

of the act of Congress approved June 25, 1948 (Public Law 774); to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BARDEN: Committee on Education and Labor. H. R. 7940. A bill to provide financial assistance for local educational agencies in areas affected by Federal activities, and for other purposes; with amendment (Rept. No. 2287). Referred to the Committee of the Whole House on the State of the Union.

Mr. WILLIS: Committee on the Judiciary. H. R. 8792. A bill to amend the statute relating to certificates of trade-mark registrations; with amendment (Rept. No. 2288). Referred to the Committee of the Whole House on the State of the Union.

Mr. KILDAY: Committee of conference. H. R. 8198. A bill to provide for the organization of the Army and the Department of the Army, and for other purposes (Rept. No. 2289). Ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BYRNE of New York: Committee of conference. H. R. 1169. A bill for the relief of Mrs. Marion T. Schwartz (Rept. No. 2286). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII public bills and resolutions were introduced and severally referred, as follows:

By Mr. COOLEY:

H. R. 8881. A bill to permit educational, religious, or charitable institutions to import textile machines and parts thereof for instructional purposes; to the Committee on Ways and Means.

By Mr. SIMPSON of Pennsylvania:

H. R. 8882. A bill to amend section 23 (p) (1) (D) of the Internal Revenue Code; to the Committee on Ways and Means.

By Mr. WALTER:

H. R. 8883. A bill to amend section 17 of the Contract Settlement Act of 1944 so as to authorize the payment of fair compensation to persons contracting to deliver certain strategic or critical minerals or metals in cases of failure to recover reasonable costs, and for other purposes; to the Committee on the Judiciary.

H. R. 8884. A bill to provide for extension of terms of patents where the use, exploitation, or promotion thereof was prevented, impaired, or delayed by causes due to war or other national emergency; to the Committee on the Judiciary.

By Mr. WHITE of California:

H. R. 8885. A bill to authorize the Secretary of the Interior to undertake the North Fork Kings River development, California, as an integral part of the Central Valley project, and for other purposes; to the Committee on Public Lands.

By Mr. BIEMILLER:

H. R. 8886. A bill to amend the Public Health Service Act and the Vocational Education Act of 1946 to provide an emergency 5-year program of grants for education in the fields of medicine, osteopathy, optometry, dentistry, dental hygiene, nursing, sanitary engineering, and public health, and

for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PETERSON:

H. R. 8887. A bill to declare that the United States holds certain lands for the Seminole Tribe of Florida; to the Committee on Public Lands.

By Mr. GRANAHAN:

H. R. 8888. A bill to provide for retroactive adjustments in compensation in certain reclassification cases; to the Committee on Post Office and Civil Service.

By Mr. VINSON:

H. R. 8889. A bill to provide for the organization of the Air Force and the Department of the Air Force, and for other purposes; to the Committee on Armed Services.

By Mr. O'HARA of Illinois:

H. R. 8890. A bill to amend the Federal Property and Administrative Services Act of 1949 so as to make applicable to the Government Printing Office the provisions of section 306 thereof, relating to the power to remit, where just and equitable, the whole or any part of liquidated damages under contracts; to the Committee on Expenditures in the Executive Departments.

By Mr. BOGGS of Louisiana:

H. J. Res. 489. Joint resolution to permit articles imported from foreign countries for the purpose of exhibition at the Mid-Century International Exposition, Inc., New Orleans, La., to be admitted without payment of tariff, and for other purposes; to the Committee on Ways and Means.

By Mrs. BOSONE:

H. Con. Res. 224. Concurrent resolution authorizing the printing of the proceedings in Congress upon the occasion of the acceptance of the statue of Brigham Young; to the Committee on House Administration.

By Mr. SECREST:

H. Con. Res. 225. Concurrent resolution expressing the sense of the Congress that the President should rescind foreign-trade agreements with Communist-controlled countries; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. FARRINGTON:

H. R. 8891. A bill for the relief of Mrs. Shizuo Chiba Street and Janice Street; to the Committee on the Judiciary.

H. R. 8892. A bill for the relief of Hirako Hirohashi and Linda Marie Kumiko Kimitzuka; to the Committee on the Judiciary.

H. R. 8893. A bill for the relief of Toshiko Kishiki; to the Committee on the Judiciary.

H. R. 8894. A bill for the relief of Michiko Yamanouchi and Yuichi Yamanouchi; to the Committee on the Judiciary.

By Mr. GRANAHAN:

H. R. 8895. A bill for the relief of Sigmund M. Sterling and others; to the Committee on the Judiciary.

By Mr. HEDRICK:

H. R. 8896. A bill for the relief of Sarah Kabacznik; to the Committee on the Judiciary.

By Mr. HERLONG:

H. R. 8897. A bill for the relief of Dewey Pickett; to the Committee on the Judiciary.

By Mr. HESELTON:

H. R. 8898. A bill for the relief of John Yansak; to the Committee on the Judiciary.

By Mr. HOBBS:

H. R. 8899. A bill for the relief of Peter B. Olney; to the Committee on the Judiciary.

By Mr. KEOGH:

H. R. 8900. A bill for the relief of Catherine B. Molostvoff; to the Committee on the Judiciary.

By Mr. LANE:

H. R. 8901. A bill for the relief of Mrs. Asako Ikeda Heaney; to the Committee on the Judiciary.

By Mr. MARSHALL:

H. R. 8902. A bill for the relief of Satoko Matsushima Hoglund; to the Committee on the Judiciary.

By Mr. WHITE of Idaho:

H. R. 8903. A bill for the relief of certain Basque aliens; to the Committee on the Judiciary.

SENATE

WEDNESDAY, JUNE 21, 1950

(Legislative day of Wednesday, June 7, 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:

Most merciful God, who knowest our necessities before we ask and our ignorance in asking, have compassion, we beseech Thee, upon our infirmities; strengthen us in all noble purposes and daily increase in us the spirit of wisdom and understanding, the spirit of counsel and knowledge and true godliness. Dowered with privileges as no other nation, may the richness of our heritage be to us Thy call to protect the weak and exploited, to unshackle the enslaved, to clear the way for freedom, that through the potent ministry of our dear land all peoples of the earth may be blessed. In the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. McFARLAND, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, June 20, 1950, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States 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. Maurer, one of its reading clerks, announced that the House had passed the bill (S. 1672) for the relief of Efrosini Abad, with an amendment, in which it requested the concurrence of the Senate.

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

H. R. 3406. An act for the relief of Ellen Fullard-Leo;

H. R. 4065. An act to provide for the relinquishment of mineral reservations in the land patent of Thomas Stephens;

H. R. 4836. An act for the relief of Xylda L. Driver;

H. R. 5110. An act for the relief of Janos (John) Treber and Mrs. Katalin (Katherine) Treber;

H. R. 5782. An act for the relief of Mrs. Vera Raupe;

H. R. 6221. An act to authorize the sale of certain public lands in Alaska to the This-Side-of-Heaven Children's Home for use as a children's home;

H. R. 6287. An act for the relief of Dr. George Alexandros Chronakis;

H. R. 6263. An act conferring jurisdiction on the United States District Court for the

Middle District of North Carolina to hear, determine, and render judgment upon certain claims of the Patuxent Development Co., Inc.;

H. R. 6709. An act for the relief of Ed Howard Russell;

H. R. 6850. An act for the relief of Lt. Col. F. A. Ferguson;

H. R. 6964. An act authorizing the Secretary of the Interior to issue a patent in fee to Josephine Stevens Goering;

H. R. 7071. An act for the relief of Mrs. Masa Iyoki;

H. R. 7079. An act for the relief of Mrs. Gin Shibasaki Okafuji;

H. R. 7204. An act for the relief of Maria Cristina D'Angelo;

H. R. 7228. An act for the relief of Kazuko Kamada;

H. R. 7414. An act for the relief of Teresa Gentile and Galliano Gentile;

H. R. 7753. An act to authorize the Secretary of the Interior to sell certain land on the Chena River to the Tanana Valley Sportsmen's Association, of Fairbanks, Alaska;

H. R. 7783. An act for the relief of Mrs. Donald Rafter;

H. R. 7815. An act for the relief of John Yee Horn;

H. R. 7820. An act for the relief of Keiko Uchida Doane and her minor child;

H. R. 7873. An act to authorize construction of buildings for the Bureau of Old-Age and Survivors Insurance, and for other purposes;

H. R. 7916. An act to authorize and direct the Secretary of the Interior to execute an oil and gas lease on a certain tract of land in Park County, Wyo.;

H. R. 7970. An act for the relief of Mrs. Regina Anderson and her minor child;

H. R. 8183. An act for the relief of Asako Tsuchida;

H. R. 8289. An act for the relief of Yee Balche Yee;

H. R. 8361. An act for the relief of Toshiko Murai;

H. R. 8381. An act for the relief of Mrs. Joseph C. Grant;

H. R. 8440. An act for the relief of Noae Kawashima;

H. R. 8451. An act for the relief of Yoshie Nozawa;

H. R. 8500. An act for the relief of Hatsuko Torikai;

H. R. 8581. An act for the relief of Yasuko Higuchi Thomson;

H. R. 8583. An act for the relief of Hisako Shimizu;

H. R. 8655. An act for the relief of Toshiko Kikyo and Francis Kikyo;

H. R. 8600. An act for the relief of Yuriko Aoyama; and

H. R. 8722. An act for the relief of Jun Hin Lum.

LEAVES OF ABSENCE

On request of Mr. WHERRY, and by unanimous consent, Mr. FLANDERS was excused from attendance on the sessions of the Senate today and through Monday next.

On request of Mr. McFARLAND, and by unanimous consent, Mr. LONG was excused from attendance on the sessions of the Senate for an indefinite period.

On request of Mr. LUCAS, and by unanimous consent, Mr. PEPPER was excused from attendance on the sessions of the Senate today and the remainder of this week.

On his own request, and by unanimous consent, Mr. AIKEN was excused from attendance on the sessions of the Senate beginning today and continuing until Wednesday of next week.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. HUNT, and by unanimous consent, the Committee on the Judiciary was authorized to meet this afternoon during the session of the Senate.

AMENDMENT OF THE HATCH ACT—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 1243) to amend the Hatch Act.

The VICE PRESIDENT. Under the unanimous-consent agreement heretofore entered into, a quorum call is automatic.

Mr. McFARLAND. Mr. President, before the roll is called I ask unanimous consent that the time, which is already divided under the unanimous-consent agreement, be in charge, respectively, of the junior Senator from Mississippi [Mr. STENNIS] for the proponents and of the senior Senator from Ohio [Mr. TAFT] for the opponents.

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

The Secretary will call the roll.

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

Aiken	Gurney	McMahon
Anderson	Hayden	Malone
Benton	Hendrickson	Martin
Brewster	Hickenlooper	Millikin
Bricker	Hill	Mundt
Bridges	Hoey	Murray
Butler	Holland	Myers
Byrd	Humphrey	Neely
Cain	Hunt	O'Mahoney
Chapman	Ives	Robertson
Chavez	Jenner	Russell
Connally	Johnson, Colo.	Saltonstall
Cordon	Johnson, Tex.	Schoeppel
Darby	Kefauver	Smith, Maine
Donnell	Kem	Smith, N. J.
Douglas	Kerr	Sparkman
Dworshak	Kilgore	Stennis
Eastland	Knowland	Taft
Ecton	Lehman	Thomas, Utah
Ellender	Lodge	Thye
Ferguson	Lucas	Tydings
Frear	McCarran	Watkins
Fulbright	McCarthy	Wherry
George	McClellan	Wiley
Gillette	McFarland	Williams
Green	McKellar	Withers

Mr. MYERS. I announce that the Senator from California [Mr. DOWNEY] is absent because of illness.

The Senator from North Carolina [Mr. GRAHAM] and the Senator from Rhode Island [Mr. LEAHY] are absent on public business.

The Senator from South Carolina [Mr. JOHNSTON], the Senator from Louisiana [Mr. LONG], the Senator from Florida [Mr. PEPPER], the Senator from Idaho [Mr. TAYLOR], and the Senator from Oklahoma [Mr. THOMAS] are absent by leave of the Senate.

The Senator from Washington [Mr. MAGNUSON] and the Senator from South Carolina [Mr. MAYBANK] are absent on official business.

The Senator from Maryland [Mr. O'CONNOR] is absent by leave of the Senate on official business, attending the sessions of the International Labor Organization at Geneva, Switzerland, as a delegate representing the United States.

Mr. SALTONSTALL. I announce that the Senator from Vermont [Mr. FLAN-

TERS], the senior Senator from North Dakota [Mr. LANGER], the Senator from Oregon [Mr. MORSE], the Senator from New Hampshire [Mr. TOBEY], the Senator from Michigan [Mr. VANDENBERG], and the junior Senator from North Dakota [Mr. YOUNG] are absent by leave of the Senate.

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

The VICE PRESIDENT. A quorum is present.

Under the unanimous-consent agreement entered into 1 hour of debate on the conference report is provided, to be equally divided between the opponents and the proponents, to be controlled, respectively, by the junior Senator from Mississippi [Mr. STENNIS] and the senior Senator from Ohio [Mr. TAFT].

Mr. TAFT. Mr. President, I yield myself 15 minutes.

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

Mr. TAFT. I yield.

Mr. LUCAS. I should like to repeat what I said yesterday about the program following disposition of the conference report. Immediately following action on the conference report we shall consider H. R. 6826, the extension of the Selective Service Act of 1948. I had expressed the hope that we would be able to finish consideration of that bill today, and I had suggested that a night session would be held, if necessary, in order to hurry it along, because it is absolutely necessary either that the bill be passed or that there be passed a joint resolution extending the period of the effectiveness of the present act for at least 30 days, in order to give us an opportunity to pass the bill itself. I hope we will be able to finish it today, at least not later than tomorrow.

If I could get a unanimous-consent agreement acceptable to those who are against the selective-service measure, or who are for certain amendments which are debatable, I would not ask the Senate to hold a night session; but I shall take that matter up immediately following the vote on the pending conference report.

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

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

Mr. TAFT. I yield.

Mr. HAYDEN. I should like to state to the Senate that the deficiency appropriation bill, which will be favorably reported to the Senate today from the Committee on Appropriations, will be ready for consideration tomorrow morning.

Mr. KEFAUVER. Mr. President, will the Senator from Ohio yield?

Mr. TAFT. If more time is to be given under unanimous consent, I think it should be evenly divided.

The VICE PRESIDENT. Under the unanimous-consent agreement nothing is now in order except debate on the conference report.

Mr. TAFT. Then I suggest that Senators wait until after the vote, whenever it is had.

Mr. President, my opposition to the conference report is based on my conviction that it simply kills the Hatch Act

provisions, or some very important sections of them. The Hatch Act was passed in order to keep elections clean, to prevent the use of Government positions to coerce employees, to prevent the activity of millions of Government employees, who have increased to such tremendous numbers today that they can affect materially the results of elections.

The Hatch Act, in various sections, to which I shall not refer, provides for a criminal penalty of a \$1,000 fine, or imprisonment for not more than 1 year, or both. But in the one provision of the Hatch Act which was considered the most important it is provided that—

It shall be unlawful for any person employed in the executive branch of the Federal Government, or any agency or department thereof, to use his official authority or influence for the purpose of interfering with an election or affecting the result thereof. No officer or employee in the executive branch of the Federal Government, or any agency or department thereof, shall take any active part in political management or in political campaigns. All such persons shall retain the right to vote as they may choose and to express their opinions on all political subjects.

In particular, it was aimed at those who used their positions, their official authority or influence, for the purpose of interfering with an election or affecting the result thereof. That was considered such a heinous violation of election laws that the act provided that—

Any person violating the provisions of this section shall be immediately removed from the position or office held by him, and thereafter no part of the funds appropriated by any act of Congress for such position or office shall be used to pay the compensation of such person.

What the conference report does is to eliminate that penalty provision. If, Mr. President, it was considered that that was too severe a penalty, and if there had been substituted for it a fine of a thousand dollars, or imprisonment for not more than 1 year, or both, as in the case of many other provisions in the Hatch Act, I would not oppose the report. But instead of that, what is done seems to me to be a complete elimination, for practical purposes, of any penalty whatsoever. Instead of an automatic removal, the conference report provides that—

If in the case of any person violating the provisions of this section it is found by the United States Civil Service Commission that such violation warrants removal he shall be immediately removed.

That is a delegation of legislative power. The members of the Civil Service Commission, or a majority of them, may well believe that no such violation ever warrants such a severe penalty as removal, in which case they simply will not find that it warrants removal, and therefore the individual will not be immediately removed.

Under the curious provisions of the conference report it is doubtful whether, in some cases, there will be any penalty, because the report proceeds to say:

If the Commission finds by unanimous vote that the violation does not warrant removal, a lesser penalty shall be imposed by

direction of the Commission: *Provided*, That in no case shall the penalty be less than 30 days' suspension without pay.

Mr. President, if one member of the Commission thinks that the violation warrants removal and two members think that it does not warrant removal, then that difference of opinion in the Commission will result in no penalty at all, because there will be no affirmative finding that the violation warrants removal, and, therefore, the individual cannot be immediately removed, and there will be no unanimous opinion that the violation does not warrant removal but for which a lesser penalty may be imposed. There will be no penalty at all. I do not know that that was intended, but that certainly is the result of the curious language of the conference report.

Under those circumstances also, suppose there is a unanimous finding that the action of an individual warrants a lesser penalty than removal, and that the penalty is 30 days' suspension without pay. What kind of penalty is that? The political party that has employed the individual to work for it, for whom he is working, will have no difficulty in paying his 30 days' pay or 60 days' pay. In other words, the whole effect of the proposed amendment of the Hatch Act is to kill the Hatch Act. That is why I am opposing the conference report.

Mr. President, I feel that under the circumstances the report should be rejected and it should go back to the conference committee. The committee ought certainly to rewrite the language of this penalty provision, and, in my opinion, they should impose a criminal penalty for violation of the Hatch Act. If that were done I would no longer oppose the report. But I think the Nation ought to know that what is being done here by the action of the Senate and the action of the House is an emasculation of the most important provisions of the Hatch Act, so that if the report is adopted there no longer is a Hatch Act.

Mr. STENNIS. Mr. President, for the benefit of Senators who may not have been present during the debate which took place some days ago, I shall briefly refer to the history of the pending legislation, which originated in the House of Representatives as an amendment to the Hatch Act designed to give some discretion to the Civil Service Commission in imposing a penalty less than removal in cases considered by the Commission to be minor infractions of the law. The present law provides that for any act by an employee of the Federal Government which amounts to a violation of the Hatch Act, the only possible penalty that can be prescribed is dismissal; that is, the law automatically imposes the penalty of absolute dismissal.

In the course of the years there have arisen a number of cases in which that penalty had to be imposed, although there was absolutely no conscious guilt. The person involved was standing before the law guilty of certain acts, but really did not know the implications of them. A case which, to my mind, is outstanding is that of a very young lady, a post office

employee, who was asked by a friend to hand out some political cards. The young lady did so, not knowing the implication and not realizing what was involved, and she lost her job. I shall not go into the details, but there are a number of cases of that kind.

The report is designed simply to vest the members of the Civil Service Commission with some discretion respecting the penalty in minor cases. Under the present law they first have to determine whether or not an employee is guilty. In the first place, this is administrative law more than straight criminal law, and I have found that there is some difference between the wording of a criminal law and this kind of a law. But under the present law the Commission first must determine the guilt, which they will continue to do under the bill as proposed by the conference report. That can be done by a 2 to 1 vote of the Commission; in other words, there is majority control.

Under my interpretation of the present law, which I think is clear, and which is confirmed by a letter from the United States Civil Service Commission, when an act is committed, and after a hearing, it is determined that the employee in question is guilty, even if only two of the three Commissioners vote "guilty," the person involved is automatically discharged.

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

Mr. STENNIS. I yield.

Mr. TAFT. To me it is clear that they must not only find the person guilty, but they must find that such violation warrants removal. In other words, they have not only to find him guilty, but they must impose the sentence. Is that not correct?

Mr. STENNIS. I do not think that is a correct interpretation. If the Senator will permit me briefly to outline the conferees' interpretation of the language, and then to make comment thereon, I shall yield to the Senator for a question.

The conferees believed that the first thing that must be determined under this amendment, as under the present law, is the guilt or innocence of the person involved. If he is innocent that is the end of the matter. But if two Commissioners vote that the employee is guilty of the act charged and determine that his act is a violation of the statute, then he is discharged, even on a 2 to 1 vote.

Mr. TAFT. On what basis is that finding made? It is now proposed to repeal the only section that says anything about removal. The proposed language replaces the old subsection (b), does it not?

Mr. STENNIS. In part, the language of the conference report assumes a case where guilt has been determined.

Mr. TAFT. Yes.

Mr. STENNIS. The language of the conference report in that respect could be improved, I think, so far as the use of the English language is concerned. However, it is unmistakably clear that there must be a determination of guilt, and then the question of punishment

arises. I think the proper interpretation is that, when that question arises, unless there is a unanimous vote to impose a punishment of less than dismissal, the person automatically stands dismissed, even on a vote of 2 to 1 regarding his guilt.

Mr. President, I have before me a communication from the Civil Service Commission, dated June 19, and addressed to the Senator from Arizona [Mr. HAYDEN]. The Commission was asked to commit itself in writing to the Senate, with the understanding that its letter would be a part of the legislative history of this measure, and was asked to set forth in the letter its views and its interpretation of the conference report, and to state how it would administer the measure.

I submit the letter to the Senate as a part of the legislative history of this measure. I shall read some paragraphs of the letter, and then I shall ask unanimous consent to have the entire letter printed in the RECORD, if I am able to obtain unanimous consent for that purpose.

I read now from the letter from the Civil Service Commission:

The first point for consideration is the portion of the bill amending the present penalty provisions of section 9 (b) of the Hatch Act.

That is the portion to which the Senator from Ohio addressed himself.

I read further from the letter:

Under current law a Federal employee who has been found to have engaged in prohibited political activity must be removed from the service regardless of how minor the violation may have been. Under the proposed amendment the Civil Service Commissioners may by unanimous vote apply a suspension penalty in lieu of removal, with the express proviso that in no case shall this suspension be less than 30 days.

It has been suggested that the language of the amended section 9 (b) as reported by the conferees is ambiguous and may lead to a situation in which a majority of the Commissioners would be in favor of a suspension, but inasmuch as the vote would not be unanimous the suspension could not be applied and as a result the violator would not be punished.

That is the case found by the Senator from Ohio. I read further:

The Commission's view is that the proposed section 9 (b) must be read in its entirety, and as so read it means that if a Federal employee is found to have violated the political activity restrictions of section 9 of the Hatch Act, he must be removed from the service unless all three Civil Service Commissioners find that a lesser penalty should be applied.

That is the Commission's interpretation, and is right down the middle of the road. That states that if the employee is found to be guilty, he must be removed, unless a majority of the Civil Service Commission vote for a lesser penalty.

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

Mr. STENNIS. I am glad to yield briefly.

Mr. CORDON. Does the Senator mean to say, then, that a majority of the Civil Service Commission can determine on a lesser penalty? I think he meant to say that the vote on that question must be a unanimous vote.

Mr. STENNIS. I thank the Senator for that correction. What he has said is correct, namely, it must be a unanimous vote.

Mr. President, I read further from the letter of the Civil Service Commission:

In practice the Commissioners would in each case first vote on the question whether or not the employee violated the law. If they made an affirmative finding, which could be by majority vote, then they would vote on the question whether the facts in the particular case are such as to warrant a penalty of less than removal. If the three Commissioners failed to agree on this second question then the vote of the first question would control and the employee would have to be removed from the service.

That is a direct committal as to the interpretation of this language, as presented by the conferees.

I read further from the letter:

It should be pointed out that the Commission has been operating under section 12 of the Hatch Act for approximately 10 years. This is the section prohibiting political activity on the part of certain State officers and employees. In this type of case the Commission is called upon to make two decisions.

This is with reference to section 12, which covers employees of a State government who are paid in part by the Federal Government. Section 12 is the present law, not touched by the measure now before the Senate.

The two decisions which the Civil Service Commission makes under the present section 12 are:

(1) Did the employee violate the law, and (2) if he did, does the violation warrant removal? During this entire 10-year period there has been only one split decision, and in that case the majority favored removal.

Mr. President, the language of the conference report is virtually the same as the language of section 12 of the present act. There was a difference between the language of section 12 and the language of section 9. Section 9 applied to Federal employees fully employed by the Federal Government. In other cases the employees were employed by a State, but the Federal Government contributed to their salaries—as, for instance, employees of the Agricultural Extension Services in the various States. Thus, after all, this language is adopted from section 12 of the present law; it is what I call administrative language. It is not like the language that I would include in a criminal statute.

Nevertheless, under the practice we have had the benefit of 10 or 12 years of administration of this law and of administrative practice by the Civil Service Commission; and section 12 has worked entirely satisfactorily, insofar as we have been able to determine.

The position of the conferees is that whatever doubt there might have been about the use of the language criticized, this letter, being a committal—not merely binding on the individual members of the Commission, but a committal on the Civil Service Commission itself—removes any doubt. The letter is clear and unequivocal; it is right down the line, stating that first the Commission has to determine the person's guilt, and that then

he will be removed unless he receives the unanimous vote of the Commission in favor of imposing a lesser penalty.

I submit to the Senate that that makes it altogether conclusive, and does not leave any commission or any court or any other governmental body in a position to make any other interpretation of this language—in short, no interpretation except that set forth in the letter from the Civil Service Commission, which is presented to the Senate now as a part of the legislative history of this measure.

Mr. President, I ask unanimous consent that the letter in its entirety, including the excerpts I have read into the RECORD, be printed at this point in the body of the RECORD.

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

UNITED STATES CIVIL SERVICE,
COMMISSION,

Washington, D. C., June 19, 1950.

HON. CARL HAYDEN,

United States Senate.

DEAR SENATOR HAYDEN: This is in reply to your letter of June 16, 1950, requesting a statement of the Commission's views on the application of H. R. 1243 as reported by the conferees of the Senate and the House of Representatives.

The first point for consideration is the portion of the bill amending the present penalty provisions of Section 9 (b) of the Hatch Act. Under current law a Federal employee who has been found to have engaged in prohibited political activity must be removed from the service regardless of how minor the violation may have been. Under the proposed amendment the Civil Service Commissioners may by unanimous vote apply a suspension penalty in lieu of removal, with the express proviso that in no case shall this suspension be less than 30 days.

It has been suggested that the language of the amended section 9 (b) as reported by the conferees is ambiguous and may lead to a situation in which a majority of the Commissioners would be in favor of a suspension, but inasmuch as the vote would not be unanimous the suspension could not be applied and as a result the violator would not be punished. The Commission's view is that the proposed section 9 (b) must be read in its entirety, and as so read it means that if a Federal employee is found to have violated the political activity restrictions of section 9 of the Hatch Act, he must be removed from the service unless all three Civil Service Commissioners find that a lesser penalty should be applied.

In practice the Commissioners would in each case first vote on the question whether or not the employee violated the law. If they made an affirmative finding, which could be by majority vote, then they would vote on the question whether the facts in the particular case are such as to warrant a penalty of less than removal. If the three Commissioners failed to agree on this second question then the vote on the first question would control and the employee would have to be removed from the service.

It should be pointed out that the Commission has been operating under section 12 of the Hatch Act for approximately 10 years. This is the section prohibiting political activity on the part of certain State officers and employees. In this type of case the Commission is called upon to make two decisions: (1) Did the employee violate the law, and (2) if he did, does the violation warrant removal? During this entire 10-year period there has been only one split decision, and in that case the majority favored removal.

It has also been suggested that the proposed section 9 (d) would throw open the confidential records of the Commission in those cases. In the past information regarding the alleged political activity of Federal employees was obtained by the Commission in investigations in which the witness was assured that the source of the information would be held confidential. During the past 2 years the Commission has been experimenting with obtaining information through affidavits in which the persons making the affidavits furnished such affidavits with the express understanding that there is no pledge that they would be treated as confidential. The Commission has as yet not decided whether to continue this nonconfidential system or whether to revert to the former method of obtaining information under a pledge of confidence.

It is the Commission's view of the proposed section 9 (d), as reported by the conferees, that if the Commission continues to obtain affidavits without any pledge of confidence such affidavits would be furnished the Congress or any committee thereof upon request. If, on the other hand, the Commission should find it necessary to revert to the former method of obtaining affidavits or other information under a pledge of confidence, then the Congress and any committee thereof would be furnished the texts of the affidavits but would not be furnished the names of the persons making the affidavits or any information which would have the effect of divulging the names of those witnesses.

In any event it is the Commission's understanding that it would not be required under the proposed section 9 (d) to make available to Congress or to any of its committees any intraoffice memoranda, confidential comments of investigators, and any other matters which the Commission should consider confidential.

The Commission for several years has recognized that the penalty provisions of section 9 (b) of the Hatch Act as they now exist result in injustices in many cases in that the same penalty or punishment must be given to very minor violators as is given in the case of those committing major violations of the act. Under the circumstances we feel that the penalty provisions provided in the proposed section 9 (b) of H. R. 1243 deserve favorable consideration in the interest of equity and justice.

You have also asked whether the amendment of section 16 of the Hatch Act would be made applicable to those localities in Tennessee, New Mexico, and Washington under the control of the Atomic Energy Commission.

H. R. 1243, as reported by the conferees, would continue section 16 in the form in which it has existed for the past 10 years with the additional proviso that the Commission's regulations could not contain a provision which would require the affected Federal employees to participate only as non-partisan candidates for public office.

The present section 16 of the Hatch Act applies not only to municipalities in the immediate vicinity of the National Capital in the States of Maryland and Virginia, but applies also to any municipality in any State where the majority of the voters of the municipality are employed by the Government of the United States. The amended section 16 would also apply to any municipality in Tennessee, New Mexico, and Washington, or any other State, if the municipality held elections and a majority of the voters in the municipality were employed by the Government of the United States. The Commission understands, however, that the localities in Tennessee, New Mexico, and Washington under the control of the Atomic Energy Commission are not municipalities in the sense contemplated by section 16, and elections in those localities are not held in the sense contemplated by the section. We are advised that the Atomic Energy Com-

mission has been permitting its employees in these localities to become candidates for and hold positions on an advisory council which consults with the community manager on municipal affairs. We are accordingly dealing here with localities which do not have a regular municipal form of government and do not have elections of the kind contemplated by section 16. It is, accordingly, the Commission's view that this amendment would not be applicable to the localities to which you refer.

By direction of the Commission:

Sincerely yours,

HARRY B. MITCHELL,
Chairman.

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

Mr. STENNIS. I am glad to yield to the Senator from Washington.

Mr. CAIN. I seem to recall that in the original Senate text it was provided that a willful violator would automatically be removed from office.

Mr. STENNIS. Yes.

Mr. CAIN. I wonder whether the Senator from Mississippi will reflect on the reasons which resulted in the omission from the conference report, as it is now presented, of any reference to willful violators.

Mr. STENNIS. That is a very pertinent question, and it was explained when the conference report was before the Senate a few days ago.

It was found that the use of the word "willful" with reference to this type of law made the language so very strong that it would leave very little room for the operation of the amendment. In other words, the use of the word "willful" would mean that the act referred to malum prohibitum—in other words, prohibited by law—rather than something wrong by and of itself, or malum in se, as the Latin is. When the word "willful" is used in conjunction with a matter prohibited by the act, which is malum prohibitum, it has been consistently held by the courts that any knowledge whatsoever or any conscientiousness whatsoever, on the part of the person involved, that the act was prohibited by law would render the act a willful one. When that test was applied, it was found that perhaps only one case in the history of the Hatch Act would fail to be willful. Therefore, we thought the language was too strict, and we omitted it. In my statement the other day, I said that the Commission certainly would be derelict in its duty, however, if it did not consider any willfulness as a part of the circumstances of the case, and that the Commission would have no right to ignore that point.

Mr. CAIN. I thank the Senator.

Mr. CORDON. Mr. President, will the Senator yield to me at this point?

Mr. STENNIS. I yield now to the Senator from Oregon.

Mr. CORDON. Do I correctly understand the Senator to say that the conferees found legal support for the proposition that the doing of an act prohibited by law is the doing of it willfully, even though the one performing the act does not in fact know that he is violating the law?

Mr. STENNIS. Expressed in another way, under statutes of this type, it is held that a knowledge of wrongdoing is

not necessary in order for the act to be willful.

Mr. CORDON. A knowledge that it is a violation of a mandate is necessary, is it not, in order that it be willful? Is there any question in the Senator's mind about that?

Mr. STENNIS. That is, a knowledge that the act done was expressly prohibited by law?

Mr. CORDON. That is correct.

Mr. STENNIS. Those terms are very close. I satisfied my mind thoroughly about it at the time, and in my recent statement to the Senate I presented cases on that point. There are cases where the person actually had read the law; but that is seldom so, although notices are posted as to how the law will be applied. But, anyway, the practical test is that, of all the cases which came up, I think only one would have been judged to be not willful. We therefore thought the language of the Senate bill was too strong.

Mr. CORDON. Is it a fact that, of all the cases which have been brought under this particular law and this particular section of the law, only one was a case in which the individual charged did not know that he was violating the law?

Mr. STENNIS. In technical law, they are charged with notice of what the law is. In technical law and in the technical consideration of it, as I recall, there was only one case that would have qualified to have been clearly not willful, because in malum prohibitum law the test is not so rigid, and no consciousness of wrongdoing is necessary in order for it to be adjudged willful in criminal law.

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

Mr. STENNIS. I am glad to yield.

Mr. CORDON. The Senator from Oregon does not quite understand this situation. I am referring to the facts in connection with the prosecutions or investigations of violations of this section. Is it correct to say that, of all the violations of the section which have come to the attention of the Civil Service Commission, only in one instance was there a violation by an individual who was ignorant of the fact that his act was a violation of this law?

Mr. STENNIS. No; I would not state it that way at all. But as I recall the facts, there was only one case which, under the interpretation of laws of this kind, could have been classified as not willful in law, and not willful in fact. But there is a very fine discrimination as to the words, and I inserted in the RECORD during the previous debate a statement of exactly which decisions it was that we relied on. I do not have them before me now. I have here for the Senator from Oregon a memorandum as to the cases which were before the conferees, which has already been inserted in the RECORD.

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

The PRESIDING OFFICER (Mr. HOEY in the chair). Does the Senator from Mississippi yield to the Senator from Ohio?

Mr. STENNIS. I yield.

Mr. TAFT. The Senator justifies as mild a penalty for coercion of employees,

and so forth, as 30 days' suspension, when in the same act we have an alternative penalty of \$1,000 or imprisonment for 1 year for anyone who merely leaves out the name of an officer in publishing a political advertisement. That is in section 3. In this case it seems to me we have gone from the sublime to the ridiculous. We have gone from a penalty of complete removal—which is a penalty that really deters, though perhaps it is too severe—to a position where the Civil Service Commission may practically wipe out any penalty whatever. I cannot see that removal is the proper penalty in all cases, or that suspension is a proper penalty, at all. Complete removal, if a very severe automatic penalty is desired, is all right. But when discretion is given to the Civil Service Commission, and all it can do is to suspend for 30 or 60 days, involving a little loss of pay which will be made up by the political party that the employee, the man or woman, is supporting, it seems to me we have no penalty left at all in connection with the most important provision of the Hatch Act, while at the same time there is retained in section 3, among other sections, the very substantial penalty of criminal prosecution before a court.

Mr. STENNIS. I may point out that the Senator said the only thing that could be done was to impose a mild penalty of 30 days. The Senator understands that that is the minimum penalty which can be imposed. It may extend anywhere from 30 days on up to complete dismissal. Thirty days is merely the minimum possible penalty, and that can be imposed only by unanimous vote of the Commission. I think that has a meaning. I think it has something of practical value.

Mr. TAFT. I cannot understand why, for the most serious violations of the Hatch Act, we give the Civil Service Commission complete discretion to impose suspensions which may amount to nothing at all, when we actually drag a man into a criminal court for other violations of the act which may be of a less serious character.

Mr. STENNIS. The only reference in the conference report to the \$1,000 fine and 1 year in the penitentiary is made for the purpose of broadening the present law, to make it a little more inclusive, and to cover the act of putting unsigned matter in the mail.

Mr. TAFT. My point is that all the provisions of the present law, except the one referred to, attach a criminal penalty for the most serious violations, but here we are reducing the penalty of automatic removal, which perhaps was an equivalent and severe deterrent, to the discretionary imposing of temporary suspension, as a result of which no man is brought up in public, no man is brought before a court. What is finally imposed is a little loss of the pay, which the political party can very easily make up.

Mr. STENNIS. The Senator from Mississippi is not interested in trying to emasculate the Hatch Act. If he thought the provisions of the conference report did so, he would not favor it. I

think it does exactly what it is designed to do. It merely imposes, in the case of very minor violations, discretionary authority within the Commission to impose less than complete removal.

I now yield the floor.

Mr. ROBERTSON. Mr. President, before the Senator yields the floor, will he yield to me for a question?

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Virginia?

Mr. STENNIS. I think the time has about expired.

Mr. CAIN. Mr. President, may I ask one more question?

Mr. TAFT. Mr. President, I will yield further time to the Senator. I yield 2 minutes to the Senator from Virginia.

The PRESIDING OFFICER. The Senator from Virginia is recognized for 2 minutes.

Mr. STENNIS. I take it that is for the purpose of propounding a question.

Mr. ROBERTSON. Mr. President, I thank my distinguished friend from Ohio for permitting me to have 2 minutes in which to make comment on the point he has raised. For the purpose of emphasis, Mr. President, I should like to read a paragraph of a letter which the Senator from Mississippi has read, which gives the interpretation of the Civil Service Commission on the modified section 12, which it has been enforcing for 10 years, and which the Senator from Mississippi says is substantially the same as it has been during all that time. The Civil Service Commission says, in the fifth paragraph of the letter of June 19, 1950, to the Senator from Arizona [Mr. HAYDEN]:

It should be pointed out that the Commission has been operating under section 12 of the Hatch Act for approximately 10 years. This is the section prohibiting political activity on the part of certain State officers and employees. In this type of case the Commission is called upon to make two decisions: (1) Did the employee violate the law, and (2) if he did, does the violation warrant removal? During this entire 10-year period there has been only one split decision, and in that case the majority favored removal.

The Senator from Mississippi has tried to make it crystal clear that no one can escape proper punishment, because the first question, which is determined by a majority vote is, Did he violate the law? When that has been determined, then the remainder of the issue to be determined is, What should the punishment be? Unless the Commission is unanimous that the punishment shall not be dismissal, then dismissal is compulsory. But if the Commission is unanimous that the offense is so minor that it does not justify a harsh penalty, it can fix a lesser penalty.

It seems to me that in justice and fairness in administering laws which carry a criminal penalty, we certainly would not want to apply to a misdemeanor the penalty for a felony. We do not do it as to any other criminal law. I certainly hope that will be the attitude of the Senate when we vote today on the conference report.

The senior Senator from Virginia [Mr. BYRD] will speak briefly, primarily on the issue which has risen in Virginia and

Maryland, where both Democrats and Republicans are hamstrung by a ruling of the Civil Service Commission which we think is most unfair and most unjust, the effect of which is that if we organize and have mass meetings, conventions, and all the political activities of a political party, we are not engaged in politics if we call ourselves nonpartisan, but if we call ourselves Republicans or Democrats we get the axe on the neck. I certainly feel justification for that type of discrimination in purely local elections. Those are the elections to which the ruling applies.

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

Mr. ROBERTSON. I yield.

Mr. CAIN. Can the Senator state the number of persons who have been removed since the Hatch Act was passed approximately 10 years ago?

Mr. ROBERTSON. I should prefer to leave that to a member of the committee who is more familiar with the past history of it than I am.

Mr. CAIN. I wonder if the Senator from Mississippi could provide us with that information, the question being as to the total number of persons removed within the past 10 years?

Mr. STENNIS. I do not have accurate information about it. My best information is that it averaged approximately 10 each year since 1940.

Mr. CAIN. I thank the Senator.

Mr. STENNIS. Mr. President, I yield 4 minutes to the senior Senator from Virginia [Mr. BYRD].

Mr. BYRD. Mr. President, I desire to address the Senate on section 2 of the conference report.

When the Hatch Act was first enacted an amendment was adopted authorizing the Civil Service Commission to permit civil-service employees of the Federal Government to participate in local elections in areas where there was a predominating number of civil-service employees such as in Arlington and Fairfax Counties in Virginia and Montgomery and Prince Georges Counties in Maryland.

Under this permissive legislation, subject to the approval of the Civil Service Commission, authority was requested to allow Government employees in nearby counties to be candidates for office on the local level and to be members of the two regular political parties. This was denied. The result is that other Government employees are permitted to engage in all forms of political activity under the nonpartisan label or as independents. They are candidates for local offices, engage in all forms of political activity, hold mass meetings, publish and circulate literature against the candidates of the regular parties, and yet are not considered to be in violation of the Hatch Act by the Civil Service Commission. All of this, while other Government employees who desire to remain as members of either the regular parties—the Republican or Democratic Parties—are permitted only to vote, and to take part in any other activity would be considered by the Civil Service Commission to be a violation of the Hatch Act, and consequently they would lose their Government positions.

This is a condition which is manifestly unjust and unfair. I repeat, under the existing law and Federal officeholder in those counties may participate in local elections under regulations as approved by the Civil Service Commission, but this is limited to enabling such Federal employees to participate, provided they do so in a nonpartisan manner. The result is that a Democratic employee desiring to participate or to be a candidate must act as an independent, and the same applies to a Republican. The amendment proposed does not prohibit a Federal employee from acting as a nonpartisan or as an independent, but merely gives the same privilege to those officeholders who desire to participate on the local level in elections as Democrats or as Republicans.

The amendment originally proposed was approved by former Senator Hatch.

A situation which permits officeholders only to be candidates on an independent ticket is destructive of the method by which we conduct our Government, which is carried on through regular political parties.

I might say to the Members on the other side of the Chamber that in Arlington County, Va., there was a predominating Republican vote in the last Presidential election; in fact, the county went Republican. Both the Democratic organization and the Republican organization were in favor of permitting civil-service employees to take part in local politics. They cannot do so above the county level as Democrats or as Republicans. The ruling would force a Democrat or a Republican to become an independent in order to be a candidate for office. I can see no sense in that regulation. If it is the desire not to permit civil-service employees to take any part in politics, then that may be logical; but here is a situation in which civil-service employees can take part and be candidates only as independents, but cannot be candidates as Democrats or Republicans.

I think, in justice to the many thousands of Federal employees in adjacent counties, they should be permitted to be candidates at the local level, or to take part in elections as they would ordinarily do as Democrats or Republicans.

I hope, Mr. President, that the conference report will be adopted, since it remedies the situation to which I have referred.

Mr. STENNIS. Mr. President, I yield 2 minutes to the Senator from Kansas.

Mr. SCHOEPEL. Mr. President, as every Member of the Senate knows, when this matter first came up I spoke in the Chamber in relation to it. I was appointed a member of the conferees on the part of the Senate to meet with the conferees of the House on the question. The Senator from Mississippi, who spoke a moment ago, has outlined and set forth the attitude and the consideration which the conferees gave to the matter and the intention which the conferees sought to express by the report which they have submitted to the Senate. It may not be the clearest in the world in the way in which it is phrased, but I feel that the interpretation placed upon it by the Civil Service Commission, which has been explained by the Senator from

Mississippi, that it does give the Commission leeway on a unanimous vote to make a determination of a lesser penalty than complete dismissal.

I want to say that I concur in the report, and I hope it will be acceptable to the Senate.

The PRESIDING OFFICER. The Senator from Ohio has 21 minutes.

Mr. TAFT. Mr. President, I think the Senator from Minnesota does not desire to speak, and I have no desire to speak further on the subject. If the Senator from Mississippi needs a little more time, I shall be glad to yield him time. I yield back 10 minutes to the Senator from Mississippi.

