congress. Mr. President, that is an ad lib; that is not a part of the quotation from Robert Sherwood.

Mr. President, Gen. George C. Marshall also knew the whole story of the extension of lend-lease to Russia, which began with the conferences of September 28, 29, and 30, 1941.

He also knew of the President's demand of March 7, 1942, that all material

promised to the Soviet Union be given priority for shipment—

Regardless of the effect of these shipments on any other part of the war program.

General Marshall also knew just what this meant so far as our own heroic GI's were concerned, for in Gen. John R. Deane's book, *The Strange Alliance*, he admits that—

The effect of the President's dictum was to give the Soviet Union preferential treatment in the allocations of munitions over all other Allies and even over the armed forces of the United States.

General Deane also goes on to say:

On the United States side a group known as the President's protocol committee was created to administer the Russian-aid program. With respect to Russian aid, however, I always felt that their wisdom was carried out with a zeal which approached fanaticism.

In other words, Mr. President, as Chief of Staff, General Marshall was party to lend-lease agreements, during the war, which gave Russia priority on our munitions and war matériel which were desperately needed by our own heroic American GI's; and Gen. George C. Marshall permitted the extension of these lend-lease priorities to Russia without any strings attached whatever.

Now, Mr. President, there is not time to go into the whole sorry story of the role General Marshall played in the subsequent course of events, but the record clearly shows that General Marshall went along with the most criminal and outrageous betrayals of American interests and principles in history that resulted from Tehran, Yalta, and Potsdam. Someone may say, "He was a soldier. He was taking orders." I say there comes a time when one must decide whether to be for his country, or whether to be a soldier and to follow orders.

And General Marshall knew that at Tehran the President tore Europe in two and handed one-half of it, together with 100,000,000 people, on a silver platter to Russia.

General Marshall knew that at Yalta the President did the same thing with regard to Asia and General Marshall knew that at Potsdam, President Truman confirmed the sell-out of half the world to the Soviet Union.

General Marshall knew this meant that behind his complicity, the terrible sacrifices and suffering, the awful casualty lists, and heroic deaths of American GI's that had provided 95 percent of the forces in the Pacific and 75 percent of the forces in Europe, had been sacrificed on the bloody altar of power politics and treason—not to win the war for America, but to destroy the only two powers able to stop the advance of Communist conquest.

This meant that American GI's were turned into political whipping boys, betrayed by their own Chief of Staff and used for advancing the cause of communism across the earth.

Mr. President, it is nauseating to recall the facts which prove this tragic conclusion.

General Marshall knew full well as Chief of Staff, or should have known, that the Tehran Conference set the stage for the sell-out of Europe.

He knew it called for a betrayal of Poland.

He knew it called for a sell-out of Czechoslovakia, which led to the order forcing General Patton to refuse the surrender of the German Army and to the ultimate Russian conquest of that unhappy people.

General Marshall knew of the outrageous plan for the treatment of Germany which Cordell Hull admits in his memoirs was so shocking to Britain that it was only bought with—and I quote Cordell Hull:

A proposal of credits to Britain totaling \$6,500,000,000.

General Marshall knew that General Patton was relieved from his command for daring to warn the American people on September 22, 1945, of what was going on in Europe.

General Marshall knew of the outrageous agreement which turned our zone of occupation in Berlin into a Russian prison, and who else but he could have been a party to the order to General Eisenhower ordering his withdrawal from Berlin to pave the way for a Russian triumphal conquest—and he was Chief of Staff.

Gen. George C. Marshall knew what outrageous lies were used to cover up the Yalta sell-out of the Orient. For he knew that, while American GI's were fighting and dying on the bloody beaches of Okinawa and Iwo Jima and Saipan, the outrageous deal that was made, selling out the Orient to Russia as a so-called necessary price for Russia's 1-week participation in the war against Japan after it had already been won, was a deliberate sell-out to Russia.

For in Cordell Hull's memoirs we learn that on October 30, 1943, during the last day of the Moscow Conference, Stalin promised Hull he would join the Allies in defeating Japan after they had succeeded in defeating Germany.

According to Mr. Hull:

When Stalin made his promise to me for transmission to the President, it had no strings attached to it.

As Chief of Staff, General Marshall could not have failed to know of the Japanese offer to surrender 6 months prior to the end of the war, which has finally been revealed by Admiral Zacharias.

Furthermore, General Marshall, as Chief of Staff, knew that President Roosevelt had time and again informed Stalin at these secret conferences that under our form of government the agreements he was making could not be made finally legal and binding until they had been ratified by the United States Senate.

Surely, General Marshall also knew that these agreements, until so ratified, were neither bird, beast, nor fish, and could be accounted for only on the basis of military expediency which places the responsibility for them equally on his shoulders.

Certainly General Marshall knew that such agreements are not binding on succeeding Presidents.

But, Mr. President, there is one more awful fact which history holds against General Marshall, and that is, that throughout this prolonged period of

secret negotiations, secret deals, and secret sell-outs of America's vital interests and security around the world, General Marshall knew better than anyone else that America's future was being bartered away by a dying President who had fallen into the hands of an unscrupulous treasonable clique who by their every word and conniving act proved they were determined to destroy us.

Mr. President, can Gen. George C. Marshall show the American people one single major accomplishment to his credit which succeeded in defending us from the awful consequences of these treacherous designs?

This story of a dying President is still the best kept secret of the last 18 years, but it was not secret to Gen. George C. Marshall.

If we turn to the book, *Jim Farley's Story*, we shall find as far back as 1943 America's future was being run by a man whom Jim Farley describes at that time in the following words:

From the time of his return from Tehran in December 1943, there were disturbing reports about Roosevelt's health.

Hundreds of persons high and low reported to me that he looked bad, his mind wandered, his hands shook, his jaws sagged, and he tired easily.

In Henry L. Stimson's book, *On Active Service*, we learn that on September 11, 1944, Mr. Stimson admitted:

I have been much troubled by the President's physical condition.

Again quoting James Farley:

In our evaluation of President Roosevelt, Cordell and I agreed that he was a sick man at Yalta in 1945 and should not have been called upon to make decisions affecting his country and the world.

Had he not been physically and mentally tired at Tehran and Yalta and at home, and had America had a more vigorous voice in international affairs, statesmen of the world are agreed that many of the troubles vexing the world today would not have arisen.

How true, Mr. President.

Mr. President, who else had the responsibility for telling the American people the truth, for putting an end to the treasonable betrayal of everything our American youth fought and died to preserve in two World Wars, if it was not the Chief of Staff who, as the right-hand man of the Commander in Chief, owed his first allegiance to America, and not to a dying President?

If General Marshall had retired in 1945, history would have been unkind enough, but General Marshall was not content to go halfway with this treasonable conspiracy; he has gone the whole way.

He knew that the United Nations was being set up as nothing but a ruthless instrument of power politics to enforce not peace but the outrageous status quo that would result from the secret agreements of Tehran, Yalta, and Potsdam.

It was General Marshall himself who, on July 11, O. K.'d a memorandum for the President dealing with the set-up of Dumbarton Oaks, by recommending:

Mr. Alger Hiss would act as executive secretary.

Then, Mr. President, after General Hurley resigned in protest against the



Communist manipulation of our policy in the Far East, General Marshall assumed the role of the special representative for the President and undertook a mission based on the directive of December 15, 1945, that was drafted by John Carter Vincent in an attempt to force Chiang Kai-shek to take the Communists, together with their armies, into his government.

General Marshall knew that this directive of December 15, 1945, which called for taking the Communists and their armies into the Nationalist Government, was a complete repudiation of President Truman's promise to the Chinese Ambassador of September 14, 1945, just 3 months earlier.

Here again, Mr. President, it is impossible to piece the whole story of General Marshall's mission to China for want of adequate documentation.

But the truth is that General Marshall lent all his great prestige and power to the Jessup-Lattimore-Service-Acheson line calling for a cessation of the civil war, paralyzing the Nationalist Government, and the withholding of aid from Chiang, while he knew all the time that the Russians were not only taking over Manchuria and northern China, but were being rearmed by captured Japanese equipment and were preparing for the eventual conquest not only of China but of the whole Far East.

Our boys are dying in Korea as a result.

As a matter of fact, Mr. President, General Marshall is still proud of this role he played as the inaugurator of the "sell China down the river line."

For as late as March 1950, Gen. George C. Marshall defended Philip C. Jessup's pro-Communist Amerasia activities, together with Mr. Acheson's determination to betray China by writing to Philip Jessup a letter which the Senator from Maryland [Mr. TYDINGS] introduced into the committee hearings on the State Department employee investigation, which read, in part, as follows:

I am shocked and distressed by the attack on your integrity as a public servant.

Throughout your intimate service with me while I was Secretary of State you were clearly outstanding as a representative of the Government both as to your masterful presentations and the firmness of your opposition to all Soviet or Communist attacks or pressures.

That letter is in the records of the Tydings subcommittee.

What were the methods whereby General Marshall, Mr. Jessup, and Owen Lattimore fought off all Soviet pressures?

These methods were to peddle the line that the Communists were agrarian reformers, that Chiang was a reactionary dictator, that Russia had no designs on the Orient, and that the way to oppose Russian expansion was to destroy the only nation in the Far East which had a native army capable of defending its own soil.

Mr. President, having set the stage for the sell-out of China, including Korea, and Japan, General Marshall was appointed Secretary of State, where he continued this pro-Communist policy in the Far East.

As a matter of fact, Mr. President, John Foster Dulles told Senators only a few weeks ago, in the dining room in the Capitol, that up until the Korean war the pro-Communist line in the Far East still existed. We must wake up or else.

On the other hand, General Marshall launched the so-called Marshall plan idea for the recovery of Europe which has been hailed as a masterful stroke of statesmanship that was skillfully designed for and has dramatically succeeded in the containment of communism.

Mr. President, again it is difficult for the American people to understand the extent of the swindle in which we are caught because their minds have been poisoned into believing this Marshall plan double talk.

For the truth is, Mr. President, that on June 5, 1947, General Marshall announced the formulation of his plan in a speech at Harvard University, and offered it equally, not only to the nations of western Europe, but to Russia as well.

The American people do not know that. They cannot get that story. But that is the truth, the fact.

By the way, Mr. President, from the way the Senate voted yesterday, what are we going to do with the new Secretary of Defense if we get him? The Senate used a harpoon yesterday. What are we going to do about it? It was a unanimous vote. There was certainly a meeting of the minds on that point.

The tragedy is that during the testimony on this bill, General Marshall admitted the success of his plan was predicated on the restoration of trade between western Europe and the Soviet sphere of influence.

What shall we do, Mr. President, with the amendment we adopted yesterday? Does the Marshall plan help our Secretary of Defense?

Now, Mr. President, we are confronted with the fact the Marshall plan has been pouring into Soviet hands the war materials and potential which has enabled her to continue her fantastic armaments race and her growing conquest of the world.

At this very moment this administration is frantically trying to devise a new system of keeping the bankrupt economies of western Europe from collapse, while we seek to superimpose an enormous armaments program on their continuing need for economic and financial hand-outs. We are telling them what we will do. If they refuse to do it, we will not play. We are feeding them and supporting them economically with the Marshall plan, and then we put a big arms program on top of everything. The Senator from Washington [Mr. CAIN] was over there. He knows whether they will do it or not.

So, as a result of everything General Marshall has been a party to, America now finds herself not out on a limb, but out on the end of a twig, committed over our heads to the squandering of our resources across the earth, to the turning of American Armed Forces into a permanent foreign legion, to the turning of this Government of ours into a military dictatorship, run by the Communist-

appeasing, Communist-protecting betrayer of America, Secretary of State Dean Acheson.

And what is to come of this, Mr. President?

The debacle in the Far East finds us for months unable to launch an offensive against the tenth-rate power of North Korea, and confronted with a hundred similar impossible situations around half the globe.

Meanwhile, in spite of all the propaganda about how we are being backed in the Korean War by 52 United Nations Allies, the truth is we are being deserted by them left and right until we find ourselves standing practically alone.

So, Mr. President, General Marshall has been appointed as Secretary of Defense, not for the purpose of straightening out the mess we are in, not for the purpose of returning to American principles and of at last safeguarding American interests, but for the frightening purpose of providing the front of respectability to the vicious sell-out, not only of Chiang, not only of Formosa, which is vital to our security, but of the American GI's who are fighting and dying even now because of one treachery, and whose valiant suffering will again be auctioned off on the bloody block of power politics.

Secretary Johnson refused to go along with the deal that is in the making to sell China down the river and seat the Communist delegates in the United Nations.

But that deal is in the making at the insistence of our British and French allies, who want to save their trade advantages in Hong Kong and Indochina and with the open connivance of Dean Acheson who is ready to make the deal.

How is this to be accomplished, Mr. President?

Very simply.

Within a few days or weeks at the most, the State Department is going to announce the signing of a treaty of peace with Japan—Senators may have noticed the headlines in this morning's newspapers: "President Spurs Japanese Treaty"—which will effectively remove General MacArthur from the position he has held and which will place all future relations with Japan directly in the hands of Dean Acheson and his pro-Communist conspirators. That is how simple it is. Let us get a treaty of peace with Japan, MacArthur is eliminated, and Acheson has the ball. Wake up. Wake up, or else.

So much for the betrayals that are in the making in the Far East.

But General Marshall was also needed to continue as a front for the losing cause of Marshall planism in Europe.

Because the demands Europe is now making upon us are so great, and because this administration does not dare tell either Congress or the American people the predicament they are in, at this very moment Dean Acheson is making deals with the British and French in the Waldorf-Astoria, which will provide a way to squander billions more of the taxpayers' money under the guise of a war emergency, through international commodity agreements in which we will

guarantee to purchase their commodities and raw materials above the world market price and will offer in exchange our own goods below both the domestic and the world-market prices.

The significance of this underhandedness, Mr. President, lies in the fact that this opens the door to the complete domination of our domestic economy, of our labor market, our industry, and our mining, to the dictation of foreign powers.

It leads directly to an international superstate, to international allocations of raw materials, industrial capacity, manpower and markets, and regimentation from the cradle to the grave, to underwrite on a global scale and permanently, the criminal blunders and betrayals and secret diplomacy of the past.

This is what the appointment of Gen. George C. Marshall means, Mr. President.

This is what he is going to lend his prestige to cover up.

Unless he, himself, were desperate, he could not possibly agree to continue as an errand boy, a front man, a stooge, or a conspirator for this administration's crazy assortment of collectivist cut-throat crackpots and Communist fellow-traveling appeasers.

General Marshall knows this country has lost complete confidence in President Truman.

He knows President Truman has been talking out of both sides of his mouth for so long and so often that no one can trust him any longer.

One day it is: "Tell it to the marines." The next day it is: "I love the Marine Corps." One day it is: "Johnson will remain Secretary of Defense as long as I am President." The next day it is: "Johnson is out." One day it is: "Peace never looked better in 5 years." The next day we have a war.

General Marshall knows that President Truman has been running this Government like a political bus terminal, changing schedules, and changing fares and political bus drivers so often that he holds the unenviable record of having appointed 38 different Cabinet heads in a period of 5½ years, compared with 26 Cabinet Members appointed during the last 12 years of the late President's rule.

Roosevelt had only 26 in 12 years. Truman has had 38 in 5½ years. No wonder we have no foreign policy. We do not have time between rides.

General Marshall cannot help but know that this record of mind-changing, blundering, head-hunting, gutter politics is the reason why the American people are fed up with government by double-talk and double-cross.

He knows President Truman is playing vicious gutter politics with the future of this country.

He knows President Truman has deliberately violated the law by nominating him to the position of Secretary of Defense; he knows the greatest danger to this country lies in a dictatorship that springs up in our midst.

Certainly if General Marshall has a shred of decency or honor left, he would not stand idly by while the pressure is

put on Congress to change the law which was enacted to keep our military defenses in control of civilian hands and to prevent the emergence in our midst of the very military dictatorships we are supposed to have been fighting the past 10 years.

Is he the indispensable man? Can we change the law in 15 minutes? Is it 15 minutes? Under all the high pressure of a name built up with prestige, the law would be changed, and with a purpose. All American traditions would be broken, and the ground would be prepared for the rise of a military dictatorship in this freedom-loving country. We had better wake up. We are going to wake up, or else.

General Marshall knows the terrible predicament we are in. Everybody knows that he must know it, and General Marshall knows the whole future of this country now hangs in the balance.

It is tragic enough to be confronted with the staggering consequences of the betrayals and defeats we have already suffered on the world scene without also now being asked to set the stage for the emergence of a completely regimented American economy and social structure, under a military dictatorship right here at home.

Yet General Marshall and President Truman are willing to set aside the laws which Congress and the American people were careful to enact in keeping with the spirit and wisdom of the framers of our Constitution to prevent the emergence of militarism on these shores.

Mr. President, the framers of the Constitution had carried on the American Revolution against the exploitation and brutal tyranny of military despotism and did everything humanly possible to safeguard us against military domination under their newly founded government.

In the first place, they provided that the civilian head of the state should also be the Commander in Chief of the Armed Forces.

In the second place, they provided that control over the military should remain in the hands of Congress by providing that military appropriations should be limited to a 2-year period.

When the Unification of the Armed Services Act finally reached the Senate floor, it had brought forth throughout the hearings and throughout the subsequent debates the inherent fear of and opposition to the rise of militarism in this country.

Time and again the supporters of the unification measure and its sponsors took the time to point out how careful they had been to make sure that control of our Armed Forces and our entire Military Establishment remained in the hands of civilian control. It is certain it never could have become law in any other way.

What is it, Senators—more trickery, more treachery? We would not have had this situation presented here today if the truth had been known. If its authors had been confronted with the facts now presented to us, there never would have been such a law in the first place.