Mr. STENNIS. Mr. President, I thank the Senator from Ohio for his attitude. I yield myself 5 minutes.

I have in my hand a communication based upon facts obtained from the Civil Service Commission illustrating some of the cases which have come before the Commission to which this amendment is designed to apply in the dispensing of justice.

I refer first to the case of a post-office clerk, 58 years of age, in Philadelphia, with more than 14 years of service. He had circulated a nomination petition in behalf of a retired post-office clerk and a life-long friend. Yet, despite this man's excellent service, he was removed, although he was within less than 2 years of retirement age. That was a case of a man 58 years of age and within 2 years of retirement age. All he had done was to circulate a nomination petition in behalf of a retired post-office clerk and a life-long friend. This man was a Democrat.

There is in the files of the Civil Service Commission another case, that of a widowed mother, with three minor children, a clerical employee in an Army hospital in New Jersey, who, because she thought she had an opportunity to improve local roads and civic activities, became a member of a Republican county committee. Finally, when she heard that there was some question of the propriety of her action, she resigned without attending any committee meetings. In the meantime, however, she had engaged in sufficient activity to insure her mandatory removal.

Two other cases concern a Virginia veteran and father of four children, and also a civilian patrolman in Montana, both of whom filed in primaries as candidates for sheriff. Since it was a county office, neither had any knowledge that this was forbidden under the Hatch Act, yet the law of removal applied to them. Lastly, there was a war-contract negotiator in Massachusetts, who was a Republican candidate for town water commissioner. This happened to be one of the few towns in that district which elected its city officers on a partisan ticket, yet this man had to be removed.

There are many other cases along similar lines which this bill is designed to cover. That is all it is designed to do. It would permit the Civil Service Commissioners in their discretion in such cases of minor infractions to impose a penalty less than removal.

I call to the attention of the Senate again that any argument with respect to the language employed in the conference report has been entirely covered and clearly decided in favor of what might be called a very strict interpretation of this proposed amendment to the law by the letter from the Commission, which is filed as part of the legislative record of the bill.

Mr. President, may I inquire if there are any other Senators who wish a little time? Does any Senator wish to speak in favor of the report?

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

Mr. STENNIS. I yield.

Mr. McMAHON. I had to leave the chamber a short time ago. I do not remember the expression which the senior Senator from Ohio [Mr. TAFT] used before I left, but I understood him to say that the adoption of this conference report would either ruin, repeal, or wipe out the Hatch Act. I assume that the Senator in the meantime has answered that allegation in full in his remarks.

Mr. STENNIS. I have tried to answer that allegation. I do not think that there is any question left about it after reading the letter from the Civil Service Commission.

Mr. McMAHON. The Civil Service Commission is given the right under this amendment to impose a punishment less than severance completely from the Government service. That is the main objective of the amendment, is it not?

Mr. STENNIS. That is correct.

Mr. McMAHON. In other words, it is an effort to make the offense and the punishment of the offense somewhat in accord with common sense. I take it that the Senator would agree with that statement.

Mr. STENNIS. I do agree with it.

Mr. President, I yield the floor.

Mr. TAFT. I shall take not more than 2 minutes, and shall again refer to the fact that the question is not whether the present penalty provided in this section of the Hatch Act is or is not too severe. Perhaps it is to severe. Certainly, however, there is no reason so to emasculate the section that practically no penalty is left in it at all, or no deterrent to anybody, because when the penalty is whittled down to 30 days' suspension, there is, in effect, no penalty left at all. There can be a loss of pay, but of course that can be made up to the employee by his political party. The original Senate bill was much stronger than the conference report, in my opinion. The original bill said:

Provided, That if the Civil Service Commission, after hearing shall find, by unanimous vote, that such violation was not willful, a lesser penalty may be imposed by the Commission: *Provided further*, That in no case shall the penalty be less than 60 days' suspension without pay.

Under the conference report the requirement that a willful violation still means automatic removal is eliminated. It is left entirely to the discretion of the Civil Service Commission. The language is exceedingly ambiguous. The very fact that the junior Senator from Mississippi [Mr. STENNIS] has felt it

necessary to get a letter from the Civil Service Commission to put into the Record to tell us what the Commission thinks the bill means, and to explain how they would operate under it—although, of course, another civil service might operate entirely differently—seems to me a sufficient condemnation of the ambiguous language contained in the conference report. In my opinion, the language is sufficiently ambiguous in some cases to remove the possibility of any penalty being imposed. Therefore, Mr. President, the purpose of this bill, which has been under consideration by three Congresses and which finally is apparently reaching its final stage, is clearly to bring to an end any further effectiveness of the most important provision of the Hatch Act, which provides that Federal officers shall not use their office to get other employees to line up and engage in political campaigns. It is for that reason, it seems to me, that this report should be rejected.

Mr. President, unless some other Senators wish to speak on the subject, I shall suggest the absence of a quorum.

Mr. ROBERTSON. Mr. President, will the Senator from Ohio withhold his suggestion of the absence of a quorum?

Mr. TAFT. Yes.

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

Mr. TAFT. Yes.

Mr. ROBERTSON. Does not the present law give the Civil Service Commission power to exercise discretion short of discharge in the case of a State employee to whose salary the Federal Government contributes? If that is the case—and I understand it is—under what logic can we say that we should apply one rule to one group of employees and a different rule to another group?

Mr. TAFT. If the Senator will permit me to say so, it has never seemed to me that the provision with respect to State employees who are paid in part out of Federal funds was a very wise provision. It was a later enactment of law. It was not a part of the original Hatch Act. However, I do not think it is particularly important because the danger, as I see it, in which we are interested is that the Federal Government may use the vast power of its 2,000,000 employees in political elections. The act was originally enacted to meet that danger. I do not particularly object to the provision referred to by the Senator from Virginia. I do not think it is particularly important, either. I do not believe that it has accomplished anything. As a practical matter, it has not prevented State employees from operating because it has imposed no very effective penalty.

Mr. ROBERTSON. So far as I am concerned, everyone could go out. That is the way I feel about it. However, when we covered State employees in the act, we recognized how harsh it would be to let the Civil Service Commission discharge a man from office, perhaps when he was in a period of life when he could not get any other type of employment; simply because he was guilty of a very minor infraction of the act. Moreover, as I recall, a State employee is

allowed to go into court for a determination of the final judgment on the penalty. That was done after we took a second look at the original Hatch Act. The second look was better than the first one.

Mr. TAFT. Perhaps the penalty is too severe, but why not impose a criminal penalty, as is imposed for any other violation of the election laws? Why impose a wishy-washy slap on the wrist by way of a 30-day suspension which, as I said, is almost certain to be paid by the political party involved?

REVISIONS OF TITLES I AND III OF OFFICER PERSONNEL ACT OF 1947

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 2335) to make certain revisions in titles I and III of the Officer Personnel Act of 1947, as amended, which were on page 3, line 1, strike out all after "consideration" down to and including "therefor" in line 6, page 3; on page 6, line 14, strike out "(1)" and insert "(1)"; on page 7, line 4, strike out "naval officers" and insert "Regular officers on the active or retired lists of the naval service"; on page 8, line 10, strike out "(1)" and insert "(1)"; on page 8, line 17, strike out "(1)" and insert "(1)"; on page 12, after line 2, insert:

SEC. 4. As soon as practicable after June 30, 1950, the Secretary of the Navy shall convene a board of not less than five officers of the Regular Navy of the grade of rear admiral or above to consider and recommend for continuation on the active list officers of the line of the Regular Navy not restricted by law in the performance of duty serving in the grade of captain who were serving in that grade on June 30, 1948, and who on that date had completed twenty-nine or more years of total commissioned service as defined in section 102 of the Officer Personnel Act of 1947, as amended, and whose names are not on a promotion list. Such officers recommended for continuation on the active list in the report of such board, as approved by the Secretary of the Navy, shall be so continued under the provisions of the Officer Personnel Act of 1947, as amended. Each such officer not so recommended shall be placed on the retired list on the first day of the sixth month following the month of enactment of this act with retired pay at the rate of 2½ percent of his basic pay on the active list at the time of retirement, multiplied by the number of years of service for which entitled to credit in the computation of his pay on the active list, not to exceed a total of 75 per centum of said basic pay: *Provided*, That a fractional year of 6 months or more shall be considered a full year in computing the number of years of service by which the rate of 2½ percent is multiplied: *Provided further*, That nothing in this section shall be held to reduce the retired rank or pay to which such officer would be entitled under other provisions of law.

On page 12, line 3, strike out "SEC. 4." and insert "SEC. 5."

Mr. HUNT. Mr. President, as chairman of the subcommittee which handled the bill in the Senate, I move that the Senate concur in the amendments of the House.

Mr. TAFT. Mr. President, I do not know what the bill is, and of course, no one expected any extraneous matter to be brought up during the consideration of the conference report. Will the Senator explain what the bill is?

Mr. HUNT. The bill deals with the promotion of Navy personnel. It was reported favorably by the subcommittee unanimously, and passed by the Senate unanimously, as I recall.

Mr. TAFT. Do all the Senate conferees approve of the House amendments?

Mr. HUNT. They do, and they are quite acceptable to the Navy.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Wyoming.

The motion was agreed to.

AMENDMENT OF THE HATCH ACT—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 1243) to amend the Hatch Act.

Mr. TAFT. Mr. President, 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:

Alken	Gurney	Malone
Anderson	Hayden	Martin
Benton	Hendrickson	Millikin
Brewster	Hickenlooper	Mundt
Bricker	Hill	Murray
Bridges	Hoey	Myers
Butler	Holland	Neely
Byrd	Humphrey	O'Mahoney
Cain	Hunt	Robertson
Chapman	Ives	Russell
Connally	Jenner	Saltonstall
Cordon	Johnson, Tex.	Schoeppel
Darby	Kefauver	Smith, Maine
Donnell	Kem	Smith, N. J.
Douglas	Kerr	Sparkman
Dworshak	Kilgore	Stennis
Eastland	Knowland	Taft
Ecton	Lehman	Thomas, Utah
Ellender	Lodge	Thye
Ferguson	Lucas	Tydings
Frear	McCarran	Watkins
Fulbright	McClellan	Wherry
George	McFarland	Wiley
Gillette	McKellar	Williams
Green	McMahon	Withers

The VICE PRESIDENT. A quorum is present. All time for debate has expired. The question is on agreeing to the conference report.

Mr. WHERRY. I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk called the roll.

Mr. MYERS. I announce that the Senator from California [Mr. DOWNEY] is absent because of illness.

The Senator from North Carolina [Mr. GRAHAM] and the Senator from Rhode Island [Mr. LEAHY] are absent on public business.

The Senator from South Carolina [Mr. JOHNSTON], the Senator from Louisiana [Mr. LONG], the Senator from Florida [Mr. PEPPER], the Senator from Idaho [Mr. TAYLOR], and the Senator from Oklahoma [Mr. THOMAS] are absent by leave of the Senate.

The Senator from New Mexico [Mr. CHAVEZ], the Senator from Colorado [Mr. JOHNSON], the Senator from Washington [Mr. MAGNUSON] and the Senator from South Carolina [Mr. MAYBANK] are absent on official business.

The Senator from Maryland [Mr. O'CONNOR] is absent by leave of the Senate on official business, attending the

sessions of the International Labor Organization at Geneva, Switzerland, as a delegate representing the United States.

I announce further that if present and voting, the Senator from Colorado [Mr. JOHNSON], the Senator from Washington [Mr. MAGNUSON], the Senator from South Carolina [Mr. MAYBANK], and the Senator from Maryland [Mr. O'CONNOR] would vote "yea."

Mr. SALTONSTALL. I announce that the Senator from Vermont [Mr. FLANDERS], the senior Senator from North Dakota [Mr. LANGER], the Senator from Oregon [Mr. MORSE], the Senator from New Hampshire [Mr. TOBEY], the Senator from Michigan [Mr. VANDENBERG] and the junior Senator from North Dakota [Mr. YOUNG] are absent by leave of the Senate.

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

The Senator from Wisconsin [Mr. McCARTHY] is detained on official business. The result was announced—yeas 42, nays 32, as follows:

YEAS—42

Anderson	Hill	McFarland
Benton	Hoey	McMahon
Byrd	Holland	Murray
Chapman	Humphrey	Myers
Connally	Hunt	Neely
Douglas	Johnson, Tex.	O'Mahoney
Eastland	Kefauver	Robertson
Ellender	Kerr	Russell
Frear	Kilgore	Schoepfel
Fulbright	Knowland	Sparkman
George	Lehman	Stennis
Gillette	Lucas	Thomas, Utah
Green	McCarran	Tydings
Hayden	McClellan	Withers

NAYS—32

Alken	Ferguson	Mundt
Brewster	Gurney	Saltonstall
Bricker	Hendrickson	Smith, Maine
Bridges	Hickenlooper	Smith, N. J.
Butler	Ives	Taft
Cain	Jenner	Thye
Cordon	Kem	Watkins
Darby	Lodge	Wherry
Donnell	Malone	Wiley
Dworshak	Martin	Williams
Ecton	Millikin	

NOT VOTING—22

Capehart	Leahy	Pepper
Chavez	Long	Taylor
Downey	McCarthy	Thomas, Okla.
Flanders	McKellar	Tobey
Graham	Magnuson	Vandenberg
Johnson, Colo.	Maybank	Young
Johnson, S. C.	Morse	
Langer	O'Connor	

So the report was agreed to.

FOREST LUMBER CO.—VETO MESSAGE
(S. DOC. NO. 189)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying bill, referred to the Committee on the Judiciary and ordered to be printed:

To the Senate of the United States:

I return herewith, without my approval, the enrolled bill (S. 764) to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the Forest Lumber Co.

This claim arises out of a contract between the Superintendent of the Klamath Indian Agency, for and on behalf of the Klamath Indians, and the Forest Lumber Co. of Kansas City, Mo., approved by the Assistant Secretary of the Interior on July 25, 1922. The contract covered the sale of an estimated stand

of 450,000,000 board feet of timber, principally western yellow pine, at an initial basic price of \$5.08 per thousand feet board measure. The agreement provided for an increase of the stumpage price by 3-year periods based on the rise of the lumber market. The price of the timber was raised to \$5.48 on April 1, 1923, which was an increase of 40 cents per thousand feet, board measure.

The Forest Lumber Co. protested this increase, claiming that it was unauthorized under the terms of the contract, but the Department of the Interior concluded that the increase was fully justified in the light of conditions then existing, and that the contract provided sufficient authority for the action which had been taken. The Forest Lumber Co. paid the increase which amounted to a total of \$44,772.62, and subsequently filed claim No. 1-391 against the United States in the United States Court of Claims. The Court of Claims held that the Forest Lumber Co. was entitled to recover and awarded judgment in the above amount (86 Ct. Cl. 188 et seq.).

This decision was reversed by the United States Supreme Court on the ground that the case was not within the jurisdiction conferred upon the Court of Claims by section 145 (1) of the Judicial Code—now incorporated in section 1491 of title 28 of the United States Code. That section provided that the Court of Claims should have jurisdiction over claims "founded upon any contract, express or implied, with the Government of the United States." The Supreme Court held that the contract in question was not a contract of the United States within the meaning of this language—Three Hundred and Fifth United States Reports, page 415.

Subsequently the Department of the Interior carefully reviewed the merits and equities of the case, including factors which apparently had not been brought to the attention of the Court of Claims. Upon the basis of this review, the Department came to the conclusion that while technical irregularities may have been committed in the administration of the contract involved, these irregularities were encouraged by and were beneficial to the claimant. It also concluded that the total effect of the manner in which the contract had been administered was not shown by the record to have caused any pecuniary damage to the claimant.

The enrolled bill would permit the Forest Lumber Co. to bring a new suit in the Court of Claims upon the same contract against either the United States in a fiduciary capacity or the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians—commonly known as the Klamath Tribe. It provides, however, that any judgment which may be awarded shall not exceed the amount awarded by the Court of Claims in the original suit. The bill states that "such judgment may be awarded against the United States in a fiduciary capacity or as guardian, or against the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians, or in part against the United States in a fiduciary capacity, or as guardian and in part against such tribe, as the facts and law require, ex-

cept that as to timber cut from allotted lands any judgment may be against the United States as guardian of the allottees." The bill provides further that "upon the rendition of final judgments the court shall certify the same to the Secretary of the Interior, who shall thereupon direct the payment of said judgments out of any funds in the Treasury of the United States to the credit of said Klamath and Modoc Tribes and Yahooskin Band of Snake Indians."

While I am not opposed to a further judicial review of the merits of the claim involved, I am constrained to withhold approval from S. 764 for the following reasons:

First. The Klamath Tribe would be required to make full reimbursement of any judgment that might be awarded by the Court of Claims, despite the fact that only a portion of the money the claimant is seeking to recover was deposited to the credit of the tribe. This inequitable feature of S. 764 is magnified by the fact that an identical requirement is contained in other enrolled bills, S. 765 and S. 766, dealing with similar situations arising under contracts for the sale of timber on the Klamath Reservation entered into with the Algoma Lumber Co. and the Lamm Lumber Co. The total amount collected with respect to all three contracts under the alleged illegal increases in stumpage prices was \$31,993.57. This amount was distributed as follows:

To the United States as reimbursement for administrative expenses.....	\$6,559.49
To various individual Indians for timber cut from trust allotments.....	4,101.72
To the Klamath Tribe for timber cut from tribal lands.....	71,332.36
Total collected.....	81,993.57

While the bill provides for separate judgments on account of timber cut from tribal lands and timber cut from allotted lands belonging to individual Indians, it also contains the quite inconsistent stipulation that all judgments shall be paid from the funds of the Klamath Tribe. Nor does the bill take account of the fact that the United States charged the Indians a fee of 8 percent on all amounts collected under each contract as reimbursement for the expenses of their administration. Since only a part of the asserted overcharges was actually received by the Klamath Tribe, it would be improper to require the Tribe to bear the full burden of reimbursing the claimant for any award made on account of these transactions.

Second. The enrolled bill fails to provide adequately for consideration by the Court of Claims of equities in favor of the United States or the Klamath Tribe which might estop the claimant from contesting the validity of actions taken in reliance on its own course of conduct, or which might give rise to counterclaims on the part of the United States or the tribe that could be set off against the amount of the claim. This omission is of considerable pertinency in view of the fact that the terms of the contract and the course of dealing between the parties may have

imposed a duty upon the claimant to pay sums in addition to those actually collected by the officers of the Government and in connection with items not covered by the asserted overcharges. Under section 2508 of title 28 of the United States Code, the Government may, in general, assert counterclaims when a suit is brought against it in the Court of Claims. However, the contention might be made that section 2508 would not be applicable in a case such as the present where the counterclaim would be based upon a failure to make collection due to a mistake of law, and where the real defendant would be an Indian tribe. If the claimant is to be given a day in court, the court should be able to consider all the circumstances of the case. Its ability to do this would, under the terms of the enrolled bill, be open to question.

I would give my approval to a bill that corrects these errors.

HARRY S. TRUMAN.

THE WHITE HOUSE, June 21, 1950.

ALGOMA LUMBER CO.—VETO MESSAGE
(S. DOC. NO. 190)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying bill, referred to the Committee on the Judiciary and ordered to be printed:

To the Senate of the United States:

I return herewith without my approval, the enrolled bill (S. 765) to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the Algoma Lumber Co. and its successors in interest, George R. Birkelund and Charles E. Siddall, of Chicago, Ill., and Kenyon T. Fay, of Los Angeles, Calif., trustees of the Algoma Lumber liquidation trust.

The provisions of this enrolled bill are the same, except with respect to the identity of the claimant, as those of S. 764, a measure which I am also returning without my approval. The circumstances upon which the claim is predicated are also the same, in all essential particulars, as those presented in connection with S. 764, although there is some variation, of course, in the amounts and other details of the transactions involved.

The instant bill, like S. 764, is subject to two basic objections: it would require the Klamath Tribe of Indians to make full reimbursement of any judgment awarded by the Court of Claims, despite the fact that only a portion of the money the claimant is seeking to recover was deposited to the credit of the Tribe; and it fails to provide adequately for consideration by the Court of Claims of equities in favor of the United States or the Klamath Tribe which might estop the claimant from contesting the validity of actions taken in reliance on its own course of conduct, or which might give rise to counter claims on the part of the United States or the tribe that could be set off against the amount of the claim. Both of these objections, together with the pertinent facts, are explained fully in my message with respect to S. 764.

For these reasons, I am constrained to withhold approval from S. 765. However,

as I stated with respect to S. 764, I would approve a bill which removed these objections.

HARRY S. TRUMAN.

THE WHITE HOUSE, June 21, 1950.

LAMM LUMBER CO.—VETO MESSAGE
(S. DOC. NO. 191)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying bill, referred to the Committee on the Judiciary and ordered to be printed:

To the Senate of the United States:

I return herewith, without my approval, the enrolled bill (S. 766) to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the Lamm Lumber Co.

The provisions of this enrolled bill are the same, except with respect to the identity of the claimant, as those of S. 764, a measure which I am also returning without my approval. The circumstances upon which the claim is predicated are also the same, in all essential particulars, as those presented in connection with S. 764, although there is some variation, of course, in the amounts and other details of the transactions involved.

The instant bill, like S. 764, is subject to two basic objections: It would require the Klamath Tribe of Indians to make full reimbursement of any judgment awarded by the Court of Claims, despite the fact that only a portion of the money the claimant is seeking to recover was deposited to the credit of the tribe; and it fails to provide adequately for consideration by the Court of Claims of equities in favor of the United States or the Klamath Tribe which might estop the claimant from contesting the validity of actions taken in reliance on its own course of conduct, or which might give rise to counter claims on the part of the United States or the tribe that could be set off against the amount of the claim. Both of these objections, together with the pertinent facts, are explained fully in my message with respect to S. 764.

For these reasons, I am constrained to withhold approval from S. 766.

However, as I stated with respect to S. 764, I would approve a bill which removed these objections.

HARRY S. TRUMAN.

THE WHITE HOUSE, June 21, 1950.

DAVIS GROCERY CO.—VETO MESSAGE
(S. DOC. NO. 192)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying bill, referred to the Committee on the Judiciary, and ordered to be printed:

To the Senate:

I am returning herewith, without my approval, S. 2339 for the relief of the Davis Grocery Co., of Oneida, Tenn.

The bill would authorize and direct the Secretary of the Treasury to pay to the Davis Grocery Co., of Oneida, Tenn., the sum of \$5,184.26, allegedly representing the amount of a meat subsidy due it as a

class 2 meat slaughterer for the period 1943 through 1946.

In connection with its responsibilities for administration of the meat-subsidy program as part of the over-all price-control structure established during the recent war, the Reconstruction Finance Corporation promulgated certain administrative regulations, one of which directed that subsidy claims be filed within 1 month of the close of the monthly accounting period covered by the claim. Although apparently entitled to subsidy benefits, the claimant not only failed to file claims in accordance with this regulation but did not file any claim until after the date on which the entire meat-subsidy program was terminated, despite the fact that before such date it was specifically supplied by Federal authorities with certain information relating to the payment of subsidies, including the time limitations within which claims had to be filed.

The present bill is objectionable on two grounds: First, the award which this measure proposes to pay the claimant appears to be excessive. The sum was apparently computed by the claimant at the rate of 4 cents per pound subsidy on a stated total number of pounds of dressed meat purchased. Significantly, however, the maximum rate of subsidy, which prevailed only during the final year of the program, payable to slaughterers ranged from less than 1 cent per pound on sheep to 3 cents per pound on top-grade cattle calculated on the weight of live animals actually slaughtered. The record discloses not only that the claimant slaughtered other animals beside cattle but also that the nature of its operations was such as to make it highly improbable that it would ever be eligible for payment at the maximum rate. Thus, it seems clear that the proposed award has been computed at an excessive rate on an improper basis and, entirely apart from any other considerations, is in excess of the amount to which the claimant would have been entitled if it had filed timely claims as required by the aforementioned regulation.

Second, there appears to be no sound reason for singling this claimant out for special treatment. The time-of-filing requirement of the RFC regulation was essential to effective and equitable administration of the meat subsidy program. It would have been impossible to have administered this exceedingly complex and extensive program involving scores of thousands of claims without time limitations on the filing of such claims. In addition, it was necessary that there be contemporary scrutiny of subsidy claims by both the OPA and the RFC in order to assure proper administration of the subsidy program as an integrated part of the price stabilization structure. The approval of claims such as the instant one, except under exceptional circumstances not evident here, filed after the termination of the program under which they were authorized and long after the occurrence of facts upon which they are based, would give an unfair advantage to this claimant over other claimants, large and small, who filed their claims during the active period

of price control and of subsidy investigations and enforcement.

For the foregoing reasons, I am compelled to withhold my approval from this measure.

HARRY S. TRUMAN.

THE WHITE HOUSE, June 21, 1950.

REPORT OF PANAMA RAILROAD COMPANY—MESSAGE FROM THE PRESIDENT

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying report, referred to the Committee on Interstate and Foreign Commerce:

To the Congress of the United States:

I transmit herewith, for the information of the Congress, the One Hundredth Annual Report of the Board of Directors of the Panama Railroad Company for the fiscal year ended June 30, 1949.

HARRY S. TRUMAN.

THE WHITE HOUSE, June 21, 1950.

SUPPLEMENTAL ESTIMATE, DISPLACED PERSONS COMMISSION

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting a supplemental estimate of appropriation, amounting to \$8,800,000, for the Displaced Persons Commission, fiscal year 1951, in the form of an amendment to the budget, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

REORGANIZATION PLAN NO. 27—RESOLUTION OF WISCONSIN STATE DENTAL SOCIETY

Mr. WILEY. Mr. President, I was glad to receive this morning from Dr. M. E. Johnson, chairman of the legislative committee of the Wisconsin State Dental Society, an important communication presenting the views of his distinguished organization in opposition to Reorganization Plan No. 27. I personally opposed the previous scheme which would have prepared the way for socialized medicine, a scheme which has now been dressed up with a few minor variations as plan No. 27.

It is obvious that none of us like to oppose a reorganization plan as such but we are determined to expose the real reasons behind this phony plan. We want genuine Government reorganization which will achieve economy and which will not result in any damaging of the American system of private enterprise or the American system of private medicine which has contributed to our magnificent health standards.

I ask unanimous consent that Dr. Johnson's letter be printed in the body of the RECORD at this point, and appropriately referred.

There being no objection, the resolution was referred to the Committee on Expenditures in the Executive Depart-

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

WISCONSIN STATE DENTAL SOCIETY,
Milwaukee, Wis., June 16, 1950.
The Honorable ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR WILEY: The dental profession in the State of Wisconsin is sincerely concerned about the proposed Reorganization Plan No. 27.

The plan, as you know, sets up a Cabinet department to deal with health affairs, which would be headed by a layman. It has always been our firm belief that a Cabinet department dealing with matters of health and only matters of health should be established and that this department should rightfully be administered by members of the health professions. Further, Reorganization Plan No. 27 would elevate to Cabinet status an agency of the Federal Government around which is built the compulsory health-insurance plan, thus enhancing the prestige of an agency sponsoring a program which is to the detriment of the public interest.

We are most grateful for the consideration that you have given to our views in the past, and do trust that you will do everything in your power to see that Reorganization Plan 27 is defeated.

Sincerely yours,

M. E. JOHNSON,
Chairman, Legislative Committee.

RESURVEY OF WOLF RIVER, WIS.—
RESOLUTIONS

Mr. WILEY. Mr. President, the sportsmen of Wisconsin are tremendously disturbed by the continued attempts of certain Government agencies to construct unnecessary dams all over creation to destroy magnificent natural fish and game habitats. A particular sore spot with the sportsmen of my State relates to the proposed resurvey by the Corps of Engineers of the Wolf River.

Wisconsin is, in my judgment, one of the most conservation- and sports-minded States in the Union, if not the most intensely interested. Last year over 434,000 game-hunting permits were sold to Wisconsin sportsmen, the highest total on record. Moreover, there are about twice as many licensed local fishermen in Wisconsin as there are even hunters. The magnificent sports facilities of my State have contributed to these impressive statistics.

Now, Mr. President, I have in my hand a letter received today from the acting director of the Wisconsin Conservation Department, H. T. J. Cramer. The letter conveyed two splendid resolutions from the Wisconsin Conservation Commission and the Wisconsin Conservation Congress opposing the ruining of sporting facilities on the Wolf River by any unnecessary engineering construction. The director of the Wisconsin Conservation Department is Ernest Swift. G. E. Sprecher is another assistant director. These men, as well as Edward Schneberger, W. F. Grimmer, C. L. Harrington, F. G. Wilson, Neal Lemay, and George S. Hadland, have devoted lifetimes to State conservation problems. I know that their viewpoint as well as the views of the conservation commission itself and the conservation congress will be of interest to my colleagues, so I ask unanimous consent that there be printed at

this point in the RECORD the text of the two resolutions which I received, and that they be appropriately referred.

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

RESOLUTION PASSED BY WISCONSIN CONSERVATION COMMISSION JUNE 9, 1950

Whereas under date of November 5, 1931, the United States Engineer Office at Milwaukee, Wis., submitted to the Chief of Engineers a report on a survey of the Wolf River, this survey having been conducted for the purpose of establishing the need for improvements on this stream in the interest of navigation, flood control and power production, and of determining the advisability and feasibility of creating several reservoirs on the upper reaches of the river; and

Whereas the Chief of Engineers and the Board of Engineers for Rivers and Harbors then decided that the suggested improvements were clearly not practicable and not justified; and

Whereas the Wisconsin Conservation Commission is of the opinion that the facts prejudicial to the contemplated river improvements as established by the previous survey have not been eliminated or undergone any significant changes; and

Whereas technical experts of the United States Fish and Wildlife Service and the Wisconsin Conservation Department have expressed the opinion that the construction of reservoirs on the Upper Wolf River would destroy a considerable area of Wisconsin's trout waters, both in the main stream and the major tributaries, that extensive game habitat in one of the most important hunting and trapping sections of Wisconsin and rare scenic and esthetic values would be eliminated: Be it therefore

Resolved, That the Wisconsin Conservation Commission go on record as being opposed (a) to the proposed survey of the Wolf River as an unnecessary duplication of effort; and (b) to the contemplated improvements, especially the construction of reservoirs on the Upper Wolf River as being of only minor value in flood control and as excessively damaging or destructive to fish and wildlife, and scenic and esthetic values.

RESOLUTION PASSED BY WISCONSIN CONSERVATION CONGRESS JUNE 6, 1950

Whereas the past half century has seen a rapid growth in the utilization of our water-power resources to a point where there is very little remaining wilderness of white water left in the State that is available as a recreational or scenic beauty attraction; and

Whereas by reason of the fact that so little of this type of water remains unspoiled in the State, makes the remaining water of far greater value than it was in former days; and

Whereas current plans by power developments and by the Federal Government to place dams on the Wolf and Namekagon Rivers again have centered attention on the problems of production of power versus scenic beauty and recreational facilities: Now, therefore, be it

Resolved, That the conservation congress in convention assembled, does hereby recommend that in the future greater emphasis be placed by the legislature, Federal agencies, and public service commission and the conservation commission on the value of natural scenic beauty and recreational values in determining policy concerning the granting of water-power development where such development would tend to impair the few remaining fast-moving waters in the State.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. FREAR, from the Committee on the District of Columbia:

H. R. 4788. A bill to provide for a mutual-aid plan for fire protection by and for the District of Columbia and certain adjacent communities in Maryland and Virginia, and for other purposes; with amendments (Rept. No. 1850).

By Mr. NEELY, from the Committee on the District of Columbia:

S. 3776. A bill to amend and extend the provisions of the District of Columbia Emergency Rent Act, as amended; without amendment (Rept. No. 1854).

By Mr. MCKELLAR, from the Committee on Appropriations:

H. R. 8567. A bill making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1950, and for other purposes; with amendments (Rept. No. 1851).

By Mr. ANDERSON, from the Committee on Interior and Insular Affairs:

S. 3584. A bill to amend the act of June 9, 1906 (34 Stat. 227), entitled "An act granting land to the city of Albuquerque for public purposes"; without amendment (Rept. No. 1852).

By Mr. McCARRAN, from the Committee on the Judiciary:

H. R. 6994. A bill for the relief of Karen R. McAndrews; without amendment (Rept. No. 1855).

AMENDMENT OF MUTUAL DEFENSE ASSISTANCE ACT OF 1949—REPORT OF A COMMITTEE

Mr. CONNALLY. Mr. President, from the Committees on Foreign Relations and Armed Services, jointly, I report favorably, without amendment, an original bill (S. 3809) to amend the Mutual Defense Assistance Act of 1949, and I submit a report (No. 1853) thereon.

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

The bill (S. 3809) was read twice by its title and placed on the calendar.

BILLS INTRODUCED

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

By Mr. KERR (for Mr. THOMAS of Oklahoma):

S. 3804. A bill for the relief of Chimako Watanabe; to the Committee on the Judiciary.

By Mr. JOHNSON of Colorado:

S. 3805. A bill to exempt veterans of World War II from section 404 (b) and (c) of the Nationality Act of 1940, relating to loss of nationality by residence abroad; to the Committee on the Judiciary.

By Mr. TYDINGS (by request):

S. 3806. A bill to authorize the detail of officers of the Armed Forces to any duty or position with the Department of Commerce in connection with the work of promoting civil aviation; and

S. 3807. A bill to authorize the President to appoint Col. Henry A. Byroade as Director of the Bureau of German Affairs, Department of State, without affecting his military status and perquisites; to the Committee on Armed Services.

By Mr. CORDON:

S. 3808. A bill authorizing the Secretary of the Interior to convey to the city of Klamath Falls, Oreg., all right, title, and interest of the United States of America in certain lands

in Klamath County, Oreg., and for other purposes; to the Committee on Interior and Insular Affairs.

(Mr. CONNALLY, from the Committee on Foreign Relations and Armed Services jointly, reported an original bill (S. 3809) to amend the Mutual Defense Assistance Act of 1949, which was ordered to be placed on the calendar, and appears under a separate heading.)

By Mr. WILEY:

S. 3810. A bill for the relief of Mark G. Rushmann; to the Committee on the Judiciary.

EXTENSION OF RENT CONTROL FOR THE DISTRICT—AMENDMENT

Mr. CAIN submitted an amendment intended to be proposed by him to the bill (S. 3776) to amend and extend the provisions of the District of Columbia Emergency Rent Act, as amended, which was ordered to lie on the table and to be printed.

AMENDMENT OF MUTUAL DEFENSE ASSISTANCE ACT OF 1949—AMENDMENT

Mr. LODGE submitted an amendment intended to be proposed by him to the bill (S. 3809) to amend the Mutual Defense Assistance Act of 1949, which was ordered to lie on the table and to be printed.

HOUSE BILLS REFERRED

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

H. R. 3406. An act for the relief of Ellen Fullard-Leo;

H. R. 4836. An act for the relief of Xylda L. Driver;

H. R. 5110. An act for the relief of Janos (John) Treber and Mrs. Katalin (Katherine) Treber;

H. R. 5782. An act for the relief of Mrs. Vera Raupe;

H. R. 6287. An act for the relief of Dr. George Alexandros Chronakis;

H. R. 6363. An act conferring jurisdiction on the United States District Court for the Middle District of North Carolina to hear, determine, and render judgment upon certain claims of the Patuxent Development Co., Inc.;

H. R. 6709. An act for the relief of Ed Howard Russell;

H. R. 6850. An act for the relief of Lt. Col. F. A. Ferguson;

H. R. 7071. An act for the relief of Mrs. Masa Iyoki;

H. R. 7079. An act for the relief of Mrs. Gin Shibusaki Okafuji;

H. R. 7204. An act for the relief of Maria Cristina D'Angelo;

H. R. 7228. An act for the relief of Kazuko Kamada;

H. R. 7414. An act for the relief of Teresa Gentile and Galliano Gentile;

H. R. 7783. An act for the relief of Mrs. Donald Rafter;

H. R. 7815. An act for the relief of John Yee Horn;

H. R. 7820. An act for the relief of Keiko Uchida Doane and her minor child;

H. R. 7970. An act for the relief of Mrs. Regina Anderson and her minor child;

H. R. 8183. An act for the relief of Asako Tsuchida;

H. R. 8289. An act for the relief of Yee Balche Yee;

H. R. 8361. An act for the relief of Toshiko Mural;

H. R. 8381. An act for the relief of Mrs. Joseph C. Grant;

H. R. 8440. An act for the relief of Noae Kawashima;

H. R. 8451. An act for the relief of Yoshie Nozawa;

H. R. 8500. An act for the relief of Hatsuko Torikai;

H. R. 8581. An act for the relief of Yasuko Higuchi Thomson;

H. R. 8583. An act for the relief of Hisako Shimizu;

H. R. 8655. An act for the relief of Toshiko Kikyo and Francis Kikyo;

H. R. 8600. An act for the relief of Yuriko Aoyama; and

H. R. 8722. An act for the relief of Jun Hin Lum; to the Committee on the Judiciary.

H. R. 4065. An act to provide for the relinquishment of mineral reservations in the land patent of Thomas Stephens;

H. R. 6221. An act to authorize the sale of certain public lands in Alaska to the This-Side-of-Heaven Children's Home for use as a children's home;

H. R. 6964. An act authorizing the Secretary of the Interior to issue a patent in fee to Josephine Stevens Goering;

H. R. 7753. An act to authorize the Secretary of the Interior to sell certain land on the Chena River to the Tanana Valley Sportsmen's Association, of Fairbanks, Alaska; and

H. R. 7916. An act to authorize and direct the Secretary of the Interior to execute an oil and gas lease on a certain tract of land in Park County, Wyo.; to the Committee on Interior and Insular Affairs.

H. R. 7873. An act to authorize construction of buildings for the Bureau of Old-Age and Survivors Insurance, and for other purposes; to the Committee on Public Works.

MEMORIAL ADDRESS BY THE REVEREND ARTHUR J. RILEY, HISTORIAN OF THE KNIGHTS OF COLUMBUS

[Mr. McMAHON asked and obtained leave to have printed in the RECORD an address entitled "Worthy Tribute to Blessed Memories," delivered by the Reverend Arthur J. Riley, historian of the Knights of Columbus, at Memorial Day observances held in New Haven, Conn., which appears in the Appendix.]

ATLANTIC CHAIN REACTION—ARTICLE BY SERVAN SCHREIBER

[Mr. KEFAUVER asked and obtained leave to have printed in the RECORD an article entitled "Atlantic Chain Reaction," written by Servan Schreiber, and published in the New York Herald Tribune of June 11, 1950, which appears in the Appendix.]

APPLE GROWERS SHUN GOVERNMENT SUPPORT

[Mr. BYRD asked and obtained leave to have printed in the RECORD an article regarding the attitude of apple growers toward Government support, which appears in the Appendix.]

COMMUNISM AND SOCIALISM—ADDRESS BY E. C. COLEMAN

[Mr. BYRD asked and obtained leave to have printed in the RECORD an address on socialism and communism delivered by E. C. Coleman, Grand Master of the Grand Lodge of Masons of Tennessee, in Memphis, Tenn., on May 10, 1950, as reported in the Nashville Banner, which appears in the Appendix.]

AMERICAN POLICY IN GERMANY—ADDRESS BY SENATOR HENDRICKSON

[Mr. GILLETTE asked and obtained leave to have printed in the RECORD an address on Senate Resolution 260, delivered by Senator HENDRICKSON at the annual convention banquet of the Department of New Jersey, Jewish War Veterans of the United States, at Asbury Park, June 17, 1950, which appears in the Appendix.]

CENSORSHIP OF NEWS—ARTICLE FROM THE NEW YORK TIMES

[Mr. BENTON asked and obtained leave to have printed in the RECORD an article on Censorship of News, published in the New York Times of June 18, 1950, which appears in the Appendix.]

THE PRESIDENT'S CIVIL RIGHTS PLAN—ARTICLE FROM GREENSBORO DAILY NEWS

[Mr. HOEY asked and obtained leave to have printed in the RECORD an article entitled, "Successful Fayetteville Negro Leader Opposes President's Civil Rights Plan," written by Jack Crosswell, and published in the Greensboro (N. C.) Daily News, June 18, 1950, which appears in the Appendix.]

SHOWDOWN IN THE PACIFIC—ARTICLE FROM BARRON'S NATIONAL BUSINESS AND FINANCIAL WEEKLY

[Mr. KNOWLAND asked and obtained leave to have printed in the RECORD an article entitled, "Showdown in the Pacific," published in Barron's National Business and Financial Weekly of June 19, 1950, which appears in the Appendix.]

FULTON LEWIS, JR.—ARTICLE BY CHARLES VAN DEVANDER

[Mr. HUMPHREY asked and obtained leave to have printed in the RECORD an article relative to Fulton Lewis, Jr., written by Charles Van Devander, published in the New York Post of Wednesday, June 21, 1950, which appears in the Appendix.]

POEMS BY FLOYD CHATHAM GENTER

[Mr. IVES asked and obtained leave to have printed in the RECORD two poems, one entitled "Prayer For America," the other entitled "Lest We Regret," written by Floyd Chatham Genter, of Schenectady, N. Y., which appear in the Appendix.]

UNESCO CONFERENCE AT FLORENCE, ITALY

Mr. BENTON. Mr. President, yesterday I saw the President to report briefly to him on my recent trip to Italy. I ask unanimous consent to insert in the body of the RECORD the statement I gave the press at the White House following my interview with the President. I hope this quick summary will serve as an adequate report to the Senate as well. My observations on the UNESCO Conference, which concluded last Saturday at Florence, should be considered, of course, in conjunction with my speech to the general conference in Florence, which is to be found on page A4431 of the Appendix of the CONGRESSIONAL RECORD.

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

STATEMENT BY SENATOR BENTON

I reported to the President on the UNESCO Conference at Florence to which he appointed me, along with Mrs. SMITH of Maine, as a congressional adviser to the United States delegation. I told him that I felt I spoke for both Mrs. SMITH and me in reporting that the United States delegation had performed admirably. Under the chairmanship of Mr. Howland Sargeant, of the State Department, it had pressed aggressively for a rigorous elimination of many projects to achieve concentration on the most important. Unhappily, there are far too many that are trivial. I fear that this is inevitable when such responsibility for the program is left to a general conference of 59 nations.

I told the President that it is my feeling based on 5 years' experience with UNESCO that greater power should be put

in the hands of the Director General, who must be held strictly responsible, and that roles of the executive board and the general conference should be reexamined and revamped. Our delegation at Florence proposed that UNESCO should hold a general conference only once every 2 years hereafter, and this is an important reform which in itself necessitates a reorganization, including placing more responsibility in the hands of the Director General.

I gave the President the background of my own speech in Florence in which I called upon the delegates for a rededication to first principles. Unhappily, too many of the intellectuals and scholars at the UNESCO Conferences feel that education, science, and culture are ends in themselves rather than means for the attainment of UNESCO's objectives. In this speech I asked for the development of a UNESCO program which would eliminate the minor and diffuse projects and I suggested that every project be judged strictly by the relative potential importance of its contribution to peace.

I told the President that I urged upon UNESCO an active role in world politics, including facing up to the great and titanic struggle in which the world is now engaged—a struggle for the minds and hearts of mankind which goes straight to the center of UNESCO's reason for existence. This struggle is a moral and an educational struggle far more than it is a contest of military and economic potentials. (I left with the President the full text of my speech—to be found on p. A4431 of the Appendix of the CONGRESSIONAL RECORD.)

I further told the President that at the invitation of Mr. Paul Hoffman I had visited several of the ECA projects in Italy and Sicily. I described to him Italy's amazing recovery, which is largely, if not wholly, attributable to American assistance. The \$3,000,000,000 which we have poured into Italy since the war is a record unparalleled in all history in the relationship between a victorious power and a conquered one. The present ECA program, in my opinion, accounts for the fact that the growth of communism has been arrested in Italy. In Florence 65 percent of the vote in the last election was Communist, and in Milan, which I also visited, it was over 50 percent. The largest confederation of labor unions, with more than 3,500,000 members, is wholly controlled by the Communists, with Communist-trained in every key post.

Against this formidable infiltration, Prime Minister de Gasperi, with whom I dined while in Rome, has formed a successful government which has brought stability and economic progress. The Italian people are hard working and skillful. I spoke to the American Chamber of Commerce in Rome and told them we know the Italians well in Connecticut, where there are over 75,000 who were born in Italy, and we know them to be enterprising and self-reliant. I called the communism of Italy the communism of the empty belly and I attributed it in part to the fact that capitalism has never worked successfully. I plead with these businessmen to give the long-suffering people of Italy the chance which the United States wants to give them. In view of the tragic background—the more than 20 years of fascism, the entrenched business monopolies which charge too much and give too little, the age-long need for land reform, with something like one-third of all the land in the hands of a small number of rich families—and finally in view of the great need for tax reform so that the rich will carry a much bigger percentage of the taxes than at present—and the poor get the relief they deserve—in view of these needs, with which Premier de Gasperi and his cabinet are wrestling, the progress of Italy is remarkable and seems to me a great tribute to the success of our foreign policy in western Europe.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3181) to extend the Housing and Rent Act of 1947, as amended, and for other purposes.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 4895) to permit the prospecting, development, mining, removal, and utilization of the mineral resources within the Superior National Forest, Minnesota, and for other purposes.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6567) to increase the borrowing power of Commodity Credit Corporation.

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 amendment of the Senate to the bill (H. R. 8198) to provide for the organization of the Army and the Department of the Army, and for other purposes.

ENROLLED BILLS SIGNED

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

H. R. 1082. An act conferring jurisdiction upon the United States District Court for the Southern District of New York to hear, determine, and render judgment upon a claim of the Bunker Hill Development Corp.;

H. R. 2230. An act for the relief of Arthur S. Horner, Leah B. Horner, and Maude Brewer, doing business as the A. S. Horner Construction Co.;

H. R. 2803. An act for the relief of Albert J. Peterson;

H. R. 3254. An act for the relief of Iva Gavin;

H. R. 4371. An act for the relief of Shiro Takemura;

H. R. 4692. An act to provide for the extension of the term of certain patents of persons who served in the military or naval forces of the United States during World War II;

H. R. 5019. An act for the relief of Fella H. Holbrook;

H. R. 5682. An act for the relief of William T. Orton;

H. R. 5846. An act for the relief of Mrs. Lillian Coolidge;

H. R. 6691. An act for the relief of Paul D. Banning, Chief Disbursing Officer, Treasury Department, and for other purposes; and

H. R. 6934. An act for the relief of E. H. Corrigan.

EXTENSION OF SELECTIVE SERVICE ACT OF 1948

Mr. LUCAS. Mr. President, I move that the Senate proceed to the consideration of the House bill 6826, Calendar No. 1789.

The VICE PRESIDENT. The Secretary will state the bill by title.

The LEGISLATIVE CLERK. A bill (H. R. 6826) to provide for the common defense through the registration and classifica-

tion of certain male persons, and for other purposes.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Illinois.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 6826) to provide for the common defense through the registration and classification of certain male persons, and for other purposes, which had been reported from the Committee on Armed Services with an amendment to strike out all after the enacting clause and insert:

That subsection (b) of section 17 of the Selective Service Act of 1948 (62 Stat. 604) is hereby amended by striking out the words "second anniversary" and substituting therefor the words "fifth anniversary."

SEC. 2. The Selective Service Act of 1948 is hereby amended by inserting after section 20 the following new section:

"SEC. 21. (a) Any person who registers as required by the terms of this title, and any person who hereafter voluntarily enlists in the armed forces of the United States, shall be afforded an opportunity to state in writing over his signature whether he has a preference to serve only in a unit all of the enlisted personnel of which are of his own race. Such opportunity shall be afforded at the time of registration in the case of those registering under the requirements of this title, or upon enlistment in the case of those who hereafter enlist in the armed forces of the United States. Any such person who expresses such preference shall thereafter be assigned only to units of a type consistent with his preference. The right to express and the effect of expressing any such preference shall be clearly explained to each person who hereafter registers under this title, or enlists in the armed forces of the United States. As used in this section the term 'unit' means a group of persons serving in the armed forces who (1) share the same housing, messing, or sanitary facilities, or (2) participate jointly in recreational or social activities. For the purposes of this subsection an individual's race shall be determined in accordance with the more detailed classification as to race used by the Bureau of the Census in connection with the taking and preparation of statistics of the Sixteenth Census of the United States. Nothing in this subsection shall be deemed to preclude the assignment of any individual who belongs to a race comprising less than 1 percent of the population of the United States to units containing enlisted personnel of the most numerous race in the United States, if the Secretary of the armed force concerned has determined that it is impracticable to organize units all of the enlisted personnel of which are of such individual's race.

"(b) Any commissioned officer of the armed forces who knowingly and willfully denies to any person his right to express a preference upon enlistment as provided by subsection (a) or assigns any person after enlistment or induction to any unit in violation of the provisions of such subsection shall be guilty of conduct unbecoming an officer and a gentleman and shall be subject to trial and punishment under the appropriate article of war, article for the government of the Navy, or article of the Uniform Code of Military Justice."

The VICE PRESIDENT. The Senate has before it House bill 6826, with one amendment, which is a complete substitute for the text of the bill as passed by the House of Representatives.

Mr. LUCAS. Mr. President, I call up an amendment offered by myself, the Senator from Pennsylvania [Mr. MYERS], the Senator from New York

[Mr. LEHMAN], and other Senators; and I ask that the amendment be stated.

The VICE PRESIDENT. The amendment will be stated.

The LEGISLATIVE CLERK. On page 3, beginning with line 18, it is proposed to strike out down to and including line 16 on page 5.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Illinois, offered for himself and other Senators.

Mr. RUSSELL. Mr. President, I do not know in what order it is intended to have amendments considered. I had assumed that perhaps the chairman of a committee would decide to make a statement with respect to the over-all provisions of the bill.

Mr. TYDINGS. That is correct; that is what I intend to do, now that the bill has been made the unfinished business.

Mr. LUCAS. Mr. President, that was my only reason for offering the amendment at this time, namely, to give the Senator from Maryland an opportunity to make an over-all statement regarding the bill. The amendment will be disposed of later.

Mr. TYDINGS. Mr. President, the bill now before the Senate contains a provision which is somewhat controversial. To it, the Senator from Illinois has just submitted an amendment. My remarks will be addressed rather to the general purpose of the bill than to any specific provision of it.

The Draft Act, or the Selective Service Act, will expire, I think, on the 24th of June. If we do not take some action on or before that date in reference to the Selective Service Act, there will be no Selective Service Act on the statute books; it will be nullified, it will no longer be a part of the preparedness machinery of the country. The draft boards are now in being. They have files showing the men who have registered, and who are required under the law to register for call in the event of an emergency. If the law shall expire, these records in each precinct and community throughout America will no longer be valuable, and they are likely to be destroyed. The draft boards, who are familiar with the personnel equation in each precinct and community of America, will go out of business, and we shall be absolutely without any machinery in being, in case of an emergency, to supply men to the Army, Navy, and Air Force.

It is not proposed by the extension of the Selective Service Act to put the Act into effect. It is not in effect now. We are not drafting men or women to serve in the Armed Forces, and the extension of the act is not for the purpose of using it to draft persons into the armed services. It is simply to have it on the books, to have the boards in being, to have the registration files in being, and to have everything in readiness, so that in case it becomes necessary to increase rapidly our Army and our Navy or our Air Force, then the machinery will be there, and it can be put into operation immediately.

If this is not done, I am advised by General Hershey, who is in charge of Selective Service, General Bradley, General Collins and others who testified before the committee, that four precious

months will be lost in case of an emergency, because a new act will have to be passed, new boards will have to be created, new registrations will have to take place, new sifting will have to be made, and, in the case of an emergency 4 precious months will have been lost.

The sole purpose of extending the act is to prevent that contingency from happening. It is not the purpose in extending the act to use it to fill up the ranks of the Armed Services, because it is not expected that that will be necessary. The sole purpose is to have it ready in case of some emergency, should the Congress not be in session, or should it be in session, so that the machinery is available. I prefer to liken it to an automobile of which the engine is running, and the car is not moving, but everything is ready to go ahead. One does not put the automobile into gear and send it down the roadway unless he feels that it is necessary. The engine is turning over, the gas and oil are there, the ignition is operating, and, if it is necessary, all one has to do is to throw the car into gear and it moves off. So it is with the Selective Service Act. It is not intended that it shall be put into operation. It is not in operation now. It has not been in operation for months and years; but it is there, just as everything else is, in our preparedness program, to take care of an emergency which might arise.

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

Mr. TYDINGS. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. Is it not also true, in the words of General Bradley, that the existence of this act makes it possible for us to have a smaller number of persons in our Regular armed services today?

Mr. TYDINGS. That is true. I thank the Senator for giving me that thought, and I am going to take the liberty of enlarging upon it a little. The psychological effect of the selective-service law is this: The very fact that it is on the statute book induces a great many men to volunteer for military service who perhaps would not do so if the act were not on the books. Therefore, it has not been necessary to use the draft act, because the voluntary enlistments, impelled by the thought that it can be used in an emergency, have been sufficient to produce a sufficient volume of recruits on an enlistment basis so that we have not had to use draftees to fill up the ranks of the armed services.

Here is the great danger of not extending the Selective Service Act: If it is not extended, not only will there go out of being in all the communities throughout America the draft boards who are trained and who know the work and who know the personnel equation in every precinct and community; not only will the registration of new recruits stop, so that we shall not have any records for the future; not only will the lists now in being; the appropriately numbered and allocated, cease to exist; not only will all of those things happen, but if we do not extend selective service, and the propulsion which it now puts on those who might be called to enlist voluntarily without being drafted ceases to exist, the danger

is that in that contingency we are likely to have the numerical strength of our Army, Navy, and Air Force gradually decreased to a point where we shall have to have compulsory selective service.

I think the Senator from Massachusetts and the Senator from Washington, who are present on the floor and who serve on the Armed Services Committee with me, will recall that when the question was asked the proper authorities, if we did not extend this act, what would be likely to happen, the fear was expressed that if that act were not on the books the Congress would have to come back within a very few months to pass a compulsory Selective Service Act, under which we would really start drafting again, in order to keep the ranks of the military forces sufficiently filled during this period of international tension and emergency. So if anyone feels that by defeating the extension of the Selective Service Act there will be less need for the use of the selective service as an instrumentality for filling the Military Establishment ranks, he is wrong. If the Selective Service Act is not extended, the prediction by all the military authorities is, and the experience tables show, that there will not be sufficient voluntary enlistments, without selective service in the background, to give us the minimum number of men we require. We shall then, in this period of world tension, have to have compulsory draft in order to get the men we must have as a precaution for our own safety and defense.

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

Mr. TYDINGS. I yield.

Mr. LUCAS. The Senator has referred indirectly to the fact I am about to mention. It is my understanding that 10,000,000 registrations under the present act will become void in the event the present Selective Service Act is not continued.

Mr. TYDINGS. That is correct. Consider the magnitude of the task.

Mr. LUCAS. I should like to have the Senator elaborate upon that phase of it, because it seems to me it is one of the most important features of the entire selective-service program, so far as continuation is concerned, for, as the Senator has said, if we were compelled to pass another law in a great emergency which might arise at any moment, all the work which has been done in the past few years under the present act would be lost. We would have to do it all over again. It seems to me that is one of the most vital things in connection with the matter. It would cause confusion and would create chaos. It seems to me the crisis is almost here if we do not act promptly.

Mr. TYDINGS. I shall not go into all the details, but I should like to skeletonize slightly the effect. First of all, we would have to have a new act eventually. In the meantime, we would have no Director of Selective Service; in the meantime, 3,600 selective-service boards in the various communities of the country would cease to exist; in the meantime, 10,000,000 registrants, who have already registered and whose records are all complete, signed up, and temporarily

allocated and given a number so as to be available in case of emergency, would have gone for naught. If we do not extend the act, and we have to extend it later on, it will take four precious months to recapture the lost ground. When we re-pass it we shall have to have another Director of Selective Service. His staff will have to be established all over again. We shall have to reconstitute 3,600 selective-service boards—

Mr. LUCAS. Does not the Senator mean 36,000?

Mr. TYDINGS. There are 3,600 boards and there are 37,000 noncompensated persons who are now giving their time and their service to make the organization an efficient and functioning stand-by piece of machinery for our safety and national defense. All of that would go out of existence if the act should not be extended.

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

Mr. TYDINGS. I yield.

Mr. LUCAS. I have one more observation on the very important point which the Senator is discussing. As I understand, there are 54 State and territorial directors whose positions would also terminate.

Mr. TYDINGS. That is correct. We do not now realize what took place when the act was first passed. It has been modified and changed slightly, but basically it has gone all the way through since before the beginning of the war down to today. When we first passed it there was a period of 4 or 5 or 6 months after it was passed in which it was necessary to create the boards, to assemble the machinery, make it function, and have the young men registered. We have accepted it. Now that we have gotten away from the actual fighting part of the war we accept it as if it is something which can be done easily. It is a gigantic undertaking. It involves many thousands of employees, both paid and unpaid; it involves every community in the Nation. But over and above everything else that gives me concern is the fact that the tables of enlistment now show there is a gradual decline in the number of persons voluntarily enlisting. The Army is 27,000 under its authorized minimum strength at this time. One of the reasons we have been able to keep the Army up to a reasonable strength is that a great many young men decided that maybe it would be necessary to draft them later on, and they would just as soon go into the service and have it behind them. That propulsion, that inducement, has caused thousands of young men to enlist and render service to their country so it would be behind them, the future would be clear, and they would not be involved in any Selective Service if it were later to come.

If the draft act—I prefer to call it the Selective Service Act—is not extended, the enlistments, which are already beginning to decline, will decline more precipitately, they will fall off more violently, and the net result will be, according to the military experts and the tables of experience, that we shall have to find some means to get men into the services in order to bring the services up again to their minimum requirements.

I shall be glad to answer any questions on the subject. I have tried to cover the philosophy of the bill in a general way.

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

Mr. TYDINGS. I yield.

Mr. WATKINS. Let me first make the observation that I think I voted for the Selective Service Act in the first place, or at least for the extension of it when it was before the Eightieth Congress. I have not heard the Senator explain just how the machine will be set up with gasoline in it and all ready to go. Who will start it? Who will have authority to put it into operation again?

Mr. TYDINGS. It will be the same machine covered by the amendment for which the Senator voted in the Eightieth Congress. We are to extend an existing law without changing the existing law.

Mr. WATKINS. Does the Senator realize that many changes have been made in our position before the world since the time the Eightieth Congress voted for an extension of the act?

Mr. TYDINGS. Yes, but I cannot say that the danger has lessened. The situation in the Orient, in the eyes of many persons, has become more dangerous. There is a big threat of communism in China and a threat of it in southern Asia. I should like also to point out to the able Senator that since we extended the act, the Marshall plan has been in operation, together with the arms implementation program and the North Atlantic Security Pact, so that we have commitments which we did not have when we extended the act 3 years ago.

I appreciate the Senator's point of view, but I cannot see that we are well on the roadway to peace. I wish to heaven we were. We are in the position of a man who feels that his house is not so likely to burn down as it was 3 years ago, but he does not feel he can reduce the insurance on the house merely because of the little less probability that it will catch on fire. We have got to have a few more fire-prevention policies in effect before we can further reduce the volume of insurance we are carrying on the house which we call the United States of America.

Mr. WATKINS. I may say, if the Senator will further yield, that I am not asking these questions as indicating in any way that I am opposed to extension. I am very much interested in the situation as it will be in the hands of one man who is to put the machine in operation again and operate it.

Mr. TYDINGS. Let me say to the Senator from Utah that I am not insinuating or even taking the assumption which he himself has suggested as my own thought; I am simply talking generally. It is anticipated that Congress will adjourn some time around the first of August. It is anticipated that we shall not be back again until next January. There is a period of approximately 5 months in which Congress will not be in session. Not long ago there was a plane shot down over the Baltic, taking the lives of 11 or 12 of our gallant military personnel. There was a little tension involved, mildly, for a few days,

It would have been idle, in my judgment, to have gone to war recklessly, but, nevertheless, that illustrates the point that events may occur which are not now within our ken, not now on the horizon, but which could very quickly change the whole picture. Therefore, I think we have to have the lever of the idling automobile in the hands of someone who is here. He cannot declare war, but at least he can start to build up the forces rather than to await the return of Congress.

Mr. WATKINS. What would be the objection in the mind of the Senator to the provision in the House bill—I think it is section 22—which places the matter in the hands of Congress to authorize the President by resolution to go ahead and put the machinery in operation?

Mr. TYDINGS. There are several answers to that. One of them is that we do not want ourselves to declare an emergency in order to meet an emergency.

Mr. WATKINS. Someone must make that declaration. Should it be left to the President, or to the Congress?

Mr. TYDINGS. Let me read what our staff has drawn up with respect to that matter. I have not read it carefully. I think it is a comprehensive statement. The Senator will take note that the House adopted two new sections. They are sections 21 and 22.

The first of these proposed new sections freezes the induction authority of the President, and requires a declaration of an emergency by the Congress before inductions can be resumed.

Mr. WATKINS. The Senator is speaking of the House version.

Mr. TYDINGS. Yes. It requires a declaration of an emergency by the Congress before inductions can be resumed. If we were to be away from Washington for 5 months, it would take a little while to reassemble the Congress if it were called back. In the second place, many Members would not wish to return if it were just before a primary election, or before the general elections. As a matter of fact, many of our colleagues are not in the Senate today and have not been here because they are back home trying to fix their fences and to make contact with their people and answer their opponents. After the first of August that situation will increase in intensity, rather than diminish, because all Members of the House of Representatives are up for reelection, and more than one-third of the Senate, counting the vacancies, will be out talking to the people. To call them back while they are engaged in election contests is a matter which is fraught with some little difficulty.

Mr. WATKINS. What would happen if an emergency should arise which indicated that Congress would be required to meet in order to consider a declaration of war? They would have to come back then.

Mr. TYDINGS. I believe there is a great deal of difference between coming back to put selective service machinery into effect and coming back to declare war. There is no alternative if the situation is so serious that we are called upon to declare war. I hope and pray that

will not happen. There is no comparison between that and simply putting the selective-service machinery into operation.

Mr. WATKINS. It seems to me, although I have not heard a very thorough discussion of the subject and I have not had an opportunity to acquaint myself fully with it, that under this proposal we would be placing a great responsibility in one man by giving him the authority to put this machinery into operation. There would have to be some kind of emergency. He would have to declare some kind of emergency before he could place it into operation. At the same time a situation might develop under which one Atlantic Pact nation was attacked and that nation would invoke article V of the Atlantic Pact, which would require us to go to war. If that were to happen Congress would have to be called back, unless we are to proceed on the theory that we are at war automatically if such a thing were to happen. Under an interpretation of the pact the President might put us in the war, and put the draft machinery into operation, without having Congress called back.

Mr. TYDINGS. The Senator's question is a very proper one. The situation which he described is one which we have virtually had in operation for the last 1, 2, or 3 years. The President could have done what the Senator says may be done in the future. The President could have done that during the past year.

Mr. WATKINS. But not prior to the adoption of the Atlantic Pact, which gave him additional authority.

Mr. TYDINGS. The Atlantic Pact has been on the books for quite some time.

Mr. WATKINS. Since last fall.

Mr. TYDINGS. I forget the exact date. At any rate, the President has not used the machinery. Let me read on, please.

The Senate position is that they oppose a proposal which would require a declaration of an emergency by the Congress before inductions can be resumed.

We oppose that because we feel that it strikes at the fundamental purpose of the law. The law seeks to guarantee to the Nation an armed strength which is large enough to deter the aggressor's threat. A strength large enough to cope with situations that are developing. We seek to cut off the Whit-sunday riot in Berlin, rather than assemble here in this Senate chamber after the situation has exploded in our faces, and ruefully go through the business of declaring a national emergency. In the last analysis, this portion of the House version actually makes it necessary to declare an emergency in order to attempt to prevent one.

The Armed Services Committee has consistently avoided any war-scare tactics in dealing with this bill.

We look upon this bill, just as we look upon providing our Army, Navy, and Air Force with weapons, men, or any other ordinary routine elements, as important and necessary to the national defense at one of the most critical and unpredictable periods in the history of the human race. There is not a Senator on this floor who can look ahead for a month and reasonably diagnose and ascertain the portents of the unfolding hour. For the moment it looks as though national safety has gotten fairly back on solid

ground. I see a slight ray of optimism, although I cannot prove it. It is more or less emotional. Because we have been inured to so many small scares, and some large ones, we have lost our sense of shock and fright. Therefore, in the absence of some great or large outbreak of hostilities, most of us are likely to assume that when some danger threatens it is going to be merely another minor crisis.

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

Mr. TYDINGS. I should like to finish this statement. We are about to authorize the establishment of a 70-group Air Force. That does not mean that we shall buy the additional 16 groups, to increase the number from 54 to 70. It means that it has been considered by the Congress. It is what we ought to have. It is what we would call provisional insurance against an emergency. We have considered it. The bill is in conference. It will soon be out on the floor. We are not going to appropriate the money and build right up to 70 groups, any more than we are going to throw this lever into gear and start the draft act functioning. However, there are certain precautionary things we must have in the offing—just in case. I do not know what may happen in Asia in the next 6 months before Congress reconvenes. I do not know what will happen in southeast Asia, or in China. I do not know what will happen in Iran, which is a small country that abuts the southern border of Russia and runs down to the great oil fields of the Middle East.

I do not know what may happen in the elections which may be held in one place or another, and whether or not communism will increase or decrease. I do know that the most precious thing in all Christendom is the strength and vitality of the United States of America. That is the keystone in the whole arch of world civilization and democracy. It is the hope of millions of people behind the iron curtain, and the prayer, the fervent prayer, of millions of men, women, and children in all the democratic countries of the earth.

I pray to God we will never have to use the Selective Service Act again, but we have not moved down the corridor of time sufficiently away from World War II to enable us to say we will never need it again, or that it can be taken from the books, or should not be applied quickly in some possible hour of danger.

Mr. SCHOEPEL. Mr. President—
The PRESIDING OFFICER (Mr. JOHNSON of Texas in the chair). Does the Senator from Maryland yield to the Senator from Kansas?

Mr. TYDINGS. I yield.

Mr. SCHOEPEL. I should like to ask a few questions of the distinguished Senator from Maryland, in whose ability I have great confidence, and who has given much thought and consideration to these matters.

The Senator has pointed out that we are in a period of time when we do not know what is ahead of us. Within a few short days, certainly not too many hours hence, we will vote on the extension of the Draft Act for another period of years, in order to get the young men

of the United States of America, this great Republic, ready for mobilization so as to be able to protect this country. In all seriousness, I wonder if the Senator has given some consideration to the question of whether it is not perfectly proper for us to start mobilizing industry and labor, and the technical knowledge we have, and not put the burden on the young people of America alone, but put it on the shoulders of other segments of our great country, and indicate that the young men and women are not the only ones who are going to be held in readiness. Are we going to permit millions by the score to be made out of another world war if it comes? And God forbid that it come. What is to be our answer to the young people of the United States?

Mr. TYDINGS. Will the Senator permit me to answer?

Mr. SCHOEPEL. Certainly.

Mr. TYDINGS. No more pertinent question could be asked on this floor concerning a major policy in peacetime than the one posed by the distinguished Senator from Kansas.

Let me say, in answer, that we have had before the Senate Committee on Armed Services, not once, but several times this year, those charged with formulating a program which will deal with industry in the same way in which we deal with human beings, to marshal it and mobilize it for the defense of the country in time of war. We have had a subcommittee working on that for a long time. We have had the representatives of the interested Government agencies before our committee. The ramifications of the plan we must make for America in the future to deal with the situation the Senator from Kansas has described almost baffle the imagination. It touches the field of law, it touches the field of commerce—foreign, interstate, and domestic—it touches the fields of finance, it touches the field of taxes, it touches the field of rationing, it touches the field of price fixing, it touches the field of critical materials. There are literally scores of facets to the mobilization of the industry of the country on a basis comparable with the mobilization of the personnel, if this Nation shall be confronted with another great world war.

The reason for that is that our country was not a battlefield in the last two great world wars. The first one was fought in Europe and on the seas. The second one was fought in Europe and on the adjacent seas, in Africa, in Asia, and on the seas around Asia. But my State and the other States, Kansas, Utah, and all the other States of the Union, escaped being battlefields, while most of the remainder of the earth, in varying degree, was a battlefield. Our country was not fought over. Millions of men did not march back and forth over our land as they did over France, Belgium, Holland, Germany, Poland, Czechoslovakia, and Russia. No great fleets of airplanes came over, in the dead of night or in the daytime, and let loose thousands of powerful bombs to destroy the factories, the homes, the railroads, and the bridges of our people, as happened in many places in the world.

When we went to bed at night, with reasonable security in our hearts and souls, our anxiety was for those who had gone abroad to take part in the struggle; but we slept soundly, almost completely oblivious of the fact that our slumbers might be broken by the roar of planes which might snuff out the population of Baltimore, Topeka, Salt Lake City, New York, or any other city.

Mr. President, that time has gone. In the event of another great war, the time when we could go to sleep without fear of our own country becoming a battlefield is in the limbo of forgotten things. Never again will we have the luxury of time in which to prepare. We have to be prepared, or it might be disastrous.

Mr. President, I should like to say to my able friend from Kansas that we have had before us the people to whom I have referred, and with a realization of the picture I have briefly touched upon, we urged them to give us their plan, and get it to us quickly. We have had preliminary discussions of the subject with those in authority. We have had a sort of a preview of the plans, so far as they have gone, and the amount of work done on them has been tremendous. I myself had no idea, until they testified before our committee in executive session, of the ramifications of what we must do as respects industry in the event of another great war. We must all assume, whether we like it or not, a degree of regimentation for all our normal business activities, if another great war comes, similar to the regimentation to which persons wearing the uniform of the country are subjected.

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

Mr. TYDINGS. I yield.

Mr. SCHOEPEL. I know the Senate is fully aware of our responsibility in that regard, but is it not a fact that in the last war we had a lag of many months, almost a year and a half, before industry came to be at least partially mobilized in the effort to meet its responsibility?

Mr. TYDINGS. The Senator is correct about that.

Mr. SCHOEPEL. Does not the distinguished Senator from Maryland feel that it is wrong to procrastinate and say to the young people of America, "You are the only ones who are going to be on the line, subject to the orders that may come overnight, or within a matter of hours, and industry and labor and all the other segments of our great country can wait until we get jolly well ready to arrange to have them come in"? Does not the Senator feel it is of transcendent importance that we give consideration to that matter, perhaps not at this session, but certainly at the earliest possible time in the next session? Otherwise, I am afraid that the young folks of America and their parents—and there are millions of them—have a right to feel they have been sold short on the proposition of the defense of America.

Mr. TYDINGS. The Senator is absolutely right, and I am in thorough accord with him. We cannot expect the human beings who are the defenders of the Government to carry the whole bur-

den of the sacrifices of war, without other citizens bearing a share of them.

If we should have war tomorrow, or if we should have the threat of war tomorrow, let me name a few of the things that would have to be done. Probably prices would have to be frozen by Executive order. Probably wages would have to be frozen. Immediately we would have to ration all critical items, such as rubber, oil, and manganese, and all other items we do not have in abundance.

Then there would have to be allocations. We could no longer build in America or buy automobiles, or this, that, or the other, if what went into those things was needed for the common defense. Lumber and everything of that sort would be withheld from normal channels of trade. It would be necessary to enact all sorts of legislation dealing with the Department of Justice. We would have to provide the Government with the right to seize property without paying for it until later, which is abhorrent to our peacetime idea of private property. If the Government were to need something, it would take it and tell the one from whom it was taken, "Send in your bill and we will adjudicate what we will pay you later on." There are literally hundreds and thousands of things that would have to be done if we were confronted tomorrow with another great war.

The Senator from Kansas and I see eye to eye on this subject. I believe the members of our committee will bear me out when I say that I have been putting pressure, and strong pressure, on those who are concerned by law with the phases we have been discussing in getting the plan whipped into shape so we could have a bill ready and put it on the statute books. I have even gone so far as to say, "If you cannot give us the perfected plan, give us as much as you can, and we will go along." I am thoroughly in accord with that procedure. But, meantime, in the interim period between this time and the next session of Congress we have got to keep our manpower up, because that is our first line of defense. Our industry behind it in time of war is our second line of defense.

Mr. SCHOEPEL. Mr. President, will the Senator again yield?

The PRESIDING OFFICER (Mr. HUNT in the chair). Does the Senator from Maryland yield to the Senator from Kansas?

Mr. TYDINGS. I yield.

Mr. SCHOEPEL. Does not the Senator feel that there always will be pressure brought to bear to except this segment and that segment of our great economy, or delay action with respect to them, unless those who constitute industry understand that war is not a luxury or a money-making proposition, but that it is an all-out effort, and that everyone is in the same boat as are the young men and women of the country?

Mr. TYDINGS. I should like to say that I share the Senator's opinion, only a little more in volume than he has been good enough to claim for himself.

Let me give the Senate a thought or two. It has been the traditional history of our country that we would rely on the two great oceans. There was the

Atlantic on the east and the Pacific on the west. We have always maintained a wonderful navy. For a long, long while it has had its ups and downs, but basically it has been about the finest navy in the world, and today rides the crest of the waves without a close competitor. So with the great oceans on either side of us and our great Navy, we have felt secure here. We have always had time to deal with an emergency.

Those great oceans are narrow now. They are only brooks; they are nothing more nor less than brooks. Great fleets of airplanes can leave the Continent of Europe and come over here in a matter of 10 or 12 hours. Great fleets of airplanes can leave Asia and fly over here in a matter of a few hours. There is no such thing as relying on the oceans any more for our protection, except for surface craft that come over the water to attack us in that fashion.

I do not have the figures available—I looked them up sometime ago—but my recollection is that it is only 9 hours by modern bomber from Siberia to Seattle. It is only about 9½ hours by modern bomber from Siberia to San Francisco. It is only about 10 hours or so from Siberia to Chicago. It is not very far from Maine to Moscow or from Moscow to Maine over the great circle. There are military planes in being that could take off from Maine and fly to Moscow, turn around and fly back to Maine, and turn around and fly back to Moscow without refueling.

Before Pearl Harbor, on the 7th of December 1941, honest men on this very floor doubted that the Japanese would undertake to tackle a strong power such as the United States of America. It was pretty hard to believe, when we knew what our strength was then and what our ultimate strength would be, that the Japanese would be so foolhardy as to come to our shores and hit the United States a blow that would pull us into the war. On that Sunday morning we could not believe our ears as we heard the radio reports out of a clear sky that the great fleet which we on the Naval Affairs Committee had spent years in building, was at the bottom of Pearl Harbor. Those wonderful old ships, one of them bearing the name of my own State, destroyers, battleships, cruisers, were a bent and twisted mass. And there and then, on the very day that we were involved in the war on the 7th of December 1941, those of us who served then on the Naval Affairs Committee of the Senate, as we used to call it before the unification bill was enacted, had to start out with a war on our hands to build a Navy all the way from scratch up to the top all over again, and at the same time fight a war.

I am going to tell Senators a little story which has a certain analogy to the draft act. About 1929 in this very body the chairman of the Senate Committee on Naval Affairs was the Honorable Frederick Hale, of Maine, a man who devoted a tremendous amount of time to the building up of the Navy. I was a humble member of that committee then. We had had the Naval Disarmament Conference in Washington in 1922, and while we sank some battleships and

cruisers, most of the other powers that joined in with us simply tore up blueprints of ships they said they had planned to build. We did all the disarming, and they did all the observing. So when we got to 1939 we found that some of these countries were building up in permissible categories, such as cruisers, and the United States was beginning to fall behind.

In 1929, before the rise of Hitler or Mussolini, before the war clouds began to gather in the sky, there were not many people interested in preparedness. But Senator Hale, an eminent member of the Republican Party and a very distinguished American, who had devoted an enormous amount of time to the Navy, making it almost a hobby in his legislative work, said, "Boys, I think we have got to start building up our Navy again." We took testimony, and after a while we brought a bill on the Senate floor to provide for the building of 15 cruisers, 3 of them to be built each year, or the keels laid each year, as I recall, over a period of 5 years, until all 15 of them were completed.

On the Senate floor we had one of the most hectic debates for 5 or 6 weeks that I remember about a piece of preparedness legislation. Senator Brookhart, of Iowa, I recall, led the fight against the cruiser bill. Senator James Reed, who occupied a seat close to where I am now standing, was one of the strong advocates of the cruiser bill. As a young and humble Member of this body, I did what I could to have the bill enacted into law. After a long struggle, the bill passed and went to the President, and he signed it.

But do Senators know that after the ships were sunk at Pearl Harbor, the 15 cruisers which we built during the peaceful years of 1929, 1930, 1931, and 1932 were the thin line of ships that stood between us and a Japanese attack on the mainland of the United States of America? If we had not fought the good fight then, and if we had not had those 15 cruisers ready, after Pearl Harbor the great fleet of Japan could have come to our coast with relative impunity and could have attacked the great cities of San Francisco, San Diego, Portland, and so on.

Senator Brookhart said we did not need any navy; he said, "There will never be another war. We learned in World War I the utter futility of war. Today, in view of the advance of science and invention, it would be so foolhardy for anyone to go to war again, that we are just throwing money down a rat-hole to build these cruisers."

Fortunately, Mr. President, his viewpoint, although a sincere one, I am sure, did not withstand the combined judgment of the Senate; and the cruisers were built.

Since that time, and coming down to the present day, in a fairly long service in this body identified with preparedness, a service in which I have tried to be rational, and not be swept off my feet by brass or uniforms or the clash of arms or the pageantry of armed forces, I have realized how much cheaper it is to spend a little money on prevention, and how terribly expensive in

life and treasure it is to adopt some temporary expedient, requiring no sacrifice at the moment, but later to have to pay cruelly with the blood and the treasure of our country, far beyond the necessity if a little wiser and sterner course had been adopted in the meantime.

Mr. President, I have spoken at some length on this measure. I wish to conclude with this thought:

All of us are living in an age which is almost on a push-button basis. Whereas formerly it took weeks to assemble a fleet to come to our country to attack us, or for our fleet to go to another country, now an attack can be made in a matter of hours. There are in existence bombs of terrific strength and power, and as time passes bombs which are more and more devastating will be developed, and they can be carried by great air fleets. Great air fleets with such bombs can come to the United States, unless we are prepared—just as the Japs came to Pearl Harbor in 1941.

Mr. President, I do not wish to be an alarmist; I do not think we shall be attacked tomorrow morning. I do not see a war in the offing. But the lesson we must learn is that in the future we cannot have time, as we have had it in the past; and today we must put our defenses in more or less of a presently available basis, rather than on an eventually available basis.

So, Mr. President, in the interest of every man, woman, and child in America, in the interest of our way of life, in the interest of our democratic institutions, in the interest of our traditions and our heritages, I ask the Senate to extend this act for just a little while longer, in the fervent hope that the war clouds which every now and then darken the horizon may be dissipated, as reason supplants force, as human understanding of the differences between nations solves the imponderables of international conduct.

I ask the Senate to extend this act so that we may not have to call our young men to the colors in some period of strife in the future, so that we shall not have to pour out our treasure of blood and natural resources.

I ask the Senate to extend this act because if the Senate does not do so, the country will be weaker than it should be, and weakness invites attack, weakness endangers our stability and endangers our existence as a Nation.

Therefore, Mr. President, I hope every Senator will vote for the extension of this act, and in doing so, I hope every Senator will feel that he is writing the best insurance policy we can possibly write on the floor of the Senate for the continuance of the country we love and its prestige in the world. After all, our country is the hope not only of our own people but of the democratic peoples all over the world, who must look to us for leadership and protection, because there is no other place on the globe to which they can look.

Mr. SALTONSTALL. Mr. President, as a member of the Armed Services Committee, I rise to support the chairman in urging the Senate to extend the Selective Service Act. I also rise to support the

amendment which is now the pending question. That amendment has been offered by the majority leader, for himself and other Senators. I should like to say that in behalf of myself, the Senator from California [Mr. KNOWLAND], and the Senator from New Jersey [Mr. SMITH], I have offered an amendment which is similar to the amendment offered by the majority leader for himself and other Senators. The amendment proposes to strike out, on page 3, beginning with line 18, all down to and including line 16 on page 5. In other words, the amendment would strike out the so-called Russell amendment, which was included as a part of the committee substitute.

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

Mr. SALTONSTALL. I yield to the Senator from Maryland, the chairman of the Armed Services Committee.

Mr. TYDINGS. I should like to ask a question of my distinguished colleague. Incidentally, Mr. President, he is one of the most valiant members of the Armed Service Committee, and is one of the most diligent of its members in his efforts, and is one who is most thorough in his comprehension of defense projects. He is a real stalwart on the committee, and is of great help to his country in keeping up its defense strength. I say that in all sincerity.

I should like to ask him whether his amendment is identical with that offered by the Senator from Illinois, for himself and other Senators?

Mr. SALTONSTALL. It is, except the amendment of the Senator from Illinois for some reason also proposes a change in the title of the bill.

Mr. TYDINGS. I only wish to understand the philosophy of the amendment.

Mr. SALTONSTALL. But the language of the two amendments is exactly the same as far as striking out the Russell amendment is concerned.

Mr. President, I do not wish to see any boy in this country drafted; but I believe it is necessary to extend the Selective Service Act in the interest of our own security; in the interest of the security of American boys themselves who may be subject to induction; in the interest of the security of their mothers, their fathers, their sisters, and their families.

In other words, Mr. President, we do not propose to extend this measure for war purposes; we do not propose to extend it for the purpose of extending our fighting power to other parts of the world; but we propose that this measure be extended for our own security here at home. This measure is a peace bill; it is a bill to extend peace in the world, not to extend war. I feel very strongly that if the enactment of this measure were not necessary in order to maintain peace, I, for one, would not have any part of it.

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

Mr. SALTONSTALL. I yield.

Mr. SCHOEPPPEL. Does not the distinguished Senator from Massachusetts also feel that not only should this measure be related to the young people of the United States who are covered by

this draft, but in order to insure the peace of the world and to deter those who might think the Nation is considering only its young people, we should provide for a mobilization and registration of industry, labor, and capital, if necessary, in order to prevent an all-out war and to make it impossible for profits to be made out of a future war?

Mr. SALTONSTALL. I agree with the Senator. I think his purpose is now being attempted to be translated into specific terms by Mr. Symington. In the Unification Act, Congress created the National Security Resources Board, which now is a part of the defense system. We have provided for a mobilization system. All the questions which the Senator raises require planning to the highest degree. I thought the Senator from Maryland answered the Senator from Kansas very well in that regard. What he suggests is something we are going to do, indeed, is something we are doing, and the program would come into effect, as it should, if there were another war, or if it became necessary to send our boys to fight anywhere and to build up our industrial production for war purposes.

Mr. President, as I was saying, we are today improving and increasing the equipment which is being supplied to the armed services. We are spending millions of dollars on research for better guns, better ships, better electronic gadgets, better radar, and all the other types of defensive armament which, as we know, are required in modern warfare. We are appropriating vast sums of money. Yesterday the Subcommittee on Armed Services voted to report to the full committee for its approval a measure which would this year appropriate more than \$12,000,000,000. All the equipment, the research, and the money will be useless unless we have the necessary manpower, trained to use modern equipment and able to be as secure and as safe as possible in the use of the equipment under modern conditions.

For those several reasons, I believe that we must extend the Selective Service Act at this time. I think that if we extend it, it should be in the form of the Senate bill rather than of the House bill. Two years ago we established this system, after months of hearings and careful consideration by the committee in executive session. I remember it very well, because I was a member of the Armed Services Committee at that time. Congress at that time enacted it because the Nation needed it. The manpower in our Armed Forces was falling off very rapidly. Enlistments were not being made. At the present time, although enlistments are coming in, they are not coming in quite so rapidly as they were. As a result the Army is under its appropriated strength. We all know that with the background of this act we get a larger number of voluntary enlistments, we build up our Reserves, and we have a stronger National Guard. I hope that the provisions of the act when extended will not have to be used, but I believe that it is very wise, for the reasons given by the chairman, that the act be kept on the statute books.

There is another reason which I should like to touch upon very briefly. Since the enactment of the law 2 years ago, we have entered into the military assistance pact. We have with other countries signed the North Atlantic Pact. We have passed several ECA bills, and we have watched the magnificent performance of the Berlin airlift. If we do not extend the Selective Service Act, it seems to me that many of the countries with whom we have made agreements will lose confidence in us. They will believe that as the result of our failure to extend the act at the present time they may not receive assistance from us when they may need it most.

As I tried to develop through a question addressed to the chairman a little while ago, General Bradley testified, as the present occupant of the chair, the Senator from Texas [Mr. JOHNSON] knows, for he was present, that the fact of having this measure on the books would allow us to maintain a smaller strength in our Armed Forces at the present time. In other words, we do not have to have them filled to full strength, because we have this reserve manpower that can be utilized if needed. As I have already stated, the steps we are taking will permit better training; make fighting safer in the event fighting becomes necessary; promote greater efficiency and, therefore, make the men more secure.

In extending the Selective Service Act we should give the President the power at the proper time, in his discretion as Commander in Chief—and certainly he will not use it unless it becomes absolutely necessary—to call American boys into the service. If we leave it to a joint session of the Congress to declare an emergency, we open the possibility of the people of our country becoming excited and the whole world thinking that perhaps we are going to war. In that way we would stimulate action of a fighting nature rather than to extend our peacetime efforts, as we are really trying to do. In other words, the proposal of the Senate committee is one more step in our ability to remain strong and, through being strong, to keep peace in the world and to obtain greater security for ourselves.

Mr. President, for the reasons I have discussed I support the extension of the Selective Service Act.

I should now like to speak for a few moments on the amendment offered in the committee, as a part of the committee substitute, by my friend, the distinguished Senator from Georgia [Mr. RUSSELL]. I believe the amendment offered by the majority leader to strike out the Russell amendment should be adopted. I say this because I believe the Russell amendment is unworkable. I believe it would apply to volunteers as well as to inductees, and therefore would upset the whole system under which the Army, the Navy, and the Air Force are now being operated. In other words, it would be a step backward, not a step forward, in the effort to solve a difficult problem in our armed services.

At the outset, in discussing the amendment, allow me to make one point clear.

I defer to no one when it comes to proposals to guarantee a reasonable and a sympathetic recognition of the differing customs, traditions, and habits which have developed through generations of community life in the various sections of our country. Indeed, my own State has a wealth of such tradition and custom. It is an inseparable part of our heritage. So I should be the last person to suggest the point of view which would tend suddenly to violate the habits and customs of any other section. But I submit that is not the issue. We are seeking the same thing—a considered and reasonable approach to a most sensitive problem. I think therefore we differ, not in our objective, but simply in our method of obtaining it. I oppose the Russell amendment, the section dealing with racial segregation, for the same reasons that I opposed it in 1948. I believe that it is unnecessary, that it is provocative, and that it is unworkable. It is unnecessary, because the services, themselves, who have for many years been living with this question, need no such controversial legislation as this to enable them to continue to meet the problem in an intelligent and sensible manner. It is provocative, because—

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

The PRESIDING OFFICER (Mr. JOHNSON of Texas in the chair). Does the Senator from Massachusetts yield to the Senator from Georgia?

Mr. SALTONSTALL. I yield.