Yet now we are asked to set this law aside to suit the whims of a President

who has gotten us into such a desperate predicament on the international scene that the only way he can see to get us out is by taking us into a similar predicament on the domestic scene.

Mr. President, General Marshall, by acceding to the President's request, is only heaping insult on injury, and setting the stage for a repetition in the future on a grander scale of the chicanery, the blunders, and betrayals of the past.

Finally, Mr. President, we can all recall that on January 18, 1949, Dean Acheson was confirmed by the Senate by a vote of 83 yeas to 6 nays. Not 2 years have passed since then.

As a consequence, Dean Acheson has muscled in on so many of the vitally important policy-making commissions and boards of our Government that he is not only Secretary of State, but has become Mr. Government itself.

What are these successes he has achieved in his grab for power?

Dean Acheson is now Secretary of State, a member of the Export-Import Bank, a member of the National Munitions Control Board, a member of the National Security Council, and a member of the National Security Resources Board.

However, these are his personal successes. What has he achieved for America during this tragic period? Even General Marshall cannot fail to know the answer.

I believe that the events that have transpired since, and the tragic sell-out of our interests in the Far East that have resulted, would completely reverse that same vote if it were the matter now under consideration by the Senate.

So, Senators, merely because one happens to be in a small minority does not mean he is necessarily wrong. Less than 2 years have expired. How can the Senate confirm the appointment of General Marshall, and thus turn Dean Acheson into a Siamese twin, in control of two of the most important Cabinet posts in the executive branch of the Government? That is what we are asked to do.

It is tragic, Mr. President, that General Marshall is not enough of a patriot to tell the American people the truth of what has happened, and the terrifying story of what lies in store for us, instead of joining hands once more with this criminal crowd of traitors and Communist appeasers, who, under the continuing influence and direction of Mr. Truman and Mr. Acheson, are still selling America down the river.

Mr. SALTONSTALL. Mr. President, I wish I had the words and the voice to express how strongly I disagree with many of the statements which have just been made by my colleague the Senator from Indiana [Mr. JENNER]. If there is any man in America who is decent and clean it is Gen. George C. Marshall. If there is any man whose public life has been above censure, and whose public actions have been for the public interest, during my span in public life, it is George C. Marshall. Whether we disagree with some of his judgments or not—and I do—I believe from the bottom of my



heart they were made for the best interests of our country, regardless of himself.

I wish I had the vocabulary to answer the statement that General Marshall's life is a lie, because if there ever was a life spent in the interest of our country, a life that is not a lie, it is the life of George C. Marshall.

Mr. President, I shall vote for the bill which will permit one man, General Marshall, to hold temporarily the office of Secretary of Defense even though he has been an officer of our Armed Forces within 10 years. I do so for several reasons.

First, our country is in a very difficult period in its history. I dislike to use the word "critical," but it can be advisedly used. If solutions of the present obstacles to a more peaceful world are not obtained soon, and adequate preparations made to overcome those obstacles to peace, then free civilization as we know it may come to an end. Therefore, we must take every practical step to make our defenses adequate for our needs.

Second, one of the greatest steps we can take to make our defenses adequate is to keep our country united. General Marshall is today perhaps the one man whose motives, whose patriotism, whose character and integrity no one can justly impugn, nor does anyone suspect him of the slightest political ambition. His service will be as truly selfless as can be secured. Therefore he can do much to unite our country in the demands made upon it by the present situation, the human sacrifices, the individual curtailment of desires, the need for increased taxes, the necessity for greater labors on the part of all of us.

Third, The President has made him his choice as his Secretary of Defense. The President has made decisions of which many of us disapprove, he has made mistakes, but he has the responsibility of choosing a Secretary of Defense. He respects General Marshall as do we all. He has chosen him to be his civilian—and I emphasize the word "civilian"—leader of our defense, because he considers General Marshall the best man under all the circumstances. I have always believed that the Executive should have in his Cabinet as his advisers the men of his choice, unless there is some reason to doubt a selectee's integrity or patriotism or particular mental qualifications for the job. In this case the only possible objection that can be raised is that General Marshall has been a military man all his life.

I am against military control of our Defense Establishment. I want it to be in the hands of a civilian. We argued that point at length in committee when we considered the Unification Act. But the General has now been a civilian for 5 years. He has held the highest civilian office in the land, with the exception of the President. Because he has held the office of Secretary of State, it can be said truly to have emphasized his change to a civilian status, and thus to have reduced the waiting period of 10 years.

But the point we must keep actively before us is that General Marshall is the President's choice to fill a most difficult

assignment in his Cabinet in a critical moment in the Nation's affairs. Whether or not, Mr. President, you or I would have chosen General Marshall had we the responsibility is not the question. The President has the responsibility, and he has chosen the General.

No one can say that he is not qualified to be Secretary of Defense. The only thing that can be said is that he is a military man, and that objection, in his particular case, is not sufficiently compelling to turn him down. It is not an overriding reason for not making an exception to the law.

General Marshall holds a unique place in the confidence of our citizens and of peoples all over the world.

Fourth, It has been argued that General Marshall, first as Special Ambassador to China, and later as Secretary of State, has taken positions that are not to the country's best interests today. When he was Ambassador, he was given a special mission to perform. He tried to fulfill it. That effort undoubtedly influenced his point of view when he assumed the office of Secretary of State. That is only human. Maybe it still does color his judgment with respect to China. I do not know his present views on the problems of that great country. But I do know that he is sufficiently cool and reasoning to change his point of view, and I am confident that he is sufficiently unprejudiced to form new judgments if his earlier ones have proved unwise.

Furthermore, he has been long enough in Government service and is wise enough to get the judgment of those who have been intimately connected with recent events. He can, and I am confident, will make new decisions on the new facts as given to him. His long experience and his ability to grasp a problem quickly gives him a unique chance to adopt a course that will meet the needs of national defense. Perhaps in these ways he is more ideally suited for the office than any other man the President could have chosen.

Moreover, he is capable of making us all understand the job to be done. He speaks clearly, and is listened to carefully. I believe that his judgment in Cabinet meetings and in conferences with the Secretary of State will be wise, and not based on past prejudices. If our present courses are sound he will do his best to build up our defenses to meet the demands of the Nation. He will not attempt to change the judgments of his colleagues in the Cabinet on the Chinese, Korean, Iranian, and other knotty world problems unless they should be changed for our country's good.

It certainly will be a gain to have three men to work together who have a mutual respect for one another rather than to have bickerings and lack of confidence in each other.

Naturally General Marshall will be an influence in the administration, but his influence will be for greater unity, calmer judgment, and an ultimate greater security for our people in this upside-down world of conflicts.

For these reasons I hope this special exception to the Unification Act may be adopted.

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

Mr. SALTONSTALL. Yes.

Mr. KEM. Did I understand the Senator from Massachusetts to say that General Marshall has for some time past occupied a civilian status?

Mr. SALTONSTALL. I said that he was Secretary of State. He has not been in the Armed Forces directly for 5 years.

Mr. KEM. He is an officer of the Army of the United States, is he not?

Mr. SALTONSTALL. The Senator from Missouri is absolutely correct.

Mr. KEM. And he is a five-star general?

Mr. SALTONSTALL. That is correct.

Mr. KEM. He is not a retired officer, but he is on the active list in the sense that he is a five-star general. He is not retired. Is that not correct?

Mr. SALTONSTALL. Yes. Perhaps my statement went too far. Five-star generals and admirals when no longer on active duty receive, as I understand, full salaries. They differ from other retired officers in that respect. General Marshall has not been on active duty for 5 years.

Mr. KEM. I call the Senator's attention to the case of *United States v. Tyler* (105 U. S. 244), decided by the Supreme Court of the United States in 1881. I read the following language from the decision:

It is impossible to hold that men who are by statute declared to be a part of the Army, who may wear its uniform, whose names may be borne on its register, who may be assigned by their superior officers to specified duties by detail as other officers are, who are subject to Rules and Articles of War, and may be tried, not by a jury, as other citizens are, but by a military court martial for any breach of those rules, and who may finally be dismissed on such trial from the service in disgrace, are still not in the military service. \* \* \* We are of the opinion that retired officers are in the military service of the Government.

Mr. SALTONSTALL. I would say most respectfully to the Senator from Missouri that probably that statement of mine went too far. I would not disagree with what the Senator has said. What I have tried to say is that General Marshall has held civilian office; he is not on military duty, and in that way could be said to be a civilian. The Senator from Missouri is entirely correct.

Mr. CAIN. Mr. President, the Secretary of Defense submitted his resignation to the President of the United States on Tuesday, September 12. On that day the President wrote to the Secretary of Defense that the President would propose at once the legislation necessary to permit Gen. George Marshall to become his successor as Secretary of Defense.

On Wednesday morning at 11:45 the pending bill was considered by the Senate Committee on the Armed Services. Action on the proposed legislation was sought in 15 minutes. All but 2 of the 12 members present thought that the President's public announcement concerning General Marshall and a national emergency justified the approval of legislation which would permit a military man to head our Nation's Department of Defense.

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

Mr. CAIN. The Senator from Washington would prefer not to do so, sir, because time now is so precious.

The junior Senator from California and the junior Senator from Washington were in opposition to this view. The opposition views were briefly covered in the committee's minority report and are being stated in the Senate of the United States today.

Some members of the committee wanted to immediately report the bill out to the Senate and have action taken on it. It was, however, agreed that the bill would be reported out and called up yesterday. The bill became the pending business yesterday but no action was taken on it, even though the Senate recessed shortly after 9 o'clock last night.

During the 15-minute session of the Senate Armed Services Committee on Wednesday its chairman pleaded for speed of action and the Senator from California and the Senator from Washington stated that they would not endeavor to obstruct consideration of the bill and that they would not seek recourse through parliamentary maneuvering or lengthy statements to defeat it. Both the Senator from California and the Senator from Washington said they did not expect to speak at length against the bill, but wanted only an opportunity to offer their convictions in opposition to the proposed legislation, which now is before us. Those who supported the bill in the committee could not very well have thought that attitude to be other than a reasonable one.

In the committee meeting, I said that I intended to speak for just 2 minutes. I wish to state that although I have no intention of speaking at length, yet I feel absolutely impelled to offer a longer statement than I first had in mind. The reason for this is that I shall submit the views of others in support of my opposition. From considered reflection, there has come an even stronger conviction—which I thought impossible—that the question before us now runs deeper and is fundamentally more important than any of the many great questions which have been before the Senate of the United States since I first became a Member of the Senate almost 4 years ago.

In that momentous period, I have never seen a bill which was so totally executive in character. It was premerchandized to the Nation before the bill was sent to the Senate Committee on the Armed Services. That committee apparently thought its freedom of action had been taken from it by executive declaration. The individual named in the bill did not consult with the committee, nor was he called as a witness before the committee. No consideration was given to that individual's present capacity for undertaking an assignment which calls for strength and health which can be relied upon for years. The committee had no opportunity to consider any of a number of other persons who are qualified for appointment to the position of Secretary of Defense. The committee asked no questions, and voted in only 15 minutes to report the bill to the Senate.

Gen. George Marshall, a noted American, is named in the pending bill because it is thought by the administration that the very act of naming him to be Secretary of Defense will promote national and international unity. It must be pointed out, as the vote to come will prove—and I do so in the most humble and respectful fashion—that a number of Senators and many other citizens of the United States do not approve of the intended action. All of us in this body, Mr. President, represent many citizens, and because of that fact, our votes will show that it is not true that all of America thinks the bill before us ought to become the law of the land. Had the President conferred with the Senate Committee on the Armed Services before he acted, there is every solid reason to believe that we would not now, or in the future, have this bill before us.

Regardless of what happens to the pending bill, I want to think that in the future the President of the United States will take the Congress into his confidence, and will ask the Congress for guidance on great public questions which affect all of America and the world, before the President thinks that he as an individual knows best. The pending bill is a real example of a case in which the Senate of the United States is not acting as an independent body, charged with the grave responsibility of exercising its own judgment.

Mr. President, I have never personally met Gen. George C. Marshall. I know General Marshall only through a host of mutual military friends, and therefore I know him well and favorably. I join with most other Americans in thinking that history will judge General Marshall to have been a splendid, thoroughly trained, professional soldier and a highly competent wartime Army Chief of Staff.

I remain in doubt, Mr. President, about Gen. George C. Marshall during his tenure as Secretary of State. In that role, Gen. George Marshall stands forth as a cloudy figure. In that role, I am not completely qualified to judge him.

Today I am not concerned with Gen. George C. Marshall in any capacity. I am thinking entirely about my country and what it needs at this moment.

The Senate of the United States has before it a proposal to forget the past and to bypass an American principle which has guided and supported our American attitude toward life since shortly after our Nation was founded. The Senate of the United States is being asked to throw the rules of the game out the window. This request is being made in the name of an emergency. We have been told that the emergency will be conquered and everything will turn out all right if we resort again, today, as we have in the past, to expediency. We are told that we must not be guided by principle.

The last time our Nation discarded the rules of the game was in 1940, when a distinguished and very able American was elected to the Presidency of the United States for the third time. America was told then that such an act of political expediency would result in tranquility and peace. In 1940, America was told what it had never believed before,

namely, that America then possessed the indispensable man. The man in question took office for the third time, after 8 years of devoted service to his Nation. I did not like much of what the then President did; but I say that he spent 8 fine years of devoted service to his Nation, and he served America with strength and vigor, both mental and physical.

Need I relate—for every American man, woman, and child is aware of it—that the man who was permitted, by his peers, the citizens of the United States, to break our American code when elected President for the third time, subsequently became our President for the fourth time, and tragically died in office, broken in health and strength. The frailties of age and the inevitable results of overwork caught up with him. That happened, Mr. President, because there never was and never can be an indispensable man. I shall not hazard an evaluation of the consequences visited upon America and the world because a single human being was permitted to break the rules of the game and to overstay his usefulness.

The Senator from Washington, not as a Republican, for his conviction on this subject was arrived at before he became a partisan, but as an American, feels that history will define the great American tragedy as having taken place on the occasion when Americans first placed their reliance in a man, rather than in laws which are written out of the wisdom of the minds of men and women collectively. I feel that my Nation lost some of its precious moral courage, health, stamina, and strength when it abdicated from its responsibility for demanding new and refreshing leadership in keeping with the history of strong peoples and of our land.

With respect to the pending bill, I know of no current emergency, nor can I conceive of an emergency, which does or will justify breaking an American time-tested code, by which we have lived for many decades, and because of which other nations throughout the world have respected the United States. The only justification for passing the pending bill is that we admit that the United States does not possess a single civilian citizen for whom a majority of all other citizens have respect, admiration, and faith. I deny that any such situation exists in this country today. If there is a present-day situation of this character, then there is no hope for any of us in the future. If American civilian citizen leadership is lacking or, as is nearer the truth if it only appears to be lacking, there is something very wrong with those who are charged with finding and calling forth that leadership.

I shall offer but six witnesses in support of my contention that the pending bill is not necessary and ought not be approved.

My first witness is the President of the United States who delivered a message to the Congress on December 19, 1945, in which he said:

Civilian control of the Military Establishment—one of the most fundamental of our democratic concepts—would be strengthened if the President and the Congress had but



one Cabinet member with clear and primary responsibility for the exercise of that control. There is no basis for the fear that such an organization would lodge too much power in a single individual; that the concentration of so much military power would lead to militarism. There is no basis for such fear as long as the traditional policy of the United States is followed that a civilian, subject to the President, the Congress, and the will of the people, be placed at the head of this Department. The safety of the Democracy of the United States lies in the solid good sense and unshakable conviction of the American people.

My second witness is Gen. George C. Marshall, who, when he appeared before the Committee on Military Affairs of the United States Senate, on October 18, 1945, said:

I consider it very important that such an agency, (as the Joint Chiefs of Staff), should be continued for the purpose of submitting, in compliance with legislative direction, recommendations on matters affecting policy, strategy, and consequent budgetary requirements, to the Commander in Chief, but through the civilian head of a unified department.

My third witness is General of the Army Dwight D. Eisenhower, Chief of Staff, who, when he appeared before the House Armed Services Committee, May 7, 1947, referring to the unification bill, which is now the law of the land, said:

This bill sets up the Air Force in its legitimate place and does something to recognize the paramount influence of air power upon modern warfare. But more important, it establishes a single civilian head. Only a man so situated, as will be the Secretary, set up by this bill, can possibly bring to you the disinterested and completely detached studies and reports that will be necessary before duplication may be eliminated and with the assurance to you that our country's security has not been endangered.

My fourth witness is Gen. A. A. Vandegrift, Commandant, United States Marine Corps, who, when he appeared before the Armed Services Committee of the House of Representatives on April 22, 1947, speaking for our benefit, 3 years later said, in part:

In order to tie together these agencies, and for better coordination of the several services, there should be an executive appointed from civil life by the President, by and with the advice of the Senate, whose duty, under the direction of the President, shall be to recommend to him policies, and programs for the National Defense Establishment. He should be empowered to exercise supervision and coordination of the departments and agencies. Since reading some of the testimony which has been given before this committee, particularly that of General Eisenhower, and the Under Secretary of War, Mr. Royall, I have become increasingly concerned about the danger of lessening the degree of civilian, including the congressional control of our Military Establishment.

My fifth witness is Admiral Forrest Sherman, Chief of Naval Operations, who, when he appeared before the House Armed Services Committee on May 2, 1947, said:

Although I do not advocate any reduction of the constitutional responsibility and authority of the President, as Commander in Chief of the Army and Navy, I, for one, am firmly convinced that the complexities of government under present and future con-

ditions makes it necessary that the President be assisted by a civilian official who can devote full time to the matters concerned.

My last witness is Dr. Vannevar Bush, then, at least, Director of the Office of Scientific Research and Development, who, in a letter addressed to the Senate Armed Services Committee under date of May 8, 1947, said:

This plan preserves another matter also of great importance. In this country, we have long held to the thesis that our military affairs should be subordinate to our civilian governmental structure. This thesis is fundamental in the plan presently before you. I believe that the present plan is sound in this respect.

Mr. President, the Congress of the United States began to study the proposal for a unified Military Establishment in the spring of 1944. This proposal finally became law in 1947. Every American who had anything to offer was encouraged to testify. Many of the most responsible and thoughtful citizens of America, both civilian and military, testified. So far as I have been able to determine, every single witness said our Nation would best be served by making certain that there was to be civilian control of the Military Establishment in the future as there has always been in the past.

Mr. President, I raise but one question: Is there sufficient reason today to violate this declaration of determination and purpose which was so recently restated and reaffirmed by so many outstanding Americans? I posed that question earlier today to a newspaper friend of mine, and she gave me in one word an answer which I do not want to believe: "November."

The pending bill is evidence of the sad plight which engulfs the administration and surrounds the Nation this afternoon. The pending bill is evidence that we have lost a large part of our balance, our poise, our sense of perspective and our national purpose. Through this bill we are giving away to our fears of the future. Through it we are saying that our present-day leaders have lost their grip and their self-control, and that they seek in desperation to find security and safety by unearthing a great and distinguished and very able but rather aged name to use as a shield. In this bill there is a complete denial of the meaning of the words which were used in the early 1930's by our then President to restore confidence and morale and courage in the American people. Those words were: "There is nothing to fear, but fear itself."

In raising my voice against this bill, and in voting against it, I am re-declaring my faith in the integrity and the vitality and the leadership of our Nation. Let those who lead find new leaders to assist them. Only ruin and catastrophe await the American people, if we countenance or permit the covering up of mistakes and the hiding of fear by re-shuffling the same old, battered, soiled deck of cards.

Mr. MORSE. Mr. President, I wish to take about 5 minutes in support of the bill and of the nomination of George Marshall. I wish to say, in the first place, that at the meeting of the Armed

Services Committee, when this bill was reported—and the junior Senator from Oregon made the motion to report it—there was adequate time for any member of the committee to discuss the bill at any length he wished to discuss it. No attempt was made to rush the bill through the committee. It was presented to the committee by the chairman. Objections to it were raised by two members of the committee. I am satisfied that if they had wished to speak at length in opposition to the bill they could have spoken at length. In fact, I think the record will show that after such discussion as we had it was generally agreed that further discussion of the bill should occur on the floor of the Senate. The sentiment of the committee was so overwhelmingly in favor of the bill that the two Senators who opposed it made clear that they would not attempt to prolong discussion of it in committee but did intend to make a few brief remarks against the bill on the floor of the Senate.

I want to express a most respectful disagreement with the judgment of my good friend from Washington [Mr. CAIN] that if the Armed Services Committee had been advised of the President's intention prior to this appointment, in all probability this bill would not have been before the Senate today. It is my judgment that if the President had advised the Armed Services Committee in advance of the appointment, in all probability the appointment would be before the Senate today on the basis of practically the same committee vote with which the bill came to the Senate in this instance.

In regard to the bill itself, I wish to say that I believe it pertains to one of the greatest living Americans, one of the greatest statesmen in the history of our Nation. I am satisfied that George Marshall's name will be emblazoned in the history books of America long after his critics have been forgotten and have passed into oblivion.

I support this bill and this nomination of the great George Marshall because, in my judgment, the American people need the services of George Marshall as Secretary of Defense at this hour of great crisis. Where can we turn among our citizenry to find a man with the wealth of experience and capabilities for this particular position which George Marshall possesses?

I happen to be one who believes that the hour is so dark for America in the crisis which confronts it that we need forthwith to bring into the service of our country, at every post where they can best serve, those persons most qualified to hold the great positions of responsibility in our defense preparations.

I think the appointment of George Marshall will give many millions of American people who are troubled in this hour that confidence and that reassurance in the leadership of our defense establishment which they sorely need.

Mr. President, I admit, as a lawyer, that under the present wording of the Unification Act, it is necessary to amend the act in order to qualify George Marshall for the position of Secretary of

Defense. Therefore, this bill of exception to the Unification Act should be adopted and then the nomination should be ratified by the Senate. I think that from the standpoint of our national security needs it should be ratified. But let me say that I do not share the fears of those who believe that in making an exception to the Unification Act we are to any degree whatsoever endangering the American people by way of running any risk that a potential military dictatorship will be set up in the country. Those who know George Marshall know that, first of all, he is a great civilian. He is a civilian in his whole approach to the administration of America's Military Establishment. Those of us who sat with him time and time again during the war, as members of the military committees of the Congress, know of our own knowledge, and I think it is our duty to give the Senate that assurance today, that George Marshall always and without exception approached the responsibilities of his then great office with a clear understanding of the principle that under our form of government the military is subject to civilian control. George Marshall always demonstrated that he was fully cognizant and appreciative of the fact that in this democracy the military should function subordinately to civilian direction and civilian policies.

As Secretary of State, he certainly demonstrated to the American people again his make-up as a great civilian in his approach to the foreign relations policies of the United States. I think it is a mistake, Mr. President, I think it is unfair to George Marshall, to give any impression that his appointment to this position will militarize the post of Secretary of Defense. To the contrary, I think George Marshall will protect and preserve civilian direction of our Military Establishment. I think George Marshall is as great a civilian as could be brought to a great civilian post in our Government.

The last point I want to mention was very instrumental in the formation of my judgment on this appointment, namely, that I think it is very important to have George Marshall in this particular position because of the military, economic, and political problems which confront us both in Europe and in Asia. As the former Chief of Staff, as the former Secretary of State, he has accumulated a great wealth of information and understanding in regard to European and Asiatic military problems and diplomatic problems. I think the American people who are fearful in this hour that part of the Russian strategy is somehow, somehow, so to weaken us as to cause us to be drawn into a full-scale war in China, will take hope over this appointment of George Marshall. I think George Marshall's understanding of Asiatic problems is such that we can rest assured that no precipitate action is going to be taken by the military in getting us into a full-scale war in China.

I happen to be one who believes that we ought to stretch a strong line of defense in the Pacific which will contain

China and let China stew in her own juice of communism until she boils it out of her system. I am satisfied if we stretch that line of strong defense and let China boil for a while in her own juice of communism we shall see repeated the historic pattern of China. Russian communism will never conquer China, and I believe that in years to come she on her own will recover from the bites of the poisonous snakes of communism which have sunk their fangs into her body politic, and she will rejoin the free nations of the world.

I happen to be one who believes that there are forces outside of the Senate who would maneuver us into a war with China if they had their way. I also happen to be one who believes that we could not win that war in China. I intend to do what I can to strengthen American policy so that it can resist any temptation to become involved in a full-scale war in China, because I do not believe we any more than Russia could conquer China. If we were to go to war with her, what choice would we have but at least to attempt to occupy and control her by conquest? I think the way to handle the threat of communism in China, to the extent that it is a threat to the security of our own Nation—and it is a threat—is to keep our Pacific defenses so strong that the Chinese Communists, as satellites of Russia, will not try to attack us across that barrier of strong defenses. Any attempt to conquer her militarily would bankrupt us. It would cost us the lives of untold numbers of American boys who never should be sacrificed in any war in China.

I think George Marshall understands that situation. I think that George Marshall as Secretary of the Defense will be one of the greatest assurances to the American people that forces at work to draw us into a full-scale war in China will be checked.

With respect to the European situation, Mr. President, I think George Marshall as Secretary of Defense will bring great confidence and improved morale to the European nations, whose friendship and support we shall need in this struggle to defend freedom. George Marshall will be heeded in Europe. His appointment is the most discouraging news Stalin and his gang have heard for a long time. George Marshall's appointment is a set-back to Stalin's scheme to involve us in a war with China so that Russia will be in a better position to overrun Europe.

I close by saying that as one Republican on my side of the aisle and in my individual capacity, I am proud and honored to stand on the floor of the Senate in support of George Marshall—a truly great American. I wish to disassociate myself from the attacks which have been made on George Marshall from the Republican side of the aisle today. I think that nonpartisanship calls for the confirmation of this great American, whose services are so sorely needed in this dark hour. I think statesmanship calls for it too.

Mr. HICKENLOOPER. Mr. President, in view of the apparent situation

and the emotions of the moment, there is no possible doubt as to what action this body will take in the matter.

However, I feel that I should make my position clear, and make it as clear as I can in a very few words. I shall not hold the Senate more than a few minutes. I feel that many Members of the Senate are greatly embarrassed today because of the cavalier manner in which this serious matter has been handled by the Chief Executive of the Nation. I refer to the cavalier manner of announcing as an accomplished fact something which at the time of the announcement was contrary to the law of the land, but with the self-assured assumption that by fiat the Executive could compel the subservience of the legislative branch to save the Executive from embarrassment, and perhaps save from embarrassment the great man who is involved.

In voting against Senate bill 4147 I want to make it abundantly clear that I am registering my disapproval of and opposition to the unnecessary violation of one of our Nation's fundamental traditions, namely, that of keeping civilians as the administrative heads of each of the military branches of Government.

I have the highest respect and admiration for Gen. George C. Marshall, as one of the greatest soldiers our country has produced. His military ability is preeminent, and his advice and counsel on matters of national security and military problems should always be sought and given the great weight to which they are entitled.

Without the passage of this bill, however, that advice and counsel are continuously available, for he is, in effect, on active service as a general of the Army at all times. So that neither this proposed legislation nor his appointment as Secretary of Defense is essential for the purpose of securing the benefit of his great military ability to the Nation. At the same time, it is unthinkable that among the civilian population of the United States a number of competent persons could not be found with the high and exacting capabilities necessary to fill the office of Secretary of Defense.

It has been traditional, and soundly so, in the United States that the Secretary of War and the Secretary of the Navy be civilians. Experience in other nations in the past on many occasions has pointed out the disasters to civil government that have frequently resulted from a failure to follow this principle. While I do not believe and do not want to imply in the slightest degree that General Marshall in any fiber of his make-up would design in any way to militarize the civilian complexion of the Government, nevertheless this bill creates a precedent which could thereby be followed from time to time in the future to the point where the subordination of the military to civilian control might be dangerously weakened.

At the time of the passage of the Reorganization Act which unified the armed services and set up a Secretary of Defense with three subordinate Secretaries—Army, Navy, and Air—this very fundamental policy of keeping the administrative head as a civilian was



thoroughly considered, debated, and with universal approval written into the law. The law now provides that the office of the Secretary of Defense cannot be held by a person who has been a commissioned officer on active service within 10 years prior to his appointment. This was done for a considered purpose and for a vital safeguard. Without doubt, this provision was written into the law upon calm and thorough consideration as a protection against emotional or precipitate action at a future date when there might be a temptation on the part of the Chief Executive to place a professional military man in this job.

When the President some time ago nominated an able and capable man for an important administrative position in Government, with the understanding and provision that that man would continue, while a public official, to receive a salary of \$75,000 a year from the private corporation where he was employed, I voted against the confirmation, not as a result of any question about this man's ability, but because I believed there was a fundamental principle of American public government involved in such an arrangement. The Senate overwhelmingly turned that man down, while admitting his ability, but on the principle that violence was being done to a fundamental principle of American civil government.

When Roosevelt proposed to pack the Supreme Court by compulsory retirement of members, the revulsion of public opinion against the violence to a great American principle was so great as to defeat that effort, even in time of economic emergency.

It has been freely admitted by members of the Armed Services Committee—I may say not by all, but by some members of the committee—that, had this bill merely provided that a five-star officer of the regular Armed Forces of the United States could be appointed to and hold the office of Secretary of Defense, it would have surely been voted down overwhelmingly by the Armed Services Committee of the Senate, and I am sure such a proposal would be voted down overwhelmingly by the Senate. It is the personality of General Marshall, injected into this legislation, and the great personal regard and admiration for him as one of our greatest soldiers, that no doubt influence the attitude of many toward this particular bill, and that becloud the real issue involved.

In voting against this bill, I again want to make it clear that I cast no reflection whatsoever upon General Marshall, but that I vote in protection of what I am deeply convinced is an essential safeguard of the principle of keeping our institutions under civilian administrative control.

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

Mr. HICKENLOOPER. I yield.

Mr. KNOWLAND. I wonder if the Senator would mind if at this point I called attention to some information I have received in a letter from the office of the Chief of Legislative Liaison in the Department of the Army? I have asked that the letter be printed in the remarks I made earlier today immediately following where I inserted the law to which the letter has reference.

This is a letter on the stationery of the Department of the Army, office of the Chief of Legislative Liaison, is dated September 15, and reads as follows:

SEPTEMBER 15, 1950.

HON. WILLIAM F. KNOWLAND,  
United States Senate.

DEAR SENATOR KNOWLAND: Pursuant to a telephone conversation between Mr. George F. Wilson of your office and Lt. Col. R. L. May, office of the Assistant Chief of Staff, G-1, Department of the Army, the following information is furnished:

General of the Army George Catlett Marshall was retired on the 28th day of February 1947 at his own request after more than 45 years of service. He was restored to the active list of the Regular Army on March 1, 1949, under the provisions of Public Law 804, Eightieth Congress.

Sincerely yours,

R. C. BING,

Colonel, GSC, Office, Chief of Legislative Liaison.

Mr. President, that merely bears out the point that the five-star general is still on active service, not on the retired list.

Secondly, I wonder if the Senator is familiar with the fact that the House of Representatives, in passing the bill on this subject, was so concerned with the dangerous precedent which is set that they added this additional section:

SEC. 3. It is hereby expressed as the intent of the Congress that the authority granted by this act is not to be construed as approval by the Congress of continuing appointments of military men to the office of Secretary of Defense in the future. It is hereby expressed as the sense of the Congress that after General Marshall leaves the office of Secretary of Defense no additional appointments of military men to that office shall be approved.

Mr. HICKENLOOPER. Mr. President, I thank the Senator from California, and with respect to the declaration which was placed in the bill by the House of Representatives I merely call attention to and remind my colleagues of an ancient Chinese proverb, "A journey of a thousand miles begins with the first step."

Mr. BUTLER. Mr. President, I shall take only a few minutes of the time of the Senate, but I feel that I want to have my views in the RECORD with reference to the bill now under consideration.

Mr. President, I am very sorry that the distinguished Senator from Maryland [Mr. TYDINGS] has seen fit to try to push this bill through so hurriedly. I believe it is a bill which may have far-reaching importance as a precedent. As I understand, the bill was considered in executive session of the Senate Armed Services Committee yesterday, but no public hearings were held, and there was not even any announcement that the bill would be considered at that time. If there had been any notice or any hearings, I might have desired to appear against it or at least to make my views known to the committee, and I believe other Senators would have done the same.

It has been one of the basic principles of our Government ever since it was founded that the military would be at all times subordinate to the civilian authority. The reasons for that principle are obvious. They are carefully worked out and explained by the great authors of

the Federalist. They are rooted in the experiences of the ancient democracies, when it was found that once the military arm of the government got out of control of publicly elected officeholders, those republics soon came to an end.

Mr. President, I do not consider that we have any tremendous emergency that requires us to break violently with our traditions in this matter. During the past half century we have fought two major wars without sacrificing the principle of civilian control. It is true we are confronted today with a serious situation, but I refuse to believe that no one of the 150,000,000 Americans can handle that situation except a retired general of the Army. I refuse to believe that in this great Nation of 150,000,000 people there is no civilian who can handle this job.

Of course, I understand the pending bill is not supposed to alter our traditional policy, since it makes an exception in just this one case.

Mr. President, I do not believe that argument will hold water. If we pass this bill tonight we are setting a precedent. After we have made one exception in this case it will be easy to make another exception later on. It is always in time of emergency that the first exceptions are made. Later on in more peaceful times those exceptions are used as precedents to change the policy. We have had emergencies ever since 1933 and they never seem to end. Now, in this year 1950, when we are at least not yet involved in any major conflict, we are told that there is such an overriding emergency, that we must ignore our traditions and our basic principles and place the Military Establishment entirely under the control of a former military man.

Mr. President, I want it very distinctly understood, as other Senators have stated for themselves on the same subject, that I have nothing but the highest esteem for General Marshall but I do not believe that he is the indispensable man and I do not believe we should make an exception in his case or in any case.

#### THE SECRETARY OF NATIONAL DEFENSE

Mr. MALONE. Mr. President, the headlines appearing in the newspapers of today relating to the situation in Korea may go far to prove that the President has fired the wrong man. The headline in the New York Times is as follows:

United States forces land behind Communists in Korea; seize Inchon, port of Seoul; move inland; United States to press Japanese peace pact—three landings made (behind the lines).

#### MOVE MAY BE SIGNIFICANT

Mr. President, this may be a move of deeper significance than meets the eye of the casual observer. It happened to fall to the lot of the junior Senator from Nevada in 1943 to be with General MacArthur at Port Moresby in New Guinea for a time as special consultant of the Senate Military Affairs Committee, and to make a report to the committee respecting the current situation in that area.

#### PAST MASTER OF BYPASSING WARFARE

General MacArthur is a past master of the kind of fighting that the headlines disclose to have taken place in Korea



yesterday. He is doing the same thing in Korea that he did in the islands of the Pacific during World War II. He prepares his plans for sudden thrusts behind the enemy and cuts them off. Their supply line is broken—their line of communications is broken, they are left without supplies—cut off from their reserves—and left to come in on their own time.

THE PRESIDENT IS A PATRIOT

Mr. President, I have said before on the Senate floor, and I say it now, that I believe the President of the United States is a patriot, that he is a fighter, but in the humble judgment of the junior Senator from Nevada, which has been expressed before, he is hemmed in by an inept State Department.