Mr. RUSSELL. I was interested in the distinguished Senator's observation that the amendment would be unworkable. We managed to get along in this country with a similar provision for something like 150 years, and to win a number of great wars under a similar system.

I was also interested in the Senator's observation that the military forces are handling this matter in a satisfactory way. Does not the Senator know that the idea of complete integration of the races, down to the squad level, in the Army, did not originate with the military, but originated with the civilian who is President of the United States and who issued an order on that subject; and that not only did it not meet with the approval of the military, but that the distinguished Senator from Massachusetts himself elicited the statement from General Eisenhower, who is supposed to have had some experience in military matters, that he did not approve of the complete integration of the races, but thought it ought to stop on a company level; that the proposal to change the customs and conditions and to deny to an individual the right of saying whether he should serve with his own race originated with a civilian committee appointed by the President, none of whose members had any military experience of any nature? I should like to have the Senator quote some outstanding military leader who has said that this Presidential policy will add to the fighting power of American arms.

Mr. SALTONSTALL. I would answer the Senator by saying that I intended to quote not from a military authority,

but from the report of a committee appointed by the President, which examined the subject and made a report.

Mr. RUSSELL. That committee was headed by Mr. Charles Fahy, I believe, who has done a number of errands for the President, and has served on various committees. Two of the members are distinguished colored citizens of the city of Chicago. One is the publisher of the Chicago Defender and the other was an adviser to the Secretary of War on racial matters, during the war, but they are not military men; they are civilians telling the military how the Army should be composed and how it should be run.

Mr. SALTONSTALL. I would respectfully say to my colleague on the committee that I believe I am correct in saying that the leaders in the various military services, whether they approve or not, have said the plan was working well at the present time in the various services.

Mr. RUSSELL. I do not recall any such testimony. However, I did not attend all the hearings which were had on the bill.

Mr. SALTONSTALL. I say it with reservations, but I think I heard two, if not three, leaders say that.

Mr. RUSSELL. I know that General Bradley, who has had some military experience, and some political experience, having served on a committee appointed by the President to perform a specific job, made the statement that the Army did not like to be used as an instrument of social reform and that he had no intention of carrying out integration. The next day the President issued an order to General Bradley to institute the policy of complete integration. So it is purely a civilian and political movement and it in nowise touches anything which has anything to do with strengthening the national defense or increasing the might of American arms.

Mr. SALTONSTALL. I would agree with the Senator that it is a civilian movement, but I hope it is not a political movement.

Mr. RUSSELL. I should like to ask the distinguished Senator from Massachusetts if he does not feel that men who have spent a lifetime in the Army should have as much of an idea as to how it should be composed and operated as do Mr. Charles Fahy and the other civilian members of the committee who are enforcing the Presidential order.

Mr. SALTONSTALL. I believe their opinion should be given weight. I believe that every military man must take his orders from his Commander in Chief, whether he approves of them or not, and try to make the orders workable and practicable. I believe, from listening and observing in the past 2 years, that the steps taken show progress in the way both the Senator from Georgia and I want them to make progress—progress by education, by peaceful means, and without fanfare and emotional words.

Mr. RUSSELL. I certainly advocate progress along those lines, and I trust that I have been able to contribute in some small degree to progress along those lines, but I insist that that is quite a different assertion than to say that the provision is unworkable because the

Fahy committee says that all is well with the armed services.

Mr. SALTONSTALL. If I am correct, the Senator's amendment includes volunteers as well as inductees?

Mr. RUSSELL. Yes, it does. The Senator well knows that we carefully drew the act. I doubt whether any piece of legislation in the history of the Congress has been gone over more carefully than has the Selective Service Act of 1948. The Senator knows we drew the act deliberately to induce enlistments in order to avoid selections, and for that reason the amendment applies to both selectees and volunteers.

Mr. SALTONSTALL. The Senator will agree with me, since he had a great part in the enactment of the law, and I hope I had a small part in it, that the act has worked to encourage volunteers so that we have not for 18 months had to use the processes of the draft.

Mr. RUSSELL. That is quite correct, but the Senator from Massachusetts knows there was evidence before the committee that enlistments were declining in recent weeks to a marked degree, and I think it is due in part at least to the way the committee referred to is pushing its program and compelling men to serve under conditions which are distasteful to them, thus drying up enlistments, so that, without the adoption of an amendment such as the one I have submitted, we shall have to begin drafting men within the next few months.

Mr. SALTONSTALL. I most respectfully disagree with my friend that that is the cause of enlistments drying up.

Mr. RUSSELL. I know that has been the result in certain sections of the country where men like the Army as a career.

Mr. SALTONSTALL. If I may continue, very briefly, Mr. President, I think I have stated that the amendment is provocative because it places constant emphasis on a problem which can best be handled by deft and tactful leadership.

It is unworkable because it presents practical assignment difficulties which cannot be solved, and includes punitive provisions which constitute an ever-present obstacle to the exercise of good judgment and common sense by the military officers most closely in touch with the situation.

Mr. President, I have in my hand a copy of the report of the President's Committee on Equality of Treatment and Opportunity in the Armed Services. This report comes from a committee of distinguished Americans headed by Judge Charles Fahy. It is called Freedom to Serve. It is the report which the Senator from Georgia [Mr. RUSSELL] just discussed. I should like to read into the RECORD the conclusions of the committee transmitted to the President on May 22, 1950, just a month ago, on the Navy, the Air Force, and the Army. This is the committee's conclusion as to the Navy:

All jobs and rating in the naval general service now are open to all enlisted men without regard to race or color. Negroes are currently serving in every job classification in general service.

All courses in Navy technical schools are open to qualified personnel without regard to race or color and without racial quotas. Negroes are attending the most advanced technical schools and are serving in their ratings both in the fleet and at shore installations.

Negroes in general service are completely integrated with whites in basic training, technical schools, on the job, in messes and sleeping quarters, ashore and afloat.

Chief, first-, second-, and third-class stewards now have the rate of chief, first-, second-, and third-class petty officers. (Policy change adopted June 7, 1949.)

Stewards who qualify for general ratings now can transfer to general service.

The Marine Corps, which as a part of the Navy is subject to Navy policy, has abolished its segregated Negro training units. (Policy change adopted June 7, 1949.) Marine Corps training is now integrated, although some Negro marines are still assigned to separate units after basic training. In this respect the effectuation of Navy policy in the Marine Corps is yet to be completed.

THE AIR FORCE

The Air Force announced its new racial policy on May 11, 1949. As a result of this policy, the all-Negro Three Hundred and Thirty-second Fighter Wing at Lockbourne Field, Ohio, has been broken up, and its personnel either sent to schools for further training, transferred to white units in other commands, or separated under current regulations.

A majority of other Negro units has also been abolished. As of January 31, 1950, only 59 Negro units remained, and 1,301 units were racially integrated, as compared with 106 Negro units and only 167 mixed units on June 1, 1949, when the Air Force policy went into effect.

Approximately 74 percent of the 25,000 Negroes in the Air Force on January 31, 1950, were serving in integrated units; and 26 percent still were serving in Negro units. This integration process is continuing.

All Air Force jobs and schools are open to qualified personnel without racial restriction or quotas. Six percent of the total personnel attending technical training schools in January 1950 were Negro.

Negroes serving in mixed units and attending service schools are integrated with whites in living conditions.

THE ARMY

All Army jobs now are open to Negroes. (Policy change adopted September 30, 1949.)

All Army school courses are open to Negroes without restriction or quota. (Policy change adopted September 30, 1949.)

For the first time Negroes no longer are limited in assignment to Negro and overhead (housekeeping) units, but are to be assigned according to their qualifications to any unit, including formerly white units. (Policy change adopted January 16, 1950.)

Negroes serving in mixed units will be integrated on the job, in barracks and messes. (Policy change adopted January 16, 1950.)

The 10 percent limitation on Negro strength in the Army has been abolished, and there no longer are Negro quotas for enlistment. (Policy change adopted March 27, 1950.)

The succeeding chapters contain a more detailed account of the Committee's recommendations to the services and the extent to which the President's policy is being implemented.

Mr. President, I believe that the progress which is reported in the Fahy report is due to leadership and to the American spirit of cooperation. I most emphatically deny that the advances made in the services in this respect are the result of coercion and force. I contend that these extracts from the Fahy

report, which is a report filed by a group of impartial and patriotic Americans, are convincing proof that this problem can be met and is being met without any controversial legislative directive such as is contained in section 2 of the pending bill. It can be met, as it is being met, by good judgment and sympathetic military leadership. I again emphasize the basic thesis of my argument. Every Senator in this Chamber is striving toward the same goal in this matter. We are all seeking just one thing, which is a fair and reasonable and acceptable solution of this difficult question. We differ only as to method. I therefore hope that this section of the bill will be omitted, because I feel we are making progress and shall continue to progress better without it.

My second point is that this provision is unwise because it is provocative. It provokes and emphasizes prejudices which should be better left to some more tactful and sympathetic approach.

Finally, I believe section 2 of this bill is unworkable, and is dangerously punitive. It is not only punitive on the officers, but, as the Senator from Georgia has said, it covers volunteers as well as draftees. For instance, when replacements are being sent to their new units in large groups, many different units would be involved in a single shipment. Men come by ship, train, and airplane, and they arrive at all hours of the day and night. They are frequently delayed en route in replacement depots and staging areas. Under such difficult and unpredictable circumstances it is literally impossible to maintain a rigid segregation of groups.

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

Mr. SALTONSTALL. I yield.

Mr. RUSSELL. The situation to which the Senator refers would not be affected by the amendment. The amendment says, "shall be assigned to a unit." The replacements which the Senator refers to as traveling around the country would not be affected by the amendment. The amendment would not apply to those replacements. The amendment provides that they shall be assigned to a unit composed of their own race. The amendment would not affect the replacements to which the Senator refers.

Mr. SALTONSTALL. I believe the Senator is largely correct with respect to my last remarks. I may say to the Senator from Georgia, however, and I emphasize, that the report of the Fahy committee and the reports of the military authorities to our committee, indicate progress along what I hope are peaceful lines to the solution of this very difficult question. I believe the adoption of the proposed Russell amendment would be a step backward, rather than a step forward. I believe that the system is working well at the present time in the case of those who are voluntarily coming into the armed services, and so far as I know, we have had no knowledge or reports of any criticism or any violence in connection with the system.

In everything I have ever said on the subject, either publicly or privately, I have always emphasized that I believe the solution is education. I believe the

solution is a greater understanding of the subject by everyone. I have always been very hopeful that in what is being done in the armed services, under conditions where a man comes into the services and finds that he is not his own boss, the problem would be worked out satisfactorily. I hope that at the present time, in peacetime, this gradual solution and understanding in our armed services will be continued. I have opposed the Senator's amendment, as I now oppose it, because I believe that it is not a step forward in the solution of the problem, but a step backward. I can see the Senator's reasons for offering the amendment, but I most respectfully disagree with him.

Mr. RUSSELL. I appreciate the Senator's statement, and he knows the high regard in which I hold him. I may say, however, that he makes a splendid argument for the provision which he seeks to strike out when he says that he is in favor of educational methods, rather than compulsion. The very effect of this amendment is to avoid the compulsion of military law, and the law passed by the Congress of the United States, which reaches down into the home, takes out a 19-year-old boy, brings him into the service under conditions which are distasteful to him, and attempts by compulsion to make him change his mores, or his traditional habits of living. The argument which the Senator from Massachusetts has made is one to which I can fully subscribe, because it expresses my position, rather than his.

Mr. SALTONSTALL. Mr. President, I would not have made the argument if I thought it supported the Senator's position. I thought I was supporting my own position when I made the argument, because I thought conditions in the Army were being worked out satisfactorily, as shown by the committee report from which I have read, which is in accord with my own knowledge of the situation.

Mr. President, I shall not continue this discussion any further, because I believe it is clearly understood by those who are in favor of the bill and those who are opposed to it. In conclusion I merely wish to emphasize two points. I fully endorse the section of the bill which would extend the present Selective Service Act for a period of 3 years. I think such action is necessary to our national security, and I urge that it be taken. I believe 3 years is better than 2 years, because it gives our own people a better understanding of the needs of the moment. The time can always be cut by the President or the Congress, in their discretion. I believe it would give more confidence to our friends and allies in other parts of the world if this act were extended for 3 years. It would also help the boys themselves, because it would give them a greater knowledge of their responsibilities and what they must face. I think it is necessary for our national security and for our friends to obtain peace in this world—not war, Mr. President, but peace. It is our strength that is needed in order to assure peace. I again say that I hope section 2, the so-called Russell amendment, will be omitted. I feel that we can leave out section 2 and still give to all the people of the country the just and rea-

sonable treatment to which they are entitled. I am profoundly hopeful that the Senate will remove that section from the bill and pass it in the form in which the Committee on Armed Services drew it up with the Russell amendment stricken out, rather than in the form it came over to the Senate from the House.

SALE OF MINERAL RIGHTS ON LANDS PURCHASED FROM THE GOVERNMENT

Mr. WILLIAMS. Mr. President, during recent years our Government, either through foreclosures or outright purchases, has obtained title to several million acres of farm land. Later this land was offered for sale by the Government. In most instances as the land was sold by the numerous Government agencies, a portion of the mineral rights on the land was retained in the name of the United States Government.

The retention of these mineral rights by the Government has not been entirely satisfactory to the new purchasers of the land. Recently there has developed widespread demand from the farmers who bought the lands to be permitted to own them outright without any reservations. For this reason Congress, by H. R. 4800, is asked to establish a uniform policy for the sale of these rights to the present owners of the land.

H. R. 4800, the bill which proposes to establish such a uniform policy for the disposition of these mineral rights, has already passed the House and has been reported favorably by the Senate Committee on Agriculture and Forestry. The bill is now in the Senate Calendar awaiting action.

I agree with the sponsors of this proposed legislation that Congress should make a decision as to whether the Government should retain these mineral rights or sell them. If Congress decides that the Government should sell these mineral rights, it is highly desirable that we establish a uniform policy for their sale.

However, since the time H. R. 4800 was reported to the Senate certain additional information has been developed which, in my opinion, would now make it advisable that any consideration of this bill by the Senate be postponed pending a further study of the entire question by the appropriate committee. In the meantime, pending such study, we should take some action to protect the interests of all parties concerned.

With this thought in mind, on behalf of myself and the Senator from Nebraska [Mr. WHERRY], I submit a resolution which states that it is the sense of the Senate that the United States shall not sell, lease or otherwise dispose of mineral interests owned by it in lands to which it does not own the surface rights until an appropriate policy for such disposition shall hereafter be established by an act of Congress.

I am today writing the chairman of the Senate Committee on Agriculture and Forestry requesting an opportunity to appear before that committee in executive session to explain why I think it is essential that this resolution be adopted, and why I feel that a further study of this entire problem is in order prior to consideration of H. R. 4800.

I now send to the desk the resolution, and ask that it be referred to the appropriate committee. Before it is referred, I ask that it be read for the information of the Senate.

The PRESIDING OFFICER. Without objection, the clerk will read the resolution.

The legislative clerk read the resolution (S. Res. 301) as follows:

Resolved, That it is the sense of the Senate that the United States shall not sell, lease, or otherwise dispose of mineral interests owned by it in lands to which it does not own the surface rights until an appropriate policy for such disposition shall hereafter be established by act of Congress. As used herein the term "United States" includes agencies and instrumentalities thereof.

The PRESIDING OFFICER. The resolution will be referred to the Committee on Interior and Insular Affairs.

THE STATE DEPARTMENT AND COMMUNIST WORLD INFLUENCE

Mr. CAIN obtained the floor.

Mr. MALONE. Mr. President, will the Senator yield that I may make a statement of 5 or 6 minutes' duration?

Mr. CAIN. I shall be pleased to yield to the Senator from Nevada if it can be done without my losing my right to the floor, and I would ask unanimous consent for that privilege.

Mr. MALONE. Mr. President, I ask unanimous consent that the Senator from Washington may yield without jeopardizing his right to the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from Nevada may proceed.

Mr. MALONE. Mr. President, the junior Senator from Nevada charges that officials of our State Department have every intention of recognizing the Communist regime in China, and will do so as soon as they think they have softened up the American people sufficiently to make them take it.

Official recognition of the Communists in China would be extended even now were it not for fear of American public opinion on the part of these very State Department officials. While administration officials are mouthing brave little phrases and meaningless double talk against Communist Russia—apparently in an attempt to appease a now wary American public—they are secretly planning to strengthen Communist domination through recognition of Communist China, after a period of softening up here through the propaganda machine.

Despite their pious, though somewhat delayed, pro-American talk, the administration plans to sell us more communism. The Secretary's step toward recognition of the Communist regime in China, through not officially objecting to their acceptance by the United Nations, is part of the softening-up process.

Though it must have shocked an unsuspecting public, those of us who have watched the pattern of State Department moves for the past few years were not surprised when Mr. Acheson asserted that the United States would not use its veto power to block United Nations' recognition of the Communist regime in China, which was not only a further

surrender in the so-called cold war, but a form of betrayal to the enemy.

Indications are that Communist Russia has planned for a piecemeal surrender to them of the rest of the world. The fact that it has gained a diplomatic piecemeal surrender by us in Asia must be weighed with the complementary fact of the Communist drive for Europe. Trygve Lie, Secretary General of the United Nations, has let it be known how Stalin proposes to end the cold war: First, kick the nation of China out of the United Nations and seat in its place Communist puppets of Russia; and, second, withdraw from Berlin and set up there a "democratic"—that is, a Communist-controlled—government. The first of the two piecemeal surrenders would lead to the Russian capture of all of Asia, and the second to the Russian capture of all of Europe. We now know where our State Department stands on the first; a little more time will tell everyone where it intends to ultimately stand on the second.

In the fall of 1949, when the Senate was discussing, in the conference between Canada, England, and the United States, held in Washington, on the subject of storing atomic bombs in England, and other matters—a conference timed to make the 1934 Trade Agreements Act extension easier by diverting public attention from the most important debate on the Senate floor in a century. The Senator now speaking warned that England, whom we had been keeping on our payroll in some form since the declaration of World War II, would soon affront us by extending official recognition to the Chinese Communists, who were working closely with the American Communists we were then jailing as enemies of our country. England, despite all previous denials, did recognize the Chinese Communists. The next thing, the junior Senator from Nevada fears, will be official recognition of these Communists by our own State Department as part of the plan.

By strange coincidence, Mr. Acheson's recent statement was followed immediately by implications from Trygve Lie that the United Nations would proceed to unseat the delegates of the nation of China, one of the founders of the United Nations, and would seat Communist delegates in their place.

If the United Nations is ever to be useful to the human race, it must free itself of Communist domination—not add to it. Apparently, we cannot even hope to attain this until the weak personnel of our State Department is itself subjected to a thorough housecleaning.

There is little likelihood that the State Department's attitude will change as long as we have Communist sympathizers in high office.

DEVELOPMENT OF ATOMIC ENERGY—ARTICLE BY DAVID LILIENTHAL

Mr. MURRAY. Mr. President, will the Senator from Washington yield?

Mr. CAIN. I yield to the Senator from Montana.

Mr. MURRAY. Mr. President, there are few problems in America today as difficult and as challenging as those involved in the future development of atomic energy in the United States.

How far can we go in developing atomic energy for industrial and civilian purposes?

How can we break down the iron curtain of secrecy, which has become a serious obstacle to creative research, invention, and development in the atomic energy field?

Where should we draw the line between the necessary role of the Government and the desirable role of private enterprise?

Within the realm of private activities in connection with atomic energy, how can we assure truly competitive development on the part of a large number of companies?

How can we protect against the concentration of control of atomic energy resources in the hands of a few giant companies?

Questions of this type are discussed at length in an important series of articles which has been written for Collier's magazine by David Lillienthal, former chairman of the Atomic Energy Commission.

The first article in this series has already stirred widespread discussion on the role of the Government in the field of atomic energy. The series will probably initiate the first full-dress national debate on the subject since the Atomic Energy Act became law in 1946.

In my judgment, every Member of Congress and every serious student of public affairs should read Mr. Lillienthal's articles. I therefore ask unanimous consent to have the first article in the series, entitled "Free the Atom," along with the editor's footnote, inserted in the body of the RECORD at this point in my remarks, for the information of the Senate.

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

FREE THE ATOM

(By David E. Lillienthal, former Chairman of the Atomic Energy Commission)

[EDITOR'S NOTE. This is the first of several important articles which Mr. Lillienthal will write for Collier's. It is the first he has written since his retirement from a long career of Government service which included an intimate and unsurpassed acquaintance with the whole development of atomic energy.]

In this issue Mr. Lillienthal writes with grave concern of the Government monopoly that has stifled developing the peaceful uses of the atom. But he also writes with high hope of an atomic future which he sees as one of progress and undreamed-of development.

In his subsequent articles Mr. Lillienthal will offer specific recommendations for ending the atomic monopoly and transferring Government-held knowledge, facilities and production to competitive private enterprise—the historic source and the guardian of America's material progress. He will speculate, with the fund of knowledge at his command, on the possible uses to which the industrial atom may be put.

David Lillienthal has something to say that is of great significance not only to the American people but to the entire world. Collier's considers it a privilege to provide the platform from which he speaks.]

No Soviet industrial monopoly is more completely owned by the state than is the industrial atom in free-enterprise America. The Government has today an ironclad, airtight and all-embracing legalized monopoly

of this vast enterprise, and of the new industrial era the development of the atom could bring to this country.

All the industrial materials of this new industry are owned by Government monopoly.

All the plants and facilities—running into several billions of dollars—are owned by Government monopoly. All the industrial information and techniques and all the industrial "know-how" are owned and strictly controlled by Government monopoly. Only on its say-so can new developments be undertaken.

There is no private investment, no risk of loss nor chance of profit by any private individual or corporation.

There can be no private ideas about the industrial atom. No private individual or institution that Government monopoly has not expressly admitted to the necessarily narrow circle of its "contractors" can work on or experiment with atomic industrial materials.

No one can compete, using his own ideas and dollars, with those within the circle for the great prizes of satisfaction, prestige, and profit that have always spurred men on in every other new chapter of American industrial history.

The Atomic Energy Commission has tried and continues to try conscientiously to adapt Government monopoly to American industrial habits and traditions and capabilities. But it is an impossible assignment. To be directed to harmonize monopoly of ideas with competition in ideas is like being told to make oil and water mix.

Instead of moving into this new frontier of the industrial atom along the road we know so well, we have gone down another road, one that is against all our experience and contrary to our temperament. The hard fact is that we are trying to hang up a great American industrial achievement by what are essentially the monopoly methods of Soviet Russia.

The industrial frontier of the second 50 years of the twentieth century is the development of the atom for useful purposes. Here is that new "ground floor" that Americans are always watching out for—something brand-new with no limits to its future.

The development of the industrial atom can provide the setting for still another American miracle of industrial growth, another opportunity to boost the rate and variety of our productiveness, another wide upswing in everybody's income and standard of living comparable to that which resulted from the stimulus of electricity, the automobile, or the vast industries based on modern chemistry. I can think of almost no industry or business or profession or labor skill in the country that is not a potential beneficiary.

To make the industrial atom really sprout and flourish within the next decade or so would create kinds of jobs and businesses and ways of living now undreamed of. Here would be something concrete and understandable for the whole world to take note of in that hot competition known as the cold war. What powerful propaganda ammunition this would be we can better understand by imagining what would happen in men's minds everywhere if the Russians should beat us at developing this peaceful side of the atom.

There is no reason why they should beat us at it, though. This particular kind of pioneering is just our dish.

We ought to start at once to get the industrial atom back on the American track. A great deal is at stake. It will take a lot of doing. I am convinced that it can be done. We should lose no time getting going.

We know how to make technical progress in this country. We know how to take new discoveries and apply them to useful purposes. We know how to dig out new knowl-

edge to fill in the gaps that show up, how to shape development so that it supplies human needs, how to cut costs, get rid of the "bugs" in new processes, how to see that labor gets a share in increased productivity.

This kind of development "know-how" is an art, a distinctive American art. It is widely respected in the world. We know that it is one of our greatest assets.

This art of development is the very heart of the American industrial system. It is based largely on wide-open competition of ideas, providing an open and free field for any man's idea of a better way to do something. It is fluid, flexible, and vigorous. Sometimes it has been ripsnorting and crude. But it has given the American consumer and worker, and the young people setting out in life, a wide range and freedom of choice. It has given us a military power that was decisive in two world wars. It enables us today to help many countries and peoples who would otherwise starve or fold up or be push-overs for communism.

But when it comes to the new era of the atom we have thrown overboard almost everything we know about how to make industrial progress.

Now, of all times, we need to demonstrate the vigor and adaptability of American business and industrial management. Yet we pick this time to dump our unique advantages overboard for 100 percent Government ownership, 100 percent Government financing, and increasingly centralized and governmental direction of one of the most technical undertakings in our whole history.

The crowning irony of all this remains to be stated. As to the new era of the atom, we have not only turned our back on the essentials of the industrial system that has given us our military security, we have done it in the name of military security. In the midst of a desperate competition with the Russian system, we have adopted a method that more nearly resembles the Russian system than it does our own.

How did this strange state of affairs come about? What are the stakes in the industrial development of the atom? How can we get the atom back on the road on which we have prospered and become strong? Can we do this without divulging "atomic secrets" of military importance? What inducements can be set up so private capital and competitive brains will come into this new region?

These are among the many questions that arise. I shall offer here what seems to me a basis for developing the answers. I believe that there are practical and sensible steps that can get us back on course.

Let me say, first of all, that there are no "devils" in this story. This is not a sinister tale of conspirators and master spies. My disagreement is not concerned with individuals. I am certainly not critical of my former associates, the able and exceptionally devoted men of the Atomic Energy Commission and its organization. And President Truman, from the very outset, has steadily espoused, supported, and promoted civilian control of the atom and its beneficial development; he has seen clearly the bright prospect that the peaceful applications of atomic energy hold out for mankind.

The strange and dangerous course we are now pursuing was set by the Atomic Energy Act of 1946. Sponsored by Senator BRIEN McMAHON and known as the McMahon Act, it was the end product of monumental hearings, in which many able citizens appeared and expressed their views. The conduct of these hearings by Senator McMAHON, and his uphill but successful fight for the principle of civilian direction of this great new knowledge, constitute one of the brightest chapters in the legislative history of our generation.

When this law was enacted 4 years ago no one could see, that there was any alterna-

tive to an air-tight Government monopoly; certainly this was my own view at that time. But though not a single vote was cast against its passage in the Senate, there were deep misgivings among the sponsors of the legislation, doubts which found their way into almost the first words of the law itself, that this legislation will necessarily be subject to revision from time to time since so many unknown factors are involved.

Three years of actually administering atomic energy has convinced me completely that the time for revision has come; that there is a better way than monopoly; that changes both of law and, equally important, of public and Congressional approach to the industrial atom are urgently needed.

I therefore propose that the basic provisions and fundamental assumptions of the Atomic Energy Act and its administration be thoroughly reexamined by the country. This reexamination should take into account how the law has actually worked in practice, and whether the structure of organization provided by the law tends to defeat the purpose of the act itself; it should take into account such new facts as the Russian atomic achievements. I believe this reexamination will demonstrate that a thoroughgoing revision of the law is required. I urge that the revised law state flatly and without equivocation, as fundamental policy of this country, that development of the industrial atom shall be in accord with the American system. A series of steps should be provided to achieve that purpose, over the very shortest practical space of time.

If this article serves to focus public attention upon this strange critter, an idea monopoly in a land of free opportunity for new ideas, and if it stimulates public discussion, it will serve my purpose. If enough people become convinced, as I now am, that we are off the track, then I'm sure we are practical enough to find specific ways and means of setting things to rights.

The future course of American life will be profoundly affected by this issue. The foundations of our military strength are directly involved, and so is our basic pattern of life.

What is at stake here? Is atomic energy only a military weapon, only a cataclysmic explosion? A good many people still think so.

But this is as great an error as to think that the Chicago fire is a typical example of the use of fire, or that because electricity is used for electrocutions, electricity and electrocutions are synonymous. To put the development of electricity in the hands of a United States Electrocution Commission is about as sensible as to force our Atomic Energy Commission to become merely an Atomic Munitions Trust; and this is what we are now rapidly heading for.

If atomic energy actually were just another piece of military ordnance then Government monopoly is appropriate enough; or in any event, no deep harm is done and industrial advance all along the line is not lost to us.

But far more than a kind of supermunition is involved. I can make this clear by some analogies.

Suppose 50 years ago (or even 25 years ago) virtually all the knowledge of the new chemistry and of chemical reactions had been declared by law to be a Government monopoly, on the ground that it is upon our knowledge of the science of chemistry and chemical know-how that we depend for high explosives, bombs and incendiaries, and poison gas. Or suppose that all facts about aerodynamics, airplane design, and all development of the airplane had been taken over as a Government monopoly after the Wright brothers first demonstrated that a heavier-than-air machine could be made to fly. Chemical reaction and the airplane are far more closely linked to the national security than is the atom bomb. Or make the same supposition about Government monopoly of

radio and electronics—without which, also, this country would be helpless in a military sense.

If there had been a Government monopoly for chemistry or aviation, or radio, as there now is for the atom, what kind of chemical and aviation and radio industries would we have today? Would we have commercial aviation, for example? Would we have radio and television in our homes? Or would aviation and radio still be a Government secret to be developed only at Government cost and in Government-owned plants and for Government purposes? Would we, for example, have developed the vast industrial benefits based on chemical research, creating an industry that has multiplied the wealth of the land employing hundreds of thousands, causing the investment of billions of dollars of private funds?

Of course not. I need not argue the point; the fabulous record of nonmonopoly development based on chemistry, aerodynamics and electronics has changed the whole of American life, has strengthened and improved it. A system of Government monopoly of ideas in those fields would never in the world have produced such magnificent results.

In saying these things I'm not "cussing out" government. The talk about the "dead hand of government" is nonsense. The men and women doing scientific and technical work throughout our Government have very great achievements to their credit. Those working in the atomic field, for the Atomic Energy Commission or for one of the Commission's many private contractors, I believe to be exceptionally talented and energetic. What is wrong is not the people, but the system of monopoly under which the work is done. Government monopoly as a means of developing industrial ideas is what is wrong.

No one can tell in advance where great new ideas will come from, ideas that result in an electric motor or generator, or an automobile engine, ideas like those that created penicillin or the sulfa drugs, ideas that gave us the automobile self-starter or nylon or air conditioning and the refrigerator, or synthetic rubber. We've always tried to encourage people to have such ideas; never before have we turned over to anyone (much less to our Government) the power to limit the circle from which ideas could come.

It takes the ideas of thousands and thousands of different people, armed with what knowledge and know-how has been previously accumulated, to make the kind of industrial progress that this country stands for. And no Government commission, however wise and well-intentioned, no inner circle of private contractors for Government, however well selected and diversified, can be counted on to develop these ideas, for they only grow well in the soil of competition—competition in spirit and in fact.

This is the lesson of our whole history. This is our message of productivity to the whole wide world.

The whole atmosphere has to be right, too, if ideas are to flourish. Otherwise people will not be attracted to a new subject, and will not be stimulated to new ideas. Certainly they will not put their own money and time and energy into developing new things unless the climate of work is favorable.

For this purpose, the atmosphere in the field of the industrial atom could hardly be worse. Men don't get excited about working on new ideas by having available a technical document, especially a carefully "distilled" one, or by being given a quick walk through an atomic factory or laboratory. They need to get their hands into the dirt, into the guts of the working facts. That's not possible today, and won't be

without the changes I believe should be made.

A basic change, and one that is badly needed, is a change in this climate; an end to the absurd cloak-and-dagger air of mystery that still hangs over this monopoly; relief from hideous complexity and increasing centralization and red tape.

Can just any talented person, can a young Ford or Edison or Chrysler or Kettering work at the atom today? I mean work at it, not under a formal contract with a government project number, but just to see what he can find out? He certainly can't. Can he even walk into the Smithsonian Museum and get inspiration by seeing the first models in the atomic field—ones now almost as obsolete as Otto Lillenthal's nineteenth-century glider or Samuel Langley's airplane or George Stephenson's locomotive steam engine?

No—not even that. Even our obsolete information is locked up, monopolized.

These things are wrong. They need correction, if we are not to miss out on what may be one of the greatest opportunities of modern times.

You may well ask: "Now look, mister, just what is this opportunity you say we are missing? Just what can industry do with the atom?" My answer would be that I don't know; that, today, no one knows. That's my point; we must permit industry itself to find out.

I don't know just what can come of the industrial atom, but I do know that we are dealing here with a series of very great discoveries about the fundamental nature of everything physical—whether it is made of metal or is a gas like the oxygen in the atmosphere, and whether it is living or inanimate.

We are dealing here with knowledge about the building blocks of which everything on this earth is made.

We don't know much yet, and we know very little about how to use what we do know, except, of course, as a revolutionary weapon of war. But what else atomic knowledge and its application can do of a creative and useful sort in raising living standards the world over no one really knows much.

To ask precisely what this fundamental knowledge can do for us, industrially, would be like asking Michael Faraday, a hundred years ago, when he demonstrated his crude little gadget for inducing a feeble electric current: "Tell us how a 60,000-horsepower electric generator will transform life in a great city."

But imagine what could happen to the industrial atom if tomorrow we turned over all we know thus far—the basic information—to the hundreds of thousands of minds in industry and in the universities who are capable of new ideas. Think of the creative men in the automotive industry or the pharmaceutical or glass industries, or the great army of men engaged in building a new world based upon the chemistry of petroleum or cellulose or gas. Just to contemplate the prospect of what they could do for us all stirs the blood.

Anyone familiar with American industrial capabilities could set down a list of a dozen or more concerns in almost every medium-sized city in this country that might well push the industrial atom along. I believe I could list offhand 50 such companies, large and small, in each of our dozen largest industrial cities from coast to coast.

Once this sort of development gets really rolling, the ramifications might be widespread. That was the way with the automobile. It had its effect on industries and businesses that in the days of the auto pioneers seemed a long, long way from any connection with the "horseless carriage," and created businesses that never did exist before the auto.

That is the kind of stimulus that we can bring all up and down the line, if we will get back on the beam by providing a basis for competition in ideas as to the most fundamental of all knowledge, the heart—or nucleus—of the atom itself.

As to how important to industry (and therefore to us all) atomic discoveries might be, a genuine analogy is provided by the industrial development of chemistry and chemical reactions, recently described as "the premier industry of the United States."

Chemistry and chemical engineering rearrange atoms, and clusters of atoms called molecules, into patterns that are different from their patterns in their original state. A synthetic rubber tire, for example, is petroleum atoms rearranged by industry into "rubber." Cellophane, high-octane gasoline, nylon, plastics—these are products in which atoms and molecules have been shuffled and tossed around and rearranged. Burning coal or igniting gasoline are other examples of a chemical change in which there results a rearrangement of atoms.

But in no chemical change is the heart of the atom itself changed.

In this new field of atomic energy and atomic radiation, however, the atom itself is changed.

When you "split" an atom, the heart of the atom—the nucleus, the core—changes. In that process of changing, atom radiation results. Great heat is created. Not just hundreds and thousands of degrees (as when the atoms are rearranged in burning coal, for example) but heat in the hundreds of thousands and millions of degrees.

These things happen today. Not just in laboratories on a very small and experimental scale. This process of changing the heart of the atom is going on every day, around the clock, on a factory scale in several of this country's atomic plants.

In these Government-owned factories one substance or element is changed, by atomic particles or by radiation, into quite a different one. Uranium into plutonium is the best-known example. But in splitting atoms of uranium, entirely different elements, by the dozens, are created out of uranium—such as barium, lithium, aluminum and so on.

This is transmutation of the elements. It is what the ancient alchemists tried to do when they sought the way to "transmute" mercury into gold. We can do that too, today, in atomic machines, though of course there seems little point in doing it except as a stunt. Occasionally, though, we do change gold into mercury.

When the heart of the atom is changed in this way, radiation, or energy rays, are set off. Rays from radium and from X-ray machines are instances of radiation with which men in industry are familiar. For industrial use, radium is scarce; X-ray machines are very costly. But just the waste, or byproducts, of a single month's operation of one of this country's atomic plants is the equivalent of tons of radium, and gives off far more radiation than all the X-ray machines in the country could produce in many years.

The technical and industrial uses to which intense beams and huge volumes of radiation can be put have not yet been carefully investigated; in fact it has barely been thought about seriously. Radiation does things to any material that is put in its path. It changes the structure and characteristics of common metals—iron, cobalt, steel, copper, zinc and so on. It changes the structure and nature of curious materials as yet little known to industry or to everyday life, such as those known as germanium and zirconium.

What has been learned thus far about what happens to industrial materials that are exposed to atomic radiation is chiefly what damage it does. Researchers are look-

ing for metals that will contain radiation, or conduct or transfer the heat thereby created. Few materials can take it for these specialized uses. But this is an old story. More often than not, this is the negative process whereby new and useful things have been discovered. Effects that, to one man bent on a particular experiment, seem useless or harmful may, to another with a different goal in mind or no goal whatever or a livelier imagination, lay the foundation for a whole new edifice of technical knowledge and human welfare.

Just a few weeks ago at the University of California there occurred an illuminating and heartening example in the medical field of what I mean. This appears to be a giant stride in the ability to detect hardening of the arteries—high among killers of men—years before any recognizable symptoms appear. This boon, if fully confirmed, is the wholly unexpected, wholly unplanned result of experiments that has as their purpose finding some way to combat the harmful and usually deadly effects of overdoes of radiation on human beings.

I confess I take little stock in the offhand way some people say atomic energy and radiation will probably never amount to much, in the sense of practical industrial use and daily living. "A fine bomb, yes, but not anything else of consequence; certainly not for 50 years." I recall that in 1901, after he and his brother had failed in their stubborn effort to fly, Wilbur Wright concluded that it would be a thousand years before man would fly; 7 years later he made a single flight of more than 77 miles. But Orville Wright's view of this early "failure" of the science of flying is worth repeating to the more dismal of today's atomic energy prophets. He said it was not that flight was impossible; it was just that he and his brother didn't yet know enough.

The possibilities of the industrial atom appear almost limitless. We do not know, for example, what chemical reactions in ordinary substances of industry may be caused by the kind of intense radiation we now have available to us for the first time in history. We cannot be sure, today, how we can make use of the fantastically high temperatures released by changing the heart of the atom. Will it ever be possible, as a result of atomic knowledge, to produce electricity directly—that is, without a boiler and turbine and generator? It doesn't now seem in the cards. But does anyone know enough to be sure?

By the application of temperature, pressure and catalysts modern chemists have rearranged the atoms of such common substances as sulfur, coal tar and chlorine, producing a string of more than 500,000 new compounds. Many of these materials have already found their application in industry. Who is there who can say that the process of changing the heart of the atom itself cannot produce comparable results?

The fabulous benefits that have flowed from chemistry would certainly never have been ours if there had been Government monopoly of the dissemination of the information, the materials with which to carry on the work and of the financing. Industrialists and research directors and investigators, viewing the harassing difficulties and frustrations in the atomic field now subject to Government monopoly, will choose other avenues of opportunity that are open to them, avenues across which there has not been thrown a monolithic roadblock. And America and Americans will be the losers. The time for the first industrial applications of atomic knowledge is overdue.

I have said that it is the absence of competition in ideas that is holding back a vigorous and spirited and full development of the industrial atom; that the individuals

and private corporations engaged in this undertaking—the inner circle—are able, talented, intent upon making progress. I have said that the Atomic Energy Commission tried conscientiously to make the Soviet-type system we had unwittingly adopted work in an American atmosphere.

It is important to emphasize and to expand on these points.

No one can shrug off his deep concern about this dangerous development in our industrial life by saying that the trouble does not go very deep, that minor adjustments would make unnecessary the complete course reversal that I am now proposing. A hard look at this picture shows that this illness is not a surface chill; it is deep in our vital organs.

The atomic bomb was developed under Government monopoly; it was a great achievement. Many private corporations were hired by Gen. Leslie R. Groves and his Manhattan District organization to do particular assigned tasks. The Manhattan District wartime goal was a single and clearly defined one: to make an atomic bomb and make it in time to help win the war. That kind of governmental objective, under wartime incentives (and without political interference in technical decisions which total wartime secrecy provided) is appropriate for Government monopoly.

But when the civilian Atomic Energy Commission was created in August 1946, it was not given the single objective of developing and making atomic munitions. A year's congressional hearings had made it plain to the country and to Congress that far more than weapon-making is involved in atomic knowledge. The very first words of the McMahon Act providing for a civilian commission state this conclusion in these words, words of great sweep and promise:

"Research and experimentation in the field of nuclear chain reaction have attained the stage at which the release of atomic energy on a large scale is practical. The significance of the atomic bomb for military purposes is evident. The effect of the use of atomic energy for civilian purposes upon the social, economic, and political structures of today cannot now be determined. It is a field in which unknown factors are involved. Therefore, any legislation will necessarily be subject to revision from time to time. It is reasonable to anticipate, however, that tapping this new source of energy will cause profound changes in our present way of life. Accordingly, it is hereby declared to be the policy of the people of the United States that, subject at all times to the paramount objective of assuring the common defense and security, the development and utilization of atomic energy shall, so far as practicable, be directed toward improving the public welfare, increasing the standard of living, strengthening free competition in private enterprise, and promoting world peace."

But it takes more than mere words, however eloquent, in a statute that creates a Government monopoly to cancel out the contradiction between monopoly and our competitive enterprise system.

Under our free system the purpose of government and the purpose of industry are quite dissimilar. They ought to be kept that way, if we want to continue that free society. This is especially important in the field of industrial developments.

When government takes over a whole field of knowledge, and monopolizes it, as it has done under the McMahon Act, its purposes—as government—are not only "paramount," they tend to become exclusive. They tend to drive to lower and lower priority those purposes that are actually not the business of government, but of industry—that is, general industrial development.

It is of the deepest importance to us all that we face up to this inescapable fact:

atomic knowledge in the hands of government will be intensively and successfully developed only for military purposes. Here is a simple way to demonstrate that this is true. Suppose that, overnight, atomic energy lost its importance as a weapon, let us say because of some remarkable new discovery. Would it not be recognized, almost without debate, that the whole field of peacetime industrial development of this knowledge would then be the exclusive province of competitive private industry?

The danger that Government monopoly would choke industrial development was clear to me when I first became the Commission's Chairman. But as a practical matter, the only course for the Commission was to try by actual administration somehow to make monopoly work.

Accordingly, private corporations rather than Government employees were selected to do almost every bit of the actual work of production, process engineering, and so on. New companies were brought in and added to the list of contractors. The roster of firms engaged by the Commission to do portions of the work is a very impressive one, including, among others, such honored names of American industry as these: Carbide & Carbon Chemicals Corp., the General Electric Co., Monsanto Chemical Co., the Kellogg Corp., the Air Reduction Co., Inc., Western Electric Co., Bell Telephone Laboratories, Inc., Bendix Aviation Corp., Standard Oil Development Co., Westinghouse Electric Corp., Allis-Chalmers Manufacturing Co., Carrier Corp., and Mallinckrodt Chemical Works.

Wide latitude and discretion were given these concerns in the management of their part of development and production work. (Later, in the Hickenlooper hearings and the resulting legislative "riders," Congress knocked this principle in the head.)

The Commission, at the very outset, launched an effort to broaden knowledge of what was at stake in the industrial atom. We tried, within the law, to increase the information and "know-how" at the disposal of industrial men, those outside the inner circle. This effort continues today. At the Commission's urgent invitation, able industrialists gave months of their time studying this problem of making monopoly work in a land of industrial competition.

What have been the results?

The effort to bring a large segment of the industrial minds of the country actively to bear on this whole new possibility failed. Most American business activities do not have and cannot have any access whatever to genuinely workable and hands-in-the-earth contact with the production of atomic materials or with the industrial atom's potentialities.