LOUIS JOHNSON A PATRIOT

While I am on the subject I want to say that Secretary Johnson is a patriot. He was a former national commander of the American Legion. He is fully as capable and brought more experience and training to the job than any man who has served at the head of any branch of the armed services since 1932.

STRANGE COINCIDENCE

It is a strange coincidence that Mr. Johnson's job was apparently not in danger until he visited General MacArthur in Japan and came back convinced that General MacArthur knew and understood the situation in Asia and knew what to do about it. Obviously the MacArthur policies did not fit in with the State Department's ideas of losing Asia to the agrarian Communists. From then on apparently Secretary Johnson was doomed and I fear that the end is not yet—General MacArthur may be next.

EMOTION AND FACTS—GENERAL FU

Mr. President, emotion is one thing, and looking at the cold facts is another. The junior Senator from Nevada landed in Peiping in 1948. It was said the Communists were 8 miles out. We landed at night, in a plane without lights, and General Fu's staff met us in an automobile, driving without lights.

WHIPPED IN 1946—GENERAL MARSHALL

We spent several hours with the general. He made a statement at that time, and I think no harm will be done if I now repeat what he said. I asked him about the general situation. He said, "I was whipped in 1946 when General Marshall stopped the munitions and guns which America had given to us. The result was that the Communists were able to go through the pass, come into Manchuria, and take the arms that were left there by the Japanese." He said, "I had positive evidence that at least one Japanese munitions plant was in operation in Manchuria, perhaps more. The Russians were operating it. They furnished guns and ammunition to the Communists in addition to those already furnished to the Communists." He said, "I have been able to keep the rail line open to the harbor, but," he said, "the Communists can close it any time they want to." He said, "Unless I obtain substantial help within 30 or 60 days I shall be a prisoner of war." Of course he became a prisoner. That is a matter of history.

MARSHALL DISCOVERED AGRARIAN COMMUNISTS

We all know that General Marshall was the one who discovered the agrarian Communists in China. History will recall, of course, what kind of Communists they are. Perhaps history will not be long in being written, in view of the fact that General MacArthur is beginning to win his battle in Korea, and there will be a showdown very soon as to what the Manchurians and the Chinese are going to do there.

GENERAL MARSHALL A GREAT MAN

Mr. President, I wish to say that I consider General Marshall to be a great man in his place, where his training and experience could be useful when he was within the active-age bracket. General Marshall will be 70 years old in another month or two. He has retired on two different occasions on account of ill health. On the last occasion when he came back the junior Senator from Nevada said he would go out a discredited Secretary of State. In the opinion of the Senator from Nevada, that is just what happened.

SHOULD HAVE RETIRED

Mr. President, the newspapers were good to General Marshall upon his retirement as Secretary of State. Now he comes back after having retired twice on account of ill health. It is the opinion of the Senator from Nevada that he should have retired at the end of his military career for the benefit of his reputation, if nothing else. He has rendered a fine service to the Government of the United States in his military capacity, but in the opinion of the junior Senator from Nevada he was not helpful to this country as Secretary of State.

"BLACK JACK" PERSHING

Mr. President, in 1918 we had another great general, "Black Jack" Pershing, who retired as a full general, with great honor, following World War I. The junior Senator from Nevada, along with many of the men on the Senate floor, served under him in France.

MARSHALL—THE SAME GENERAL

Mr. President, General Marshall is the same general who attended the President at Yalta, where Manchuria was given away to Russia without the consent or knowledge of the officials of China. This is the same general who attended the President when Berlin was given to Russia without any means of ingress or egress. This is the same general who served and attended the President when northern Korea was given away. A sudden switch in policy has sent the boys in there facing the equipment and munitions, much of which was furnished by the European Marshall plan countries financed by the taxpayers of America.

RUSSIA AND IRON-CURTAIN COUNTRIES ARMED THROUGH AMERICAN ASSISTANCE

Mr. President, in closing I wish to say that newspapers are currently carrying the results of what has been known as the Marshall plan. I ask unanimous consent to insert in the RECORD at this point an AP dispatch from London which says that Mr. Churchill is trying to stop shipments of munitions to Russia through the Marshall plan countries,

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

WINNIE PUSHES VOTE ON BRITISH TOOL EXPORTING

LONDON, September 13.—Winston Churchill called on Parliament tonight to urge the Labor Government to stop exporting heavy machine tools and strategic raw materials to possible aggressors.

The Conservative leader introduced such a motion for debate next Monday and a vote is expected.

The move is another step in Churchill's campaign to force the Government to call off the sale of tools and other machinery to the Soviet Union. He has contended that these sales add to Russia's war potential.

The question was brought into the open several weeks ago by Churchill who told a nation-wide radio audience that Craven Bros., Britain's second largest tool manufacturers, was busily engaged filling Russian orders, including tools for repairing tanks.

The Government acknowledged the sales and maintained that Britain was obligated under trade treaties to fill them.

Mr. MALONE. Mr. President, in this morning's Washington Post there was published an article which speaks of a new Marshall plan being started. It begins:

A major new program of economic aid for the Middle East and South Asia, directed at fighting communism through raising poverty-level living standards, is taking shape in the State Department, it was disclosed yesterday.

Another paragraph reads:

Rather, according to some Economic Cooperation Administration economists, who also back the proposal vigorously, the program would require "more people than money."

I read further along in the article:

The feeling is, however, that although such aid might have to continue over a longer time span than the 4-year Marshall plan, the annual cost would be vastly less.

Mr. President, it just happened that the junior Senator from Nevada visited all those countries.

BACKING EMPIRE-MINDED NATION

I visited Indochina, where we are backing a man who was put at the head of the Government by France. I contacted many of the leaders. They hate America because we are backing an empire-minded nation to maintain virtual economic slavery. We are doing the same thing in Singapore, in the Malayan states.

NEGRO SLAVES IN AFRICA

The money under the Marshall plan which has gone into Africa has been doing the same thing in the case of the Negroes in Africa—parceling them out to the empire-minded nations, with one part going to France, another part going to Britain, another part going to the Netherlands, another part going to Belgium—all without any regard to what the people of Africa themselves want to do with their own country.

Mr. President, we are now moving into a new era—to say nothing of the advisability of passing the proposed law now before us—with apparently Mr. Acheson in full charge of the throttle.

In this connection I ask unanimous consent to have printed at this point in the RECORD a special article by George Rothwell Brown.



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

**THE POLITICAL PARADE**

(By George Rothwell Brown)

With the callous heartlessness of a Russian peasant throwing his baby out of the back of the sleigh to save the rest of the family from the pursuing pack of ravenous wolves, President Truman has sacrificed Louis Johnson to his Secretary of State and the Acheson-Lattimore policy in Asia.

Born of political necessity, in a campaign now nearing its end, with the shadows of approaching defeats all along the line closing in on twin deal candidates in a dozen crucial States, the transparent maneuver is too thin to succeed permanently.

An indefatigable left-wing clique in Washington, long out to destroy Johnson, has finally succeeded in "getting" him.

But Secretary Acheson still remains the target at which veterans' organizations all over the country, but especially in the far and middle west, have been aiming.

They have led the way in what has become almost a national crusade.

It is clearly indicated in congressional circles that few expect to see any lessening of the criticism of Acheson as a result of the sacrifice of Johnson to State Department policy.

The Veterans of Foreign Wars, at their Chicago convention last month, adopted resolutions for the ouster of both Johnson and Acheson, in the first case by a vote of 3,495 to 5, and in the second by 3,497 to 3.

The truth of the matter is that the resentment against Acheson is far deeper and of much longer standing in the country than that held against the Secretary of Defense. In many far western States veterans' organizations, including the Legion, for the past 2 months have been adopting resolutions asking for the removal of Acheson, or his impeachment.

In one State, the delegation in Congress was instructed to move for such impeachment.

These instructions have been disregarded, and no resolution for the impeachment of Acheson thus far has been introduced by any Member of the House, in which body under the Constitution impeachment proceedings must be initiated.

Candidates for Senate and House who fully appreciate the sentiment against Acheson in their States are unwilling to predict that the feeling against him will subside, now that Louis Johnson has been made the official administration goat.

Acheson still remains the No. 1 political liability of every Democratic candidate for Congress.

The administration is basing its campaign hopes on a victory for American forces in Korea before the advent of the fateful Tuesday in November that will determine the complexion of House and Senate in the two remaining years of Truman's second term, a prayer shared of course by everyone.

But even a successful offensive movement up the Korean peninsula within the next 7 weeks will not make the voters forget that it was State Department policy which finally forced a showdown in Korea, to save American prestige in Europe, without adequate warning to the Armed Services of its reversal of Acheson's policy to write Korea off.

Such a victory would be Johnson's, not Acheson's.

That is the core and center of the catastrophe which has fallen upon the American people when they thought they had won the World War, only to find that victory had been thrown away by the Communist appeasers in the State Department.

Secretary Acheson has scored an immediate triumph, over the strongest man in the Truman cabinet.

But it may not last until election day.

It can hardly in the long run survive the election returns.

The American people will not be satisfied until Acheson, too, is out.

One down—and one to go.

**Mr. MALONE.** Mr. President, I ask unanimous consent to have appear in the RECORD at this point an article from the Times-Herald by Walter Trohan, **Vinson To Get Acheson Post.**

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

**VINSON TO GET ACHESON POST, CAPITOL HEARS**

(By Walter Trohan)

Word was passed in Senate and House cloakrooms yesterday that Chief Justice Vinson may succeed State Secretary Acheson before the November election.

There was no hint at the White House or State Department that Acheson is on his way out, but Members of Congress were convinced he will be sacrificed along with Defense Secretary Johnson to appease voters in the congressional election.

At his news conference yesterday President Truman told a questioner that Acheson is still Secretary of State and will remain so. Members of Congress who believe Acheson is slated to go recalled, however, that Mr. Truman said only last month that both Johnson and Acheson would stay in the Cabinet for the duration of the Truman tenure.

**WON'T DISCUSS JOHNSON**

Asked what made him change his mind and drop Johnson, Mr. Truman replied only that this was a closed incident and that Johnson's resignation letter and the President's reply letter earlier this week spoke for themselves.

Vice President BARKLEY has confided to Senate cronies his conviction that Acheson will be gone within the month. It has been recognized that the ouster of Johnson has served to increase the demand for the removal of Acheson.

Suggested appointment of Vinson would serve to divert at least for a time the voter wrath that has arisen against the administration on Korea, it was recognized. Appointment of the easy-going, trouble-shooting Chief Justice would meet with less opposition than the naming of General Marshall to follow Johnson, it was said.

**VINSON SEEN AVAILABLE**

Democrats were certain that although Vinson has no desire to exchange posts, he could be persuaded to leave the high court for the good of the party. They said Vinson could be offered the vice presidential nomination in 1952 and a chance at the presidential nomination in 1956. Vinson is 60 years old.

It was recalled that in the final days of the 1948 Presidential campaign Mr. Truman planned to send Vinson to Moscow to meet with Stalin in an effort to solve American-Soviet conflicts. At the last minute the plan was abandoned, because it was felt the step might embarrass Marshall, then Secretary of State.

Mr. Truman was reported to be turning to Vinson again as the one man whom he could employ to fill Acheson's post without any loss of face for making the change.

**WIDE GOVERNMENT EXPERIENCE**

Vinson left a court post for a war job without any question. After years of service in Congress he was made a justice of the court of appeals. He left the bench to become stabilization director without knowing what job he was taking. He left at the request of the late President Roosevelt, who phoned Vinson to say he was needed for a war post.

**TRUMAN SETS RECORD IN CABINET TURN-OVER**

With the departure of Defense Secretary Johnson this week the record indicates that

President Truman, since he took office just five and a half years ago, has hired and fired more Cabinet members than any President in the same length of time.

Mr. Truman started with the late Edward R. Stettinius, as Secretary of State. Replaced him with former Senator and Supreme Court Justice James F. Byrnes; fired Byrnes, gave the job to General Marshall, and then replaced Marshall with Dean Acheson.

Over in the Treasury, Mr. Truman started out with Henry Morgenthau, Jr.; dropped him for Fred M. Vinson, then put Vinson on the high court, and selected John W. Snyder for the job.

As heads of the Armed Forces, Mr. Truman has had Henry L. Stimson and Robert P. Patterson as Secretary of War, the late James Forrestal as first chief of the newly created defense set-up, and then Johnson and General Marshall.

Mr. Truman has had three attorneys general—Francis Biddle, present Supreme Court Justice Clark and former Democratic national committee chairman, J. Howard McGrath.

There have been the same number of Cabinet shifts of postmaster generalships—Frank C. Walker, Robert E. Hannegan and Jesse Donaldson.

Over in Interior, Harold Ickes quit to be succeeded by Julius A. Krug, who in turn was fired to make way for Oscar Chapman.

**EPIDEMIC OF BREAKING PRECEDENTS**

**Mr. MALONE.** Mr. President, in closing, I wish to say that in the last 18 years we have had an epidemic of breaking precedents. I am not married to precedents. However, when they are good precedents—as, for example, the precedent of not more than two terms for Presidents; the precedent of a civilian at the head of our National Defense Establishment, so as to prevent an over-emphasis of militarism in that position—they should be seriously considered and should be followed, if humanly possible, as has already been stated by other Senators who have spoken on this subject in the course of this debate.

Therefore, Mr. President, I shall vote against any change in the law at this time.

**MESSAGE FROM THE HOUSE**

A message from the House of Representatives, by Mr. Kent, its enrolling clerk, announced that the House had passed a bill (H. R. 9646) to authorize the President to appoint General of the Army George C. Marshall to the office of Secretary of Defense, in which it requested the concurrence of the Senate.

**THE VICE PRESIDENT.** The Chair lays before the Senate a bill which just came from the House of Representatives, which the clerk will state.

**THE LEGISLATIVE CLERK.** A bill (H. R. 9646) to authorize the President to appoint General of the Army George C. Marshall to the Office of Secretary of Defense.

**THE VICE PRESIDENT.** Without objection, the House bill will be substituted for the Senate bill.

Is there objection to the present consideration of the House bill?

**APPOINTMENT OF GEN. GEORGE C. MARSHALL TO THE OFFICE OF SECRETARY OF DEFENSE**

There being no objection, the Senate proceeded to consider the bill (H. R. 9646) to authorize the President to appoint General of the Army George C.

Marshall to the Office of Secretary of Defense, which was read twice by its title.

Mr. KNOWLAND. Mr. President, before we reach the point of voting on the bill, I should like to ask for the yeas and nays.

The VICE PRESIDENT. An opportunity to make that request will be available later on.

Mr. MUNDT. Mr. President, I assure my colleagues that I shall not detain the Senate long before we reach the time of voting on the bill. As a matter of fact, I had no intention at all of discussing this legislation. I simply expected to vote my convictions, when the time to vote came.

However, due to the rather unexpected trend of this debate, it seems to me that it is necessary for one who is a member of this body to make clear, in advance of the vote, his reasons for voting as he expects to do on this particular measure, lest by that vote he be understood either to be labeling General Marshall as a sort of villain in a tragic national role or as the chief architect of a disastrous foreign policy, or on the other hand that by his vote he be understood as placing a stamp of approval upon the entire evolution of our foreign policy during the period of time when General Marshall was a prominent figure in our Government or its Department of State.

I have no desire to discuss that phase of the situation at all this afternoon. I take the floor at this time primarily to point out that my vote will not be based on any consideration whatever of past acts and facts, which history alone can fully evaluate, with regard to the part General Marshall has played in the events of the last decade or so.

I have no question in my own mind about the patriotism of General Marshall. I have always respected him as a great soldier and as a distinguished American military leader. I do so today.

I think perhaps there is some merit in what the Senator from Nevada [Mr. MALONE] said just now, when he told the Senate that if it was necessary, as it appeared to be, to end the unhappy feud which was going on in the President's Cabinet between Secretary Acheson and Secretary Johnson, it is at least conceivable that the President may have fired the wrong man.

In all events, I have never been one of those who joined the hatchet crew that went after Mr. Johnson so hard when he was Secretary of National Defense. Like all of us, I was amused by the manner in which his "wisecrack" at the National Defense Conference boomeranged, when he told the world that if Russia were to strike at 4 o'clock we would be ready to strike back at 5 o'clock. I think that, at worst, that probably was an unfortunate statement which undoubtedly was not intended to be related to the Korean situation. In any event, I doubt that the statement was serious or significant enough to warrant a man's being ousted from the President's Cabinet because of that verbal faux pas.

However, I do not wish to appear here as an advocate of so great and so articulate and so aggressive a Democratic

leader as Louis Johnson. I served in a similar capacity a few nights ago when I took the floor of the Senate to pay tribute to Mr. Tom Murphy, the Assistant Attorney General, because of his imminent departure from the President's Cabinet, and because no Democrat had risen to pay him a well-merited tribute.

I simply wish to point out that, like all other Americans, I have regretted the rather nasty feuding which went on between Mr. Johnson and Mr. Acheson, and I can recognize that the President had to find some answer to it. I think it probably would have served America better to have removed both of them simultaneously, if the President could not induce both of them to smoke the pipe of peace in public together.

However, I do not wish to be understood as casting my vote on this particular measure on the basis that it represents, in my opinion, either a criticism or a commendation of George Marshall, the man. I think other more important issues are involved.

I have been impressed by some of the arguments to which I have listened in the course of the debate in the Senate this afternoon concerning the precise decision which is before us; should we change a Federal statute in order to permit some specific individual to serve as Secretary of National Defense?

In the first place, I am motivated by the fact that I cannot make myself believe that it is necessary to appoint George Marshall to be Secretary of Defense, because, as has been pointed out by Senators better qualified than I to speak on this subject, the President could have made available to himself the great counsel of George Marshall on military matters, without appointing him Secretary of Defense. Nobody would object and it would be a proper and established procedure for President Truman to make General Marshall his personal military adviser or counselor. In that capacity Marshall could be the President's contact with the Cabinet and with the Pentagon on all military matters.

So, in the first instance, it is not in answer to the need of the President for wise counsel on the part of five-star general, that we are asked to break this precedent by repealing in fact a law which Congress so carefully and deliberately enacted in the national interests. It was a law for which I voted as a Member of the House.

The second reason why I look with disfavor upon Senate bill 4147 or House bill 9646 is the fact that I sense a growing danger in this country of having the Congress gradually become simply a servile, echoing medium of the Executive. I think it is exceedingly unfortunate that the President took this particular way of trying to force the proposed legislation through the Congress. I think it is a very dangerous precedent when the Chief Executive announces in advance that he is going to defy the law and make a decision in violation of the law, and that he expects the Congress of the United States to act in conformity with his demands, so as to legalize it. There must have been a better way, some way more in keeping with the old-fashioned notion that the Congress is a coordinate branch of the Government, some better

way of trying to bring about this decision, if the President really felt that it was necessary.

I think this body cannot constantly and continuously and repetitiously vacate its position and vacate its authority and scrape and bow at the call of the Executive, and yet expect to continue to be considered a coordinate branch of the Government of the United States. So I deplore the fact that this particular method of shotgun legislation was employed. Unless we use our authority as a coordinate branch of Government, someday we may very well completely lose it.

The third argument which it seems to me is significant in this connection, as I consider the office of Secretary of Defense and the wisdom of the Congress and of the country, as manifested in the Unification Act and throughout our tradition of asking that the head of that department be a civilian, is the fact that that great civilian Cabinet post is primarily a position of administration and a position of serving as an arbitrator. Under the Unification Act, the Secretary of Defense is expected to be a coordinator between the representatives of the respective armed services, each of whom—with zeal and zest and desirable and understandable enthusiasm for his particular branch of the armed services—advances the cause and the needs of his particular branch of the service.

It was conceived, as I recall, in the course of the long debates which occurred in the House of Representatives where I then served when the Congress was considering the Unification Act, that the man who would occupy the great civilian post of Secretary of National Defense would be a man who would be above and beyond the particular prejudices and bias and enthusiasms of the respective branches of the armed services, so that he could consider the demands of the Navy, the Army, the Marine Corps, and the Air Force, and then make a decision which he conceived to be in the interest primarily of the national defense. He would sit in judgment with no preconceived prejudice, bias, or service loyalties.

Certainly I would believe, and I am sure, that General Marshall, sitting in that capacity, would do his level best to dissociate himself from his some 40 years of military experience in a single branch of the service. But I know, too, that he is enthusiastic enough for the service so that during those many years of service he understandably has acquired an attachment for the branches of the service with which he was connected, and an understanding of them, together with a special loyalty for them. I believe it utterly impossible for any man who has specialized for a long while in a single branch of the service to look as objectively upon them as a man coming in from civilian life who could arbitrate and coordinate the differences equitably.

The fifth argument which impresses me, Mr. President, is the fact that I do not think this country should throw out to the world today the word that we, too, are slowly but surely succumbing to the doctrine that men become indispensable in any position in our public



life. I grant that General Marshall is a great soldier; I grant that he is a great leader and a great administrator in military matters. But I deny with all the vehemence of which I am capable that this country would go to pot and lose the war had unhappily George Marshall passed away 2 weeks ago.

I deny that we are that devoid of leadership. I deny that we cannot find men equally able in this critical period, selected from civilian life as the law of the land said we should do, to fill this position. It is because of those five reasons, Mr. President, that I am going to vote against Senate bill 4147, with the hope that my explanation will be clearly understood as not being a vote of criticism of George Marshall, the man, nor as a vote attempting to pass a verdict upon the contributions—good or bad—which Marshall made in his civilian capacity as Secretary of State.

Like many other Americans, I have been disappointed by some of those decisions. I have questioned and criticized them and I am deeply worried about the results of them. But certainly when George Marshall acted in a military capacity as Chief of Staff and as the great soldier that he was, he served the country well, and I am convinced that any mistakes that he made either then or as Secretary of State were mistakes of the head, not of the heart; that George Marshall, even serving in that civilian position for which he was not trained nor adequately prepared, as Secretary of State, strove according to the lights that he had to do the things that he felt were to the interest of world peace and of his country.

I do not want to be understood as subscribing to the theory that I consider George Marshall the Machiavellian villain of an American tragedy in foreign policy simply because I refuse to vote for a violation of the law in order to move in the direction of the doctrine of indispensability by now putting George Marshall into a position which, though I think he can serve it well, I do not believe he can serve any better if as well as some other American in civilian life of whom I am sure we have many who could do the job with equal dispatch and equal efficiency. The destiny of America is not today tied to the availability of any individual man.

Mr. LUCAS. Mr. President, I desire to say but a few words before a vote is taken on the pending bill. First, I wish to commend the majority upon the report which has been made and which sets forth their feeling about the Unification Act of 1947, and expresses the view that the restriction which we made at that time was a wise one and "necessary if our traditional concept of civilian control over the military is to be maintained."

The arguments which have been made here, or at least some of them, apparently do not take into consideration what the able Senator from Virginia [Mr. BYRD] said in his remarks in defense of the action of the Armed Services Committee in reporting the bill, namely that this is the most menacing period that this country has probably ever faced. I have said on many occasions,

and I now repeat, that, as a result of the communistic ideology which the free world must face, America is passing through what I honestly believe to be the most dangerous period of its existence, at least since the founding fathers gave us liberty in 1776. The Korean incident is not so simple as some persons seem to think. It is, in my judgment, more or less a continuation of the age-old struggle between tyranny and liberty which has been going on since the dawn of civilization. It must be apparent that at this particular time the best man in America that we can find to do the job as Secretary of National Defense is none too good.

I say to you, Mr. President, the American people are fortunate in this hour of crisis to find a man with the ability and the integrity and the sterling patriotism of George C. Marshall. I first met him in 1935, when, as a colonel in the Regular Army, he came to Illinois as the senior instructor of the Illinois National Guard. I saw in the man something worth while from the standpoint of effectiveness and ability in the training of soldiers. He brought something to the Illinois National Guard that had not been there before.

Since then, Mr. President, I have seen him from time to time in different capacities in the Government. But I also saw him in Paris 2 years ago on a memorable occasion, when, as the representative of the United States, he was attending a meeting of the Security Council of the United Nations Organization. Anyone who attended that historic conference knew that George Marshall stood head and shoulders above all others in that great assembly of men who were representing their respective nations. The free world at that particular time, and in that conference, was looking to Marshall to lead the way.

When George Marshall returns to the public service as Secretary of Defense, I undertake to say that not only will the morale of the American people be lifted, but the morale of the people in the other free countries of the world will also be lifted and sustained. That is what we need at this moment as much as anything else. This proposal is unusual, of course. But these are unusual times.

In connection with what has been said about General Marshall's past, I may say that, so far as I am concerned, I think it has been wonderful, referring particularly to the feats he performed as head of the united forces in World War II. In my judgment, they will go down in history as among the great military feats of all time. I think he can well be classified as one of the greatest military leaders the world has ever produced, if not the greatest.

As Secretary of State, certainly General Marshall was not a failure. He has not been a failure as head of the Red Cross. He has always been ready to serve his country. Now, at the age of 69, when called back into service by the President of the United States, he, in substance, said, "If you want me, if my country needs me, I am ready to serve."

Mr. President, no one is indispensable; but I undertake to say that no man is better equipped and better qualified to

perform the service which is absolutely essential as head of the national defense than is George Marshall.

Much has been said about General Marshall with respect to what he did in China. President Truman sent him there to bring about an end to the bloody civil war which had inflicted so much suffering on the Chinese people and which had created the social unrest which led many Chinese to turn to the Communists in sheer desperation. He succeeded in obtaining a truce between the opposing forces in China. Later the truce was broken, and the Nationalist Armies collapsed.

General Marshall did not succeed in establishing permanent peace in China. China has been torn apart by warring factions for many years, and the problems of the Chinese people have become more terrible year after year. If George Marshall did not find a lasting solution for the Chinese puzzle, that is proof to me that no man could have found it under the conditions which have existed there since 1945.

Mr. President, I could go on and talk about the Marshall plan which came into being through the genius of this man, and which I have supported throughout the years it has been in operation.

Mr. President, I desire to commend the Republican Senators who have come to the defense of George Marshall. I think it is one of the most commendable things I have seen. They are men who do not look with favor upon the idea of changing the law, but nevertheless they stand four-square back of the ability, the patriotism, and the integrity of George Marshall. I heard only one Senator on the floor of the Senate today say anything derogatory about the character and the patriotism of George Marshall, and I think it was most unfortunate that the Senator from Indiana [Mr. JENNER] should have made the following with reference to him:

General Marshall is not only willing, he is eager to play the role of front man for traitors. The truth is this is no new role for him, for Gen. George C. Marshall is a living lie.

Mr. President, I have been in the Congress of the United States for 16 years. I have heard a great many speeches on the floor of the Senate and of the House of Representatives. I regret that the Senator from Indiana made the speech which he made today. I could answer it line for line and word for word, but I shall not dignify the Senator from Indiana by answering what I consider to be the most venomous, the most diabolical, the most reprehensible, the most unfortunate and irresponsible speech I have ever heard made on the floor of the Senate or of the House of Representatives.

The VICE PRESIDENT. The question is on the passage of the bill.

Mr. FERGUSON. Mr. President, the Senator from Michigan believes that this is a bill on which a Senator of the United States should express himself. I do not believe that a vote one way or the other will speak to the people as to how one feels with reference to this particular bill.

I realize that it is not a vote under the Constitution to confirm the nomination of George C. Marshall to the post of Secretary of Defense. This is a bill to change and alter a law which is now on the statute books of this Nation.

A provision of that law is that there shall be a Secretary of Defense who shall be appointed from civilian life, by and with the advice and consent of the Senate. I emphasize "civilian life." In order that there could be no misunderstanding as to what was meant by the words "civilian life," we further provided in the law that a person who has within 10 years been on active duty as a commissioned officer in a regular component of the armed services shall not be eligible for appointment as Secretary of Defense.

Mr. President, the Secretary of Defense has a place in this Nation which is unique in our Nation and in all other nations. We have prided ourselves upon the fact that we honor military men; we honor them for the defense of our country. We recognize great military genius, and we recognize in George Marshall the great military genius which he possesses. But I repeat, Mr. President, this will not be a vote upon the qualifications of the man for the job.

There is not such an emergency, in the opinion of the Senator from Michigan, that we should alter the traditions of the American way. The situation is not such as to impel us to change the law at this time. We realize that what we call a police action in Korea is really and in effect a war. But, Mr. President, we went through 5 long years of war in the Second World War, and we have not yet obtained peace. While that war was going on, the Congress solemnly passed the law to which I have referred. There is no impelling need for its change now.

Our forefathers were not unmindful of the military and of its place in the life of America and America's institutions. They realized that under British law England had its problems, and they placed in the Constitution a provision that the Congress of the United States cannot appropriate to the Army for a longer period than 2 years. Would we in this emergency say we should repeal that amendment to the Constitution of the United States? I believe we would not.

Oh, yes, Mr. President, these are serious times. And the Secretary of Defense has a very vital place in the scheme of our defense. He is a coordinator of the various services which we place under him and under the Chiefs of Staff by the Unification Act.

But let us look further at the office in which we are asked to place a five-star general. By virtue of the law, incidentally, he is still in active service. Under this bill George C. Marshall is not to resign his military commission. The committee was careful in the bill to keep him as a military figure, as a five-star general, the General of the Army of the United States.

The bill provides, on page 2, line 5, as follows:

*Provided*, That so long as he holds the office of Secretary of Defense, General Marshall shall retain the rank and grade of General of the Army which he now holds in the Army of the United States and he shall con-

tinue to receive the pay and allowances (including personal money allowance) to which he is entitled by law, and in the event the salary prescribed by law for the office of Secretary of Defense exceeds such pay and allowances, General Marshall shall be authorized to receive the difference between such pay and allowances and such salary.

So, Mr. President, it is clear that what we are doing is keeping him as the General of the Army of the United States. But as Secretary of Defense he will be over and above the Secretary of the Army, who is a civilian. He will be over and above the Secretary of the Air Force, who is a civilian. He will be over and above the Secretary of the Navy, who is a civilian.

Now let us recall the mission of the Chiefs of Staff, and in so doing remember the military discipline which teaches men to be obedient to the Commander-in-Chief, and let us see whether the Chiefs of Staff will be able to function objectively in their role as military experts under a man who is superior in office and in grade to every one of those men.

The question which we face here is not the capacity or ability of Gen. George C. Marshall to do this job. The President of the United States could otherwise have obtained the genius of this great soldier. He could have made him Chief of Staff, or he could have placed him in any of the military offices in the organization of the Chiefs of Staff.

He could have obtained his services. He could have done as he did with Admiral Leahy. He could have made him his personal aide or representative, and thus obtain the military services of this great genius. No. The President did not see fit to do that. He saw fit to ask and demand of Congress that we change the very fundamental American principles on this subject.

I say today that this great office of the Secretary of Defense is standing between the private civilians, the people of America, and the Army of the United States. We solemnly declared—and it was upon the advice of George C. Marshall, upon the advice of General Eisenhower and, yes, upon the advice of Harry S. Truman, President of the United States—that this great office of Secretary of Defense should be occupied by a civilian, so that he would stand between the military and the civilian people of the United States of America.

The Senator from Michigan is of the opinion that the President, is able to obtain the services of this man so far as his military genius is concerned in another way than placing him as Secretary of Defense, in violation of the law and its purposes no matter what exception we may write in by the pending bill.

Therefore, the Senator from Michigan cannot vote to change this law. Again he states that by so doing he is not passing upon the ability and capacity of Gen. George C. Marshall to do the job. He simply believes that the job of Secretary of Defense should remain in the hands of a civilian, to stand between the people and the Army, and that if General Marshall's services are so vital at this time his genius can be employed through other channels.

Mr. DONNELL. Mr. President, after hearing the debate this afternoon, I have come to the conclusion that I should vote against the pending bill, which I understand is H. R. 9646. I should like very briefly to state the reasons on which I have arrived at my conclusion.

Mr. President, I may state that I came here this afternoon without any final decision, and it has not been easy to make one. It appears to me from the debate this afternoon that it is generally—indeed, I may say almost universally agreed—that the best interests of the Nation require as a general rule that a civilian and not a military man should occupy the office of Secretary of Defense. The Senator from Washington [Mr. CAIN] summoned six witnesses before us this afternoon. Some of them have been referred to by the Senator from Michigan, whose expression was made but a moment ago.

The very fact that the National Security Act of 1947 itself prescribes not once, but supplements the first statement by a further significant observation, indicates the opinion of the Congress, as I see it, to be that it is a civilian and not a military man who should be Secretary of Defense.

Mr. President, the National Security Act of 1947 prescribes that the Secretary of Defense shall be appointed from civilian life. As was pointed out but a moment ago by the Senator from Michigan the second portion of the sentence to my mind is of even greater significance than that which was assigned to it by the Senator from Michigan. He quoted the proviso. After saying that there shall be a Secretary of Defense who shall be appointed from civilian life, the Congress of the United States set forth its view that even if a particular individual is in civilian life, he cannot even then be appointed as Secretary of Defense unless he shall not be prohibited by this proviso:

*Provided*, That a person who has within 10 years been on active duty as a commissioned officer in a regular component of the armed services shall not be eligible for appointment as Secretary of Defense.

Therefore, Mr. President, Congress has not only said that the Secretary of Defense shall be appointed from civilian life, but it has gone farther and pointed out by this clear proviso that even if a specific individual is in civilian life, he still cannot be appointed unless he shall not within 10 years have been on active duty as a commissioned officer in a regular component of the Armed Services.

In its report on Senate bill 4147, the committee itself recognizes the fundamental importance of the tradition that a civilian and not a military man shall be the head of the Department of Defense.

I quote from the committee report:

The committee does feel, however, that the proviso contained in the above quotation from the National Security Act of 1947 is a wise restriction, and is necessary if our traditional concept of civilian control over the military is to be maintained.

The committee then proceeds to say:

The committee therefore take the position that although the existing limitation against



the appointment of a military man as Secretary of Defense should remain in the permanent law, the seriousness of the situation facing this Nation, coupled with the outstanding ability and prestige of General Marshall, fully justified an exception to the general rule.

However, the committee does point out clearly and distinctly its recognition of the fact that the existing limitation should remain in the permanent law.

A short time ago there was pointed out on the floor of the Senate the fact that this very afternoon the House of Representatives has distinctly recognized the fundamental importance of this tradition in a significant section which it has added to the bill. It is section 3 and reads as follows:

It is hereby expressed as the intent of the Congress that the authority granted by this act is not to be construed as approval by the Congress of continuing appointments of military men to the Office of Secretary of Defense in the future. It is hereby expressed as the sense of the Congress that after General Marshall leaves the Office of Secretary of Defense no additional appointments of military men to that office shall be approved.

I pause, Mr. President, to point out what to me seems to be a very clear fallacy, if I may term it that, in the sentence, namely, the expression that it is the sense of the Congress that after General Marshall leaves the Office of Secretary of Defense no additional appointments of military men to that office shall be approved. How can the Eighty-first Congress of the United States lock the door on all future time with respect to whether or not additional appointment of a military man to that office shall be approved?