The act's process of declassifying (i. e., making nonsecret) information having industrial value has proved hopelessly academic and unworkable. It resembles nothing so much as trying to cut down the redwood tree of secrecy with a penknife; the tree grows faster than the whittler can cut.

As to production: Only one corporation in the country is making or is permitted to know how to make by the method now in use the basic atomic material known as uranium 235.

Only one industrial concern in the country is making, and only two know how to make, the basic atomic end product, plutonium.

As to intermediate "feed" materials, there is only one company making each of these materials; there is no intraindustry competition as to quality, price or (most important) basic improvement in process.

Quite aside from the monetary spur, there is in the atomic enterprise almost no chance for men in industry to have the satisfaction (often quite as important as the profit incentive) of trying to beat the other fellow's methods, his costs, his consumer acceptance.

The estimate of costs of the great new experimental machines for production of atomic power are very high; they are constantly rising, by increments of millions of dollars. Nothing is ever attempted on a small, modest, or limited scale.

There is not a dime of private investment in any of the experimental machines, no financial risk to the corporations doing the work, no cost to them if estimates continue to go zooming up while completion schedules stretch out longer and longer. There is no loss of prestige for mediocre work inasmuch as secrecy makes it difficult or impossible for other industry to judge the performance.

But the men and the corporations at work are excellent. The management personnel of the AEC rank very high. I would say that Carroll Wilson, general manager, is one of the very ablest industrial and technical executives of this generation, an opinion with which many industrial men would agree.

The people and corporations are good, but the results are not. They are not up to American par because the job is not being done the American way.

UNITED NATIONS RECOGNITION OF COMMUNIST CHINA—STATEMENT BY SENATOR BRIDGES AND SENATOR KNOWLAND

Mr. KNOWLAND. Mr. President—The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from California?

Mr. CAIN. I yield.

Mr. KNOWLAND. I ask unanimous consent to have printed in the body of the RECORD, as part of my remarks, a statement that was issued jointly by the Senator from New Hampshire [Mr. BRIDGES] and myself relative to the question of the United Nations recognition of Communist China.

The PRESIDING OFFICER. Is there objection?

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

It is our firm belief that America wants peace with honor. Appeasement is surrender on the installment plan. We believe that our security and the cause of a free world of free men depend on vigorously resisting Soviet pressure in the United Nations on the question of seating the Communist regime in place of the Republic of China.

We handed Manchuria to Russia in the Yalta agreement and that launched the Red conquest in Asia. We abandoned the free peoples of Poland and Czechoslovakia when we acquiesced to rigged elections and that lower the iron curtain over eastern Europe.

What have these concessions gained us? Nothing. We have bought only more cold war tension and more terror. One by one, the countries of the world are falling under the Kremlin's dictatorship. Russia is preparing for war. The Soviet Union is spending more on armaments than all of the free world combined, including the United States.

If we concede on China, we will be asked to yield next on Indochina, Korea, India, Burma, Siam, the United States of Indonesia, and the Philippines. Do we wait until, one by one, all the non-Communist countries of Asia have gone under the hammer and sickle? Do we wait until we are completely isolated or, perhaps, we are asked to concede Hawaii or Alaska?

The new isolationists are those who betray this country's friends by sacrificing them to Soviet-sponsored international communism rather than give them our support. Eventually, if the process continues, we will be isolated, alone against a communized world.

The issue over seating Red China—which means expelling our wartime ally and longtime friend, Nationalist China, one of the United Nations' founding members—is a crucial test in total diplomacy. Secretary of State Dean Acheson has used that expression. Only the Soviet Union, however, has used total diplomacy. While we have wavered, the Kremlin has moved ruthlessly to grab what it wants.

Now Russia wants another vote in the Security Council. UN Secretary General Trygve Lie conveniently cooperates in a scheme to deliver it.

Lie says the Communists represent China's people. That is not true notwithstanding Soviet propaganda. The Communists do not represent China's people. China is the victim of a treacherous invasion, incited and directed from Moscow. Has Trygve Lie forgotten the quislings in his own Norway? Communist agents don't represent China any more than the Nazis represented Norway when they overran Mr. Lie's country.

The United States must not acquiesce in this move to seat Soviet China in the United Nations. To do so would be contrary to the principle of nonrecognition of conquests which Henry L. Stimson laid down when the Japanese conquered Manchuria in 1932. We stood by that principle when the quislings drove the government of which Trygve Lie was Foreign Minister out of Norway. We supported Mr. Lie's government when it had fled into exile and we helped put it back in power.

Do we quit now, drop total diplomacy and go back to Chamberlain appeasement diplomacy at a moment when the future peace of the United States is at stake? There is grave danger that the Soviet Union may destroy the United Nations by holding a gun at the heads of each free nation with a dictate "do it our way—or else."

Lie says the China issue is obstructing progress toward peace through the United Nations. This is camouflage. Russia is obstructing progress toward peace. There would be no issue if Russia accepted its obligations under the United Nations. But Russia refuses to abide by the UN Charter. Lie says, in effect, if Russia will not accept the rules of the UN, the rules must be changed. He adopts the same insidious tactics as the Communists themselves and becomes at least their tool, if not their actual ally.

What Lie proposes is more than mere craven appeasement. It is surrender, abject capitulation. The only support Lie has a right to expect is from the Comintern—not from the United States or the other free nations. Russia wants to apply the police state to the UN. If we yielded to that we would be selling ourselves out and with no assurance, even at that price, that peace can be preserved.

On this issue, Russia has the United States backed to the wall. Any sign of weakness now would cost us more loss of prestige and further impair our leadership of the anti-Communist forces of the world.

This has been slyly calculated in Moscow. China is not an isolated issue. Her position in the United Nations is part of the whole world situation in which peace is so precariously balanced. It cannot be separated from the subjugation of eastern Europe to Soviet dictatorship. China's peril cannot be separated from the peril of other countries in Asia, Latin America, Europe, and the Near East from Russia's armies and Russia's international agents.

In his rebuke to Lie, Secretary Acheson has taken the realistic view that the impasse in the United Nations is the result of Soviet Union's unwarranted attempt to coerce the UN. This is good, as far as it goes.

But does it go far enough? Secretary Acheson repeatedly has said the United States will vote against seating Communist

China. Will he now carry his convictions to a logical conclusion? Will he agree to help organize the free nations to resist Soviet blackmail? To use the veto, if necessary?

Russia has exercised the veto at least 40 times—including vetoes of applications for membership by Ireland, Austria, Finland, Italy, and other countries. Soviet China is another new applicant. Soviet China was created by Russia's imperialist aggression. It was created by conquest of the forces backed by the Kremlin. There is precedent for a veto of Soviet China's application. There also is urgent necessity for it.

We endorse the foreign-aid program for countries which stand with the United States for peace and freedom. It is only simple logic, however, that our wealth and our arms cannot be handed to powers which ultimately might use them against us. It is too dangerous. We are sure the American people agree that those countries which wither under the pressure of Soviet total diplomacy now are ultimate threats to the peace we are paying a very high price to preserve.

We, the undersigned, therefore declare this to be our policy:

1. We affirm Mr. Acheson's repudiation of the Lie pressure proposals for seating Soviet China in the United Nations.

2. In order to lend support to our Government and help strengthen its total diplomacy, we believe that we should consider carefully before giving further United States aid, economic or military, to any nation which betrays its democratic interests under pressure from the Soviet Union, its satellites or agents.

3. Unless Trygve Lie at once withdraws his proposals for seating Soviet China, we ask that the Government of the United States instruct its representatives to the United Nations to seek the selection of an impartial Secretary in place of the Soviet partisan incumbent. His efforts, if successful would open, through the UN, a side door for more Communist agents to enter this country. He has exceeded his authority. He has endangered both peace and the structure of the United Nations, causes he professes to advance.

4. Unless the Soviet Union ends its boycott of the United Nations and ceases its arbitrary and obstructionist tactics, we recommend that the United States use its veto power, if necessary, in the issue over China's representation. We deplore the necessity even to consider using the veto. However, the Soviet Union is attempting to subvert the UN into an instrument for its own imperialist ambitions. In the face of the Soviet's clear plan for conquest, there is no other alternative on this issue.

STYLES BRIDGES,

United States Senator (Republican of New Hampshire).

WILLIAM F. KNOWLAND,

United States Senator (Republican of California).

VOTING PROCEDURE IN THE SECURITY COUNCIL

Mr. KNOWLAND. Mr. President, I also ask to have printed in the RECORD, for the information of the Senate, a statement by the delegations of the four sponsoring governments on voting procedure in the Security Council, issued on June 7, 1945.

Mr. President, I desire particularly to call to the attention of the Members of the Senate the part of the statement indicated by the Roman numeral II, sections one and two, dealing with the question of whether action is subject to a veto. Subsection 1 reads:

In the opinion of the delegations of the sponsoring governments, the draft charter itself contains an indication of the application

of the voting procedures to the various functions of the Council.

2. In this case, it will be unlikely that there will arise in the future any matters of great importance on which a decision will have to be made as to whether a procedural vote would apply. Should, however, such a matter arise, the decision regarding the preliminary question as to whether or not such a matter is procedural must be taken by a vote of seven members of the Security Council, including the concurring votes of the permanent members.

I submit, Mr. President, that this indicates that on the question of the seating of the Communist regime in China or the unseating of the Republic of China the veto of not only the Republic of China itself could apply against such action, but also the United States would be well within its rights to exercise a veto in that matter.

Mr. President, I merely wish to say in conclusion at this time, though I shall have more to say on the floor at a later date, that it seems to me the time is rapidly approaching, particularly in view of the indications that Mr. Trygve Lie is again making a trip to Europe in the interest of seating the Communist regime in the United Nations, and in view of the indication by the British Government today in the articles carried in the morning newspapers that they are now at work in trying to seat the Communist regime, that perhaps the thing the Senate and the House of Representatives should do with respect to the arms-implementation appropriation and the ECA appropriation, which are now before the Appropriations Committee, is to provide a 7 months' allocation of funds. The Congress of the United States will be back here in January of next year, and at that time we will have additional facts to go on as to whether the British Government and these other governments are going to seat the Communists in the United Nations. I shall be prepared to offer such an amendment in the Appropriations Committee so that we may have a review of the entire situation when we return as the Eighty-second Congress in January 1951.

I wish to thank the Senator from Washington for having yielded to me.

The PRESIDING OFFICER (Mr. MURRAY in the chair). Without objection, the statement will be printed in the RECORD.

The statement is as follows:

STATEMENT BY THE DELEGATIONS OF THE FOUR SPONSORING GOVERNMENTS ON VOTING PROCEDURE IN THE SECURITY COUNCIL, JUNE 7, 1945

Specific questions covering the voting procedure in the Security Council have been submitted by a subcommittee of the conference committee on structure and procedures of the Security Council to the delegations of the four governments sponsoring the conference—the United States of America, the United Kingdom of Great Britain and Northern Ireland, the Union of Soviet Socialist Republics, and the Republic of China. In dealing with these questions, the four delegations desire to make the following statement of their general attitude toward the whole question of unanimity of permanent members in decisions of the Security Council.

I

1. The Yalta voting formula recognizes that the Security Council in discharging its responsibilities for the maintenance of in-

ternational peace and security, will have two broad groups of functions. Under chapter VIII, the Council will have to make decisions which involve its taking direct measures in connection with settlement of disputes, adjustment of situations likely to lead to disputes, determination of threats to the peace, removal of threats to the peace, and suppression of breaches of the peace. It will also have to make decisions which do not involve the taking of such measures. The Yalta formula provides that the second of these two groups of decisions will be governed by a procedural vote—that is, the vote of any seven members. The first group of decisions will be governed by a qualified vote—that is, the vote of seven members, including the concurring votes of the five permanent members, subject to the proviso that in decisions under section A and a part of section C of chapter VIII parties to a dispute shall abstain from voting.

2. For example, under the Yalta formula a procedural vote will govern the decisions made under the entire section D of chapter VI. This means that the Council will, by a vote of any seven of its members, adopt or alter its rules of procedure; determine the method of selecting its president; organize itself in such a way as to be able to function continuously; select the times and places of its regular and special meetings; establish such bodies or agencies as it may deem necessary for the performance of its functions; invite a member of the organization not represented on the Council to participate in its discussions when that member's interests are specially affected; and invite any state when it is a party to a dispute being considered by the Council to participate in the discussion relating to that dispute.

3. Further, no individual member of the Council can alone prevent consideration and discussion by the Council of a dispute or situation brought to its attention under paragraph 2, section A, chapter VIII. Nor can parties to such dispute be prevented by these means from being heard by the Council. Likewise, the requirement for unanimity of the permanent members cannot prevent any member of the Council from reminding the members of the organization of their general obligations assumed under the charter as regards peaceful settlement of international disputes.

4. Beyond this point, decisions and actions by the Security Council may well have major political consequences and may even initiate a chain of events which might, in the end, require the Council under its responsibilities to invoke measures of enforcement under section B, chapter VIII. This chain of events begins when the Council decides to make an investigation, or determines that the time has come to call upon states to settle their differences, or makes recommendations to the parties. It is to such decisions and actions that unanimity of the permanent members applies, with the important proviso, referred to above, for abstention from voting by parties to a dispute.

5. To illustrate: In ordering an investigation, the Council has to consider whether the investigation—which may involve calling for reports, hearing witnesses, dispatching a commission of inquiry, or other means—might not further aggravate the situation. After investigation, the Council must determine whether the continuance of the situation or dispute would be likely to endanger international peace and security. If it so determines, the Council would be under obligation to take further steps. Similarly, the decision to make recommendations, even when all parties request it to do so, or to call upon parties to a dispute to fulfill their obligations under the Charter, might be the first step on a course of action from which the Security Council could withdraw only at the risk of failing to discharge its responsibilities.

6. In appraising the significance of the vote required to take such decisions or actions, it is useful to make comparison with the requirements of the League Covenant with reference to decisions of the League Council. Substantive decisions of the League of Nations Council could be taken only by the unanimous vote of all its members, whether permanent or not, with the exception of parties to a dispute under article XV of the League Covenant. Under article XI, under which most of the disputes brought before the League were dealt with and decisions to make investigations taken, the unanimity rule was invariably interpreted to include even the votes of the parties to a dispute.

7. The Yalta voting formula substitutes for the rule of complete unanimity of the League Council a system of qualified majority voting in the Security Council. Under this system non-permanent members of the Security Council individually would have no "veto." As regards the permanent members, there is no question under the Yalta formula of investing them with a new right, namely, the right to veto, a right which the permanent members of the League Council always had. The formula proposed for the taking of action in the Security Council by a majority of seven would make the operation of the Council less subject to obstruction than was the case under the League of Nations rule of complete unanimity.

8. It should also be remembered that under the Yalta formula the five major powers could not act by themselves, since even under the unanimity requirement any decisions of the Council would have to include the concurring votes of at least two of the non-permanent members. In other words, it would be possible for five non-permanent members as a group to exercise a veto. It is not to be assumed, however, that the permanent members, any more than the non-permanent member, would use their veto power willfully to obstruct the operation of the Council.

9. In view of the primary responsibilities of the permanent members, they could not be expected, in the present condition of the world, to assume the obligation to act in so serious a matter as the maintenance of international peace and security in consequence of a decision in which they had not concurred. Therefore, if a majority voting in the Security Council is to be made possible, the only practicable method is to provide, in respect of nonprocedural decisions, for unanimity of the permanent members plus the concurring votes of at least two of the non-permanent members.

10. For all these reasons, the four sponsoring Governments agreed on the Yalta formula and have presented it to this conference as essential if an international organization is to be created through which all peace-loving nations can effectively discharge their common responsibilities for the maintenance of international peace and security.

II

In the light of the considerations set forth in Part I of this statement, it is clear what the answers to the questions submitted by the subcommittee should be, with the exception of question 19. The answer to that question is as follows:

1. In the opinion of the delegations of the sponsoring governments, the draft charter itself contains an indication of the application of the voting procedures to the various functions of the Council.

2. In this case, it will be unlikely that there will arise in the future any matters of great importance on which a decision will have to be made as to whether a procedural vote would apply. Should, however, such a matter arise, the decision regarding the preliminary question as to whether or not such a matter is procedural must be taken

by a vote of seven members of the Security Council, including the concurring votes of the permanent members.

QUESTIONNAIRE ON EXERCISE OF VETO IN SECURITY COUNCIL, MAY 22, 1945

(NOTE.—It is provided under ch. VI (C), par. 3, that in all questions under VIII (A) a party to a dispute shall abstain from voting. Therefore unless otherwise indicated the veto referred to in each question below is the veto of a permanent member who is not a party to a dispute.)

Under new paragraph 1 of chapter VIII (A), prepared by the sponsoring Governments:

"Without prejudice to the provisions of paragraphs 1-5 below, the Security Council should be empowered, if all the parties so request, to make recommendations to the parties to any dispute with a view to its settlement in accordance with the principles laid down in chapter II, paragraph 3."

(1) If the parties to a dispute request the Security Council to make recommendations with a view to its settlement, would the veto be applicable to a decision of the Security Council to exercise its power to investigate the dispute for that purpose?

(2) If the Security Council has investigated a dispute under this paragraph, would the veto be applicable to a decision of the Security Council to recommend to the parties certain terms, with a view to the settlement of the dispute?

Under present paragraph 1 of chapter VIII (A):

"1. The Security Council should be empowered to investigate any dispute, or any situation which may lead to international friction or give rise to a dispute, in order to determine whether its continuance is likely to endanger the maintenance of international peace and security."

(3) If the attention of the Security Council is called to the existence of a dispute, or a situation which may give rise to a dispute, would the veto be applicable to a decision of the Security Council to exercise its power to investigate the dispute or situation?

(4) If the Security Council has investigated the dispute, would the veto be applicable to a decision by the Security Council that the continuance of the dispute is likely to endanger the maintenance of international peace and security?

Under present paragraph 3, chapter VIII (A):

"3. The parties to any dispute the continuance of which is likely to endanger the maintenance of international peace and security should obligate themselves, first of all, to seek a solution by negotiation, mediation, conciliation, arbitration, or judicial settlement, or other peaceful means of their own choice. The Security Council should call upon the parties to settle their dispute by such means."

(5) If the Security Council has decided that the continuance of a dispute is likely to endanger the maintenance of international peace and security, would the veto be applicable to a decision of the Security Council to call upon the parties to settle their dispute by the means indicated in paragraph 3?

Under paragraph 4 of chapter VIII (A) as proposed to be amended by the sponsoring governments:

"4. If, nevertheless, parties to a dispute of the nature referred to in paragraph 3 above fail to settle it by the means indicated in the paragraph, they should obligate themselves to refer it to the Security Council. The Security Council should in each case decide whether or not it deems that the continuance of the particular dispute is in fact likely to endanger the maintenance of international peace and security, and, accordingly, whether the Security Council should deal with the dispute, and, if so, whether it should take action under paragraph 5 it

shall decide whether to take action under paragraph 5 or whether itself to recommend such terms of settlement as it may consider appropriate."

(6) If a dispute is referred to the Security Council by the parties under this paragraph, would the veto be applicable to a decision by the Security Council under the second sentence of this paragraph that it deems the continuance of the particular dispute is in fact likely to endanger the maintenance of international peace and security?

(7) If the Security Council deems that the continuance of the particular dispute is in fact likely to endanger the maintenance of international peace and security, would the veto be applicable to a decision of the Security Council under the second sentence of this paragraph to take action under paragraph 5?

(8) If the Security Council deems that the continuance of the particular dispute is in fact likely to endanger the maintenance of international peace and security, would the veto be applicable to a decision of the Security Council under the second sentence of this paragraph to recommend to the parties such terms of settlement as it considers appropriate?

Under paragraph 5 of chapter VIII (A): "5. The Security Council should be empowered, at any stage of a dispute of the nature referred to in paragraph 3 above, to recommend appropriate procedures or methods of adjustment."

(9) Would the veto be applicable to a decision of the Security Council, at any stage of a dispute, to recommend to the parties appropriate procedures or methods of adjustment?

Under paragraph 6 of chapter VII (A): "6. Justiciable disputes should normally be referred to the International Court of Justice. The Security Council should be empowered to refer to the Court, for advice, legal questions connected with other disputes."

(10) Would the veto be applicable to a decision of the Security Council under the first sentence of this paragraph that a dispute is of a justiciable character?

(11) Would the veto be applicable to a decision of the Security Council under the first sentence of this paragraph to refer a justiciable dispute to the International Court of Justice?

(12) Would the veto be applicable to a decision of the Security Council to deal with a justiciable dispute by some other means of adjustment?

(13) Would the veto be applicable to a decision of the Security Council to refer to the International Court of Justice a legal question connected with a nonjusticiable dispute?

Under paragraph 1 of chapter VIII (B) as proposed by the four sponsoring governments:

"Section B: Determination of threats to the peace or acts of aggression and action with respect thereto. 1. Should the Security Council deem that a failure to settle a dispute in accordance with procedures indicated in paragraph 3 of section A, or in accordance with its recommendations made under paragraphs 4 or 5 of section A, constitutes a threat to the maintenance of international peace and security, it should take any measures necessary for the maintenance of international peace and security in accordance with the purposes and principles of the Organization."

(14) Would the veto be applicable to a decision of the Security Council that it deemed that a failure would constitute a threat to the maintenance of peace and security?

(15) Would the veto be applicable of the Security Council that it should take any measures necessary for the maintenance of international peace and security?

Under new paragraph 2 of chapter VIII (B) as proposed by the four sponsoring governments:

"2. In general, the Security Council should determine the existence of any threat to the peace, breach of the peace or act of aggression, and should make recommendations or decide upon the measures set forth in paragraphs 3 and 4 of this section to be taken to maintain or restore peace and security."

(16) Would the veto be applicable to a decision of the Security Council that it determined the existence of any threat to the peace, etc.?

Under new paragraph proposed by the four sponsoring governments to be inserted between paragraphs 2 and 3 of chapter VIII (B):

"Before making the recommendations or deciding upon the measures for the maintenance or restoration of peace and security in accordance with the provisions of paragraph 2, the Security Council may call upon the parties concerned to comply with such provisional measures as it may deem necessary or desirable in order to prevent an aggravation of the situation. Such provisional measures should be without prejudice to the rights, claims, or positions of the parties concerned. Failure to comply with such provisional measures should be duly taken account of by the Security Council."

(17) Would the veto be applicable to a decision of the Security Council that it may call upon the parties, etc.?

(18) Would the veto be applicable to a decision of the Security Council that failure to comply should be duly taken account of, etc.?

Under the second paragraph of chapter VI (C):

"Section C. Voting. 1. Each member of the Security Council should have one vote.

"2. Decisions of the Security Council on procedural matters should be made by an affirmative vote of seven members."

(19) In case a decision has to be taken as to whether a certain point is a procedural matter is that preliminary question to be considered in itself as a procedural matter or is the veto applicable to such preliminary question?

Under the third paragraph of chapter VI (C):

"3. Decisions of the Security Council on all other matters should be made by an affirmative vote of seven members including the concurring votes of the permanent members; provided that, in decisions under chapter VIII, section A, and under the second sentence of paragraph 1 of chapter VIII, section C, a party to a dispute should abstain from voting."

(20) If a motion is moved in the Security Council on a matter, other than a matter of procedure, under the general words in paragraph 3, would the abstention from voting of any one of the permanent members of the Security Council have the same effect as a negative vote by that member in preventing the Security Council from reaching a decision on the matter?

(21) If one of the permanent members of the Security Council is a party to a dispute, and in conformity with the proviso to paragraph 3 has abstained from voting on a motion on a matter, other than a matter of procedure, would its mere abstention prevent the Security Council from reaching a decision on the matter?

(22) In case a decision has to be made under chapter VIII, section A, or under the second sentence of chapter VIII, section C, paragraph 1, will a permanent member of the Council be entitled to participate in a vote on the question whether that permanent member is itself a party to the dispute or not?

(23) In view of questions raised by several delegations, the Greek delegation would like to be informed whether, under chapter 10, paragraph 1, of the Dumbarton Oaks pro-

posals as amended by the four governments, the recommendation of the Security Council to the Assembly in respect of the election of the Secretary-General and his deputies is subject to veto.

EXTENSION OF SELECTIVE SERVICE ACT OF 1948

The Senate resumed the consideration of the bill (H. R. 6826) to provide for the common defense through the registration and classification of certain male persons, and for other purposes.

Mr. CAIN. Mr. President, the junior Senator from Washington wishes to associate himself with the senior Senator from Maryland [Mr. TYDINGS], the chairman of the Senate Armed Services Committee, with the Senator from Massachusetts [Mr. SALTONSTALL], and with other Senators in recommending that the Selective Service Act of 1948 be extended for a period of 3 years. This law was approved on June 24, 1948. It was to be effective for a period of 2 years, unless sooner terminated by the Congress. If the Congress does not direct otherwise, therefore, the statute will expire on Saturday, the 24th of this month. That date is almost here.

The committee report contains a rather complete outline of the main features of the 1948 act, so I shall not take the time to review them all in detail. There are two or three points, however, which I will discuss briefly, as I think we should have them clearly in mind, and the Nation ought to be conscious of them.

The law calls for the registration of all male persons 18 through 25 years of age. Those less than 18 are required to register as they reach that age. All told, over 10,000,000 men have so far been registered.

There actually have been no inductions from among this group for nearly 18 months. However, the law authorizes the induction of certain nonveteran, unmarried persons between the ages 19 through 25, provided the manpower strengths specifically authorized by the Congress cannot be met by enlistments. It is important to note, at this point, that this induction authority is in reality a very limited one, in that the law clearly specifies definite manpower ceilings. As a practical matter, there is a further congressional control, because manpower totals are in reality determined by the numbers actually appropriated for each year by the Congress.

Any inductions which might be made are for a period of 21 months. There are very liberal deferments and exemptions for persons who have dependents, who have had previous military service, who are attending high school or college, or who belong to the Reserves. These deferments and exemptions are, of course, far more liberal than could be supported in even a fairly limited mobilization. That is as it should be, because the present act was never intended as a mobilization proposition. It is—and we should always bear that in mind—a peacetime measure, designed and planned to give us a force big enough to deter aggression, and thus act as a preventive to a full-scale emergency; or, if one should come, to enable us to meet the initial shock with a force respectable

enough to give us the time necessary to marshal our resources.

The present law also gives reemployment rights but no GI benefits, provides for the compulsory filling of orders for military supplies, and contains a number of features of lesser importance, all of which were considered in detail by the Senate 2 years ago, at which time the act was passed by an impressive majority.

As Senators will recall, early in 1948 the Senate Committee on Armed Services held an exhaustive series of hearings on the question of military manpower. During the long weeks of those hearings, our most respected and competent officials, both civilian and military, pointed out, with an impressive degree of unanimity, that in their best judgment the number of men on active duty in the Military Establishment was at a dangerously low level. Our forces were simply not big enough to meet the immediate demands of our national security, and to maintain our national position. Even today, none of us can forget how badly the international situation had deteriorated during 1946 and 1947; how dismally the hopes of mankind for a free and peaceful world were then being frustrated by the caprice, and the willfulness, and the increasingly ruthless arrogance and stubbornness and prevailing lack of a desire to cooperate, of the Soviet leaders.

But even so, the witnesses who appeared at those hearings back in 1948 did not contend that a war was immediately or about to break out, nor that enemy bombers were virtually overhead, nor that the Nation should be converted then, or tomorrow, or now, into an armed camp. What they said was simply that the number of men actually in our Armed Forces at that time was too small to meet our national commitments, too small to prevent the numerous critical situations which we were then facing from developing into major and serious and dangerous emergencies.

Furthermore, the existing military forces not only were too small at the moment, but they were decreasing at an alarming rate. In spite of what was, at that time, the largest and most successful recruiting program ever conducted by any nation in peacetime. We were simply unable to fill our ranks.

The answer to this increasingly dangerous situation was, first, to authorize an increase in our Armed Forces, and, second, to provide a limited form of selective service which would insure that the necessary strengths would not only be reached, but could, and would be, maintained.

It was against this background that the Selective Service Act of 1948 was recommended to the Senate by the Committee on Armed Services, and was overwhelmingly approved. We appear today to ask that the act be extended. I shall attempt to give the Senate our reasons for recommending this admittedly difficult course of national action.

The effects of the 1948 act are pretty well recognized by all who are familiar with the Military Establishment. Two years ago our combat units were not only inadequate in numbers and types,

but even those which we did have were so depleted in strength as to be incapable of performing their missions. There was also a grave shortage in the non-combat, or service, troops which are so necessary to carry out the vital functions of logistic support. The Army, where the situation was by far the worst, was at the alarmingly low strength of 542,000, and was still losing men at the rate of several thousand each month.

In approving the 1948 act, the Congress directed that no inductions should be made for a period of 90 days, and that in the meantime the President should further intensify the enlistment program, in an effort to obviate the need for making any inductions at all. As a matter of fact, there was a full agreement—which agreement, I might add, has been fully and honestly kept—that the President would not use his induction authority unless it was absolutely necessary to do so, and would cease using it the moment the Armed Forces could maintain the strength which had been authorized, and appropriated for, by the Congress.

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

The PRESIDING OFFICER (Mr. CHAPMAN in the chair). Does the Senator from Washington yield to the Senator from Utah?

Mr. CAIN. Certainly; I am pleased to yield.

Mr. WATKINS. Will the Senator inform us how many men were actually inducted under that measure?

Mr. CAIN. There have been inducted under the Selective Service Act of 1948, 30,170 men, almost all of whom have, since their induction, been retired, at their own request, to private life. I think it is a fact that of the 30,170 men who have been inducted since 1948, as a result of the passage of the Selective Service Act of 1948, only 200 are yet serving in the Army of the United States; and all of those 200 are serving at their own request.

Mr. WATKINS. Then I understand that it was possible to obtain the necessary numbers of men without having to draft more than approximately 30,000 men. Is that correct?

Mr. CAIN. For approximately 18 months we have had the Selective Service Act on our statute books, while inducting no men into the Armed Forces.

Mr. WATKINS. What is the present situation with respect to the Armed Forces? Do we now have in the Armed Forces enough men to take care of current needs?

Mr. CAIN. The Army is presently about 25,000 men under strength, in the sense that the Army has appropriations sufficient, as I understand, to pay the wages and salaries of 25,000 more men than are presently in the Army.

Mr. WATKINS. Would it be asking for classified material if I were to ask the Senator to state the total number of men now in the Armed Forces?

Mr. CAIN. By no means. Those figures are to be found on page 7 of the committee report. The Army has a present strength of 593,000 men; the Navy, a present strength of 427,000 men;

and the Air Force, a present strength of 350,000 men.

Mr. WATKINS. Did I correctly understand the Senator from Washington to say that we now are short about 30,000?

Mr. CAIN. My best understanding is that we are now short approximately 25,000 men. We have financial authority to pay for approximately 25,000 more men than thus far have been taken into the Army.

Mr. President, immediately upon the passage of the Selective Service Act of 1948, the volume of volunteer enlistments in all services increased far beyond even the most optimistic estimates. It is to this portion of my statement that I would call the attention of the Senator from Utah, because I think this portion of it reflects on the very serious concern the Senator has over the need or the lack of need for continuing our Selective Service Act.

Mr. WATKINS. Mr. President, will the Senator yield at this point?

Mr. CAIN. I yield.

Mr. WATKINS. Let me say to the Senator from Washington that I do not wish to be understood in any way as opposing the extension of the Selective Service Act itself. However, I have some very serious questions with respect to placing in the hands of the Chief Executive the power to declare the act operative and the power to call men to the colors again without any act of Congress. That is the question I have in mind. I think it was raised by the House of Representatives, which disagreed with the version of the bill which has been reported to us by the Senate committee.

I hope the Senator will discuss that phase of the question before he resumes his seat.

Mr. CAIN. Mr. President, the Senator from Utah is quite correct in stating that the positions assumed by the House of Representatives, on the one hand, and by the Senate committee, on the other hand, are completely dissimilar in respect to the power to be granted to the President to invoke the draft.

I shall attempt as best I can to give the Senate Armed Services Committee's view of the matter, and I shall welcome any questions the Senator from Utah may care to ask.

Mr. President, in the first months immediately following the passage of the 1948 Selective Service Act, more than a quarter of a million men over and above the total of those who had enlisted in a comparable period prior to the act, voluntarily enrolled in the armed services. Not only the active-duty forces, but the National Guard and the Organized Reserve, as well, benefited by the unprecedented program.

Inductions through selective service began in November of 1948, and continued for 3 months, at which time further calls were canceled. Slightly over 30,000 men were inducted into the Army; none into the Navy, and none into the Air Force. The Army inductions were necessary, because, even in spite of the heavy flow of enlistments, it was not possible to accomplish the initial build-up in strength at the rate demanded by the national interest and the Nation's secu-

urity and as authorized by appropriations made available by the House of Representatives and by the Senate. All told, by January of 1949, the active-duty strength of the Army had been increased from 542,000 men to 711,000 men, although only about 30,000 of that total increase had been inducted. It was therefore possible to release every inductee who wished to leave the service and return to civilian life.

Mr. President, I should merely like to restate that it is my present understanding that only about 200 of the 30,000 men who were inducted are still in the Army, and they are there because it was their wish so to remain.

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

Mr. CAIN. Certainly.

Mr. WATKINS. At what stage were they released? Were they released immediately after induction, or were they released at the end of the term of service for which they were inducted?

Mr. CAIN. The inductions are normally for a 21-month period. However, in answer to the Senator's question, let me say that my understanding is that all of the approximately 30,000, less the 200, were released from the service at the end of a year's service, or 12 months of active duty.

Mr. WATKINS. They were not released immediately after induction?

Mr. CAIN. The Senator from Utah is quite correct in that instance.

Mr. President, registrations and classifications have continued in compliance with the law. There have been some 10,000,000 registrations, in all. These registrations will become invalid, however, if the law expires on Saturday night of this week or if the law is even permitted to lapse for a short period of time.

Mr. WATKINS. Mr. President, will the Senator yield at this point?

Mr. CAIN. Gladly; I yield.

Mr. WATKINS. Is it not true that we now have 10,000,000 men registered?

Mr. CAIN. That is my understanding.

Mr. WATKINS. And is it not true that 9,000,000 of them are classified? Have not the draft boards and other authorities in the Selective Service System been able to classify about 9,000,000 of the 10,000,000 who have been registered?

Mr. CAIN. I have been told that substantially all of the men who have registered have already been classified. If the number registered is 10,000,000, then approximately 10,000,000 have thus far been classified.

Mr. WATKINS. The question I have in mind is this: In the event the act is not extended, would we have the full benefit of those registrations and classifications, to pick up immediately, if we should enact another draft act?

Mr. CAIN. Upon expiration of the act on Saturday night of this week, every one of the 10,000,000 registrations would automatically become invalid.

Mr. WATKINS. They might become invalid, but, as a matter of fact, the information we have, including the names of the registrants, their addresses and the classifications into which they have

been placed by action of the boards would all be available, would it not?

Mr. CAIN. I think that is entirely correct. Unless we should assume that such records as contain the classifications and registrations are to be destroyed, we should quite properly assume the information would be available in the future.

Mr. WATKINS. Would there be any idea that those cards and records would then be destroyed?

Mr. CAIN. I think there would be no such feeling.

Mr. WATKINS. So that whatever we have done in that respect to date would still be available under any new draft act or registration in the future, would it not?

Mr. CAIN. Whatever we have done would be available in the future, in the form of information. Men could not be called to the services unless the Congress passed the necessary legislation.

Mr. WATKINS. I understand that, but another selective-service system could refer to all these registrations and classifications, adopt them, and start from that point on, could it not?

Mr. CAIN. I think the Senator is entirely correct, but the classifications would be useless in a great number of instances.

Mr. President, in effect, the induction feature of the 1948 act is today on a sort of stand-by basis, but it can be again placed in operation, if the President should find that it is impossible to continue to maintain present strengths through voluntary enlistments. I am exceedingly pleased to have an opportunity to say that the armed services have used the Selective Service Act in complete good faith. They stopped making calls for induction the moment they were able to maintain themselves without those inductions. Events have borne out the wisdom of our having enacted this legislation 2 years ago, and I believe that they warrant its continuation. The spectacular success of the Berlin airlift—which, incidentally, began just 2 days after the law took effect in 1948—helped avert a show-down when this Nation was not ready for a show-down in Germany or anywhere else, and gave America time to build up the depleted ground force which we had been attempting to maintain in that area of Germany. Last Whitsunday, in Berlin, that force had grown to where it had become a power to be reckoned with, and, backed by our Nation's determination to stand its ground, helped to prevent the development of an emergency, the gravity of which is literally overwhelming even to contemplate. And had we been too weak in that area, had we not built up a force reasonably big enough to prevent that Communist emergency from ever developing, what a very futile and tragic gesture it would then have been for the Congress of the United States to meet and then solemnly declare that an emergency existed. What more convincing proof do we need that our present military posture is an effective one, which should not be weakened?

For the next few moments, Mr. President, I should like to call the attention

of the Senate to several important and basic changes which the Senate Committee on Armed Services recommends be made in the House version of the pending bill.

In the first place, we recommend that the present law be extended for three additional years, instead of only two. We feel that any policy which is as important to our national security as selective service should be relatively stable, without at the same time becoming a permanent peacetime fixture. The best-informed and most responsible leaders of the country today all urge the full 3-year extension. I think it ought more properly to be said that a great many well-informed and completely responsible leaders of America recommend this course of action. We feel that there is nothing in the world situation as it now exists which warrants disregarding their recommendation, and extending the law for only 2 years. Also, in our preoccupation with the international picture, we should not become unmindful of the thousands of volunteer workers who make up the local boards and the other vital parts of the selective-service machine, whose know-how, experience, prestige and morale are invaluable. The Selective Service System today has approximately 37,000 of these volunteer workers who give their services to the country without compensation. The System does its job with only 2,100 paid full-time positions. It gives us, in return for the ten and a half million dollars it costs, more real security per dollar than any other expenditure authorized by the Congress. It is not fair to this large army of volunteer workers to keep them on a sort of hand-to-mouth basis, as they are at the present time, unable to decide whether the Nation considers their efforts worth while or not.

In the second place, interested Members will note that the House bill adds to the existing law two new sections, Nos. 21 and 22, in the line-typed portion of the language.

The first of these proposed new sections freezes the induction authority of the President, and requires a declaration of an emergency by the Congress before inductions can be resumed.

We opposed that, Mr. President, as a committee, and, I think, unanimously, because we feel that it strikes at the fundamental purpose of the law. The law seeks to guarantee to the Nation an armed strength which is large enough to deter the aggressor's threat. A strength large enough to cope with situations as they are developed. We seek to cut off the Whitsunday riot in Berlin, rather than to assemble in this Senate Chamber after the situation has exploded in our faces, and ruefully go through the business of "declaring a national emergency." In the last analysis, this portion of the House version actually makes it necessary to declare an emergency in order to attempt to prevent or to avoid one.

The Armed Services Committee of the Senate has consistently avoided any war-scare tactics in dealing with this bill. We have never attempted, nor do we now attempt, to justify this measure on the thesis that we must mobilize, or that

this very Capitol Building may be bombed at any moment, or that some other vague and frightening national catastrophe is actually upon us. We are simply trying to meet a very simple, clear-cut, realistic though regrettable situation. It is merely this:

Suppose for a moment that, in spite of all the recruiting effort possible, the present 25,000 shortage in the Army falls off another 25,000 by November 1; or that the Navy is not able to fill the 22,000 vacancies which presently exist in its ranks; or that the Air Force cannot get the 7,000 men it needs right today.

Let me make it perfectly plain, we are not crying "wolf." We feel confident, as confident, that is, as is consistent with not gambling with our security, that these figures can be met by voluntary enlistments. But we base our estimates on the clear premise that the present law is extended in its present form, and not watered down to what is virtually a sort of automatic census machine. The emergency provision in the House bill renders the act all but useless in meeting the problem it was designed to meet. For, if on November 1 the President finds that the armed forces are dangerously below the strengths actually appropriated for by the Congress, how could he suddenly ask the Congress to declare an emergency? What we are seeking to meet is not an emergency. It is simply a situation. A situation in which the President declares that it is necessary to supplement voluntary enlistments in the armed forces of the United States in order to maintain the strengths authorized, and appropriated for, by the Congress.

Furthermore, we disagree with the provisions of the House bill which cancel, except and until Congress declares an emergency, all short-term enlistments and prevents voluntary tours of duty by enlisted reservists. Those are important inducements, aimed to attract volunteers, and thereby cut down the need for inductions. We feel that it is completely illogical to suspend them; further, we feel that suspending them tends strongly to further complicate the entire situation. For how could the Congress declare an emergency existed which required inductions if, all during the period covered, these important volunteering procedures had been outlawed?

The House version contains another provision—a proposed section 22 to be added to the present law—which permits the President to order the National Guard and the other Reserve units into the Federal service in the event this section 21 emergency is declared.

This goes far beyond any authority which the committee ever contemplated should be included in a peacetime selective service bill. The calling of the civilian components into the Federal service is a prelude to war. It is one of the initial steps taken in a full mobilization. To call them from time to time in peacetime simply to augment the active-duty strength of the Regular forces is a radical departure from our traditional use of these non-Regular components. And it completely changes the concept of the 1948 act, which provides extensive deferments for veterans and married men.

The Reserve components contain thousands upon thousands of World War II veterans and large numbers of married men. To again call this group to the colors in peacetime simply because they are in the Reserve components would be a major breach of faith.

We, therefore, feel that this proposed section 22, which appears in the line-typed portion of the bill, is a wholly fallacious proposal. It is in reality a mobilization measure. The 1948 act was in no sense a mobilization measure, and it should not be converted into one. It was intended, as I have said again and again, as a measure which would give us a military force, actually in being, large enough, and well enough supported, give us a military posture which merits the respect of other nations and which would prevent the development of tensions into emergencies which might bring on war.

Finally, we recommend that the title of the bill be amended so as to show exactly what the bill does, and what the Senate intends that it should do—extend the Selective Service Act of 1948 for a period of 3 years, and in a form which will permit the President of the United States to use the act if it becomes necessary to supplement voluntary enlistments in order to maintain the strength authorized by the Congress.

In conclusion, we recommend that the present law be extended, and for a period of 3 years. We recommend against the involved and cumbersome trigger provision which is contained in the House bill, and against the broad authority to order out the Reserves, which the House contemplates. For the last time, let me urge that we be consistent in our action. Our basic objective in passing the 1948 act was to build and maintain a larger, but still, according to present-day standards, relatively meager, peacetime military force. By so doing we hoped to further our other efforts toward world peace by preventing any one of the many critical situations and tensions from deteriorating into a war. But if such a war should come, we would have a force large enough to meet the initial impact, and we would have in actual operation a trained selective service system which would save us 4 months of vital mobilization time. In 1948 we begged that the Nation not gamble with its national security. We renew that plea today. And, above all, let us not lose our sense of direction, and set up some wholly unworkable machinery whereby we force ourselves to declare an emergency before we can move to prevent one. What we must do is to prevent Communist riots in Berlin, as we did. We must not ignore them. We must not allow them to grow until they explode into an emergency, concerning which the Congress would meet in solemn session, and declare—hours, weeks, or months after the damage had been done—that an emergency was upon us.

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

Mr. CAIN. Certainly.

Mr. WATKINS. In the Senator's view, would it be necessary for the President of the United States to declare an emer-

gency to put into operation the draft act if it should be extended?

Mr. CAIN. No; it would be only necessary for him to declare that he could not get the necessary number of men.

Mr. WATKINS. My memory does not serve me very well with respect to the provisions of the present act. Does the act require the President to give good reasons for declaring an emergency before he calls it into operation again?

Mr. CAIN. If the Senator from Utah will permit me, in an effort to answer his question, to read section 20 of the present law—

Mr. WATKINS. I shall be glad to have the Senator do so.