Mr. President, that which has caused me to come to the conclusion to vote against the bill is the fact that no matter what language may be employed, no matter how the framers of the bill may state the proposition, the bill constitutes a precedent authorizing the appointment of a military man to be Secretary of Defense.

The very language I have quoted in the bill passed by the House of Representatives recognizes, as I see it, the fact that this is in effect a precedent, and then warns us twice in the two sentences in the last section that it shall not be considered as a precedent.

Mr. President, suppose that 5 years or 10 years or 20 years from now the then President of the United States should seek the appointment of a military man to be Secretary of Defense.

Of course, the President at that time could consider a situation then existing to be an emergency, just as the present President of the United States considers our present situation to be an emergency, and of course the then President of the United States would consider his nominee to be essential to the safety of the Nation. It seems to me perfectly clear that the action which the Congress of the United States will have taken here on the 15th day of September 1950, will be considered to be, and will in fact be a precedent which can be cited by the President of the United States 5, 10, 20 years from now to support similar action which he may propose.

Though disguised language—and I do not charge bad faith in saying that—sugar-coated language, or whatever it may be called, may be used, this will be considered as a precedent, and cited as such.

Mr. President, the pending bill means a departure, and a serious departure, from the sound principle recognized in the National Security Act of 1947, recognized in the report of the committee, and recognized in the action of the House of Representatives today, namely, that the office of the head of the Defense Department of the Nation shall be a civilian, not a military man.

Like some of the other speakers, I cannot bring myself to the opinion that there is a situation now existing in which there is only one man in the United States who is capable of occupying this position with entire satisfaction and with entire safety to the Nation. I cannot believe that to be the situation.

There is an old motto I have cited once or twice on the floor of the Senate, and I am going to close by citing it again. It is the motto, "Resist beginnings." It is the translation of the Latin "Principiis obsta." It means not to start, not to take the first step, just as the Senator from Iowa [Mr. HICKENLOOPER] quoted the Chinese proverb this afternoon, that "A journey of a thousand miles begins with the first step." So if we pass this bill, regardless of what we may consider the present emergency, nevertheless, it is a step, it is a precedent, it is a dangerous departure from the traditions of the United States.

Mr. ROBERTSON. Mr. President, I had not intended to speak on the pending bill. The senior Senator from Virginia [Mr. BYRD], my distinguished colleague, so ably presented the issue to the Senate today that I felt it was unnecessary for me to indicate my complete approval of what he said.

Unfortunately, however, the debate has gone far beyond the issue of whether or not it is advisable to amend an act Congress passed in 1946. So far as I know, it was the first time Congress had ever passed such an act, in which it was written that no military man, within 10 years of the time he had had active service as an officer in the Army, should hold the position of Secretary of Defense, a new position which was created by the act of 1946.

I say that I, and if I judge the reactions of the Senate, the entire membership of this body, sat in stunned silence for an hour this afternoon when we heard this debate go far beyond the issue of whether or not in this emergency we should back up the action of the Commander in Chief of the Nation in selecting the ablest military man of our day and generation to head up the defense effort.

Edmund Burke once said that nations do not learn by experience.

Brutus was a very sincere man, a little fuddleheaded, though very sincere, but Cassius planted the seeds of distrust in his heart against the greatest military leader Rome had ever produced; a man who contributed more than any other man to establish the Roman Empire. Brutus loved democracy, and he joined in

the conspiracy to stab to death his friend, Caesar. What happened? A revolution followed in which Brutus lost his life, and Rome lost its liberty and never regained it.

Mr. President, 800,000,000 people today live under a dictatorship. That is our challenge. They are envious of the personal freedom which we enjoy to a greater extent than it is enjoyed by the people of any other nation in the world. They are envious of our prosperity. They would destroy us. They would take our prosperity away from us, and we are arming to defend ourselves against a possible attack. In the Orient there are 400,000,000 such people, and in eastern Europe 400,000,000 more.

Mr. President, as I have said, the debate went beyond the issue of whether it is wise to amend an act passed by Congress only 4 years ago. We sat here and heard criticism of a man who is already so great that, pondering his life and career, every Member of this body, if he would be sincere about it, would say in his heart of hearts, "I hope my position in history's hall of fame will be as high and as secure as that of George Marshall." We heard him criticized as a traitor, for living a lie, as being a part of a conspiracy to betray the Nation to the Communists.

Mr. President, those things disturbed me, for the reason that nearly 2,000 years ago a man betrayed the only perfect man who ever lived, and in 2,000 years mankind has not gotten over the blow to its confidence that action caused.

We face a great emergency. We in the Congress do not have the power to pick those who are going to lead us in the emergency. We can turn down George Marshall, but we cannot pick anybody else in the place of George Marshall. In the present emergency we cannot change the leadership at least for another 2 years. But I will tell my colleagues what some can do. They can constantly criticize those who are leading us in the emergency, they can constantly implant in the hearts of 152,000,000 people the seeds of distrust and suspicion, until history will repeat itself, and we will have a revolution on our own hands, without the 800,000,000 Communists who seek to destroy us taking any part in it. That is what disturbs me about this issue.

Mr. President, I have personally known George Marshall for 25 years. His lovely wife is from my home town. He was educated at VMI, in my home town. He used to play tackle on the football team at VMI. He is not so large a man as I am. I played tackle for 3 years on the varsity team, and from what the boys tell me about George Marshall—and he played before I did—he was a better tackle than I was. I served for 2 years in World War I. Few know and none will remember what I did in World War I, but we have had recorded in history that General Pershing stated that the young George Marshall was the ablest man that served under him during the entire war.

Then we come to World War II, and George Marshall, a genius in logistics, a genius in picking men, a genius in organizing the military potential of the

Nation, organized the greatest Army we have ever had, and won for us on the battlefield the greatest victory we ever won.

Oh, I hear now that, "We do not challenge that George Marshall was a military genius; we do not challenge the fact that he was a genius in organizing the resources of the Nation, which is logistics, and in getting them together for a military effort. No; we do not challenge that. We just do not like the idea of changing an act, passed for the first time 4 years ago, which provided that within 10 years of his service in military a man could not serve as Secretary of Defense."

I go back, Mr. President, to VMI. As Webster said about Dartmouth, "It is a small school, but there are those who love it". A few years ago VMI celebrated its first centennial. It is modeled after West Point. We give the men at VMI military training. West Point trains its men to be professional soldiers, and VMI trains its men to be good citizens. It gives them military training in case there should be an emergency, and, thank God, they have responded in every emergency. There were more general officers in World War II from VMI than from any other educational institution in the entire United States, except West Point. Yet we have only had 600 or 700 boys there at a time, although there are now about 800, because, fortunately, the barracks have been enlarged.

Some years ago VMI was fortunate to obtain as superintendent a great soldier and a lovable man, John A. Lejeune, a great Marine who won all the decorations the Nation could give him, including the Congressional Medal of Honor. In the Memorial Chapel at Washington and Lee, on Memorial Day I heard General Lejeune say: "At VMI we teach no ism except patriotism."

That, Mr. President, is what VMI taught George Marshall for 4 years when he was a cadet there. Being at the top of his class, and the Government establishment giving VMI the privilege of placing three or four of the top cadets in the Army and the Marine Corps, he went in the Army. And, as I stated, he was outstanding in World War I.

In World War II he was the greatest leader in the entire war. I do not except anyone.

Then he retired from active military service. He accepted appointment on the VMI board, and I served with him on that board. Is that the work of a man who wanted to be dictator and had nothing but a military mind? He wanted to devote his years to training the boys at VMI in the way he had been trained. He wanted to keep up that record.

He served as Secretary of State. That is not a military post. Then he served as chairman of the Red Cross. Is that the work of a cold-blooded military man who thinks only in terms of fire power and cannon fodder? What was the origin of the Red Cross? I believe it started back with Florence Nightingale in the Crimean War. Now it is a world organization. All of us contribute to it in its annual drives. It is devoted to the preservation of suffering humanity.

Oh, but we cannot have that kind of a man! Oh, it would not do to trust him as Secretary of Defense! I tell you, Mr. President—and I shall not detain the Senate longer, although I feel very deeply on this subject—George Marshall is a loyal and patriotic American citizen. George Marshall is a military genius. George Marshall is a statesman of first rank. George Marshall has as much of the civilian mind, as much of brotherly love, as much of the desire to promote the general welfare of the Nation, as any Member of the Senate or anybody in the entire United States.

I said, Mr. President, I had not planned to speak. I apologize for taking so much of the time of the Senate so late in the evening. But feeling these sentiments deeply as I do, I would be false to every impulse if I did not stand before the Senate and bear testimony to a man I have known for 25 years.

Mr. TAFT. Mr. President, I shall vote against the bill exempting General Marshall from the requirement that the Secretary of Defense must be a civilian. I wish to endorse everything that was said by the distinguished Senator from California [Mr. KNOWLAND] in his general objection to the passage of a bill which proposes to exempt the present situation from a policy which no one can rightly question. If the bill is passed, I shall also vote against the confirmation of General Marshall to be Secretary of Defense.

I have a high regard for General Marshall's character and integrity and his ability as a soldier, but in this national crisis there are many reasons why he should not be Secretary of Defense.

First. The Secretary of Defense should be a civilian. No one even disputes the fact that this basic principle of the Unification Act is right. Furthermore, we need now a complete reappraisal of our military policy with special reference to the air defense of the United States and the commitment of large ground forces to Europe. General Marshall, like anyone who has served all his life in the Army, has certain definite views on military policy to which he is committed. Human nature being what it is, he must always be in the position of defending and justifying the policies he has supported in the past. Furthermore, an officer of one of the services, such as the Army, must inevitably be more interested in and sympathetic to its operation than in that of the other two forces, such as the Navy and the Air Force. These are some of the reasons why the Secretary should be a civilian, and why the law so provides.

Second. The job is the most grueling and controversial in the entire Government, and General Marshall is not in good health. He resigned as Secretary of State for that very reason.

Third. The appointment of General Marshall is a reaffirmation of the tragic policy of this administration in encouraging Chinese communism which brought on the Korean War and has made the whole situation so precarious in the Far East. General Marshall in China tried to force the Chinese Communists into the Nationalist Cabinet, a policy which was followed so disastrous-

ly by the Benes government in Czechoslovakia. He is a good soldier and undoubtedly he was acting under orders from the President. But he adopted certain policies then which he must now feel the necessity of justifying in future action. If I voted for General Marshall I should feel that I was confirming and approving the sympathetic attitude toward communism in the Far East which has dominated the Far Eastern Division of the State Department; and that I would be approving the policies of Secretary Acheson in China, Formosa, and Korea. I believe that a continuation of those policies may easily bring disaster to the people of the United States.

Mr. President, I have in my hand an editorial from the Washington Daily News, a Scripps-Howard newspaper. A similar editorial was published in all the Scripps-Howard newspapers throughout the United States. This editorial appeared in three of the leading Ohio newspapers on Wednesday. I have yet to receive a letter criticizing or a letter which does not agree with the principles therein stated.

I wish to read the latter part of the editorial, because it states so clearly my own views on the general subject:

General Marshall is a professional soldier—a great one—to whom this country owes great gratitude for military services of the highest order.

But the law which intends that the Department of Defense shall be headed by a civilian is a wise law, supported by sound American traditions. Changing that law to make an exception in the case of General Marshall would establish a dangerous precedent. This newspaper believes that Congress should not change it.

Moreover, the General's legacy of mistakes in State Department policy would handicap him heavily as head of the Department which now must try to overcome the consequences of those mistakes.

Calling up a big name from retirement for that job impresses us as a political attempt to gloss over a situation distasteful to Mr. Truman. But it is not good politics for General Marshall, for the Defense Establishment, or for the country. The position demands an able, vigorous, wise civilian administrator, free from any necessity to defend past errors, free to devote his full time and energy to defense of America.

Mr. President, I ask unanimous consent to have the entire editorial printed in the RECORD.

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

#### UNLOADING A LIABILITY

Defense Secretary Louis Johnson's resignation came as no surprise, despite President Truman's recent statement that Mr. Johnson and Secretary of State Acheson would never leave his Cabinet.

This is an election year.

Some of the Secretary's decisions, the bad consequences of which have been revealed by the Korean War, had made him a political liability.

Mr. Johnson's hard-boiled economy program made him many enemies. But he is a determined, courageous man, who might have taken hostile criticism in stride if he had not put all his defense eggs in one basket.

He accepted the popular thesis that victory in war could be achieved by air power alone, and more particularly by strategic



bombing. When the United States became involved in a war in which the atomic bomb could not be used it found itself with a Defense Establishment not geared to wage any other kind of war.

So Mr. Johnson became another casualty of Korea and of politics.

He also was the victim of certain circumstances over which he had little or no control.

Long before he took office blunders in American foreign policy—blunders for which Mr. Truman has basic responsibility—had set the stage for the abandonment of Nationalist China and the eventual Communist invasion of Korea.

Moreover, it had been decided not to defend Korea from such an invasion. When that decision was reversed overnight, and properly reversed, Mr. Johnson and our other military planners naturally were not prepared for the emergency suddenly thrust upon them.

Secretary Acheson sponsored many of the unwise policies which contributed to Mr. Johnson's undoing. Mr. Acheson inherited those policies, especially the disastrous China policy, from his State Department predecessor, Gen. George C. Marshall.

Yet President Truman has selected General Marshall to succeed Mr. Johnson, and will ask Congress to make that possible by changing the law which forbids appointment as Secretary of Defense of any person who within 10 years has been an active officer in the Regular armed services.

General Marshall is a professional soldier—a great one—to whom this country owes great gratitude for military services of the highest order.

But the law which intends that the Department of Defense shall be headed by a civilian is a wise law, supported by sound American traditions. Changing that law to make an exception in the case of General Marshall would establish a dangerous precedent. This newspaper believes that Congress should not change it.

Moreover, the General's legacy of mistakes in State Department policy would handicap him heavily as head of the Department which now must try to overcome the consequences of those mistakes.

Calling up a big name from retirement for that job impresses us as a political attempt to gloss over a situation distasteful to Mr. Truman. But it is not good politics for General Marshall, for the Defense Establishment, or for the country. The position demands an able, vigorous, wise civilian administrator, free from any necessity to defend past errors, free to devote his full time and energy to defense of America.

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

Mr. TAFT. I yield to the Senator from Kentucky.

Mr. CHAPMAN. I should like to ask the distinguished senior Senator from Ohio if he thinks those arguments against the appointment of a professional military man to be Secretary of Defense would be equally applicable in the case of the candidacy of a professional soldier for the Presidency of the United States, which office, under the Constitution, makes the one who holds it Commander in Chief of all the Armed Forces of the United States?

Mr. TAFT. No; I do not think the argument necessarily applies if the people chose to elect that kind of man to that office. I think that is an argument against a candidate. I think there is a proper argument against having a general as such a candidate. As a rule—with the great exception of General

Washington—that has not been a particular political success.

The VICE PRESIDENT. The question is on the third reading of House bill 9646.

The bill was ordered to a third reading, and was read the third time.

The VICE PRESIDENT. The bill having been read the third time, the question is, Shall it pass?

Mr. WHERRY and other Senators asked for the yeas and nays, and the yeas and nays were ordered.

Mr. BYRD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Senator from Virginia has suggested the absence of a quorum, and the Secretary will call the roll.

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

Anderson	Hoey	Magnuson
Butler	Holland	Malone
Byrd	Humphrey	Millikin
Cain	Hunt	Morse
Chapman	Ives	Mundt
Connally	Jenner	Murray
Cordon	Johnson, Colo.	Neely
Darby	Johnson, Tex.	O'Connor
Donnell	Kem	O'Mahoney
Douglas	Kerr	Robertson
Dworshak	Kilgore	Russell
Ecton	Knowland	Saltonstall
Ferguson	Langer	Schoepel
Frear	Leahy	Smith, Maine
Fulbright	Lehman	Sparkman
George	Lodge	Stennis
Gillette	Long	Taft
Graham	Lucas	Thye
Green	McCarran	Watkins
Gurney	McClellan	Wherry
Hendrickson	McFarland	Wiley
Hickenlooper	McKellar	Young
Hill	McMahon	

The VICE PRESIDENT. A quorum is present.

The question is, Shall the bill pass? Those in favor will vote "yea," and those who are opposed will vote "nay," as their names are called.

The Secretary will call the roll.

The legislative clerk called the roll.

Mr. McMAHON. Mr. President, my colleague, the junior Senator from Connecticut [Mr. BENTON] could not be present to vote on the passage of this bill because of important public business. He has requested me to state that because of his intimate association with General Marshall in the Department of State and his high regard for the general, he is in favor of the passage of the bill. On this vote the junior Senator from Connecticut is paired with the junior Senator from Ohio [Mr. BRICKER]. If present and voting, the junior Senator from Connecticut would vote "yea," and the junior Senator from Ohio would vote "nay."

Mr. LUCAS. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from California [Mr. DOWNEY], the Senator from Louisiana [Mr. ELLENDER], the Senator from Idaho [Mr. TAYLOR], and the Senator from Oklahoma [Mr. THOMAS] are necessarily absent.

The Senator from Mississippi [Mr. EASTLAND] is absent because of illness.

The Senator from Arizona [Mr. HAYDEN], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Pennsylvania [Mr. MYERS], and the Senator from Maryland [Mr. TYDINGS] are absent on public business.

The Senator from Tennessee [Mr. KEFAUVER] is absent because of illness in his family.

The Senator from South Carolina [Mr. MAYBANK] and the Senator from Florida [Mr. PEPPER] are absent by leave of the Senate on official business.

The Senator from Utah [Mr. THOMAS] is absent by leave of the Senate.

The Senator from Kentucky [Mr. WITHERS] is absent by leave of the Senate.