Mr. CAIN. It reads as follows:

This title shall become effective immediately; except that unless the President, or the Congress by concurrent resolution, declares a national emergency after the date of enactment of this act—

Mr. WATKINS. Is that the 1948 act?

Mr. CAIN. Yes. I read further:

no person shall be inducted or ordered into active service without his consent under this title within 90 days after the date of its enactment.

Mr. WATKINS. Mr. President, if the Senator will permit an interruption, it seems to me the first part of the section answers the question. The President himself has to declare an emergency to exist; otherwise he cannot invoke the provisions of the act.

Mr. CAIN. The act under which we presently carry out the Selective Service System says that within the first 90 days of the enactment of the law in 1948 no person could be inducted into the services unless the President declared a national emergency. After the expiration of 90 days it was no longer necessary for the President to so declare.

Mr. WATKINS. Does not the Senator think that the provision with respect to the President's declaring an emergency before he could take further action was a good provision at the time it was adopted?

Mr. CAIN. In my opinion, there was a very good reason for the adoption of that provision.

Mr. WATKINS. Why should it be for only 90 days? Why should it not be necessary for the President to so declare after 90 days? Was there anything in the situation at that time which made it necessary for the Congress or the President to declare an emergency?

Mr. CAIN. For a good many months prior to the passage of the Selective Service Act of 1948 the armed services themselves had done an extremely good job, in the opinion of many of us, at least, through a recruiting program, which even so, was only reasonably successful. It was the desire of Congress to permit and to encourage the armed services to do an even better job. The adoption of section 20, therefore, handed to the armed services an additional 90 days during which they could attempt to get volunteers to enter the armed services. Despite the fine efforts of everyone concerned in the Nation's recruiting program, it turned out that the armed services were unable to secure the number of

men which they were authorized to have by virtue of the appropriations made available to the services by the Congress.

Mr. WATKINS. During those 90 days they were able to get actually only 30,000 men, or a few more than that.

Mr. CAIN. Some 30,000 were inducted in some 16 months after the passage of the act. All the other several hundred thousand men were secured through voluntary sources.

Mr. WATKINS. It seems to me that the Senator is missing the point of the question. If it was a good provision that during the 90-day period it was necessary for the President or Congress to declare an emergency before the act could be invoked, why would it not be a good provision today? What was there in the situation then which required the President or Congress to declare an emergency which is not present in the situation today?

Mr. CAIN. I think there was involved in that situation the remaining hope that on a purely voluntary basis the Armed Services would be able to secure their manpower needs, as those needs had a ceiling placed upon them by the provisions set up in the Selective Service Act of 1948. It has turned out to the satisfaction of a good number of us who are charged with studying the question that without the presence of a selective service act, and because of our experience in the past—and this is one Senator's considered guess—it would be impossible or at least unlikely that the authorized strength of the armed services could be secured from those who volunteered.

Mr. WATKINS. I am not raising any question as to the necessity of having a selective service act. I am raising the question, as I have already pointed out, with respect to the power being placed in the hands of the President to declare the act operative and to begin inducting men into the services without further action by Congress. I call the Senator's attention to the fact that with the adoption of the Atlantic Pact we changed materially the situation of the United States with respect to the territory which we must or may be called upon to defend. As the Senator will recall, in the pact it is provided that an attack upon any one of the signatory parties to the pact is the same as an attack on the United States. It has been argued—and I think with a great deal of merit and force—that an attack on any one of those countries would bring us automatically into the war, even without the action of Congress. If that should happen, and the President had the additional power to bring into effect the draft act and to undertake to induct the boys of this land into the armed services, it would place in the hands of one man both the power to declare a state of war and to bring the men into the armed services without further action by the Congress. Our situation has radically changed between the time Congress passed this act and the present. I realize the act has been in effect since the ratification of the Atlantic Pact. However, this is the first time I have had occasion to raise questions with respect to the power to be

placed in the hands of the Chief Executive of the United States.

If the situation today is as dangerous as the Senator from Maryland [Mr. Tydings] has said it is, namely, that anything could happen at any time, and it is necessary to have this power, then I think it is necessary for the Congress, which represents the people, to stay in session to meet that kind of contingency, rather than leave it to the Chief Executive to determine when we are to be at war, who is going to fight the war, and bring the young men of America into the armed services without further action by the representatives of the people.

Mr. CAIN. The Senator from Washington believes he can safely speak for the Senate Committee on Armed Services in welcoming such questions as have presently been raised by the Senator from Utah. If I understand the chief concern of the Senator from Utah, I think I should say three things. First, the Selective Service Act as it is presently on the books, and as it is intended to be extended, provides limits, or ceilings, beyond which the President of the United States is not authorized to induct men into the armed services. The Senate committee states, at page 6 of the committee report:

The following active duty strength ceilings (excluding 1-year enlistees) are imposed on the armed forces:

Army.....	837,000
Navy (including Marine Corps).....	666,882
Air Force.....	502,000

Total..... 2,005,882

Whatever happens, without additional authorization from the Congress, the President of the United States would not be permitted to go beyond these limits to induct American young men into the services. That is the first thing I wished to point out.

Mr. WATKINS. How many hundred thousand is that figure above the present armed strength of this country, or above the ceiling which is already placed on that strength by the act?

Mr. CAIN. The figures which I have given to the Senator would be the ceilings beyond which the strength of the armed services could not go, and beyond which the President of the United States could not invoke his authority to induct American men into the services. As I indicated a few minutes ago, the figures differ substantially from the actual present strength of the armed services. I should like to restate the comparative figures for the purpose of the Record.

Mr. WATKINS. May I ask whether the figures are higher than the present figures? Are they much higher?

Mr. CAIN. They are considerably higher, sir. The present strength of the Army is 593,000, as opposed to a ceiling strength included in the Selective Service Act of 837,000.

The present strength of the Navy is 427,000, as opposed to an authorized ceiling strength of more than 200,000 in addition to that, or 666,882. The present strength of the Air Force is 350,000, as contrasted to a ceiling limit of 502,000. Now let us keep the record straight in this particular instance.

The second thing the Senator from Washington would like to offer for consideration by the Senator from Utah is that it is not possible, in a practical way, for the President of the United States to induct American men into the Armed Forces if the Congress of the United States has not appropriated money for their maintenance and care. It has been my own personal contention for a long time that anyone who is seriously concerned with the question of the size of our security force should first concern himself with what is done and what will or will not be done by the committees on appropriations of the Congress, rather than concern himself with a selective service system, presently effective or to be in effect in the future.

I think it should be stated that the Congress determines the strength of the armed services, first, through appropriating dollars; and, second, a selective service system serves only the purpose of providing the manpower sufficient to accommodate the dollars which have been appropriated by the appropriate committees and the Congress for the securing of a number of men in the Army, the Navy, and the Air Force.

Mr. WATKINS. Mr. President, let me say to the Senator that I have been summoned to a committee meeting, and must leave. I thank the Senator for his courtesy in yielding to me to answer my questions. I have to leave, and I am sorry.

Mr. CAIN. Will the Senator from Utah permit me to say that the Senate Armed Services Committee is most desirous of having the Senator from Utah understand the reasons for our recommending the pending measure, because we are hopeful of having his support? As he leaves for his committee meeting I wish he would take with him this thought, that the Selective Service Act we are discussing limits the authority of the President of the United States by establishing ceilings for the several services; and, secondly, the Congress of the United States can limit the authority of the President of the United States any day in the week it sees fit so to do by reducing what otherwise might be a larger appropriation. In part it is for those two basic reasons that we think it a perfectly reasonable and desirable thing to provide the President of the United States with authority to induct men into the armed services within the limits of the ceilings prescribed by the Congress, and within the limits of the dollars made available for such purposes to the President of the United States and his Armed Forces by the Congress of the United States. I think that is the substance of our logic on this question.

Mr. WATKINS. I thank the Senator.

Mr. CAIN. Mr. President, a few minutes ago the Senator from Utah asked whether or not it was not true that if the law is terminated on Saturday of this week, June 24, the records, consisting of registrations and classifications, would not continue to be available for the future. The response of the Senator from Washington was that in one sense those records would be continually available, but I want the Record to show that the

records of classifications automatically and constantly change. There is no permanent status for any man who registers under the Selective Service Act to maintain. He marries, he may become disabled, his classification within a period of 2 or 3 years is almost certain to change.

I would point out, for the interest of others, that about a million 19-year-olds move into the selective service registration and classification pool each year, and about the same number move out within the same period of time. Unless the classification records are kept, in my opinion, on a current and constantly revised basis, within a relatively short time they would, in a practical way, no longer be worth the paper they were written on.

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

Mr. CAIN. I yield readily to the Senator from Nebraska.

Mr. WHERRY. I notice that the Senate substitute extends the act for 3 years.

Mr. CAIN. Yes.

Mr. WHERRY. The House provision, I believe, is for a 2-year extension from the anniversary of the date when the bill became a law.

Mr. CAIN. I think 2 years from the date of its intended expiration, which is June 24.

Mr. WHERRY. That would be the anniversary date of the bill. Am I correct in that?

Mr. CAIN. I think the Senator from Nebraska is substantially correct.

Mr. WHERRY. Why was the extension made 3 years by the Senate committee, and only 2 years by the House?

Mr. CAIN. The Senator from Washington cannot answer the question concerning why the House provided for only a 2-year extension. It was the consensus of opinion within the Senate Armed Services Committee, on the testimony offered to that committee by the Chairman of the Joint Chiefs of Staff, General Bradley; by the Army Chief of Staff, General Collins; by the Director of Selective Service, General Hershey; and by the Secretary of our National Defense Establishment, Mr. Johnson, that it would be wise to extend the Draft Act for a period of 3 years because of the uncertainty of the day in which we live, and because there was no cogent reason for expecting that within a 3-year period all our national concerns and problems would be resolved.

Personally, as an individual member of the committee, I thought it wise to vote for an extension of 3 years. I thought it would be a favor, in a way, to the young men of America, to let them know that for a period of 3 years at least there would be a continuing selective-service law. I was in favor of the 3-year period in the hope that it might stimulate more volunteering on the part of American young men, making it less and less likely for the Nation to be required to invoke the law.

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

Mr. CAIN. Certainly.

Mr. WHERRY. Would not the suggestion made by the distinguished Sen-

ator from Washington be met by extending the law for 2 years?

Mr. CAIN. It could be.

Mr. WHERRY. From the hearings I cannot see any justification for a 3-year extension. I appreciate the fact that we are living in uncertain times, and we have been, and were when the act was passed in the first place. Whether the times are more uncertain now than they have been is a matter of opinion. The President has said, apparently, that there is no emergency in sight, and that the people should not be afraid.

The Secretary of State, Mr. Acheson, has a different opinion. There seems to be a total state of confusion as to the need. Aside from all that, I cannot see any justification, on the basis of the record, for extension of the act for 3 years instead of for 2 years at the outside.

Mr. CAIN. On page 8 of the committee report I find this reference to the question just raised by the Senator from Nebraska, and I would call it to his attention for his consideration:

Subsection 17 (b) of this original Senate version provided for a 5-year expiration date. The basis of this committee provision was a feeling that policies which affect the national security so profoundly as selective service should be relatively stable, without at the same time becoming permanent fixtures. A 5-year authority seemed to provide a reasonable degree of continuity, especially in the light of events as they existed early in 1948, at which time the committee felt that the available evidence did not warrant a presumption that the then-existing tensions would be dissipated with any degree of rapidity. This 5-year provision of the Senate committee bill was changed by a Senate floor amendment to 2 years.

Mr. WHERRY. Yes, and the arguments the Senator made respecting a 5-year expiration date could be made for a 3-year or 2-year expiration date.

Mr. CAIN. That is so.

Mr. WHERRY. The point I make is that we will have a new Congress every 2 years. Therefore, it seems to me the logical period of time to extend the act is for 2 years, rather than 3 or 5 years. Then each succeeding Congress could do as it pleased about extending the act. I wondered whether I had missed something in the RECORD, or whether I had failed to note some other justification for the 5-year period. I appreciate that the argument made for the 5-year period is based on the uncertainty of world conditions.

Mr. CAIN. In all frankness I should say to the Senator from Nebraska that the time limit of the bill has not been a major concern of the Senator from Washington. I do not in fact recall that I was present at the meeting when a thorough discussion of this question was had. My chief concern was with a reasonable extension of the Selective Service Act, and when I was advised that other members of the committee were recommending a 3-year extension, it seemed, all factors considered, to be a perfectly reasonable recommendation to me, and I gave my own vote to it.

Mr. WHERRY. Will the Senator yield for another question?

Mr. CAIN. I yield.

Mr. WHERRY. In view of the fact that the countries signatory to the North Atlantic Pact have now had 1 year of military assistance and have been developed along the line suggested by the administration, is there as much need now for an extension of the draft as there was a year ago when the North Atlantic Treaty countries were just getting started, and when we were told that the North Atlantic Pact was being entered into so that the manpower could be produced on the other side and would not have to be produced here in the event of hostilities? Has the picture changed? Is it better or worse? What is the situation? What was the testimony in that regard?

Mr. CAIN. I do not think the Senator from Washington is the best qualified witness to respond to the question of the Senator from Nebraska as it relates to affairs on the other side of the ocean. I say that my own view is that there is a present and a well-established need in this country for the continuation of the Selective Service Act for the years which lie immediately ahead. Before we had our Selective Service Act—and this was only several short years ago—a good many of us were seriously concerned over how rapidly the services were losing personnel. We have increased the force of our military service in large part, it seems to me, because of the mere existence of a selective-service system which encouraged young men to volunteer for service who otherwise might not have been disposed to do so.

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

Mr. CAIN. I yield.

Mr. LUCAS. The Senator has probably answered this inquiry, but how long has it been since men were inducted under the act?

Mr. CAIN. About 18 months ago, and of the 30,000 who were inducted prior to 18 months ago, all, with the exception of 200 who wished to remain in the service, have been released and returned to civilian life.

Mr. LUCAS. In other words, the purpose of the act is that in case any emergency should arise we would have the machinery ready to operate. If I understand the situation correctly, volunteering will continue probably on the same basis or even at a greater rate than in the past, and the chances are that others will never have to be called.

Mr. CAIN. A good many of us feel that if the act is extended, as is proposed, it will continue to be an inducement and incentive to young men to volunteer, so as to get their period of service to their country done and over with, who otherwise, in the absence of such a law, might not feel constrained to volunteer.

Mr. LUCAS. I concur wholeheartedly in what the Senator has said respecting the situation throughout the Nation. Yet I definitely feel that if we should—and I am sure the Senator will agree with me—let the act die, we might have to reenact it in 3 or 4 months, or perhaps 6 months' time, and then we would have to go through all the necessary steps, insofar as placing the machinery in op-

eration is concerned, to have the boys registered again. It seems to me to be foolhardy and more or less absurd not to continue the act, because of the many contingencies which might be involved in the event we let the act die.

For instance, in the early part of the debate the Senator from Maryland [Mr. TYNINGS] and I were talking about the 10,000,000 registrations which have now been made, and that if we were to let the act die and if we were faced with an emergency which made it necessary to place the act on the books again in a couple of months, or even a shorter time, those who have already registered would have to reregister, which would occasion confusion and chaos. It seems to me the Senate should pass the bill without any question at all, in the interest of orderly procedure, in the interest of national defense, and in the interest of what is the best thing for the country.

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

Mr. CAIN. I yield.

Mr. WHERRY. While it may be absurd not to continue the Draft Act, as the majority leader said, yet I call attention to the fact that the House had an entirely different opinion apparently respecting how to proceed.

Mr. CAIN. The House did. Will the Senator permit me to say with reference to the contribution made a minute ago by the able senior Senator from Illinois that, if I understood him correctly, he said, "This is the way I, as an individual, look at this question." It happens that the Senator from Washington strongly shares the views expressed by the majority leader. That is not to say that others ought not to dissent from those views and have positive views of their own on the same question. It is true that there is a fundamental difference between the version of a continuing Selective Service Act as between the House and the Senate.

Mr. WHERRY. The House takes the position that Congress should be the controlling agency rather than the President of the United States.

Mr. CAIN. That is correct.

Mr. WHERRY. That is not so absurd, is it?

Mr. CAIN. In my opinion it is certainly a defensible position to take for those who believe in it. The Senator from Washington, who happens to be a member of the Armed Services Committee, thinks that circumstances which prevail require that we continue the necessary authority in the hands of the President.

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

Mr. CAIN. I yield.

Mr. WHERRY. The House bill contained a provision, did it not, to extend the Draft Act for a period of 2 years instead of 3 years?

Mr. CAIN. That is quite correct.

Mr. WHERRY. That is the point I was making earlier.

Mr. CAIN. Certainly, and I merely gave it as my individual opinion that 3 years was more adequate than 2; but I do not press the opinion strongly.

Mr. WHERRY. One more question in relation to the observations made by the Senator from Washington to the effect that continuing the Draft Act would induce boys to volunteer in the service. Have enlistments on a voluntary basis increased or decreased during the past 6 months as compared with the first year of the operation of the act?

Mr. CAIN. With the Senator's permission, I should like to ferret out the record regarding that matter and give the Senator a completely accurate answer to his question. All I can say now is that within a very few months following the passage of the Selective Service Act of 1948, enlistments began to increase in an amazing fashion.

Mr. WHERRY. That is correct.

Mr. CAIN. Whether the full degree of that increase is continuing today, I am not qualified to say accurately. So I hope the Senator will permit me to obtain the correct answer to his very legitimate question.

Mr. WHERRY. I should like to have the answer, if the Senator can furnish it for the RECORD. Of course, I am not a member of the Armed Services Committee, and that is why I am asking these questions.

Mr. CAIN. Certainly.

Mr. WHERRY. The answers are not to be found in the printed hearings.

I am told that enlistments have fallen off. I should like to know whether there is a reason for that. Could it be for the reason that the draft is about to end, unless it is further extended by the Congress? In other words, are the inducements sufficient to keep the number of enlistments up to a satisfactory point? Is the pay sufficient?

Mr. CAIN. We shall provide the Senator with whatever the answer to that question actually is.

Mr. WHERRY. As I understood the debates when the act was passed, it was that if there were sufficient inducements in the way of pay and opportunities for training and advancement, there would be ample enlistments and there would be no need for the draft. I do not wish to repeat those arguments, but I wish to find out whether the Senator feels that enlistments would increase if the draft were ended or if the draft were continued. I should like to find out whether the Senator believes that under those inducements or under any inducements at all—if the pay were increased or if further opportunities were provided—sufficient numbers of men would be induced to make service in the Armed Forces their career.

Mr. CAIN. I can reply by saying that if the draft act is permitted to expire, none of the armed services will be able to maintain their present strength as a result of having volunteers enter the services. On the basis of my own experience, and from what history tells us, I am absolutely certain that is the case.

I think it is a distressing fact—but it should be stated, for I believe it to be true—that no nation in the history of the world has ever been able to maintain an adequate military force in the absence of a selective service system or of a conscription act of some kind. History tells

us that, through the ages, people have not volunteered in sufficient numbers for military duty, unless there was imposed upon them some obligation, by direction or by indirection, so to do.

Perhaps I should say parenthetically that, if we could, we should induce enough men and women everywhere to voice their opposition to war openly, and then the end of war would be in prospect, for then we could not get enough men and women to fight. Many of us who today recommend an extension of the Selective Service Act, because we are faced with a reality and not a theory, are foremost among those who hope that some day there will be no need, in America or any other country, either for a Selective Service Act or for war itself.

The PRESIDING OFFICER (Mr. HENDRICKSON in the chair). Does the Senator from Washington yield the floor?

Mr. CAIN. Yes, Mr. President; I yield the floor.

Mr. LUCAS. Mr. President, in the early part of the afternoon, I addressed the Senate on the question of the possibility of reaching a unanimous-consent agreement in regard to this bill some time later.

It is now 20 minutes of 5. I think the issue has been debated all afternoon. If we could obtain a unanimous-consent agreement to have the Senate vote on the bill sometime tomorrow, I should certainly like to have that done.

I am wondering whether the minority leader or the Senator from Georgia could give me any indication as to whether we might be able to obtain a unanimous-consent agreement to vote sometime tomorrow afternoon.

I yield now to the Senator from Georgia.

Mr. RUSSELL. Mr. President, I have no desire whatever to prolong this debate. However, some amendments are being peddled around to which some Senators on this side of the aisle are very much opposed. I do not see how we could agree, in the absence of an understanding that these amendments would be tabled or that they would not be adopted. Apparently the amendments are germane to the subject matter, although they are not directly related to the continuation of the Selective Service Act.

I have discussed that situation with several of my colleagues. In the absence of some understanding about those amendments, I would be very loath to agree to a time to vote.

I would be glad to agree to a time to vote on the amendment proposed by the Senator from Illinois for himself and some of his colleagues.

However, as to a final vote, unless we have some protection against the amendments, to which I have alluded, which, although germane, are irrelevant to the subject-matter of the bill, I do not see how we could agree now upon a time when the Senate would vote on the bill.

If we can have assurance from the majority leader and any substantial number of Senators that the amendments will be tabled or will not be adopted to the bill, I shall be willing to arrive at some understanding.

However, in the absence of such assurance, I do not see how we can reach a unanimous-consent agreement.

Mr. LUCAS. I wonder whether we can move on and can obtain a vote on the pending amendment. Then we can determine whether there are to be further amendments.

Mr. RUSSELL. That course will be perfectly agreeable to me, Mr. President.

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

Mr. LUCAS. I yield.

Mr. WHERRY. I am quite satisfied that so far as the membership on this side of the aisle is concerned, there will be no objection to entering into a unanimous-consent agreement to vote sometime tomorrow, provided the distinguished Senator from Utah [Mr. WARREN] can be assured that he will have ample time to make some remarks about the bill. He is the only Senator I know of at this time who would like to speak. He would like to be assured of having that much time—not in the time to be allotted under the unanimous-consent request, of course.

In other words, if we could enter into a unanimous-consent agreement for a vote to be had at, let us say, 5 o'clock tomorrow afternoon, with the time between 3 and 5 o'clock tomorrow to be divided between the proponents and the opponents, and if the Senator from Utah could be assured of having sufficient time to deliver his remarks—and his speech will not be too long—I would have no difficulty, so far as I am concerned, in regard to reaching a unanimous-consent agreement.

I realize that it is difficult to guarantee that any Senator will be recognized to speak at any particular time. However, the Senator from Utah would like very much not to have to deliver his speech tonight, for he has not finished preparing it.

I submit to the majority leader that we took up this measure only a few hours ago. Although I wish to cooperate in every way, and will do so, to bring this bill to an early vote, yet the Senator from Utah is asking for additional time in order to be able to get his remarks ready for delivery tomorrow.

I should be perfectly agreeable to entering into a unanimous-consent agreement to vote tomorrow at some time that would please the majority leader. I have suggested 5 o'clock, with a division of the time. If the time can be divided so that the Senator from Utah can be included, we can even agree on that. I want the majority leader to know that.

Mr. LUCAS. Mr. President, I announced earlier in the afternoon—in fact, I announced yesterday—that we would probably have a night session, if we could not get some sort of a unanimous-consent agreement. There is no reason, it seems to me, why we cannot finish the bill. The Senator from Utah, as I recall, was ready to speak earlier this afternoon. At least, someone told me he was. I have announced at least three times within the past week that this bill would be taken up following the disposition of the conference report,

which was disposed of today. The Senator from Utah may be very busy in connection with other matters, and he no doubt should have more time. But, after all, Mr. President, this is an important piece of legislation. The only reason the Senator from Illinois even suggested that we might have a night session was because of the deadline which exists.

I say, Mr. President, in all seriousness, that there is a crisis so far as the Selective Service Act is concerned, and under no circumstances can the Senate get away from here until we either pass the pending bill or pass a joint resolution continuing the present law for the next 30 days. We have only until Saturday night to do that. As majority leader of the Senate, I cannot take the responsibility, and the Senate cannot take the responsibility, in my opinion, for letting the country down on an important question of this kind at this particular juncture in the affairs of the world. Senators, it seems to me, should realize the situation and look at the picture as it exists.

I know there is some difference between the House version of what ought to be done and the Senate version, with respect to delegation of power to the President, and with respect to retaining the power in the Congress. I did not mean to say a moment ago that that is an absurd position for any Senator to take. What I meant was that it is absurd to think that the Senate will not act, between now and midnight Saturday, on an important piece of legislation of this kind. That is the point I made a moment ago. I believe we shall act.

Mr. McFARLAND and Mr. WHERRY addressed the Chair.

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

Mr. LUCAS. I yield first to the Senator from Arizona.

Mr. McFARLAND. I should like to suggest that we might be able to enter into a unanimous-consent agreement to vote on the amendment offered by the Senator from Illinois at 7 o'clock this evening, and then try to get an agreement to convene at 11 o'clock tomorrow and to vote at 2 o'clock. That would give time, after the vote, to enable the Senator from Georgia to get the assurance he wants, and would give time for the Senator from Utah to make his speech tomorrow.

Mr. LUCAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. LUCAS. How many amendments to this bill are involved? I do not have that information on my desk.

The PRESIDING OFFICER. There are only two amendments involved. They are identical amendments.

Mr. LUCAS. There are but two amendments, and they are identical?

The PRESIDING OFFICER. That is correct.

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

Mr. LUCAS. I yield.

Mr. WHERRY. Mr. President, it may be that a Senator may yet offer an

amendment. Such a thing frequently occurs. I want to state to the majority leader that Senators on this side of the aisle are perfectly willing to enter into a unanimous-consent agreement to vote on the pending measure at 5 o'clock tomorrow. The only request the junior Senator from Nebraska made was that the distinguished Senator from Utah be permitted to make his speech. That is not an unusual request. The Senator is not prepared to make his speech tonight. I should be glad to enter into a unanimous-consent agreement along the line suggested by the Senator from Arizona. I think that so far as this side is concerned, we are perfectly willing to vote on the so-called Russell amendment whenever the Senate desires to vote on it.

Mr. RUSSELL. It is a committee amendment.

Mr. WHERRY. Or, we are perfectly willing to vote at 5 o'clock tomorrow night on the bill and all the amendments, including any amendment which may be offered. I should like to stipulate a division of the time, in order that the distinguished Senator from Utah may be included and may have time in which to make his speech.

Mr. LUCAS. Mr. President, in view of what the distinguished Senator from Georgia said a moment ago, it is impossible to obtain a unanimous-consent agreement to vote at 5 o'clock tomorrow on the bill and all the amendments thereto.

Mr. McFARLAND. Why not enter into a unanimous-consent agreement to vote on this amendment at 7 o'clock this evening. We will have made that much progress. By that time, perhaps we can obtain unanimous consent to vote tomorrow.

Mr. LUCAS. I should be glad to vote at 7 o'clock, or even at 6 o'clock, upon this amendment, and then move a recess until tomorrow, to come back and finish the bill.

Mr. WHERRY. That is agreeable.

Mr. LUCAS. That is the only agreement it is possible to get at the present time. In view of the statement made by the distinguished Senator from Georgia, no unanimous-consent agreement could be made. I made inquiry about the amendments, because I thought we might—

Mr. RUSSELL. Mr. President, I want it to be perfectly clear, for I do not want the majority leader to be deceived, that there will be perhaps one or two other amendments offered to the bill, but I do not think they will require more than 10 or 15 minutes for debate.

Mr. LUCAS. I was under the impression that this was the only amendment.

Mr. RUSSELL. It is the only amendment pending. I wanted the Senator, in arriving at his conclusion as to the course he would pursue, to be informed of all the facts I have in my possession. I think very likely there will be another amendment offered, but I am quite sure it will not require more than 15 minutes.

The PRESIDING OFFICER. The Chair desires to state for the Record that this is the only amendment which has been printed.

Mr. RUSSELL. The Chair made that perfectly clear, when he stated the two similar amendments were the only ones on the desk which had been printed. But I happen to know there is another amendment which undoubtedly will be offered. It will not delay the final vote on the bill more than 10 or 15 minutes.

Mr. LUCAS. Mr. President, my reason for making the inquiry was that I thought perhaps, if there were one, two, or three amendments, we might obtain unanimous consent to vote on them, and no other amendments, and we could then probably get the agreement the Senator from Georgia was interested in. We cannot do that.

The PRESIDING OFFICER. That was quite clear to the Chair.

Mr. LUCAS. Mr. President, I ask unanimous consent that the Senate vote on the pending amendment at 6 o'clock tonight.

The PRESIDING OFFICER. Is there objection?

Mr. RUSSELL. Mr. President, I think that at least there should be some agreement as to the division of time. I do not mind saying that my remarks on this amendment, if we operate under a time limitation whereby I shall not be able to yield, should not require more than 25 or 30 minutes. But there may be other Senators who will want to speak on this matter. Under the rules, we are supposed to have a quorum call before we enter into the unanimous-consent agreement, are we not?

The PRESIDING OFFICER. The Chair is advised that that only applies to the final passage of a bill, not to a vote on an amendment.

Mr. RUSSELL. So far as I am concerned, I might be willing to vote by 6 o'clock. But the Senator from South Carolina indicated he had a short speech he wanted to make on the amendment.

Mr. LUCAS. Mr. President, I ask unanimous consent that the Senate vote upon the pending amendment not later than 6:30 this evening, the time to be equally divided between the Senator from Georgia [Mr. RUSSELL] and the Senator from Illinois.

The PRESIDING OFFICER. Is there objection?

Mr. WHERRY. Reserving the right to object, is it the intention, then, that after that amendment has been voted on the Senate shall recess until tomorrow?

Mr. LUCAS. The Senator is correct.

Mr. WHERRY. I have no objection.

Mr. LUCAS. If we can get this amendment out of the way, I shall move to recess until 11 o'clock in the morning.

Mr. WHERRY. I have no objection.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Illinois? The Chair hears none, and it is so ordered.

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

The PRESIDING OFFICER. The Senator will state it.

Mr. WHERRY. In order that we may get the matter straightened out, are we to vote on the Lucas amendment to strike out the Russell amendment? Is that the amendment we are to vote on? There

are two such amendments. Have they been made one?

Mr. LUCAS. I do not know whether they have been made one, but the amendments are identical.

Mr. WHERRY. I thank the Senator.

Mr. LUCAS. Mr. President—

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

Mr. LUCAS. I yield.

Mr. RUSSELL. I suggest to the Senator that since there may be some Senators who would like to discuss the agreement, he suggest the absence of a quorum.

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

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

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

Alken	Hayden	Malone
Anderson	Hendrickson	Martin
Benton	Hickenlooper	Maybank
Brewster	Hill	Millikin
Bricker	Hoyer	Mundt
Bridges	Holland	Murray
Butler	Humphrey	Myers
Byrd	Hunt	Neely
Cain	Ives	O'Mahoney
Chapman	Jenner	Robertson
Chavez	Johnson, Colo.	Russell
Connally	Johnson, Tex.	Saltonstall
Cordon	Kefauver	Schoeppel
Darby	Ken	Smith, Maine
Donnell	Kerr	Smith, N. J.
Douglas	Kilgore	Sparkman
Dwornshak	Knowland	Stennis
Eastland	Lehman	Taft
Eaton	Lodge	Thomas, Utah
Ellender	Lucas	Thye
Ferguson	McCarran	Tydings
Frear	McCarthy	Watkins
Fulbright	McClellan	Wherry
George	McFarland	Wiley
Gillette	McKellar	Williams
Green	McMahon	Withers
Gurney	Magnuson	

The PRESIDING OFFICER (Mr. SPARKMAN in the chair). A quorum is present.

Mr. LUCAS. Mr. President, I desire to address the Senate for a few moments only on the pending amendment, upon which we have agreed to vote at not later than 6:30 o'clock tonight. This is an amendment which has been offered by myself, the Senator from Pennsylvania [Mr. MYERS], the Senator from New York [Mr. LEHMAN], the Senator from Illinois [Mr. DOUGLAS], the Senators from Connecticut [Mr. McMAHON and Mr. BENTON], and I understand the Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from California [Mr. KNOWLAND] have offered an identical amendment.

I should like to speak briefly about the pending measure before I discuss the amendment. It seems to me that this is an extraordinary piece of sound legislation, with it the committee amendment offered by the Senator from Georgia [Mr. RUSSELL] is eliminated.

I have attempted to advise the Senate and the country of the importance of acting upon the proposed legislation before midnight on June 23, which will be next Friday and I shall give some of the reasons which I am sure every Senator should take into serious consideration, in order to expedite a vote upon the measure and the amendments as soon as possible.

In the event that the Congress of the United States should permit the Selective Service Act to lapse, these are some of the things which would happen. First, 10,000,000 registrants would be void. In other words, even if the Selective Service Act lapses 1 minute after midnight on the 24th, all the registrations under the present Selective Service Act would be void, and the boys who have gone to their draft boards throughout the United States would be compelled once again to appear and register. I am certain that no Senator desires that in the event that he feels that a draft law of some kind should be continued on the statute books. Surely we do not want such confusion, chaos, and trouble.

In addition to that, the Presidential appointments of 37,000 unpaid local-board members and their employees, chosen upon the recommendations of the governors, would immediately terminate. In other words, the personnel machinery would be terminated, scattered to the four winds, and later if we were compelled to pass a Selective Service Act at any time hereafter, in an emergency, we would not have the advantage of this fine type of personnel machinery all set up and ready to go.

Third, the Presidential appointments of 54 area and State directors appointed upon the recommendations of the governors would also terminate immediately, and when those appointments were terminated by the lapsing of the act, it would mean that these area and State directors, who are familiar with what is going on in their particular regions or areas, would be out of office, and obviously we would not get experienced individuals to go along under a new Selective Service Act.

Mr. President, if the Selective Service law were to lapse a large portion of the aforementioned personnel would not be available for reappointment for personal and other reasons. This would mean that the Selective Service System, for the most part, would have to be reconstructed from the ground up.

Again in most communities office space is contributed without charge. This office space is in great demand, and with the termination of the Selective Service Act it would be devoted to other purposes.

These are facts and figures that my office has obtained from the office of the Selective Service in Washington, D. C., and I have no reason to doubt the accuracy of any of the statements I have made.

Mr. President, I lay this premise before the Senate of the United States to show the extreme importance of this measure to the country from the standpoint of the continuation of a sound and adequate national defense. It seems to me that the amendment of the Senator from Georgia has absolutely no place whatsoever in the legislation.

We have two versions of the legislation, one coming over from the House, which seeks to keep the control of Selective Service in the Congress of the United States, through a concurrent resolution if and when that becomes necessary. On the other hand, under the Senate version we seek to delegate that power to

the President of the United States. From what I can hear there will be difficulty in conference probably in arriving at some solution one way or the other. We should not inject an amendment of this kind into an already difficult situation, as it seems to me, which will be pending when the matter comes before the conferees.

Mr. President, I undertake to say that the racial issue has no business in this bill. It seems to me the amendment dealing with that issue ought to be defeated without any question. The measure before us relates to national defense, and the question of racial discrimination through segregation should not, it seems to me, be presented here at this time.

The national safety and the security of the country stand above any and all amendments that may be offered along this line, or any other kind of amendment which might be germane but which is in reality irrelevant to what is before us at the present time.

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

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

Mr. LUCAS. I yield.

Mr. WILEY. Do I correctly understand that the law as it is now leaves the matter in a discretionary form with the military authorities as to whether there should be or should not be segregation in military units?

Mr. LUCAS. That is true. As I understand, the armed services themselves are doing a very creditable job with this very difficult question of segregation, and we should not in any wise, in my opinion, attempt to tie their hands with an amendment of this kind. I understand how difficult, how delicate the situation is. But progress is being made. In my opinion adoption of the amendment offered by the Senator from Georgia would be a definite step backward. We cannot turn the clock back. We must make progress upon the question of civil rights through proper legislation and education.

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

Mr. LUCAS. I yield.

Mr. RUSSELL. The Senator from Illinois, of course, is correct in stating that the existing law does not contain any provisions on this subject. But the Commander in Chief, the President of the United States, has issued an order which changes the existing order and the composition of the armed services from what they have been since the birth of the Republic.

Mr. LUCAS. Mr. President, that may be true.

I am not going to take any more time of the Senate upon this measure. I repeat what I said before, that this is a sound piece of legislation, that it ought to be passed; that the safety and the security and the defense of the country are involved in it. It is something that has been tried the last few years. It has been successful. No men have been inducted into the service during the last 18 months under this law, primarily be-

cause the law is causing the volunteer system really to work. It is the opinion of those who are members of the Armed Services Committee, and it has been repeated over and over again in the hearings and upon the floor, that once the law is permitted to lapse, it might be necessary that we induct men within a few months, due to the falling off of volunteering of men for the military services of the country.

Mr. President, I respectfully urge that Members of the Senate defeat the so-called Russell amendment—

Mr. RUSSELL. Mr. President, the Senator from Illinois in his statement has said that he did not think the racial issue should be brought into selective-service legislation. I agree that it should not have been injected in the first instance. I am not bringing the racial issue into the selective-service extension. It is already here by virtue of the fact that, without the advice of military leaders who have had experience in commanding the Armed Forces and who have lived with the men in the camps and in the field and in actual combat, civilian authorities of the United States, by an Executive order, have injected the racial question into the Selective Service System and into the armed services.

Until 2 years ago, Mr. President, there was a policy of strict segregation in the military forces of the United States. The Armed Services Committee, in the consideration of the Draft Act of 1948, had before it some of those who were responsible at the Cabinet level for directing the policies affecting the composition of the Armed Forces as related to segregation. We were told that no drastic change was contemplated at that time. Within a few weeks after the passage of the bill, Executive orders were put into effect, and commissions composed of civilians were created, who overrode the views expressed by General Eisenhower before the committee as to the proper composition of the Armed Forces of the United States. These civilians claimed that the armed services were dragging their feet, and they insisted that the races should be integrated and brought together, from the squad level on without regard to the views of the men who are affected, at the time and in the manner indicated by a politically selected group of civilians, rather than as thought wise by the military profession.

The President's order said that it was his purpose to afford equality of treatment and of opportunity in the armed services. That is the purpose which is sought by the amendment which I proposed in the committee, and which the committee approved. The provisions of the amendment are so fair and so crystal clear that no Senator has made any direct attack upon it. The Senator from Illinois says that it has no place in this bill. The Senator from Massachusetts said that in his opinion it was unworkable. But no Senator has claimed that there is anything in the amendment that is unfair to one man in the armed services without regard to his race or to his creed or his color.

Mr. President, it is difficult to understand how so much confusion could arise

about such a simple proposition. All the amendment undertakes to do is this: When a young man registers and subjects himself to the compulsion of the draft, or enlists, he has a right to say whether or not he chooses to serve in a unit that is composed only of members of his own race. It affords absolute equality to every man in the armed services without regard to his race or his creed. Some Senators who may think they are gaining credit with members of the Negro race by opposing this proposition might check with the rank and file. If many of them were given an opportunity to express their choice, I am sure they would express the choice to serve with members of their own race.

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

Mr. RUSSELL. I yield.

Mr. FREAR. The Senator from Georgia just mentioned testimony, I believe, given by General Eisenhower regarding this matter.

Mr. RUSSELL. Yes.

Mr. FREAR. What did General Eisenhower say regarding this proposal? Did he say it was workable or not workable?

Mr. RUSSELL. Of course, it has been proven workable for 80 years in the armed services. It is only when it runs contrary to the findings of the board or commission which was appointed and which has had no actual military experience that it is claimed it is unworkable. The policy of segregation has been in effect in the armed services for many years.

This amendment does not propose to destroy the new policy. It takes nothing away from the policy of integration. Every young man who goes into the service has a right to express a choice. If he expresses no choice, he is subject to integration under the new policy.

The old policy, which General Eisenhower said he thought was desirable, was to keep the men of the same race in units of a company or larger. General Eisenhower went into that matter in detail. I quote brief extracts from his statement:

I personally have always stood since that time for organizing the Negro down to include units no larger than platoons. It does create certain social problems on a post because you always have men that do not like to mingle freely between the races, and therefore if you have a dance for your soldiers you have a problem. But I believe those things can be handled. They are not too difficult; particularly since we are going to have large posts, the social problem can be met without difficulty. I personally see no reason why he should not be amalgamated to that extent.

He went on to state that if we go further, here is the problem:

In general, the Negro is less well educated than his brother citizen that is white, and if you make a complete amalgamation, what you are going to have is in every company the Negro is going to be relegated to the minor jobs, and he is never going to get his promotion to such grades as technical sergeant, master sergeant, and so on, because the competition is too tough.

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

Mr. RUSSELL. I yield.

Mr. FREAR. Does not the Senator think that if segregation were in existence in the Armed Forces, it would create more of an opportunity for the members of different creeds or races to rise to higher positions in the services? Would it not give an advantage in that respect? In this debate the members of the Negro race have been mentioned. Would not segregation in the Armed Forces give more of them an opportunity to become officers, an opportunity to strive to obtain the things they have been seeking?

Mr. RUSSELL. That was the effect of General Eisenhower's testimony, namely, that it was to their advantage to have separate units for the two races, that it enabled them to obtain positions as non-commissioned officers and as commissioned officers—opportunities which they would not have under other circumstances.

Mr. FREAR. Does the able Senator from Georgia know of other high-ranking officers who concur in the opinion of General Eisenhower?

Mr. RUSSELL. I have a press statement quoting General Bradley, in which he stated that he did not favor the absolute abolition of segregation in the armed services, that the Army should not be used as an instrument of social reformation, but should be looked at from the standpoint of its efficiency as a military machine.

However, within a day or two after General Bradley made that statement, the President—who I do not think has had quite the military experience that General Bradley has had—issued the Executive order, which was in the teeth of General Bradley's advice as to what the Nation should do in order to have the most efficient military machine.

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

Mr. RUSSELL. I yield for a question.

Mr. FREAR. The Senator from Georgia did not state the date of the speech by General Bradley, I believe.

Mr. RUSSELL. It was in July 1948.

Mr. FREAR. The Executive order of the President was dated shortly after that, was it?

Mr. RUSSELL. As a matter of fact, I think it was issued a day or two before, because I have here another statement which says that General Bradley said he did not know about the President's Executive order when he made the statement. I should like to read this newspaper article:

General Bradley, when he was interviewed at Fort Knox last week, didn't know the President had issued an Executive order on civil rights, so he spoke out for continued segregation. He hadn't seen newspapers, and reporters put questions to him without telling him what happened. His answer was according to standard Army policy—up to then.

Now Bradley tells friends that nothing in Europe frightened him as badly—when he found out about it.

That statement is carried in the newspaper I have before me, and it indicates that the two were issued almost simultaneously, but that General Bradley did not know about the Executive order at the time when he made the statement.

Mr. FREAR. Mr. President, does the Senator have reason to believe that either General Eisenhower or General Bradley has changed his opinion about that matter since then?

Mr. RUSSELL. I have no reason to believe so. I may say, however, to a man in the military service, who has been accustomed to military discipline over a long period of years, any statement from a man higher up is most persuasive; and that might be particularly so when there was an order from the Commander in Chief to change the policies of the Army. That does not absolve the Congress of its responsibilities.

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

Mr. RUSSELL. I yield for a question.

Mr. FREAR. I am sure the able Senator from Georgia is familiar with what is known as a conscientious objector, in relation to service in the Armed Forces. I wonder whether the Senator would mind at least enlightening me as to what difference there would be or what privilege a conscientious objector would have, as regards the amendment offered by the Senator from Georgia.

Mr. RUSSELL. Mr. President, the distinguished Senator from Delaware has brought out a point which, to my mind, is absolutely persuasive, or should be, to any open-minded person.

When it comes to the matter of the creed or the belief of a man, we wrote into the law a provision that he is not even to be compelled to serve in the Armed Forces under any circumstances. We respect his creed. Yet, in the name of equality, this amendment of the Senator from Illinois and the present policy proposes to strike down the inherent feeling in the hearts and minds of men that they prefer to live, serve, and, if need be, to face the enemy and to die in the company of their own kind.