On this vote the Senator from Pennsylvania [Mr. MYERS] is paired with the Senator from New Hampshire [Mr. BRIDGES]. If present and voting, the Senator from Pennsylvania would vote "yea," and the Senator from New Hampshire would vote "nay."

On this vote the Senator from Oklahoma [Mr. THOMAS] is paired with the Senator from Wisconsin [Mr. McCARTHY]. If present and voting, the Senator from Oklahoma would vote "yea," and the Senator from Wisconsin would vote "nay."

On this vote the Senator from Utah [Mr. THOMAS] is paired with the Senator from Delaware [Mr. WILLIAMS]. If present and voting, the Senator from Utah would vote "yea," and the Senator from Delaware would vote "nay."

I announce further that on this vote the Senator from Maryland [Mr. TYDINGS] is paired with the Senator from Indiana [Mr. CAPEHART]. If present and voting, the Senator from Maryland would vote "yea," and the Senator from Indiana would vote "nay."

I announce further that if present and voting, the Senator from New Mexico [Mr. CHAVEZ], the Senator from Louisiana [Mr. ELLENDER], the Senators from South Carolina [Mr. JOHNSTON and Mr. MAYBANK], and the Senator from Arizona [Mr. HAYDEN] would vote "yea."

Mr. SALTONSTALL. I announce that the Senator from Vermont [Mr. AIKEN], the Senator from New Hampshire [Mr. TOBEY], and the Senator from Michigan [Mr. VANDENBERG] are absent by leave of the Senate.

The Senator from Vermont [Mr. FLANDERS] is absent by leave of the Senate on official business as a temporary alternate governor of the World Bank.

The Senator from Maine [Mr. BREWSTER] and the Senator from New Jersey [Mr. SMITH] are absent by leave of the Senate as representatives of the American group to the Interparliamentary Union.

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

The Senator from Pennsylvania [Mr. MARTIN] is absent on official business.

The Senator from Indiana [Mr. CAPEHART], the Senator from Ohio [Mr. BRICKER], and the Senator from Wisconsin [Mr. McCARTHY] are necessarily absent.

The Senator from Ohio [Mr. BRICKER] is paired with the Senator from Connecticut [Mr. BENTON]. If present and voting, the Senator from Ohio would vote "nay," and the Senator from Connecticut would vote "yea."

The Senator from New Hampshire [Mr. BRIDGES] is paired with the Senator

from Pennsylvania [Mr. MYERS]. If present and voting, the Senator from New Hampshire would vote "nay" and the Senator from Pennsylvania would vote "yea."

The Senator from Indiana [Mr. CAPEHART] is paired with the Senator from Maryland [Mr. TYDINGS]. If present and voting, the Senator from Indiana would vote "nay," and the Senator from Maryland would vote "yea."

The Senator from Wisconsin [Mr. McCARTHY] is paired with the Senator from Oklahoma [Mr. THOMAS]. If present and voting, the Senator from Wisconsin would vote "nay" and the Senator from Oklahoma would vote "yea."

The Senator from Delaware [Mr. WILLIAMS] is detained on official business and he is paired with the Senator from Utah [Mr. THOMAS]. If present and voting, the Senator from Delaware would vote "nay" and the Senator from Utah would vote "yea."

The result was announced—yeas 47, nays 21, as follows:

## YEAS—47

Anderson	Holland	McMahon
Byrd	Humphrey	Magnuson
Chapman	Hunt	Morse
Connally	Ives	Murray
Cordon	Johnson, Colo.	Neely
Darby	Johnson, Tex.	O'Connor
Douglas	Kerr	O'Mahoney
Frear	Kilgore	Robertson
Fulbright	Leahy	Russell
George	Lehman	Saltonstall
Gillette	Lodge	Smith, Maine
Graham	Long	Sparkman
Green	Lucas	Stennis
Gurney	McClellan	Thye
Hill	McFarland	Wiley
Hoey	McKellar	

## NAYS—21

Butler	Hickenlooper	Millikin
Cain	Jenner	Mundt
Donnell	Kem	Schoeppel
Dworshak	Knowland	Taft
Ecton	Langer	Watkins
Ferguson	McCarran	Wherry
Hendrickson	Malone	Young

## NOT VOTING—28

Aiken	Flanders	Taylor
Benton	Hayden	Thomas, Okla.
Brewster	Johnston, S. C.	Thomas, Utah
Bricker	Kefauver	Tobey
Bridges	McCarthy	Tydings
Capehart	Martin	Vandenberg
Chavez	Maybank	Williams
Downey	Myers	Withers
Eastland	Pepper	
Ellender	Smith, N. J.	

So the bill (H. R. 9646) was passed.

The VICE PRESIDENT. Without objection, Senate bill 4147 is indefinitely postponed.

Mr. BYRD. Mr. President, I ask unanimous consent that the President of the Senate be authorized to sign the enrolled bill (H. R. 9646) to authorize the President to appoint General of the Army George C. Marshall to the office of Secretary of Defense, while the Senate is in recess.

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

## GREAT LAKES SHIPPING BILL

The VICE PRESIDENT. The Chair lays before the Senate the unfinished business, the bill (H. R. 8847) to aid the development and maintenance of American-flag shipping on the Great Lakes, and for other purposes, to which there is an amendment pending, offered by the Senator from Wyoming.

Mr. WHERRY. Mr. President, I should like to inquire of the distinguished majority leader whether he intends to recess now until Monday?

Mr. LUCAS. That is the purpose, as soon as we finish consideration of the Executive Calendar.

Mr. WHERRY. I thank the Senator. Mr. MAGNUSON. Mr. President, I want to say to the distinguished majority leader that I thought we might be able to dispose of the Great Lakes shipping bill immediately. I do not know that there are any more Senators who wish to speak on the matter.

Mr. LUCAS. Does the Senator want a vote on it tonight?

Mr. MAGNUSON. The Senator from Wyoming has an amendment which he may want to discuss briefly, but I have no more to say. The Senators who are authors of the bill, I understand, have no more to say. We might be able to dispose of it in 5 minutes.

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

Mr. MAGNUSON. I yield.

Mr. WHERRY. I understood there would be no further business transacted tonight.

Mr. MAGNUSON. Everyone who is interested is here.

Mr. WHERRY. No; I may say to the Senator, everyone who is interested is not here. That is the point. If it is desired to proceed with it, it will be necessary to have a quorum call. I have been informed that there are possibly two or three amendments to be offered. I should be glad to have a quorum call and proceed, if the majority leader so desires.

Mr. MAGNUSON. In case it is not proceeded with tonight, could we take it up Monday?

Mr. LUCAS. We could take it up Monday, at, say, 1 o'clock, if that would be satisfactory.

Mr. MAGNUSON. That is agreeable with me. If it is agreeable with the majority and minority leaders, I should like to ask unanimous consent that a vote be taken on the bill not later than 1 o'clock on Monday.

Mr. WHERRY. Mr. President, if the distinguished majority leader will yield, I suggest that a unanimous-consent request be made that the Senate vote on the pending measure, with all amendments and motions, at 1 o'clock Monday, so that all Senators will know that there is to be a vote at that time, stipulating that the time be divided between the proponents and opponents of the bill, and that no amendments may be offered which are not germane. Does the majority leader care to make such a request?

Mr. LUCAS. I so request.

The VICE PRESIDENT. Is it agreeable that a quorum call be waived, in view of the vote being set at 1 o'clock?

Mr. LUCAS. I so request.

The VICE PRESIDENT. Without objection, a quorum call will be waived. Mr. RUSSELL. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. RUSSELL. What is the pending question?

The VICE PRESIDENT. The Senator from Illinois asks unanimous consent that the Senate proceed to vote on the pending bill at 1 o'clock, with the usual provisions. Is there objection?

Mr. WHERRY. Mr. President, I merely desire to make this request, in view of the fact that the majority leader has not written out the request, that it contain all the ordinary and usual provisions of the unanimous-consent request.

Mr. MAGNUSON. And that it include all of the regular safeguards?

Mr. WHERRY. That it include the regular safeguards; yes.

The VICE PRESIDENT. Without objection, it will contain all the sundry safeguards, and, without objection, the unanimous-consent request is agreed to.

The unanimous-consent agreement, as subsequently reduced to writing, is as follows:

*Ordered*, That on the calendar day of Monday, September 18, 1950, at the hour of 1 o'clock p. m., the Senate proceed to vote, under the limitation of debate hereinafter provided, upon any amendment or motion (including appeals) that may be pending or that may thereafter be proposed to the bill (H. R. 8847) to aid the development and maintenance of American-flag shipping on the Great Lakes, and for other purposes, and upon the final passage of the said bill: *Provided*, (1) That, after said hour of 1 o'clock p. m., debate upon any amendment or motion (including appeals) and upon the bill itself shall be limited to not exceeding 10 minutes, to be equally divided and controlled, respectively, by the mover of any such amendment or motion and the Senator from Wyoming [Mr. O'MAHONEY]; (2) that no amendment or motion that is not germane to the subject matter of the said bill shall be in order; and (3) that no vote on any amendment or motion on the said bill shall be had prior to said hour of 1 o'clock p. m.

*Ordered further*, That the time between 12 o'clock noon and the said hour of 1 o'clock p. m. on said day shall be equally divided and controlled, respectively, by Mr. MAGNUSON and Mr. O'MAHONEY.

## PER CAPITA PAYMENT TO MEMBERS OF RED LAKE BAND OF CHIPPEWA INDIANS

The VICE PRESIDENT laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H. R. 6319) to authorize a \$100 per capita payment to members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. O'MAHONEY. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. O'MAHONEY, Mr. MCFARLAND, and Mr. BUTLER conferees on the part of the Senate.

## LEAVE OF ABSENCE

On his own request, and by unanimous consent, Mr. SPARKMAN was excused from attendance upon the sessions of the Senate next week.



AN OVERDOSE—EDITORIAL FROM THE  
PROVIDENCE JOURNAL

Mr. LEHMAN. Mr. President, the Providence Journal, an able and conservative newspaper of great stature, yesterday published an excellent editorial on the McCarran omnibus bill, calling on the President to veto a bill which this paper says would kill the patient instead of curing him. The editorial also praises the Senators from Rhode Island [Mr. GREEN and Mr. LEAHY] for their stand on this issue. I ask unanimous consent that this editorial be printed in the body of the RECORD.

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

AN OVERDOSE

Few bills have so richly deserved Presidential veto as the McCarran omnibus antispy measure now before a House-Senate conference committee. We hope the President gives it a decisive heave-ho the moment it reaches his desk.

A catch-all mixture of good and bad, the bill lumps together the provisions of the Wood-Nixon bill passed by the House several weeks ago, an administration measure designed to tighten espionage laws, several other individual offerings related to the main subject, and even a substitute proposal put forward by Senator KILGORE in a move to sidetrack Mr. MCCARRAN's fervent and misguided crusade.

Its advertised purpose is to supply the machinery with which communism's threat to freedom within our borders could be exposed and neutralized. But the Senators, spurred on by unthinking overzealousness, have made the dose much too strong. It would kill off the patient altogether.

It is a measure of the Senate's overheated anti-Communist temper—or of its ignorance of the fragility of civil liberty—that only seven votes were cast against the McCarran bill on final passage. But it is Rhode Island's pride that two of those "nay" ballots were recorded by Senators GREEN and LEAHY, who apparently perceived more clearly than the majority of their colleagues the very genuine dangers behind the superpatriotic phases.

The most objectionable features of the measure are the clauses providing for the registration of Communist Party members and affiliates and for the internment in time of national danger of all Communists and others who might reasonably be suspected of becoming spies or saboteurs. The registration provision would serve no useful purpose in combatting the Communists, who would likely evade it and go underground. And it would be subject to grave abuse in borderline cases of individuals innocently involved with groups considered suspect. Similarly, the internment clause could be utilized as a cloak to stifle dissidents of almost any stripe if an unscrupulous administration chose to employ it thus.

During the last several years we have learned of the havoc that can be wrought by misuse of the doctrine of guilt by association. The "subversive" label, whether justly or unjustly applied, sticks like the Korean War's gasoline-jelly grenades, that cling and burn and cannot be shaken off until their terrible damage is done. We must move with caution—exaggerated caution, if you will—in setting up the machinery to combat communism internally, lest we strike as fatal a blow at our own essential freedoms as the Reds themselves would like to do.

EXCHANGE OF DISTRICT OF COLUMBIA  
PARK LAND FOR LANDS OWNED BY NEW  
TEMPLE COMMITTEE, INC.

Mr. LEAHY. Mr. President, on Wednesday last, during the call of the cal-

endar, the bill (S. 4036) to provide for the exchange of certain national park land situated in the District of Columbia for certain lands owned by the New Temple Committee, Inc., which had been reported from the Committee on the District of Columbia, was passed by the Senate with an amendment.

There is now pending before the Committee on the District of Columbia a House bill identical with the Senate bill, as amended. In order to expedite the passage of the proposed legislation, I ask unanimous consent that the Committee on the District of Columbia be discharged from the further consideration of the House bill, H. R. 9362, that it be considered and passed, and that the Senate bill be indefinitely postponed.

The VICE PRESIDENT. Is there objection?

Mr. WHERRY. Mr. President, reserving the right to object, I may say it has been very difficult to hear. I should like to know, first, whether the identical measure had been passed by the Senate.

Mr. LEAHY. It was passed on the call of the calendar by the Senate.

Mr. WHERRY. Does the House bill contain the identical language?

Mr. LEAHY. It does.

The VICE PRESIDENT. Is there objection?

There being no objection, the bill (H. R. 9362) to provide for the exchange of certain national park land situated within the District of Columbia for certain lands owned by the New Temple Committee, Inc., was considered, ordered to a third reading, read the third time, and passed.

The VICE PRESIDENT. Without objection, Senate bill 4036 is indefinitely postponed.

EXECUTIVE SESSION

Mr. LUCAS. 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.

EXECUTIVE MESSAGE REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting the nomination of John Norwood McKay, of Louisiana, to be United States attorney for the eastern district of Louisiana, vice James Skelly Wright, elevated, and withdrawing the nomination of a postmaster, which nominating message was referred to the Committee on the Judiciary.

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. CHAPMAN, from the Committee on Armed Services:

Col. Thomas Randall Rampy, AO922780, United States Air Force Reserve, to be brigadier general in the United States Air Force Reserve;

Col. Darr Hayes Alkire, 298A, for temporary appointment as brigadier general in the Air Force of the United States; and

Maurice L. Ferguson, and sundry other persons for appointment in the United States Air Force.

The VICE PRESIDENT. If there be no further reports of committees, the

clerk will state the nominations on the calendar.

CALIFORNIA DEBRIS COMMISSION

The Chief Clerk read the nomination of Lt. Col. Clarence C. Haug, Corps of Engineers, to be a member and secretary of the California Debris Commission.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Col. John S. Seybold, Corps of Engineers, to be president and member of the California Debris Commission.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Mr. LUCAS subsequently said: Mr. President, just before the senior Senator from North Dakota [Mr. LANGER] left the Chamber he asked that I request the Senate to reconsider the nomination of Col. John S. Seybold, Corps of Engineers, to be president and member of the California Debris Commission. I ask unanimous consent that that nomination be reconsidered, and passed over for the time being.

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

UNITED NATIONS

The Chief Clerk read the nomination of Warren R. Austin to be a representative of the United States of America to the fifth session of the General Assembly of the United Nations.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Mrs. Anna Eleanor Roosevelt, of New York, to be a representative of the United States of America to the fifth session of the General Assembly of the United Nations.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Mr. HICKENLOOPER. I object.  
The Chief Clerk read the nomination of JOHN J. SPARKMAN, United States Senator from the State of Alabama, to be a representative of the United States of America to the fifth session of the General Assembly of the United Nations.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of HENRY CABOT LODGE, Jr., United States Senator from the State of Massachusetts, to be a representative of the United States of America to the fifth session of the General Assembly of the United Nations.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of John Foster Dulles, of New York, to be a representative of the United States of America to the fifth session of the General Assembly of the United Nations.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Benjamin V. Cohen, of New York, to be alternate representative of the United States of America to the fifth session of the General Assembly of the United Nations.

Mr. HICKENLOOPER. I object, Mr. President.

Mr. WHERRY. Mr. President, I humbly ask that the nomination be withheld. We had no notification of ac-

tion on it tonight. I ask unanimous consent that the nomination be passed over, at least until tomorrow, and then if a motion is made to take it up, it will be perfectly agreeable. I think that is a fair and equitable request.

The VICE PRESIDENT. To what nomination is the Senator referring?

Mr. WHERRY. To the nominations of Eleanor Roosevelt and Benjamin V. Cohen.

Mr. HICKENLOOPER. Mr. President, I withdraw my objection to the nomination of Mrs. Roosevelt.

Mr. WHERRY. May I respectfully ask the majority leader if he will pass over the nomination of Benjamin V. Cohen, and take it up on Monday, by motion, if necessary?

Mr. LUCAS. I have no objection.

Mr. MAGNUSON. Mr. President, did I hear some Senator object to the nomination of Mrs. Roosevelt?

The VICE PRESIDENT. That objection has been withdrawn, and the nomination has been confirmed.

The nomination of Benjamin V. Cohen will be passed over.

The clerk will read the next nomination on the Executive Calendar.

The Chief Clerk read the nomination of John Sherman Cooper, of Kentucky, to be alternate representative of the United States of America to the fifth session of the General Assembly of the United Nations.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Ernest A. Gross, of New York, to be alternate representative of the United States of America to the fifth session of the general assembly of the United Nations.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Edith S. Sampson, of Illinois, to be alternate representative of the United States of America to the fifth session of the general assembly of the United Nations.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of John C. Ross, of New York, to be alternate representative of the United States of America to the fifth session of the general assembly of the United Nations.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

#### DIPLOMATIC AND FOREIGN SERVICE

The Chief Clerk read the nomination of William O'Dwyer, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Mexico.