The Senator from Delaware has put his finger upon the weak point in any argument in favor of striking this provision out of the bill. For the sake of a man's creed we give him exemption, but when he has a racial instinct, a preference to sleep and eat and die, if need be, with the members of his own race, with his own kind, there is an attempt to say that he cannot do so, because the President has issued an Executive order which would change the custom which has prevailed in the Army for 80 years.

I thank the Senator for bringing up that point. To my mind, he has made a great contribution to all the arguments as to why this amendment should be sustained.

Mr. FREAR. I thank the Senator.

Mr. RUSSELL. I thank the Senator from Delaware for his splendid contribution.

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

Mr. RUSSELL. I yield.

Mr. WILEY. Will the Senator read into the Record the President's Executive order, so that all who read the Record may see how extensive the order is and how mandatory it is, if it is mandatory?

Mr. RUSSELL. I have all the orders before me. The President issued a series of them. All of them are in the pamphlet which is before me and which I

believe Senators have on their desks. They are included in the report by the President's committee, a civilian committee, composed of "General" Fahy, "General" Palmer, "General" Sengstacke, "General" Granger, and "General" Stevenson, who overrode the suggestions of the military. They consider the Executive order to mean that men shall be brought together in the most intimate relations of life on the squad level.

I may say, Mr. President, that there are no more intimate relations between men on this earth than the relations between boys who are taken from their homes and required to serve in the military forces, and to serve there on the squad level. They have to eat and sleep together. Such little recreation as they are able to enjoy, they have to take together. Under the harsh compulsions of military law, they are forced into the closest of associations from day to day. They have very few privileges. They do not have any wide circle of associations in which they can discuss the little things that are important to them—such as the letters they receive from home. In their hopes and plans and aspirations for the future, they have only the members of their own squad or their own platoon with whom they can discuss those matters.

That might sound trivial to the Members of this body, but it means everything to the 19-year-old and 20-year-old boys whom we are proposing to draft under the provisions of this bill. Certainly it is a very small right to extend to them, to allow them to express a preference in regard to whether they shall carry on that service at the unit level with the members of their own race.

As I have said, Mr. President, this amendment carries out the theory of the President of equality of treatment and opportunity in the armed services, because the amendment extends the same right to every man who serves in the armed forces. Let anyone point out where this amendment discriminates against a single American citizen on account of his race or his creed.

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

Mr. RUSSELL. I yield.

Mr. GILLETTE. I believe I can point out definitely where it does.

Mr. RUSSELL. Very well; let the Senator do so, if he can.

Mr. GILLETTE. I believe it does so, because of the exemption that is written into the amendment in the case of a race which comprises less than 1 percent of the 150,000.

Mr. RUSSELL. That is no new discrimination, because there has never been anything about that in the armed services.

Mr. GILLETTE. But the esteemed Senator asked to have pointed out to him a single instance where there was a discrimination against one member of a race.

Mr. RUSSELL. If the percentage should go down to fourteen one-hundredths of 1 percent, there may be—

Mr. GILLETTE. No; it is 1 percent.

Mr. RUSSELL. But it so happens that of those with less than 1 percent, the largest was fourteen one-hundredths of 1 percent.

Mr. GILLETTE. Is the Senator speaking of the Indian race?

Mr. RUSSELL. I am speaking of those of Japanese descent.

Mr. GILLETTE. Was that applicable to the Japanese?

Mr. RUSSELL. The Indian race has always been considered and carried along with the regular units of the Army.

Mr. GILLETTE. Yes; but they are listed by the Census Bureau as a separate race, which the Senator has written into this bill.

Mr. RUSSELL. Perhaps the Senator is right about that. If he is, I should be glad to have adopted an amendment that would correct it, if there is any defect. I do not think there is. It does not alter the present system. Wherein does it discriminate, then, against them?

Mr. GILLETTE. Is the Senator addressing a question to me?

Mr. RUSSELL. Yes.

Mr. GILLETTE. The Senator just called attention to the close association of men in the military unit.

Mr. RUSSELL. That is correct.

Mr. GILLETTE. I understand he said they should be authorized to have relationship with men of their own type or race.

Mr. RUSSELL. That is correct.

Mr. GILLETTE. And then the Senator followed that with a question.

Mr. RUSSELL. Oh, no.

Mr. GILLETTE. The Senator challenged anyone to call attention to any men who were deprived of that under this amendment.

I called attention to the fact.

Mr. RUSSELL. They are not deprived of it.

Mr. GILLETTE. Yes; the members of the Indian race are.

Mr. RUSSELL. No; the Army can still do it, and the Army did it—one of the greatest fighting outfits that was in the Army in the last war were the Nisei combat teams. They were composed of those of Japanese ancestry who were born in this country. They were brought together by the Army and kept together through the whole war. There is nothing in the world in this amendment that prevents that. They wrote a glorious page in American history, with their courage. They never failed to take an objective that they were ordered to take. They constituted one of the great fighting outfits of the American Army, and they did not complain, either, because it was said they were segregated. They looked around and saw they had guns just like any other American soldier, they had a uniform just like any other soldier, they received the same mess as any other American soldier. They looked at the man at the side, and there was another Nisei, and that was good enough for them. They went ahead and they carried every objective that they were ordered to take.

Now, Mr. President, this amendment does not work to the injury or detriment of anyone. It is a true civil rights provision. It extends to every young man of whatever race the identical rights. If

he is to be subjected to the compulsions of the law, this provision allows him the right to express a preference of association during that service. This amendment does not deny any citizen the right to serve in a mixed unit, if he so desires. If the registrant does not express an affirmative preference, he may be, and undoubtedly will be, assigned to mixed groups in accordance with the President's order. That is all that is involved in this amendment. It is fundamentally fair and American.

The enactment of this bill will mean that thousands of young American citizens will be compelled to forego the opportunities of civilian life for almost 2 years. During that time they will serve under military discipline and military law in the armed forces of their country. They are entitled to every right of the American citizen which is consistent and compatible with the maintenance of an efficient military establishment. They should not be treated as criminals who have been convicted of a felonious offense. They should be allowed every measure of autonomy or independence which is consistent with military efficiency. There is no conflict between this provision and the system which has obtained in our military services for 150 years and which has enabled us to emerge victoriously in every war in which this country has been engaged.

In some sections of our country there are people who for generations have traditionally conducted their daily lives according to a certain pattern. For years they have gone about the daily business of eating and sleeping and enjoying such leisure and recreation as they know in the company of persons of their own race. This is a custom in many parts of our country in the daily lives of not only white people but members of the Negro race. I realize that conditions are not the same in all parts of the country. Differences in customs and habits exist and are a part of the heritage of each community. These conditions are, of course, not completely static. Through the process of evolution changes are occurring. Some of these changes are wholesome and are to the benefit of all. But these changes take time. They must be based upon mutual understanding and good will. Their success depends upon voluntary cooperation. They cannot be forced, and efforts to coerce people by law will fail.

The armed services themselves have been making gradual advances over the years, but until the last 2 years this program was on a voluntary basis. In recent months the program of so-called integration has been greatly intensified. This has been distasteful to many young men in this country who ordinarily would look with favor upon service in the Army. It has brought about a reduction in enlistments on a voluntary basis and will result in a great diminution of voluntary enlistments in the months to come. Those who have preferred not to subject themselves to the so-called integration program are not reactionaries nor bigots. They are not hostile to any man because of his race or color. But they have become accustomed through years of tradition and heritage to living

certain phases of their daily lives only among members of their own race. The present racial program now being so vigorously pursued in the armed services at the dictates of those with civilian background, and without extended military experience, is too extreme for many people, black as well as white. They are therefore avoiding experiences which are distasteful to them simply by declining to enlist.

This is sure to necessitate the invocation of forcible induction into the services of many thousands of young men, if this amendment is stricken from the bill. These men will be compelled by all of the overwhelming disciplinary power inherent in a military organization to take part in a social experiment which is fundamentally and irrevocably distasteful to them. I submit in all earnestness that this is grossly unfair. It could easily result in young men being court-martialed, dishonorably discharged, and losing their citizenship simply because they were forced to engage in practices which are not essential to the maintenance of a military organization, but to which they are fundamentally opposed. Such a development would be shocking and violative of every concept of fair play and justice.

This provision will grant a very modest privilege to men who are required to give a great deal to their country. It does this without depriving any other American citizen of any right, real or imaginary.

May I inquire how much time I have remaining, Mr. President?

The PRESIDING OFFICER. The Senator has 12 minutes remaining.

Mr. RUSSELL. Mr. President, this provision will have no effect on the progress already made in the armed service in the field euphoniouly labeled integration. It will not prevent this program from continuing and expanding on a voluntary basis. Many young men from various parts of the country have no feelings on the subject and would express no preference as to assignment. These men could be assigned without any restriction.

The provision is intended simply as a reasonable safeguard to those who do have strong feelings in the matter. I submit that it is not fair to use compulsions of military court martial to uproot sentiments which are part of the lives of men when there is no necessity for doing so, particularly when these men are taken from their homes or taken from the schools by the arbitrary power of the law.

Mr. President, this amendment provides a reasonable and an American way of meeting this situation. It will generate a better feeling and understanding among all the elements of our people. The individual soldier is a small and a peculiarly lonely part of a great machine. He must obey orders or suffer the consequences. Only the very young are now sought for service. The Army seeks to get those who are from 18 to 22 years of age for actual combat duty. In all good conscience I submit there is no reason to force numbers of fine, young, but inexperienced men into situations for which they are completely unprepared,

where the basic customs of their lives, customs which have nothing to do with the essentials of military service, are suddenly changed by military edict. These men are entitled to and should be given the wholly reasonable privilege which this section allows.

Its fundamental fairness has never been challenged. Even its bitterest opponents have been unable to point out where it does any violence to the rights of any race for a member of another race to express this choice in his condition of military service.

Mr. President, I do not see why those who would prefer to have their sons serve in mixed units can in fairness object to extending this fundamentally fair provision to other American citizens.

As I have stated heretofore, I have never heard or read the testimony of anyone who had had practical experience in handling large bodies of troops under combat conditions or in living in camps under military conditions who has ever submitted any argument that this so-called integration program would increase the efficiency and fighting power of American armies.

Mr. President, the Army is now far below its authorized strength. As this program of compulsory integration proceeds apace, enlistments will continue to decline. I unhesitatingly predict that it will be necessary to resume the compulsory draft of men into the military service within a period of months if this provision is stricken from the bill. Why is it not better to allow freedom of choice to young men who are willing to enlist, rather than to set into motion all the machinery of the draft and reach down into the homes and schools of the Nation and draft boys into the service, particularly when many of them would be serving under conditions which would cause them to feel that they were being mistreated and imposed upon?

That kind of feeling is bound to affect adversely the morale and the will to fight of men who are in the armed services.

I repeat, Mr. President, that this amendment does not restore or compel the policy of segregation, although that inference has been created in the press throughout the country. It will allow the integration of units to proceed and will also allow young men the freedom of selection without imposing upon any citizen or denying a single right to anyone.

Why is this bill being pressed for passage? Why are we called upon to extend this arbitrary draft power which is so abhorrent to the fundamental way of American life in time of peace? It is because we are told that our country is in danger of aggression from abroad. We are told it is necessary to build up our armed forces in order to defend this country against attack. If that be the reason, Mr. President, let us build up the armed forces of the United States without a policy of compulsion on the young men of this land by forcing them to serve as guinea pigs in any social experimentation such as is embraced in this integration program, if it be against their consent.

Mr. President, for the Congress to use this draft program as a basis to compel distasteful social association when it is unnecessary to do so, in order to carry out the views and political promises of certain individuals who may occupy high positions in American life, is a perversion of the police power of the state, and it is an unnecessary perversion of that power.

Mr. President, the Senator from South Carolina [Mr. MAYBANK] desires to address himself to the question, and I yield my remaining 5 minutes to him.

Mr. MAYBANK. Mr. President, the proposal before us at this time is not new. Two years ago the Senator from Georgia [Mr. RUSSELL] and I offered an amendment on the floor for which we had unsuccessfully sought committee approval. At that time I was a member of the Armed Services Committee.

It is gratifying to have it before the Senate at this time supported by the Committee on Armed Services. The purpose and effect of the proposal is clear. It merely seeks to guarantee to any individual citizen brought into the services the right to serve in a military unit composed of members of his own race where he makes an affirmative declaration of his desire to do so. It does not deprive any other individual citizen of a single right, real or imaginary.

As was clearly pointed out in 1948—and it is equally true of the present proposal—the legislation would assure every citizen entering the armed services the privilege of serving with his own kind if at the time of registration or induction he expresses his desire to do so. It does not discriminate against any citizen or group of citizens. It does not deprive anyone of any right. It permits the serviceman to serve in units composed of mixed races if he so desires and is ordered to do so.

As I have said, the committee 2 years ago declined to approve the so-called Russell-Maybank amendment. Essentially the same provisions now come before the Senate with committee approval, and I hope the bill will be enacted.

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

Mr. MAYBANK. I yield.

Mr. RUSSELL. The Senator, of course, recognizes that the reason the committee did not approve it was because of the assurances we received from those in positions of high authority that they did not intend to prosecute this program.

Mr. MAYBANK. The Senator is eminently correct. No one was more shocked than were the Senator from Georgia and myself when the orders came out, after the testimony of General Eisenhower, to which I shall now refer.

In 1948 General Eisenhower appeared before the committee and declared that nonsegregation would slow the progress and development of colored boys who had been put into mixed units—that their advancement to the grades of sergeant, technical sergeant, and master sergeant is almost impossible in the face of competition from the better-educated, better-trained, and more adaptable white boys in the same organizations.

At that time General Eisenhower was in supreme command of the Army, and his views were military, not political.

Mr. President, this is a Nation of many races, but we must not forget that white people carved it out of the wilderness, white people conceived this Republic, white people fought the War of the Revolution, and in victory they gave to the world the greatest system of free government ever known to mankind.

The decent, self-respecting people of this country, regardless of the section in which they live, are getting more than sick of all this kowtowing to a minority group which holds the balance of power in a few large doubtful States.

The wars of this country have been won by white soldiers, and I defy any Member of this body to challenge this statement. The Army and Navy have wisely attempted to utilize the Negro soldiers in the positions which they are capable of filling. Certainly there are some Negro soldiers and some Negro units which have demonstrated effectiveness on the battlefield; but by and large, Negro soldiers have rendered their greatest service as cooks, drivers, maintenance men, mechanics, and such positions, for which they are well qualified.

I believe that Negro soldiers should be educated and entitled to a higher level of service in our Armed Forces. However, racial pride alone should make them want to train and fight with a unit of their own people, and in distinguishing themselves reflect due credit to their race. They should not be content to hitchhike on the accomplishments of white soldiers.

A vast majority of the white soldiers and the white sailors of this country, especially in the South, will refuse to associate with Negroes in their barracks and mess halls; and, more important, no decent, self-respecting Negro would want to be forced into the company of people who do not want him. This amendment gives these boys, both white and colored, an opportunity to serve in a segregated unit if they so desire.

The pending proposal does not undertake to tell the Army or the Navy what they shall do about segregation, but permits the serviceman himself to decide the question.

If the Army adopts a policy of forcing our white boys to serve in mongrelized units, it will stir up such racial strife as can never be overcome in a decade. The progress which has been made up until now will all go for naught. I predict that the Army will be faced with a deluge of courts martial such as has never been seen. I visualize a conscript army of bitter malcontents.

Those who are agitating the breaking down of our segregation laws may think they are playing smart politics, but they are destroying years of effort on our part to improve the economic and educational status of the Negro.

Time will not now permit me to tell the Senate what the South has done, and what it is doing, to make the Negro a more useful citizen. Our economic struggle in the South knows of no color line. Since the War Between the States we have been up against economic disadvantages imposed upon us, which have

weighed heavily upon both the white and colored people of the South. To some degree we are winning our fight for economic parity with other States, and as we do, the economic level of all of our people will rise. When this is accomplished, we shall have new and better educational facilities for all of our people.

Increased economic and educational advantages are what the Negroes in the South need, and that is what the forward-thinking people of the South are seeking to provide. Yet our efforts are set back constantly by misguided campaigns to abrogate our segregation laws and customs. It is easy to see that the Negro of the South is being made the victim of political by-play aimed at winning the Negro vote in doubtful States.

Mr. President, if there was ever a proposal to safeguard and guarantee individual rights, this is it. This amendment is basic. It strikes right at the heart of a fundamental freedom—the freedom of a man to live and work with people of his own choosing. The amendment must be adopted in the interest of harmony in the ranks of our armed services. It must be adopted as a guaranty against social controls by Executive order in an effort to break down our customs and established codes. I sincerely hope that enough Senators will see the wisdom of this proposal and that it will be adopted.

Mr. LUCAS. Mr. President, I yield 2 minutes to the junior Senator from New York.

Mr. LEHMAN. Mr. President, I rise in support of the amendment offered by the Senator from Illinois [Mr. LUCAS]. As Members of the Senate undoubtedly know, throughout my life I have been heart and soul against discrimination of any kind. I am against discrimination in employment, education, and enjoyment of political civil rights. I know of no discrimination which is more inexcusable than discrimination in the armed services of our country, a service in which men are expected to assume equal responsibilities, and in which all men are expected and are compelled to assume equal risks of life and limb. I hope with all my heart, and strongly urge, that this amendment, which has been presented by the Senator from Illinois [Mr. LUCAS] to eliminate the so-called Russell amendment, which is included in the bill, will be adopted by the Senate.

Mr. LUCAS. Mr. President, I yield 5 minutes to the Senator from California.

Mr. KNOWLAND. Mr. President, first of all, as a member of the Committee on Armed Services, I wish to speak in support of an extension of the Selective Service Act for 3 years. In the troubled condition in which the world finds itself at the present time I believe this Nation must be prepared under any circumstances to meet whatever challenge may confront it in the future. Such a challenge may confront us at a time when the Congress of the United States is not in session. In the atomic age in which we live, and in an age of the atom and airplane, it is conceivable that the Congress of the United States could not assemble immediately upon a serious situation developing in the world. For that reason, although I had some reluc-

tance at first, I am inclined to support the provision in the Senate bill which would permit the President of the United States to bring the law into operation, if the need should arise, without congressional resolution so to do.

I am opposed to the provision which was put into the bill by the committee at the suggestion of the Senator from Georgia [Mr. RUSSELL]. I do not believe that it would be a practical, operating feature which could be administered with any success. I do not believe that it would be any more feasible than it would be to ask every individual soldier in which State he would like to serve or train. I think it would be confusing from the point of view of discipline in the Army. Under our constitutional system we have a Commander in Chief, who is the President of the United States. Regardless of who the President may be, or what his party affiliation may be, under the Constitution he is still the Commander in Chief of the Army and Navy. He has prescribed certain regulations for the armed services. I think it would be most confusing if the Congress of the United States were to attempt to establish some other standards in legislation of this kind and freeze them.

Although I am expressing only my personal opinion, it is quite possible that the President of the United States has attempted too rapidly to achieve the result he is attempting to achieve. I am of the opinion that many of the desired results can be attained much better by a process of gradual education than by trying to force the issues too rapidly. The fact of the matter is that such regulations have been put into effect, and they are operating very well in the Air Force and in the Navy, according to the testimony, and I believe they are operating also in the Army. I do not believe that it is feasible or practical for this type of amendment to be written into law, and I think to do so would cause confusion in the armed services at a time when we dare not have confusion.

Mr. LUCAS. Mr. President, some question has been raised about the date of Saturday, the twenty-fourth of June. In discussing the matter just recently with the legislative counsel, Mr. Rice. I asked him if he would write out his version of the termination date of this act. He believes that under the general rules of statutory construction an act takes effect at 12:01 a. m. of the day it is signed unless the time it is signed is placed thereon. If, therefore, an act ceases to be effective by its terms after 1 year, and such act was signed on June 24, without the time of signing being placed thereon—and it was not placed on the Selective Service Act—such act ceases to be effective at midnight on June 23 next.

Mr. President, if that construction is correct—and I have great respect for Mr. Rice's opinion on these matters—instead of completing action on this bill by the twenty-fourth, we would have to complete it by Friday night, June 23. In other words, we would have to go to conference with the bill, the conferees would

have to agree, and they would have to come back to the Senate and to the House with a measure of some kind. As I said a moment ago, if that cannot be done, it is absolutely necessary, and in fact indispensable, that a joint resolution, be passed so as not to let the Selective Service Act lapse. After we have concluded with the vote which we are about to take I shall move that the Senate stand in recess until 11 o'clock tomorrow morning, with the hope that we can finish consideration of the pending bill at an early hour tomorrow and procure a vote on it, in order to get it to conference.

Mr. GEORGE. Mr. President, I hope the Senator from Illinois will permit me to call up one matter which is not controversial.

Mr. LUCAS. I shall be glad to yield now to the Senator from Georgia if he desires to bring it up at this time, because no one else wishes to speak on the pending measure.

RELEASE OF CERTAIN POWERS OF APPOINTMENT IN THE CASE OF ESTATE AND GIFT TAXES

Mr. GEORGE. Mr. President, I ask that Calendar No. 1851, House Joint Resolution 480, be laid before the Senate. I should like to make an explanation of it. This resolution also refers to an act which the Finance Committee believes necessary to be renewed for 1 year. The act expires on the twenty-third or twenty-fourth of this month. The joint resolution would simply extend the act for 1 year. It relates to the release of certain powers of appointment in the case of estate and gift taxes. I ask unanimous consent for the present consideration of the joint resolution.

Mr. WHERRY. Mr. President, reserving the right to object, I understand that unless the act is extended it would terminate on the twenty-fourth of this month. Therefore an emergency exists and it is necessary to extend the legislation. May I ask the distinguished Senator from Georgia whether the only new provision in the bill is the year?

Mr. GEORGE. Absolutely; "1950" is stricken out, and "1951" is inserted.

Mr. WHERRY. Mr. President, I have no objection.

The PRESIDING OFFICER. The clerk will state the joint resolution by title.

The LEGISLATIVE CLERK. A joint resolution (H. J. Res. 480), extending the time for the release, free of estate and gift tax, of certain powers.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Georgia for the present consideration of the joint resolution?

There being no objection, the joint resolution was considered, ordered to a third reading, read the third time, and passed.

Mr. GEORGE. Mr. President, I thank the Senator from Illinois and the Senator from Nebraska.

EXTENSION OF SELECTIVE SERVICE ACT OF 1948

The Senate resumed the consideration of the bill (H. R. 6826) to provide for the

common defense through the registration and classification of certain male persons, and for other purposes.

Mr. LUCAS. Mr. President, it is my understanding that no other Senators desire to speak upon the pending measure, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

Aiken	Hendrickson	Malone
Anderson	Hickenlooper	Martin
Benton	Hill	Maybank
Brewster	Hoey	Millikin
Bricker	Holland	Mundt
Butler	Humphrey	Murray
Byrd	Hunt	Myers
Cain	Ives	Neely
Chapman	Jenner	O'Mahoney
Connally	Johnson, Colo.	Robertson
Cordon	Johnson, Tex.	Russell
Darby	Kefauver	Saltonstall
Donnell	Kem	Schoeppel
Douglas	Kerr	Smith, Maine
Eastland	Kilgore	Sparkman
Ecton	Knowland	Stennis
Ellender	Lehman	Taft
Ferguson	Lodge	Thomas, Utah
Frear	Lucas	Thye
Fulbright	McCarran	Tydings
George	McClellan	Watkins
Gillette	McFarland	Wherry
Green	McKellar	Williams
Gurney	McMahon	Withers
Hayden	Magnuson	

The PRESIDING OFFICER. A quorum is present.

The Chair is advised that the unanimous-consent agreement does not require the Senate to wait until 6:30. The Senate can proceed to vote now. What is the pleasure of the Senate?

SEVERAL SENATORS. Vote.

Mr. LEHMAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. LEHMAN. On what are we about to vote?

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Illinois [Mr. LUCAS] for himself and other Senators to strike out section 2 of the committee bill, which is known as the Russell amendment.

Mr. LEHMAN. I thank the Presiding Officer.

The PRESIDING OFFICER. The question is on the amendment to strike out the so-called Russell amendment which appears in the bill.

Mr. RUSSELL and other Senators asked for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. GILLETTE (when his name was called). On this vote I have a pair with the junior Senator from South Carolina [Mr. JOHNSTON]. I am informed that if he were present he would vote "nay." If I were permitted to vote I would vote "yea." I withhold my vote.

Mr. MCFARLAND (when his name was called). On this vote I have a pair with the junior Senator from Louisiana [Mr. LONG]. If he were present and voting he would vote "nay." If I were permitted to vote I would vote "yea." I withhold my vote.

Mr. MURRAY (when his name was called). On this vote I have a pair with the Senator from North Carolina [Mr.

GRAHAM]. If he were present and voting he would vote "nay." If I were permitted to vote I would vote "yea." I withhold my vote.

The roll call was concluded.

Mr. MYERS. I announce that the Senator from New Mexico [Mr. CHAVEZ] is necessarily absent and if present would vote "yea."

The Senator from California [Mr. DOWNEY] is absent because of illness.

The Senator from North Carolina [Mr. GRAHAM] and the Senator from Rhode Island [Mr. LEAHY] are absent on public business.

The Senator from South Carolina [Mr. JOHNSTON], the Senator from Louisiana [Mr. LONG], the Senator from Florida [Mr. PEPPER], the Senator from Idaho [Mr. TAYLOR], and the Senator from Oklahoma [Mr. THOMAS] are absent by leave of the Senate.

The Senator from Maryland [Mr. O'CONNOR] is absent by leave of the Senate on official business, attending the sessions of the International Labor Organization at Geneva, Switzerland, as a delegate representing the United States.

I announce further that if present and voting, the Senator from Idaho [Mr. TAYLOR] would vote "yea."

Mr. SALTONSTALL. I announce that the Senator from Indiana [Mr. CAPEHART], the Senator from Wisconsin [Mr. MCCARTHY] and the Senator from New Jersey [Mr. SMITH] are necessarily absent. If present and voting, the Senator from Indiana [Mr. CAPEHART] and the Senator from New Jersey [Mr. SMITH] would each vote "yea."

The Senator from Idaho [Mr. DWORSHAK] and the Senator from Wisconsin [Mr. WILEY] are absent on official business.

The Senator from Vermont [Mr. FLANDERS], the senior Senator from North Dakota [Mr. LANGER], the Senator from Oregon [Mr. MORSE], the Senator from New Hampshire [Mr. TOBEY], the Senator from Michigan [Mr. VANDENBERG], and the junior Senator from North Dakota [Mr. YOUNG] are absent by leave of the Senate. If present and voting, the Senator from Vermont [Mr. FLANDERS], the Senator from Oregon [Mr. MORSE], the Senator from New Hampshire [Mr. TOBEY] would each vote "yea."

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

The result was announced—yeas 42, nays 29, as follows:

YEAS—42

Alken	Hickenlooper	Malone
Anderson	Humphrey	Martin
Benton	Ives	Millikin
Brewster	Jenner	Mundt
Bricker	Johnson, Colo.	Myers
Butler	Kem	Neely
Cain	Kilgore	Saltionstall
Darby	Knowland	Schoepel
Donnell	Lehman	Smith, Maine
Douglas	Lodge	Taft
Ferguson	Lucas	Thomas, Utah
Frear	McCarran	Thye
Green	McMahon	Wherry
Hendrickson	Magnuson	Williams

NAYS—29

Byrd	Ellender	Hoey
Chapman	Fulbright	Holland
Connally	George	Hunt
Cordon	Gurney	Johnson, Tex.
Eastland	Hayden	Kefauver
Ecton	Hill	Kerr

McClellan
McKellar
Maybank
O'Mahoney

Robertson
Russell
Sparkman
Stennis

Tydings
Watkins
Withers

NOT VOTING—25

Bridges
Capehart
Chavez
Downey
Dworshak
Flanders
Gillette
Graham
Johnston, S. C.

Langer
Leahy
Long
McCarthy
McFarland
Morse
Murray
O'Connor
Pepper

Smith, N. J.
Taylor
Thomas, Okla.
Tobey
Vandenberg
Wiley
Young

So the amendment offered by Mr. LUCAS, for himself and other Senators, was agreed to.

EXTENSION OF SELECTIVE SERVICE ACT OF 1948—AMENDMENTS

Mr. RUSSELL and Mr. CHAPMAN each submitted an amendment intended to be proposed by them, respectively, to the bill (H. R. 6826) to provide for the common defense through the registration and classification of certain male persons, and for other purposes, which were ordered to lie on the table and to be printed.

Mr. WATKINS (for himself, Mr. WHERRY, Mr. TAFT, Mr. BREWSTER, Mr. JOHNSON of Colorado, and Mr. KEM) submitted an amendment intended to be proposed by them, jointly, to House bill 6826, supra, which was ordered to lie on the table and to be printed.

EXTENSION OF RENT CONTROL—CONFERENCE REPORT

Mr. MAYBANK. Mr. President, I understand that the House has adopted the conference report on the rent control bill, providing for an extension of 6 months, and then 6 months more, at option; and I desire to have the conference report brought before the Senate.

Therefore, Mr. President, I submit the conference report on Senate bill 3181, to extend the Housing and Rent Act of 1947, as amended, and for other purposes; and I ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The conference report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3181) to extend the Housing and Rent Act of 1947, as amended, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "That this Act may be cited as the 'Housing and Rent Act of 1950'."

"Sec. 2. Section 4 (e) of the Housing and Rent Act of 1947, as amended, is hereby amended by striking out 'June 30, 1950', and inserting in lieu thereof 'June 30, 1951'."

"Sec. 3. Section 204 (a) of the Housing and Rent Act of 1947, as amended, is hereby amended by striking out 'June 30, 1950', and inserting in lieu thereof 'June 30, 1951'."

"Sec. 4. Section 204 (f) of the Housing and Rent Act of 1947, as amended, is hereby amended to read as follows:

"(f) (1) The provisions of this title, except section 204 (a), shall cease to be in effect at the close of December 31, 1950, except

that they shall cease to be in effect at the close of June 30, 1951—

"(A) in any incorporated city, town, or village which, at a time when maximum rents under this title are in effect therein, and prior to December 31, 1950, declares by resolution of its governing body adopted for that purpose, or by popular referendum, in accordance with local law) that a shortage of rental housing accommodations exists which requires the continuance of rent control in such city, town, or village; and

"(B) in any unincorporated locality in a defense-rental area in which one or more incorporated cities, towns, or villages constituting the major portion of the defense-rental area have made the declaration specified in subparagraph (A) at a time when maximum rents under this title were in effect in such unincorporated locality.

"(2) Any incorporated city, town, or village which makes the declaration specified in paragraph (1) (A) of this subsection shall notify the Housing Expediter in writing of such action promptly after it has been taken.

"(3) Notwithstanding any provision of paragraph (1) of this subsection, the provisions of this title shall cease to be in effect upon the date of a proclamation by the President or upon the date specified in a concurrent resolution by the two Houses of the Congress, declaring that the further continuance of the authority granted by this title is not necessary because of the existence of an emergency, whichever date is the earlier.

"(4) Notwithstanding any provision of paragraph (1) or (3) of this subsection, the provisions of this title and regulations, orders, and requirements thereunder shall be treated as still remaining in force for the purpose of sustaining any proper suit or action with respect to any right or liability incurred prior to the termination date specified in such paragraph."

"Sec. 5. Section 204 (j) (3) of the Housing and Rent Act of 1947, as amended, is hereby amended to read as follows:

"(3) The Housing Expediter shall terminate the provisions of this title in any incorporated city, town, village, or in the unincorporated area of any county upon receipt of a resolution of its governing body adopted for that purpose in accordance with applicable local law and based upon a finding by such governing body reached as the result of a public hearing held after ten days' notice, that there no longer exists such a shortage in rental housing accommodations as to require rent control in such city, town, village, or unincorporated area in such county: *Provided*, That where the major portion of a defense-rental area has been decontrolled pursuant to this paragraph (3), the Housing Expediter shall decontrol any unincorporated locality in the remainder of such area."

"Sec. 6. Nothing in this Act or in the Housing and Rent Act of 1947, as amended, shall be construed to require any person to offer any housing accommodations for rent.

"Sec. 7. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the validity of the remainder of the Act, and the applicability of such provision to other persons or circumstances, shall not be affected thereby.

"Sec. 8. This Act shall become effective on the first day of the first calendar month following the month in which it is enacted."

And the House agree to the same.

BURNET R. MAYBANK,
J. WILLIAM FULBRIGHT,
JOHN SPARKMAN,
RALPH E. FLANDERS,
JOHN W. BRICKER,

Managers on the Part of the Senate.

BRENT SPENCE,
PAUL BROWN,
WRIGHT PATMAN,
BROOKS HAYS,

Managers on the Part of the House.

The PRESIDING OFFICER. The conference report is a privileged matter. Is there objection to the request for its present consideration?

There being no objection, the Senate proceeded to consider the report.

The PRESIDING OFFICER. The question is on agreeing to the report.

Mr. DOUGLAS. Mr. President, I am very glad that we are to continue rent control for 6 months, with an option for the localities to continue such controls for an additional 6 months.

I regret that the Senate conferees were not able to persuade the conferees on the part of the House to agree to the provision contained in the Senate version of the bill which exempted permanent tenants in hotels from rent control. Although I favored the inclusion of the provision regarding permanent quarters in apartments, last year, when this measure was before the Congress, I became convinced this year that there was no longer any need for such control. This was because of the fact that apparently there is a vacancy rate of 12½ percent in the permanent accommodations in Chicago hotels, and inasmuch as I do not believe in continuing rent control unless it is needed. I felt that rent controls should be abolished in this case, for permanent accommodations in Chicago hotels.

As I say, Mr. President, I regret very much that the conferees on the part of the House would not recede from their position.

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

Mr. DOUGLAS. I yield.

Mr. MAYBANK. I wish to be perfectly frank about the matter of receding. In view of the fact that the conferees on the part of the House had been very generous and kind in receding in regard to the 7-months' and 5-months' provisions, I thought the conferees on the part of the Senate should recede regarding the provision relating to hotels in Chicago.

I regret the situation, but I wish the Senator from Illinois to understand distinctly that I myself voted to recede.

Mr. DOUGLAS. Mr. President, I make this statement in part because I understand that on the floor of the House this afternoon a Member of the House implied that I had proposed this amendment exempting permanent accommodations in Chicago hotels, with the intent of scuttling it later, in the conference.

I thank the Senator from South Carolina for making this situation clear.

I was called out of the city to deliver a commencement address in Chicago on Wednesday, and then later to make a speech on the Pacific coast, on Saturday. So it was not possible for me to be present. But through my administrative assistant, Mr. McCulloch, I made it clear to the Senate conferees that I hoped they would be able to obtain House consent for the decontrol of permanent accommodations in hotels.

I do not think I have ever proposed a measure in which I did not believe; and I hope the gentleman on the House side, who apparently made the implication,

this afternoon, to which I have referred, will withdraw the statement he made, when he understands the situation.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. CAIN. Mr. President, I wonder whether the distinguished Senator from South Carolina [Mr. MAYBANK], the chairman of the Banking and Currency Committee, would object to having a yea-and-nay vote on the question of the adoption of the conference report. I suggest such a move because of my feeling that it is tremendously important to state again, for the benefit of the Senate and the Nation, that there are a number of Senators who have no intention at any future period in peacetime of permitting an extension of rent control beyond the expiration date which is outlined in the conference report.

Mr. MAYBANK. Does the Senator desire to have a yea-and-nay vote on the question of agreeing to the conference report, with a view, if it should be rejected, of sending the report back to a further conference?

Mr. CAIN. The Senator from Washington would appreciate having a yea-and-nay vote on the question of agreeing to the conference report.

Mr. MAYBANK. Does the Senator wish to have the vote taken now?

Mr. CAIN. When the Senator from South Carolina has concluded his observations, I shall be glad to have that done.

Mr. MAYBANK. If the Senator from Washington wishes to have a yea-and-nay vote taken immediately on that question, that will be all right with me.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. CAIN and other Senators asked for the yeas and nays.

The yeas and nays were ordered.

Mr. MAYBANK. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MAYBANK. Do I correctly understand that on this vote, a vote of "yea" will be a vote in favor of adoption of the conference report for the 6 months' period, and that a vote of "nay" will be a vote to send the conference report back to a further conference?

The PRESIDING OFFICER. A vote "yea" will be a vote in favor of adoption of the conference report as submitted. A vote "nay" will be a vote to refuse to approve the conference report.

Mr. MAYBANK. I thank the Chair.

The PRESIDING OFFICER. The question is on agreeing to the conference report. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MYERS. I announce that the Senators from New Mexico [Mr. ANDERSON and Mr. CHAVEZ], the Senators from Virginia [Mr. BYRD and Mr. ROBERTSON], the Senator from Iowa [Mr. GILLETTE], the Senator from Arizona [Mr. HAYDEN], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Mississippi [Mr. STENNIS], and the Senator

from Kentucky [Mr. WITHERS] are necessarily absent.

The Senator from California [Mr. DOWNEY] is absent because of illness.

The Senator from North Carolina [Mr. GRAHAM] and the Senator from Rhode Island [Mr. LEAHY] are absent on public business.

The Senator from South Carolina [Mr. JOHNSTON], the Senator from Louisiana [Mr. LONG], the Senator from Florida [Mr. PEPPER], the Senator from Idaho [Mr. TAYLOR], and the Senator from Oklahoma [Mr. THOMAS] are absent by leave of the Senate.

The Senator from Maryland [Mr. O'CONNOR] is absent by leave of the Senate on official business, attending the sessions of the International Labor Organization at Geneva, Switzerland, as a delegate representing the United States.

On this vote the Senator from Iowa [Mr. GILLETTE] is paired with the Senator from Delaware [Mr. WILLIAMS]. If present and voting, the Senator from Iowa would vote "yea," and the Senator from Delaware would vote "nay."

On this vote the Senator from New Mexico [Mr. ANDERSON] is paired with the Senator from Virginia [Mr. BYRD]. If present and voting, the Senator from New Mexico would vote "yea," and the Senator from Virginia would vote "nay."

On this vote the Senator from Rhode Island [Mr. LEAHY] is paired with the Senator from Virginia [Mr. ROBERTSON]. If present and voting, the Senator from Rhode Island would vote "yea," and the Senator from Virginia would vote "nay."

I announce further that if present and voting, the Senator from Arizona [Mr. HAYDEN], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Mississippi [Mr. STENNIS], the Senator from Idaho [Mr. TAYLOR], the Senator from New Mexico [Mr. CHAVEZ], and the Senator from Kentucky [Mr. WITHERS] would each vote "yea."

Mr. SALTONSTALL. I announce that the Senator from Indiana [Mr. CAPEHART], the Senator from Wisconsin [Mr. MCCARTHY], and the Senator from New Jersey [Mr. SMITH] are necessarily absent.

The Senator from Idaho [Mr. DWORSHAK] and the Senator from Wisconsin [Mr. WILEY] are absent on official business.

The Senator from Vermont [Mr. FLANDERS], the senior Senator from North Dakota [Mr. LANGER], the Senator from Oregon [Mr. MORSE], the Senator from New Hampshire [Mr. TOBEY], the Senator from Michigan [Mr. VANDENBERG], and the junior Senator from North Dakota [Mr. YOUNG] are absent by leave of the Senate.

The Senator from New Hampshire [Mr. BRIDGES] and the Senator from Nebraska [Mr. WHERRY] are detained on official business. If present, the Senator from Nebraska would vote "nay."

The Senator from Delaware [Mr. WILLIAMS], who is detained on official business, is paired with the Senator from Iowa [Mr. GILLETTE]. If present and voting, the Senator from Delaware would vote "nay" and the Senator from Iowa would vote "yea."

The result was announced—yeas 40, nays 24, as follows:

YEAS—40

Alken	Hunt	Magnuson
Benton	Ives	Malone
Chapman	Johnson, Colo.	Maybank
Connally	Johnson, Tex.	Murray
Darby	Kefauver	Myers
Donnell	Kerr	Neely
Douglas	Kilgore	Saltonstall
Eastland	Lehman	Smith, Maine
Frear	Lodge	Sparkman
Fulbright	Lucas	Thomas, Utah
Green	McCarran	Thye
Hendrickson	McFarland	Tydings
Hill	McKellar	
Humphrey	McMahon	

NAYS—24

Brewster	George	McClellan
Bricker	Gurney	Martin
Butler	Hickenlooper	Millikin
Cain	Hoey	Mundt
Cordon	Holland	Russell
Ecton	Jenner	Schoeppel
Ellender	Ken	Taft
Ferguson	Knowland	Watkins

NOT VOTING—32

Anderson	Johnston, S. C.	Stennis
Bridges	Langer	Taylor
Byrd	Leahy	Thomas, Okla.
Capehart	Long	Tobey
Chavez	McCarthy	Vandenberg
Downey	Morse	Wherry
Dworshak	O'Connor	Wiley
Flanders	O'Mahoney	Williams
Gillette	Pepper	Withers
Graham	Robertson	Young
Hayden	Smith, N. J.	

So the report was agreed to.

EXTENSION OF SELECTIVE SERVICE ACT OF 1948

The Senate resumed the consideration of the bill (H. R. 6826) to provide for the common defense through the registration and classification of certain male persons, and for other purposes.

Mr. LUCAS. Mr. President, I intend to move a recess until 11 o'clock tomorrow. I understand the Senator from Utah desires to speak at least about 30 minutes. I know of no other Members of the Senate who desire to speak. It may be that they do, but I plead with Senators to expedite the pending measure and get the bill into conference, so that the conferees can come back with some kind of selective service bill. It must be done before midnight Friday, and it has to be in the President's hands before that time, otherwise the Selective Service law will expire. We shall be in a peck of trouble, in the event it does. I plead with Senators on both sides of the aisle to come here tomorrow at 11 o'clock, and after a quorum is obtained, to get this bill on its way to the House of Representatives, and have the conferees appointed so that the conference report may be submitted and acted upon, and action completed on this important measure within the time specified.

Mr. HUMPHREY. Mr. President, I should like to say to the majority leader that it was the intention of the junior Senator from Minnesota to offer a series of amendments, but in view of the vote which has just taken place with reference to the elimination from the bill of the so-called Russell amendment, and in view of what I consider to be a creditable record on the part of the President, the Secretary of Defense, and the Secretaries of the Army, Air, and the Navy, on promoting a better pattern of human relationships and civil rights within the armed services, it is not the

intention of the Senator from Minnesota to offer his amendments.

I agree with the majority leader that we ought to expedite this legislation, and I make my position clear at this time so we can arrive at some sort of understanding by which we can have the bill passed promptly. It would be a singular tragedy if we were to go over the deadline. I want the majority leader to know I extend my fullest cooperation.

Mr. LUCAS. I thank the Senator from Minnesota. There was some question as to whether the Senator from Minnesota would offer certain amendments, which was one of the reasons why we could not obtain a unanimous-consent agreement. With that understanding, I am wondering whether we cannot now get a unanimous-consent agreement to vote at 2 o'clock tomorrow, say, upon the bill and upon any amendments offered thereto in the meantime. Would that be satisfactory to the Senator from Utah?

Mr. WATKINS. I do not know about other Senators. I would suggest 3:30.

Mr. LUCAS. I wish we could agree to vote at 2 o'clock. I may say to the Senator, it is planned to convene tomorrow at 11.

Mr. WATKINS. I understood the previous unanimous-consent agreement was agreed to on the ground that there would be no further unanimous-consent agreement for tomorrow.

Mr. LUCAS. That was because of the situation in which we found ourselves with respect to amendments which might be offered by the Senator from Minnesota or by other Senators who contemplated offering amendments of the kind he proposed to offer. But I understand now, from his statement, that he does not propose to do that, and that he wants to expedite the passage of the bill. I should like very much to enter into that kind of agreement, if possible.