Mr. HICKENLOOPER. I object.

Mr. IVES. Mr. President, reserving the right to object, I should like to make a very brief statement.

I neither condemn nor commend the nomination of former Mayor William O'Dwyer, of New York City, as United States Ambassador to Mexico. It is very unfortunate that charges and countercharges surrounding this appointment may embarrass Mr. O'Dwyer in his efforts properly to represent our Government.

Certainly the political implications which are involved are not to his advantage.

Whether or not the charges which have been leveled against him are without foundation I cannot say. Whether or not he possesses the aptitude to fill a diplomatic role of the kind in question I do not know. In these matters I must rely upon the wisdom and decision of the Senate Committee on Foreign Relations to whom has been assigned the function of determining these matters and of recommending appropriate action by the Senate.

All information of a pertinent nature dealing with this appointment which has come to my attention I have made available to the committee. As we know, the committee has held executive hearings on this matter, and I understand that every witness who has desired to testify has been given an opportunity to do so. On the basis of the evidence it has received, the committee has made its findings and its decision, and the question of confirmation is therefore before us for final determination. I note, however, that this action by the committee can scarcely be termed unanimous.

I can understand the reluctance of any who may hesitate to approve this appointment. I share that reluctance.

My own attitude is occasioned by no personal ill-feeling toward Mr. O'Dwyer. Neither have I any personal reason or facts for questioning his integrity or general ability. Rather, my reluctance is occasioned by the conditions which surround this appointment, conditions to which I have already referred.

Because of the action of the committee, however, in whose judgment I must place great confidence, I am not opposing Mr. O'Dwyer's confirmation. I trust that the apprehension regarding it which many of us entertain will be proved to be without foundation, and I wish for him the success in this very important assignment which will redound to the benefit of our country.

Mr. HICKENLOOPER. I renew my objection, Mr. President.

Mr. LUCAS. Mr. President, I serve notice that on Monday we shall take up the nominations of both Mr. Cohen and Mr. O'Dwyer.

Mr. HICKENLOOPER. Mr. President, I have no desire to delay the action of the Senate. My objection, if the Senator wants to proceed to consider the matter—

Mr. LUCAS. I should like to have it considered now.

Mr. WHERRY. Mr. President, I ask that it be passed over until Monday, please.

Mr. LUCAS. I shall not ask for its consideration, if the minority leader wants the nomination passed over.

Mr. WHERRY. I thank the distinguished majority leader.

The VICE PRESIDENT. The clerk will read the next nomination on the Executive Calendar.

The Chief Clerk read the nomination of Joseph Flack, of Pennsylvania, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Poland.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Norman Armour, of New Jersey, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Venezuela.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Raymond A. Hare, of Iowa, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Saudi Arabia, and to serve concurrently and without additional compensation as Envoy Extraordinary and Minister Plenipotentiary of the United States of America to the Kingdom of Yemen.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Walter J. Donnelly, of the District of Columbia, to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Austria, and to be also United States High Commissioner for Austria.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Cavendish W. Cannon, of Utah, to the Envoy Extraordinary and Minister Plenipotentiary of the United States of America to the Republic of Syria.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

#### UNITED STATES COAST GUARD

The Chief Clerk proceeded to read sundry nominations in the Coast Guard.

The VICE PRESIDENT. Without objection, the nominations in the Coast Guard are confirmed en bloc.

#### COAST AND GEODETIC SURVEY

The Chief Clerk proceeded to read sundry nominations in the Coast and Geodetic Survey.

The VICE PRESIDENT. Without objection, the nominations are confirmed en bloc.

#### POSTMASTERS

The Chief Clerk proceeded to read sundry nominations of postmasters.

The VICE PRESIDENT. Without objection, the nominations are confirmed en bloc.

#### UNITED STATES TARIFF COMMISSION

The Chief Clerk read the nomination of Edgar Bernard Brossard, of Utah, to be a member of the United States Tariff Commission.

Mr. WATKINS. Mr. President, Dr. Edgar Bernard Brossard is one of the outstanding citizens of the State of Utah, and, as a Utah man, I am very proud of his great record. I think he has been appointed by four Presidents to the position of Tariff Commissioner. He has rendered outstanding service for 27 years. He is regarded as one of the greatest experts on tariff matters in the United States. He is a good, loyal American, and I am very happy to know that the President has seen fit to reappoint him.

I may say, Mr. President, that I understand that Senators on both sides of the aisle, practically all the Members of the Senate, endorsed his candidacy to the



President, and urged his reappointment. His almost unanimous endorsement by Members of the Senate, his appointment by the President, and his unanimous confirmation today are well-merited tributes.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

#### COLLECTOR OF INTERNAL REVENUE

The Chief Clerk read the nomination of Edwin M. Gill, to be collector of internal revenue for the district of North Carolina.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

#### COLLECTOR OF CUSTOMS

The Chief Clerk read the nomination of Charles M. Johnson, of North Carolina, to be collector of customs for customs collection district No. 15, with headquarters at Wilmington, N. C.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

#### THE NAVY

The Chief Clerk read the nomination of Vice Adm. Russell S. Berkey, United States Navy, to be placed on the retired list with the rank of vice admiral when retired.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Vice Adm. Donald B. Beary, United States Navy, to be placed on the retired list with the rank of vice admiral when retired.

The VICE PRESIDENT. Without objection the nomination is confirmed.

#### RECESS

Mr. LUCAS. I move that the Senate take a recess until next Monday at 12 o'clock noon.

The motion was agreed to; and (at 7 o'clock and 52 minutes p. m.) the Senate took a recess until Monday, September 18, 1950, at 12 o'clock meridian.

#### NOMINATION

Executive nomination received by the Senate September 15 (legislative day of July 20), 1950:

##### UNITED STATES ATTORNEY

John Norwood McKay, of Louisiana, to be United States attorney for the eastern district of Louisiana, vice James Skelly Wright, elevated.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate September 15 (legislative day of July 20), 1950:

##### CALIFORNIA DEBRIS COMMISSION

Lt. Col. Clarence C. Haug, Corps of Engineers, to serve as member and secretary of the California Debris Commission.

##### UNITED NATIONS

REPRESENTATIVES OF THE UNITED STATES OF AMERICA TO THE FIFTH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS

Warren R. Austin, of Vermont.  
Mrs. Anna Eleanor Roosevelt, of New York.  
John J. Sparkman, United States Senator from the State of Alabama.

Henry Cabot Lodge, Jr., United States Senator from the State of Massachusetts.

John Foster Dulles, of New York.

##### ALTERNATE REPRESENTATIVES OF THE UNITED STATES OF AMERICA TO THE FIFTH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS

John Sherman Cooper, of Kentucky.  
Ernest A. Gross, of New York.  
Edith S. Sampson, of Illinois.  
John C. Ross, of New York.

##### DIPLOMATIC AND FOREIGN SERVICE

Joseph Flack, of Pennsylvania, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Poland.

Norman Armour, of New Jersey, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Venezuela.

Raymond A. Hare, of Iowa, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Saudi Arabia, and to serve concurrently and without additional compensation as Envoy Extraordinary and Minister Plenipotentiary of the United States of America to the Kingdom of Yemen.

Walter J. Donnelly, of the District of Columbia, to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Austria, and to be also United States High Commissioner for Austria.

Cavendish W. Cannon, of Utah, to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to the Republic of Syria.

##### UNITED STATES COAST GUARD

The following-named persons for appointment in the United States Coast Guard:

Samuel R. Early to be lieutenant (junior grade).

Eilif H. Tobiasson to be chief machinist.  
James T. Sandwich to be chief pay clerk.  
John J. Harbart to be chief pharmacist.

##### COAST AND GEODETIC SURVEY

To be ensigns in the Coast and Geodetic Survey

Arthur R. Benton, Jr.	Roger F. Lanier
David F. Romero	Paul O. Reimer, Jr.
Joseph A. Roulter	John B. Watkins, Jr.
Eugene A. Taylor	Jack E. Guth
William D. Barbee	James D. Hodges
Robert A. Parker	Robert G. Arnold
Herbert R. Lippold	Ray B. Johnson
Curtis W. Mooney	Bruce E. Greene

##### POSTMASTERS

###### ALASKA

Isabella D. Hume, McKinley Park.

###### ALABAMA

Richard E. Strawbridge, Vernon.

###### CALIFORNIA

Frederick B. Twigge, El Dorado.  
Chester M. Holcomb, Kernan.  
Leon M. Boice, Lincoln Acres.  
Vivian L. Hemenway, Pine Grove.  
Reuben C. Marks, Tecate.  
Florence V. Heryford, Trinity Center.  
Bernice T. Murphy, Wilmington.

###### COLORADO

Ernest L. Craven, La Salle.  
James W. Stuart, Pritchett.

###### CONNECTICUT

Wilfred J. Frechette, Plainfield.

###### FLORIDA

Norman S. Boyle, Lake Alfred.  
Robert W. Prater, Jr., Uleta.

###### GEORGIA

Carroll E. Toole, Garfield.  
James D. Kilpatrick, Quitman.

###### HAWAII

Masae Yamada, Kawaihoa.  
Mae E. Cowan, Maunaloa.

###### ILLINOIS

Nola G. Lee, Xenia.

###### INDIANA

James Neugebauer, Gary.  
Amel Siebe, Lynnville.

##### KANSAS

Dwight H. Snyder, Bucklin.  
Lorenzo D. Morgison, Clifton.  
Lillian A. Holshouser, Dwight.  
Robert Clark Coursen, Overbrook.  
Dean A. Hopkins, Protection.  
Elmer M. Holt, Wellington.

##### LOUISIANA

Edwin J. Pierce, Westwego.

##### MAINE

Fred L. Temple, Bowdoinham.  
Kenneth B. Morehead, Brooks.  
Hubert A. Templeton, Greenville Junction.  
Lawrence M. Leen, Lincoln.  
Robert L. Smith, North Haven.  
Franklyn A. Towne, Norway.  
Eugene S. Fitzgerald, Smyrna Mills.  
Lloyd W. Tozier, Unity.

##### MARYLAND

Dorothy E. Sasscer, Cheltenham.

##### MISSOURI

Ralph D. Hall, Doniphan.  
John W. Freeman, Eminence.  
Joseph S. Ford, Eugene.

##### NEBRASKA

Ora F. Stegeman, Chappell.  
Cloyd D. Thomas, Clay Center.  
Sterling D. Barrett, Dix.  
Orlo R. Kreutz, Harvard.  
Arthur J. Buchholz, Rulo.  
Augusta M. Martin, Stamford.

##### NEW JERSEY

George N. Yantz, Belle Mead.  
Lindsay H. Rudd, Bloomfield.

##### NEW YORK

Elizabeth A. Mooney, Bedford.  
Frank R. Cougevan, Canandaigua.  
Lulu F. Moseley, Hauppauge.  
Alice L. Jones, Middle Granville.  
Harold W. Albright, Wilson.

##### NORTH CAROLINA

John P. Betts, Beaufort.  
George W. Cooper, Jr., Clemmons.  
Wilbur B. Lane, Pinnacle.

##### NORTH DAKOTA

Leon A. Ferguson, Bottineau.  
Norman W. Brudeseth, Hamar.  
Chester W. Thompson, Woodworth.

##### OHIO

Erwin A. Carrigan, Manchester.  
Marie Antoine Humpert, Mount St. Joseph.  
Willard W. Weinstock, Powell.  
John Sekerak, Struthers.  
Kenneth C. Lohr, Woodville.

##### OKLAHOMA

Alphonse A. Bourassa, Minco.

##### OREGON

John E. Ferrell, Brownsville.  
Ermine K. Gentle, Monmouth.

##### PENNSYLVANIA

Samuel J. Corbit, Wyomissing.

##### TENNESSEE

Thomas C. Tucker, Martin.

##### TEXAS

Aubrey Lee Davee, Brady.  
Lucile Fairman, Goldthwaite.  
J. Smith Cluck, Leander.  
Hulan P. Armstrong, Menard.

##### UTAH

Percy W. Seay, Magna.

##### VERMONT

Richard M. Bradford, Putney.

##### WASHINGTON

Louise E. Metzler, Snoqualmie Falls.

##### WYOMING

Leslie H. Luedtke, Dubois.

##### UNITED STATES TARIFF COMMISSION

Edgar Bernard Brossard, of Utah, to be a member of the United States Tariff Commission for the term expiring June 16, 1956.

## COLLECTOR OF INTERNAL REVENUE

Edwin M. Gill, to be collector of internal revenue for the District of North Carolina.

## COLLECTOR OF CUSTOMS

Charles M. Johnson, of North Carolina, to be collector of customs for customs collection district No. 15, with headquarters at Wilmington, N. C.

## IN THE NAVY

To be placed on the retired list with the rank of vice admiral when retired

Vice Adm. Russell S. Berkey, United States Navy.

Vice Adm. Donald B. Beary, United States Navy.

## WITHDRAWAL

Executive nomination withdrawn from the Senate September 15 (legislative day of July 20), 1950.

## POSTMASTER

Reginald S. Woodward to be postmaster at Midlothian in the State of Illinois.

## HOUSE OF REPRESENTATIVES

FRIDAY, SEPTEMBER 15, 1950

The House met at 12 o'clock noon.

The Acting Chaplain, Rev. Frank B. Burrell, pastor, Fountain Memorial Baptist Church, Washington, D. C., offered the following prayer:

O Lord, our God, we call upon Thee asking that Thou wilt hear our prayer of thanksgiving for the rest, renewed strength, and refreshment given us for today. As we have received and accepted these, so help us to be willing to receive and accept in our souls and minds God's eternal purpose to be accomplished today.

Our purposes so often have been bent to conform with our wills instead of Thine. Help us as a nation and individuals to straighten them that we may go into paths of righteousness which lead to peace and happiness.

Too long have we wandered in the wilderness of selfishness and accomplished so little. Forgive us, we pray, and help our hearts to beat with Thine that we may not cause Thee to withhold from us the fulfillment of Thy great promises and purposes for us. May we be sensitive to Thy Spirit's leadership in our undertakings.

"Thou wilt keep him in perfect peace whose mind is stayed on Thee because he trusteth in Thee." Help, O Lord, our unbelief. In Jesus' name we pray. 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, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 9526. An act making supplemental appropriations for the fiscal year ending June 30, 1951, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference

with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. McKELLAR, Mr. THOMAS of Oklahoma, Mr. RUSSELL, Mr. McCARRAN, Mr. O'MAHONEY, Mr. BRIDGES, Mr. GURNEY, Mr. FERGUSON, and Mr. WHERRY to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 4569) entitled "An act authorizing the transfer of Fort Des Moines, Iowa, to the State of Iowa"; 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. HOLLAND, Mr. CHAPMAN, and Mr. CAIN to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendment of the House to the amendment of the Senate numbered 191 to the bill (H. R. 8920), entitled "An act to reduce excise taxes, and for other purposes";

*Resolved*, That the Senate further insist upon its amendment number 191 to the above-entitled bill, disagreed to by the House, agrees to a further conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. GEORGE, Mr. CONNALLY, Mr. BYRD, Mr. MILLIKIN, and Mr. BUTLER to be the conferees on the part of the Senate.

The message also announced that the Senate had ordered that the Senator from New Hampshire, Mr. BRIDGES, be excused as conferee on the bill H. R. 9526, an act making supplemental appropriations for the fiscal year ending June 30, 1951, and for other purposes, and the Senator from Oregon, Mr. CORDON, be appointed in his stead.

## GENERAL OF THE ARMY GEORGE C. MARSHALL

Mr. SMITH of Virginia, from the Committee on Rules, reported the following privileged resolution (H. Res. 853, Rept. No. 3089), which was referred to the House Calendar and ordered to be printed:

*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, to authorize the President to appoint General of the Army George C. Marshall to the office of Secretary of Defense. That after general debate which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, 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.

## YOUNG MEN'S CHRISTIAN ASSOCIATION

Mr. McMILLAN of South Carolina, Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 8797) to exempt property of the Young Men's Christian Association of the city of Washington (incorporated under the act of Congress of June 28, 1864, 13 Stat. L. 411) from taxation, with

Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 5, strike out "or" and insert "and".

Page 2, strike out line 8.

Page 2, after line 8, insert:

"Sec. 2. The Young Men's Christian Association of the city of Washington, incorporated by act of Congress approved June 28, 1864 (13 Stat. L. 411), is hereby relieved from any accrued liability to the United States or the District of Columbia for taxes imposed upon any of the property of such association located in the District of Columbia for any tax period during which such property was occupied and used by such association for its legitimate purposes."

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

Mr. MARTIN of Massachusetts, Mr. Speaker, reserving the right to object, will the gentlemen explain these amendments?

Mr. McMILLAN of South Carolina. These are just clarifying amendments.

Mr. MARTIN of Massachusetts. There are many clarifying amendments that have done a lot of damage. I would like to have them explained.

Mr. McMILLAN of South Carolina. All the bill does is to exempt the YMCA from paying taxes in the District of Columbia which they have never paid. Some regulation came up this year compelling them to pay taxes unless this resolution is agreed to. The Senate just changed the wording of the House bill.

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

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

## EASTERN SENIOR HIGH SCHOOL (DISTRICT OF COLUMBIA)

Mr. McMILLAN of South Carolina, Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 8710) to provide for the improvement of stadium facilities at the Eastern Senior High School in the District of Columbia, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Line 4, strike out "construct an addition to" and insert "improve."

Line 6, strike out all after "Columbia" down to and including "field" in line 9.

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

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

## ADMINISTRATIVE EXPENSES IN THE GOVERNMENT SERVICE

Mr. DAWSON, Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 9430) to