Mr. WATKINS. I had in mind some of the other Senators who might want to speak on some of the amendments, particularly the one I have proposed.

Mr. LUCAS. I do not see any Senator rising who wishes to speak very long.

Mr. CAIN. Mr. President, in the absence of the Senator from Maryland [Mr. TYDINGS] I would venture the guess that the Senate Committee on Armed Services would appreciate having 30 minutes within which to conclude its presentation or to answer any new arguments.

Mr. LUCAS. Plenty of time would be afforded if we start at 11 a. m. and vote at 2:30 p. m.

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

Mr. LUCAS. I yield.

Mr. RUSSELL. Mr. President, the statement of the Senator from Minnesota [Mr. HUMPHREY] is most gratifying, although it did grow out of the fact that a very fair amendment was defeated. While I want to expedite the passage of the bill in every way possible, I do not feel that I can agree now, without some understanding with a sufficient number of Senators, as to matters which might or might not be germane and relevant to the bill.

Mr. LUCAS. Mr. President, apparently, under the circumstances, we can-

not reach a unanimous-consent agreement; and in accordance with the statement I made earlier, I move that the Senate proceed to consider executive business.

Mr. DONNELL. Mr. President, will the Senator withhold his motion for a moment?

Mr. LUCAS. Yes.

Mr. DONNELL. I was informed that the Senator from Illinois had stated that the Senate would recess today after the vote on the Lucas amendment to House bill 6826. Am I correct in that understanding?

Mr. LUCAS. That was not quite the understanding. I advised the Senate that we might hold a night session if we did not dispose of the Russell amendment and, possibly, the bill itself; but I did say later on that if we could dispose of the amendment, we would take a recess, which we are about to do.

Mr. DONNELL. I will say to the Senator, if he will permit me, that when the minority leader [Mr. W. HERRY] left, after voting on the so-called Lucas amendment, he was under the impression that there would be nothing further taken up after action on that amendment. I did not interpose any objection to the action taken on the conference report on the rent-control bill, although, in looking back over it, I am not so sure but that I should have objected.

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

Mr. LUCAS. I yield.

Mr. MAYBANK. Mr. President, I want to make it perfectly clear that several Senators suggested to me that some Senators had gone and would not be here to vote; but the Senator from Washington [Mr. CAIN] had a perfect right to have the conference report come up for a vote. It was not by unanimous consent; it was after a quorum was called. I did not suggest it to the Senator from Washington. It was a conference report, which is a privileged matter.

Mr. DONNELL. Mr. President, will the Senator yield for a brief statement? Mr. LUCAS. I yield.

Mr. DONNELL. I should like the RECORD to show very clearly, primarily in the interest of some of the Senators who have gone, that I understand the Senate would recess immediately after action on the Lucas amendment. The minority leader, on leaving, requested me to see to it, so far as it was possible for me to do so, that the Senate should not transact any business after action on the Lucas amendment. If any Senator has been precluded from expressing himself on the conference report, I should like the RECORD to show that it was due to the fact that I did not interpose objection, and it was not due to the fact that the Senator who did not have such opportunity was delinquent in his duty in regard to the matter.

Mr. NEELY. Mr. President, will the Senator from Illinois yield?

Mr. LUCAS. I yield.

Mr. NEELY. I should like to inquire of the majority leader on what early date he will help me to obtain the right-of-way for consideration of the District rent-control extension bill?

Mr. LUCAS. I should say to the Senator that we might possibly be able to take it up tomorrow or next day, although I have told the Senator from Texas [Mr. CONNALLY] that we would take up the military assistance bill. I know how vital is the District of Columbia rent-control bill, and I am under the impression that we can take it up tomorrow or the next day.

Mr. President, in reply to the Senator from Missouri, I should like to make this statement: Some Senators came to me after the vote was taken on the amendment and I advised them that I did not think any more votes would be taken today on any measure. The Senator from New Mexico [Mr. ANDERSON] and other Senators left. It is impossible to tell what may happen on the floor of the Senate, as every Senator knows who has been here very long. The Senator from South Carolina [Mr. MAYBANK] came to me and said, "I can put the rent-control conference report through in a very few minutes." He was in good faith when he made that statement. An argument ensued and a roll call was asked with reference to the report. I presume we should have recessed and taken it up tomorrow; but I do not think anyone has been hurt very much by what has happened.

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

Mr. LUCAS. I yield.

Mr. DONNELL. Mr. President, I did not have the slightest idea of intimating that the Senator had been in any sense guilty of any bad faith in the matter. I am sure that neither he nor the Senator from South Carolina had any intention of putting any Senator in an embarrassing position by reason of the action which was taken. Notwithstanding that I had assured the minority leader that I would take action toward securing a recess immediately following the action on the Lucas amendment, I thought, in view of the nature and the history of the rent-control conference report, it was proper that I should not insist upon an immediate recess. But in view of the fact that so many Senators have gone and have possibly relied on the statement that the Senate would not act on any other matters, I am constrained to object to the transaction of any further business.

Mr. LUCAS. I join with the Senator in that statement. I shall object to any further business being transacted.

Mr. DONNELL. I think that is very wholesome.

EXECUTIVE SESSION

Mr. LUCAS. I renew my motion that the Senate proceed to the consideration of executive business.

The PRESIDING OFFICER. The question is on the motion of the Senator from Illinois.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. HOLLAND in the chair) laid before the Senate

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messages from the President of the United States submitting sundry nominations, and withdrawing the nomination of Carl Rodman, of Massachusetts, for appointment as a Foreign Service officer of class 6, a vice consul of career, and a secretary in the Diplomatic Service of the United States, which nominating messages referred to the appropriate committees.

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

EXECUTIVE REPORT OF A COMMITTEE

The following favorable report of a nomination was submitted:

By Mr. McCARRAN, from the Committee on the Judiciary:

Willis W. Ritter, of Utah, to be United States district judge for the district of Utah.

Mr. DONNELL. I object to the transaction of any further business, on the ground that the general understanding in the Senate was that there was to be no further business transacted after the passage of the Lucas amendment.

Mr. LUCAS. We did not have that understanding with respect to the executive calendar. If there is any nomination on the executive calendar to which the Senator wants to object, that is a different proposition. It is always in order to consider the executive calendar, but if the Senator wants to object, we can pass it over until tomorrow.

The PRESIDING OFFICER. The Chair is advised that there is one nomination on the calendar which pertains to the District of Columbia.

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

Mr. LUCAS. I yield.

Mr. DONNELL. I have not seen a copy of the executive calendar. There is no desire on my part to object to the further transaction of business because of any particular personality.

The PRESIDING OFFICER. The Chair is advised the first two nominations on the calendar have been passed over heretofore, and there is a request that they be again passed over. The only open nomination is the nomination of Kenneth W. Spencer, of the District of Columbia, to be a member of the Public Utilities Commission.

Mr. DONNELL. Mr. President, was there an outright agreement that there should be no further business transacted after the Lucas amendment was voted upon?

Mr. LUCAS. Mr. President, I ask that the nomination of Kenneth W. Spencer to be a member of the Public Utilities Commission of the District of Columbia, be passed over.

The PRESIDING OFFICER. The nomination will be passed over.

RECESS

Mr. LUCAS. As in legislative session, I move that the Senate take a recess until 11 o'clock tomorrow morning.

The motion was agreed to; and (at 6 o'clock and 58 minutes p. m.) the Senate took a recess until tomorrow, Thursday, June 22, 1950, at 11 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate June 21 (legislative day of June 7), 1950:

UNITED NATIONS

Isidor Lubin, of New York, now United States representative on the Economic and Employment Commission of the Economic and Social Council of the United Nations, to be also the representative of the United States of America on the Economic and Social Council of the United Nations.

DIPLOMATIC AND FOREIGN SERVICE

James W. Riddleberger, of Virginia, for promotion from Foreign Service officer of class 1 to Foreign Service officer of the class of career minister of the United States of America.

John D. Jernegan, of California, now a Foreign Service officer of class 2 and a secretary in the diplomatic service, to be also a consul general of the United States of America.

Elbert R. Williams, of Pennsylvania, a Foreign Service staff officer, to be a consul of the United States of America.

Sidney V. Suhler, of Texas, for appointment as a Foreign Service officer of class 6, a vice consul of career, and a secretary in the diplomatic service of the United States of America.

RAILROAD RETIREMENT BOARD

Horace W. Harper, of Texas, to be a member of the Railroad Retirement Board for the term expiring August 29, 1954.

IN THE COAST GUARD

The following two officers of the United States Coast Guard for promotion to the permanent grade of rear admiral:

Harold G. Bradbury
Roy L. Raney

IN THE NAVY

Capt. Arleigh A. Burke, United States Navy, for temporary appointment to the grade of rear admiral.

WITHDRAWAL

Executive nomination withdrawn from the Senate, June 21 (legislative day of June 7), 1950:

DIPLOMATIC AND FOREIGN SERVICE

Carl Rodman, of Massachusetts, for appointment as Foreign Service officer of class 6, a vice consul of career, and a secretary in the diplomatic service of the United States of America.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JUNE 21, 1950

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Almighty God, whose divine sovereignty and authority we cannot doubt or disobey, we pray that daily we may faithfully and fearlessly seek to do what Thou dost command.

Show us how we may enrich and strengthen our national life and find the secret of its cohesive and conquering power.

Inspire and guide our Speaker and all the Members of this Congress in their deep concern for the honor and security

of our democracy. May they perceive what is needful and devise what is right.

Grant that we may fix our hopes and expectations and desires not on mere material prosperity but upon the achievement of spiritual greatness.

Hear us in the name of the Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On June 2, 1950:

H. R. 7341. An act to authorize and direct the Commissioners of the District of Columbia to construct a bridge over the Anacostia River in the vicinity of East Capitol Street, and for other purposes;

H. R. 7635. An act to amend the Armed Forces Leave Act of 1946, as amended, to provide graduation leave upon appointment as commissioned officers in the Regular components of the Armed Forces of graduates of the United States Military, Naval, or Coast Guard Academies; and

H. R. 8578. An act authorizing loans from the United States Treasury for the expansion of the District of Columbia water system.

On June 5, 1950:

H. R. 7797. An act to provide foreign economic assistance.

On June 7, 1950:

H. R. 6655. An act for the relief of Taeko Suzuki.

On June 8, 1950:

H. R. 1285. An act for the relief of the legal guardian of Lena Mae West, a minor.

On June 14, 1950:

H. R. 4892. An act to provide for the admission of pay patients to the Home for the Aged and Infirm;

H. R. 5126. An act for the relief of Mrs. Nathalie E. Cobb;

H. R. 5295. An act for the relief of C. R. Springman;

H. R. 5913. An act to authorize the exchange of certain lands of the United States situated in Ross County, Ohio, for lands within Symmes Creek purchase unit in Lawrence County, Ohio, and for other purposes;

H. R. 6406. An act providing procedure for claimants of mining claims in the United States obtaining credit for assessment work performed during the year ending July 1, 1949, under the provisions of Public Law 107, Eighty-first Congress;

H. R. 6552. An act to correct a clerical error in section 2 of the act of January 16, 1883, an act to regulate and improve the civil service of the United States, as amended by Public Law 425, Eighty-first Congress;

H. R. 6632. An act to extend the authority of the Administrator of Veterans' Affairs to establish and continue offices in the Republic of the Philippines;

H. R. 7866. An act to amend the Civil Service Retirement Act of May 29, 1930, as amended, so as to provide an order of precedence for lump-sum death payments, and for other purposes; and

H. R. 7966. An act to amend the act entitled "An act to incorporate the trustees of the Presbyterian congregation of Georgetown," and approved March 28, 1806.

On June 15, 1950:

H. R. 4641. An act to authorize the Secretary of Agriculture to accept title to certain land owned or to be acquired by the county of Plumas, State of California, and in exchange therefor to convey to Plumas County

certain land owned by the United States in said county;

H. R. 5103. An act to provide for clerical assistance at post offices, branches, or stations serving military and naval personnel, and for other purposes;

H. R. 5166. An act to extend the laws of the United States relating to civil acts or offenses consummated or committed on the high seas on board a vessel belonging to the United States, to the Midway Islands, Wake Island, Johnston Island, Sand Island, Kingman Reef, Kure Island, Baker Island, Howland Island, Jarvis Island, Canton Island, and Enderbury Island, and for other purposes; and

H. R. 5511. An act to amend the provisions of the Perishable Agricultural Commodities Act, 1930, relating to practices in the marketing of perishable agricultural commodities.

On June 16, 1950:

H. R. 589. An act for the relief of C. M. Smart;

H. R. 1124. An act for the relief of Lee Freddie Lambert;

H. R. 1432. An act for the relief of Frances L. Marshall;

H. R. 1492. An act for the relief of Harold L. Lindquist;

H. R. 1866. An act for the relief of Honorio Canciller and Nancy Ting Evangelista;

H. R. 3480. An act to authorize the Commonwealth of Kentucky to use for certain educational purposes lands granted by the United States to such Commonwealth for State park purposes exclusively;

H. R. 3527. An act for the relief of Gifford E. Moak;

H. R. 3672. An act for the relief of Mrs. Vera C. A. Freund;

H. R. 3996. An act for the relief of Dr. J. Carlyle Nagle;

H. R. 4015. An act for the relief of Kate Laursen;

H. R. 4509. An act to amend the act of February 25, 1920 (41 Stat. 452), and for other purposes;

H. R. 4567. An act to amend the Displaced Persons Act of 1948;

H. R. 4969. An act to direct the Secretary of Agriculture and the Secretary of the Army to transfer and convey certain lands and thereby facilitate administration and give proper cognizance to the highest use of United States lands;

H. R. 5872. An act to extend the boundaries of the Toiyabe National Forest in the State of Nevada;

H. R. 6371. An act for the relief of J. O. Evans;

H. R. 6385. An act for the relief of Louise M. Koch;

H. R. 6521. An act to authorize the sale of certain land on the Pine Ridge Indian Reservation, S. Dak., allotted to Lucy Arapahoe Iron Bear;

H. R. 6577. An act for the relief of Haruko Teramoto;

H. R. 6689. An act for the relief of Mitsuko Uemura;

H. R. 6991. An act for the relief of E. G. Morris;

H. R. 7013. An act for the relief of Mrs. Yae Bennett;

H. R. 7094. An act for the relief of Kazuyo Dohi;

H. R. 7147. An act to change the effective date of the act of June 19, 1948, relating to the Fire Department of the District of Columbia;

H. R. 7255. An act to provide for the conveyance of certain real property in Hopkins County, Ky., to the estate of James D. Meadors;

H. R. 7609. An act to grant a renewal of Patent No. 59,560 relating to the emblem of the Disabled American Veterans of the World War;

H. R. 7700. An act to amend the rice marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended;

H. R. 7708. An act to authorize the Secretary of the Navy to grant to the Monmouth Consolidated Water Co. certain easements and rights-of-way within the United States Naval Ammunition Depot, Earle, N. J.

H. R. 7888. An act to amend the Classification Act of 1949 to make it inapplicable to postal employees of the Panama Canal; and

H. R. 7984. An act to authorize the conveyance to the city of Miles City, State of Montana, certain lands in Custer County, Mont., and for other purposes.

On June 17, 1950:

H. R. 829. An act to authorize the Secretary of Agriculture to accept buildings and improvements constructed and affected by the Buffalo Rapids Farms Association on project lands in the Buffalo Rapids water conservation and utilization project and canceling certain indebtedness of the association, and for other purposes;

H. R. 1110. An act for the relief of Ann Irene Felkema;

H. R. 1170. An act for the relief of Mrs. John Kaudy (formerly Stella Capper);

H. R. 1275. An act for the relief of Anna Helman;

H. R. 1602. An act for the relief of Ben Grunstein;

H. R. 4011. An act for the relief of Stavros Matheos (also known as Steve Matheos or Matheou);

H. R. 5017. An act for the relief of Ng Soo Lip and Ng Yut Chee;

H. R. 5332. An act to amend section 3 of the act of June 18, 1934, relating to the establishment of foreign-trade zones;

H. R. 5581. An act for the relief of Deborah Elizabeth Ebel;

H. R. 5709. An act for the relief of Patrick Cronin;

H. R. 6271. An act for the relief of Mrs. Harry Schneider;

H. R. 6344. An act for the relief of Mrs. William Y. Imanaka;

H. R. 6414. An act for the relief of Mrs. Chikako Mary Ohori Hori;

H. R. 6462. An act for the relief of Mrs. Sachiko Iwai Higaki;

H. R. 6485. An act for the relief of Jodeene Lehrman;

H. R. 6793. An act for the relief of Fujiko Fukuda;

H. R. 6942. An act for the relief of Hisako Nakane;

H. R. 7084. An act for the relief of Yoshiko Ishii Teves;

H. R. 7173. An act for the relief of Toshiko Ono;

H. R. 7338. An act for the relief of Asano Teramoto;

H. R. 7410. An act for the relief of Mrs. Kiyoko Tanaka Perez;

H. R. 7427. An act for the relief of Mrs. June Noda Loman; and

H. R. 7485. An act for the relief of Mrs. Maria Margarite Noe.

On June 19, 1950:

H. R. 1103. An act for the relief of Miriam Berkle; and

H. R. 4996. An act for the relief of Lonnie M. Abernathy.

On June 20, 1950:

H. R. 1047. An act for the relief of the Aero-Bocker Knitting Mills, Inc.;

H. R. 1272. An act for the relief of Edward A. Sealey;

H. R. 1627. An act for the relief of Filip Nicola Lazarevich;

H. R. 5150. An act for the relief of Ira D. Doyal and Clyde Doyal;

H. R. 5199. An act for the relief of Mr. and Mrs. Thurman L. Bomar;

H. R. 5556. An act to make available for Indian use certain surplus property at the Wingate Ordnance Depot, N. Mex.;

H. R. 5639. An act for the relief of Ivan E. Townsend;

H. R. 6364. An act for the relief of Yosniko Matsumura;

H. R. 6490. An act for the relief of Margarita Funakura;
 H. R. 7082. An act for the relief of Mrs. Isamu Tarasawa;
 H. R. 7092. An act for the relief of Mrs. Karry Wakefield;
 H. R. 7194. An act for the relief of Mrs. Rei Yamada Munns and Edward Lee Munns;
 H. R. 7256. An act for the relief of Mieko Nishitsuru;
 H. R. 7279. An act for the relief of Umeko Stevenson;
 H. R. 7283. An act for the relief of Mrs. Jack B. Meyer;
 H. R. 7313. An act for the relief of Lucy Teresa Morris;
 H. R. 7560. An act for the relief of Mary Frances Yoshinaga; and
 H. R. 7778. An act for the relief of Miyoko Oishi.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 3639. An act providing for an extension of the time during which annual assessment work on mining claims held by location in the United States may be made.

The message also announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 6000. An act to extend and improve the Federal old-age and survivors insurance system, to amend the public-assistance and child-welfare provisions of the Social Security Act, and for other purposes.

The message also announced that the Senate insists upon its amendment to the foregoing bill, requests a 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. TAFT to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 8198) entitled "An act to provide for the organization of the Army and the Department of the Army, and for other purposes."

RESIGNATION FROM COMMITTEE

The SPEAKER laid before the House the following resignation from a committee:

JUNE 21, 1950.

The honorable the SPEAKER,
 House of Representatives,
 Washington, D. C.

DEAR MR. SPEAKER: I hereby tender my resignation as a member of the Committee on Agriculture.

Respectfully,

NORRIS COTTON.

The SPEAKER. Without objection, the resignation is accepted.
 There was no objection.

ELECTION TO COMMITTEE

Mr. MARTIN of Massachusetts. Mr. Speaker, I offer a resolution and ask for its immediate consideration.

The Clerk read the resolution (H. Res. 661), as follows:

Resolved, That BEN GULL, of Texas, be, and he is hereby, elected a member of the

standing Committee of the House of Representatives on Agriculture.

The resolution was agreed to.
 A motion to reconsider was laid on the table.

BORROWING POWER OF COMMODITY CREDIT CORPORATION

The SPEAKER. The unfinished business is the question on the adoption of the conference report on the bill (H. R. 6567) to increase the borrowing power of the Commodity Credit Corporation.

The question is on the conference report.

The question was taken; and on a division (demanded by Mr. JAVITS) there were—ayes 22, noes 18.

Mr. FULTON. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 235, nays 81, answered "present" 1, not voting 113, as follows:

[Roll No. 178]

YEAS—235

Abbutt	Dawson	Kilburn
Abernethy	Deane	Kilday
Addonizio	DeGraffenried	Kirwan
Albert	Delaney	Kruse
Allen, Ill.	Denton	Lane
Allen, La.	D'Ewart	Lanham
Andersen,	Dollinger	Larcade
H. Carl	Donohue	LeCompte
Andrews	Doughton	Lind
Arends	Douglas	Linehan
Aspinall	Doyle	Lucas
Barden	Durham	Lynch
Barrett, Pa.	Eberhart	McCarthy
Barrett, Wyo.	Elliott	McCormack
Battle	Evins	McCulloch
Beckworth	Feighan	McGuire
Bennett, Fla.	Fernandez	McMillen, Ill.
Bennett, Mich.	Fisher	Madden
Bentsen	Flood	Magee
Biemiller	Forand	Mahon
Blatnik	Fugate	Mansfield
Boggs, La.	Furcolo	Marcantonio
Bolling	Garまつ	Marsalis
Bolton, Md.	Gathings	Marshall
Bonner	Golden	Martin, Iowa
Bosone	Gordon	Martin, Mass.
Boykin	Gorski	Meyer
Breen	Gossett	Michener
Brooks	Granahan	Miles
Brown, Ga.	Grant	Miller, Nebr.
Brown, Ohio	Green	Mills
Buchanan	Gross	Multer
Buckley, Ill.	Gull	Murdock
Burleson	Hagen	Murphy
Burnside	Halleck	Murray, Tenn.
Burton	Harden	Murray, Wis.
Byrne, N. Y.	Hardy	Nelson
Byrnes, Wis.	Harris	Noland
Camp	Harrison	Norrell
Cannon	Hart	Norton
Carlyle	Harvey	O'Brien, Ill.
Carnahan	Havener	O'Hara, Ill.
Carroll	Hays, Ark.	O'Hara, Minn.
Case, S. Dak.	Hays, Ohio	O'Konski
Cavalcante	Hedrick	O'Neill
Celler	Hill	O'Toole
Chatham	Hoeven	Pace
Chesney	Hollfield	Passman
Chiperfield	Holmes	Patman
Chudoff	Horan	Patten
Clemente	Howell	Peterson
Cole, Kans.	Huber	Philbin
Combs	Hull	Pickett
Cooper	Jacobs	Poage
Crawford	Jenison	Potter
Crosser	Jennings	Preston
Cunningham	Jensen	Price
Curtis	Jones, Ala.	Friest
Davenport	Jones, N. C.	Rains
Davis, Ga.	Karst	Ramsay
Davis, Tenn.	Karsten	Rankin
Davis, Wis.	Kee	Rees
	Kelly, N. Y.	Rhodes

Robeson
 Rodino
 Rogers, Fla.
 Rooney
 Sadlak
 Sasser
 Scrivner
 Secrest
 Shafer
 Shelley
 Sheppard
 Short
 Simpson, Ill.
 Smathers
 Smith, Va.
 Smith, Wis.

Spence
 Staggers
 Stefan
 Sullivan
 Tackett
 Talle
 Teague
 Thomas
 Thompson
 Thornberry
 Trimble
 Underwood
 Velde
 Vinson
 Vursell
 Walter

Weichel
 Whitaker
 Whitten
 Whittington
 Wier
 Williams
 Willis
 Wilson, Tex.
 Winstead
 Withrow
 Wolcott
 Woodhouse
 Woodruff
 Yates
 Zablocki

NAYS—81

Allen, Calif.
 Anderson, Calif.
 Angell
 Auchincloss
 Baring
 Bates, Mass.
 Beall
 Bishop
 Boggs, Del.
 Bolton, Ohio
 Bramblett
 Canfield
 Case, N. J.
 Clevenger
 Cole, N. Y.
 Colmer
 Corbett
 Dague
 Dondero
 Eaton
 Ellsworth
 Elston
 Engle, Calif.
 Fallon
 Fellows
 Fenton
 Fulton
 Gavin

Gillette
 Goodwin
 Graham
 Hale
 Hall,
 Leonard W.
 Herter
 Heselton
 Hinshaw
 Hoffman, Mich.
 James
 Javits
 Jenkins
 Johnson
 Jonas
 Judd
 Kean
 Kearney
 Kearns
 Keating
 Kunkel
 Latham
 LeFevre
 Lichtenwalter
 McDonough
 McKinnon
 Mack, Wash.
 Macy

Mason
 Nicholson
 Patterson
 Plumley
 Poulson
 Reed, N. Y.
 Ribicoff
 Rich
 Riehlman
 Rogers, Mass.
 St. George
 Saylor
 Scott, Hardie
 Scott,
 Hugh D., Jr.
 Scudder
 Simpson, Pa.
 Smith, Kans.
 Taber
 Tauriello
 Tollefson
 Van Zandt
 Vorys
 Wadsworth
 Wagner
 Wigglesworth
 Wolverton

ANSWERED "PRESENT"—1

Jackson, Calif.

NOT VOTING—113

Andresen,
 August H.
 Bailey
 Bates, Ky.
 Blackney
 Brehm
 Bryson
 Buckley, N. Y.
 Bulwinkle
 Burdick
 Burke
 Chelf
 Christopher
 Cooley
 Cotton
 Coudert
 Cox
 Davies, N. Y.
 Dingell
 Dooliver
 Engel, Mich.
 Fogarty
 Ford
 Frazier
 Gable
 Gary
 Gilmer
 Gore
 Granger
 Gregory
 Gwinn
 Hall,
 Edwin Arthur
 Hand
 Hare
 Hébert
 Heffernan
 Heller
 Herlong

Hobbs
 Hoffman, Ill.
 Hope
 Irving
 Jackson, Wash.
 Jones, Mo.
 Keefe
 Kelley, Pa.
 Kennedy
 Keogh
 Kerr
 King
 Klein
 Lodge
 Lovre
 Lyle
 McConnell
 McGrath
 McGregor
 McMillan, S. C.
 McSweeney
 Mack, Ill.
 Merrow
 Miller, Calif.
 Miller, Md.
 Mitchell
 Monroney
 Morgan
 Morris
 Morrison
 Morton
 Moulder
 Nixon
 Norblad
 O'Brien, Mich.
 O'Sullivan
 Perkins
 Pfeifer,
 Joseph L.

Pfeiffer,
 William L.
 Phillips, Calif.
 Phillips, Tenn.
 Folk
 Powell
 Quinn
 Rabaut
 Redden
 Reed, Ill.
 Regan
 Richards
 Rivers
 Roosevelt
 Sabath
 Sadowski
 Sanborn
 Sikes
 Sims
 Smith, Ohio
 Stanley
 Steed
 Stigler
 Stockman
 Sutton
 Taylor
 Towe
 Walsh
 Welch
 Werdel
 Wheeler
 White, Calif.
 White, Idaho
 Wickersham
 Widnall
 Wilson, Ind.
 Wilson, Okla.
 Wood
 Young

So the conference report was agreed to.
 The Clerk announced the following pairs:

On this vote:
 Mr. Kerr for, with Mr. Blackney against.
 Mr. Sabath for, with Mr. Hand against.
 Mr. Keogh for, with Mr. Hoffman of Illinois against.
 Mr. Morgan for, with Mr. William L. Pfeiffer against.
 Mr. Lovre for, with Mr. Towe against.

Mr. Dolliver for, with Mr. Smith of Ohio against.

Mr. Klein for, with Mr. Coudert against.
Mr. Forgarty for, with Mr. Phillips of California against.

Mr. Gilmer for, with Mr. Taylor against.
Mr. Miller of California for, with Mr. Jackson of California against.

Until further notice:

Mr. Sims with Mr. Edwin Arthur Hall.
Mr. Hébert with Mr. August H. Andresen.
Mr. Bailey with Mr. Keefe.
Mr. Gary with Mr. McGregor.
Mr. O'Brien of Michigan with Mr. Brehm.
Mr. Stanley with Mr. Engel of Michigan.
Mr. Welch with Mr. Stockman.
Mr. Morrison with Mr. Sanborn.
Mr. King with Mr. Miller of Maryland.
Mr. McGrath with Mr. Merrow.
Mr. Roosevelt with Mr. Cotton.
Mr. Heller with Mr. Ford.
Mr. Wickersham with Mr. Gamble.
Mr. Redden with Mr. Gwinn.
Mr. Rabaut with Mr. Hope.
Mr. Heffernan with Mr. Morton.
Mr. Sutton with Mr. Reed of Illinois.
Mr. Wheeler with Mr. Widnall.
Mr. Cooley with Mr. Wilson of Indiana.

Mrs. HARDEN, Mr. CRAWFORD, Mr. BARRITT of Wyoming, Mr. WOODRUFF, and Mr. SMITH of Wisconsin changed their votes from "nay" to "yea."

Mr. PRIEST. Mr. Speaker, I am informed that on this roll call the gentleman from Illinois, Mr. SABATH, is recorded as voting "yea." The roll call is in error in that respect since the gentleman from Illinois is not in town. I ask unanimous consent that the roll call be corrected accordingly.

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

There was no objection.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

Mr. JUDD. Mr. Speaker, I am constrained to vote against approving the conference report. I voted for the original bill to increase the purchasing power of CCC and I approve that part of the bill now. However, the new legislation written by the conferees and amending section 22 of the Agricultural Adjustment Act is too drastic to be approved without full consideration by the appropriate committees of Congress. Actually the changes involve matters affecting the province of four committees: Agriculture, Ways and Means, Foreign Affairs, and Banking and Currency. It is not enough to allow such legislation to pass with only a small number of the last-named committee having any previous knowledge of it, and when some of them frankly say they are not sure what the new section 22 (f) means. I confess I cannot understand it. I believe this report should be sent back to the conferees and the section 22 amendments removed or brought up in separate legislation or at least spelled out so we can know what we are doing.

ARMY ORGANIZATION ACT OF 1950

Mr. KILDAY. Mr. Speaker, I call up the conference report on the bill (H. R. 8198) to provide for the organization of the Army and the Department of the Army, and for other purposes, and ask

unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

[The conference report and statement are as follows]:

CONFERENCE REPORT (H. REPT. No. 2289)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 8198) to provide for the organization of the Army and the Department of the Army, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

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

"SHORT TITLE

"SECTION 1. This Act may be cited as the 'Army Organization Act of 1950.'

"TABLE OF CONTENTS

"SEC. 1. Short title of act.

"SEC. 2. Definitions.

"Title I—Secretary of the Army; Under Secretary of the Army; Assistant Secretaries of the Army

"SEC. 101. Powers and duties of the Secretary.

"SEC. 102. Under Secretary and Assistant Secretaries.

"Title II—Chief of Staff and the Army Staff

"SEC. 201. Army Staff and its composition.

"SEC. 202. Chief of Staff.

"SEC. 203. Vice Chief of Staff, Deputy Chiefs of Staff, and Assistant Chiefs of Staff.

"SEC. 204. Duties of Chief of Staff.

"SEC. 205. Duties of Army Staff.

"SEC. 206. Chiefs of Services.

"SEC. 207. Inspector General and Provost Marshal General.

"SEC. 208. Deputy and Assistant Chiefs of Services.

"Title III—Organization of the Army

"SEC. 301. Composition of the Army.

"SEC. 302. Composition of the Regular Army.

"SEC. 303. Army commands.

"SEC. 304. Territorial organization.

"SEC. 305. Organized peace establishment.

"SEC. 306. Branches of the Army.

"SEC. 307. Army Medical Service.

"SEC. 308. Judge Advocate General's Corps.

"SEC. 309. Chaplains.

"SEC. 310. Women's Army Corps.

"Title IV—Repeals, Amendments, and Saving Provisions

"SEC. 401. Repeals.

"SEC. 402. Amendments—Transfers of duties and powers.

"SEC. 403. Intrusting of public money.

"SEC. 404. Saving provisions—Miscellaneous matters.

"SEC. 405. Saving provision—Existing orders and regulations.

"SEC. 406. Army Mine Planter Service.

"SEC. 407. Saving provision—Powers of the Secretary of Defense.

"SEC. 408. Separability provision.

"DEFINITIONS

"SEC. 2. As used in this Act—

"(a) The terms 'Army of the United States' and 'Army' are synonymous and mean the Army or Armies referred to in the Constitution of the United States, less that part established by law as the Air Force. The

Army includes the components and persons prescribed in section 301 of this Act.

"(b) The term 'members of the Army' means all persons appointed, enlisted, or inducted in any of the components of the Army; all persons appointed, enlisted, or inducted in the Army without specification of component; and all persons serving in the Army under call or conscription under any provision of law. The term 'officers of the Army' means all members of the Army appointed to and holding a commissioned or warrant officer grade. The term 'enlisted members of the Army' means all members of the Army in any enlisted grade.

"(c) The term 'Army Establishment' means all organizations, forces, agencies, installations, and activities, including the Department of the Army, all members of the Army, all property of every kind and character—real, personal, and mixed—and all civilian personnel, under the control or supervision of the Secretary of the Army.

"(d) The term 'Department of the Army' means the executive part of the Army Establishment at the seat of government.

"TITLE I—SECRETARY OF THE ARMY; UNDER SECRETARY OF THE ARMY; ASSISTANT SECRETARIES OF THE ARMY

"POWERS AND DUTIES OF THE SECRETARY

"SEC. 101. (a) Except as otherwise prescribed by law, the Secretary of the Army shall be responsible for and shall have the authority necessary to conduct all affairs of the Army Establishment, including but not limited to those necessary or appropriate for the training, operations, administration, logistical support and maintenance, welfare, preparedness, and effectiveness of the Army, including research and development, and such other activities as may be prescribed by the President or the Secretary of Defense as authorized by law. There are authorized to be appropriated such sums as may be necessary to conduct the affairs of the Army Establishment.

"(b) The Secretary of the Army may assign to the Under Secretary of the Army and to the Assistant Secretaries of the Army such of his duties under this Act as he may consider proper. Officers of the Army shall report regarding any matters to the Secretary, Under Secretary, or either Assistant Secretary of the Army, as the Secretary of the Army may prescribe.

"(c) Except as otherwise prescribed by law, the Secretary of the Army or, as he may prescribe, the Under Secretary of the Army or either Assistant Secretary of the Army, shall, in addition to other duties, be charged with supervision of the procurement activities of the Army Establishment, of plans for the mobilization of materials and industrial organizations essential to wartime needs of the Army, and of other business pertaining thereto.

"(d) Except as otherwise prescribed by law, the Secretary of the Army may make such assignments and details of members of the Army and civilian personnel as he thinks proper, and may prescribe the duties of the members and civilian personnel so assigned; and such members and civilian personnel shall be responsible for, and shall have the authority necessary to perform, such duties as may be so prescribed for them.

"(e) Except as otherwise prescribed by law, the Secretary of the Army shall cause to be manufactured or produced at the Government arsenals or Government-owned factories of the United States all those supplies needed by the Army which can be manufactured or produced upon an economical basis at such arsenals or factories.

"UNDER SECRETARY AND ASSISTANT SECRETARIES

"SEC. 102. (a) There shall be in the Department of the Army an Under Secretary of the Army and two Assistant Secretaries of the Army, who shall be appointed by

the President, by and with the advice and consent of the Senate, and who shall receive the compensation prescribed by law.

"(b) In case of the death, resignation, removal from office, absence, or disability of the Secretary of the Army, the officer of the United States who is highest on the following list, and who is not absent or disabled, shall, until the President directs some other person to perform such duties in accordance with section 179, Revised Statutes (5 U. S. C. 6), perform his duties until a successor is appointed, or until such absence or disability shall cease—

"(1) The Under Secretary of the Army;
 "(2) the Assistant Secretaries of the Army in the order fixed by their length of service as such;

"(3) the Chief of Staff.
 "(c) If the Chief of Staff by reason of succession assumes, or if he or any other officer of the Army is designated in accordance with section 179, Revised Statutes (5 U. S. C. 6), to perform the duties of the Secretary of the Army, section 1222, Revised Statutes (10 U. S. C. 576) shall not apply to him by reason of his temporarily performing such duties.

"TITLE II—CHIEF OF STAFF AND THE ARMY STAFF

"ARMY STAFF AND ITS COMPOSITION

"Sec. 201. (a) There shall be in the Department of the Army a staff, which shall be known as the Army Staff, and which shall consist of—

"(1) the Chief of Staff;
 "(2) a Vice Chief of Staff;
 "(3) not to exceed three Deputy Chiefs of Staff and not to exceed five Assistant Chiefs of Staff as the Secretary of the Army may prescribe;

"(4) the officers prescribed in sections 206, 207, and 208 of this act; and

"(5) such other members of the Army and such civilian officers and employees in or under the jurisdiction of the Department of the Army as may be assigned or detailed under regulations prescribed by the Secretary of the Army.

"(b) Except as otherwise specifically provided by law, the Army Staff shall be organized in such manner, and its members shall perform such duties and bear such titles, as the Secretary of the Army may prescribe. Part of the Army Staff may be designated the Army General Staff.

"(c) Except in time of war or national emergency hereafter declared by the Congress, not more than three thousand officers of the Army shall be detailed or assigned to permanent duty in the Department of the Army, and of this number, not more than one thousand officers of the Army may be detailed or assigned to duty on or with the Army General Staff: *Provided*, That the numerical limits prescribed in this subsection shall not apply upon a finding by the President that an increase in the number of officers in the Department of the Army or on or with the Army General Staff is in the national interest: *Provided further*, That the Secretary of the Army shall report quarterly to the Congress the number of officers in the Department of the Army and the number of officers on or with the Army General Staff and the justifications therefor.

"(d) A commissioned officer of the Army now or hereafter detailed or assigned to duty in the Department of the Army shall serve for a tour of duty not to exceed four years, except that such tour of duty may be extended beyond four years upon a special finding by the Secretary of the Army that the extension is necessary in the public interest. Upon relief from such duty no such officer shall again be detailed or assigned within two years to duty in the Department of the Army except upon a like finding by the Secretary of the Army. This subsection shall not take effect until one year after the

enactment of this Act, and shall be inapplicable in time of war or national emergency hereafter declared by the Congress.

"CHIEF OF STAFF

"Sec. 202. The Chief of Staff shall be appointed by the President, by and with the advice and consent of the Senate, from the general officers of the Army, to serve during the pleasure of the President; but no person shall serve as Chief of Staff for a term of more than four years unless reappointed by the President, by and with the advice and consent of the Senate. The Chief of Staff, while holding office as such, shall have the grade of general, without vacation of his permanent grade in the Army, and shall take rank as prescribed by law. He shall receive the compensation prescribed by law and shall be counted as one of the officers authorized to be serving in grade above lieutenant general under the provisions of the Officer Personnel Act of 1947 (61 Stat. 886), as amended.

"VICE CHIEF OF STAFF, DEPUTY CHIEFS OF STAFF, AND ASSISTANT CHIEF OF STAFF

"Sec. 203. The Vice Chief of Staff, the Deputy Chiefs of Staff, and the Assistant Chiefs of Staff shall be general officers of the Army detailed to those positions. In case of a vacancy in the office or the absence or disability of the Chief of Staff, the Vice Chief of Staff or the senior Deputy Chief of Staff, who is not absent or disabled, shall, unless otherwise directed by the President, perform the duties of Chief of Staff until his successor is appointed or such absence or disability shall cease.

"DUTIES OF CHIEF OF STAFF

"Sec. 204. (a) The Chief of Staff shall have supervision of all members and organizations of the Army, shall perform the duties prescribed for him by the National Security Act of 1947, as amended, by this Act, and by other laws, and shall perform such other military duties not otherwise assigned by law as may be assigned to him by the President.

"(b) The Chief of Staff shall preside over the Army Staff. Subject to the provisions of section 101 of this Act, and of subsection (c) of this section, he shall be directly responsible to the Secretary of the Army for the efficiency of the Army, its state of preparation for military operations, and plans therefor. He shall transmit to the Secretary of the Army the plans and recommendations of the Army Staff, shall advise him in regard thereto, and, upon the approval of such plans or recommendations by the Secretary of the Army, he shall act as the agent of the Secretary of the Army in carrying the same into effect.
 "(c) Except as otherwise prescribed by law, the Chief of Staff shall perform his duties under the direction of the Secretary of the Army.

"DUTIES OF ARMY STAFF

"Sec. 205. (a) The Army Staff shall render professional aid and assistance to the Secretary of the Army, the Under Secretary of the Army, and the Assistant Secretaries of the Army.

"(b) Under the direction and control of the Secretary of the Army, it shall be the duty of the Army Staff—

"(1) to prepare such plans for the national security, and the use of the Army for that purpose, both separately and in conjunction with the naval and air forces, and for recruiting, organizing, supplying, equipping, training, serving, mobilizing, and demobilizing the Army, as will assist the execution of any power vested in, duty imposed upon, or function assigned to the Secretary of the Army or the Chief of Staff;

"(2) to investigate and report upon all questions affecting the efficiency of the Army and its state of preparation for military operations;

"(3) to prepare detailed instructions for the execution of approved plans to super-

wise the execution of such plans and instructions;

"(4) to act as the agents of the Secretary of the Army and the Chief of Staff in coordinating the action of all organizations of the Army Establishment; and

"(5) to perform such other duties not otherwise assigned by law as may be prescribed by the Secretary of the Army.

"CHIEFS OF SERVICES

"Sec. 206. (a) There shall be in the Army the following officers: Chief of Engineers, Chief Signal Officer, Adjutant General, Quartermaster General, Chief of Finance, Chief of Ordnance, Chief Chemical Officer, Chief of Transportation, Surgeon General, Judge Advocate General, and Chief of Chaplains.

"(b) Each of the officers named in this section shall have the grade of major general, and shall be selected and appointed by the President, by and with the advice and consent of the Senate, as prescribed in section 513 of the Officer Personnel Act of 1947 (61 Stat. 901; 10 U. S. C. 559g); except that the Judge Advocate General shall be selected and appointed as prescribed in section 249, Public Law 759, Eightieth Congress (62 Stat. 643).

"(c) Each of the officers named in this section shall perform such duties as may be prescribed by the Secretary of the Army or required by law.

"INSPECTOR GENERAL AND PROVOST MARSHAL GENERAL

"Sec. 207. (a) There shall be in the Army an Inspector General and a Provost Marshal General, who shall be general officers of the Army detailed to those positions for tours of duty not to exceed four years, except that such tours of duty may be extended beyond four years upon a special finding by the Secretary of the Army that the extension is necessary in the public interest.

"(b) The Inspector General shall, when so directed by the Secretary of the Army or the Chief of Staff, inquire into and report upon matters which pertain to the discipline, efficiency, and economy of the Army; and shall perform such other duties as may be prescribed by the Secretary of the Army or the Chief of Staff or required by law.

"(c) The Provost Marshal General shall perform such duties as may be prescribed by the Secretary of the Army or the Chief of Staff or required by law.

"DEPUTY AND ASSISTANT CHIEFS OF SERVICES

"Sec. 208. (a) Each of the officers named in sections 206 and 207 of this Act shall have such deputies and assistants as may be prescribed by the Secretary of the Army. Except as prescribed in subsections (b) and (c) of this section, such deputies and assistants shall be officers of the Army selected and detailed to those positions for tours of duty not to exceed four years by the Secretary of the Army under a procedure prescribed by the Secretary of the Army, which procedure shall be similar to that prescribed in section 513 of the Officer Personnel Act of 1947 (61 Stat. 901; 10 U. S. C. 559g), but no officer shall be entitled to any increase in rank, pay, or allowances solely by virtue of such selection and detail.

"(b) There shall be an Assistant Surgeon General with the rank of major general, who shall be an officer in the Dental Corps, and who shall be selected and appointed as prescribed in section 513 of the Officer Personnel Act of 1947.

"(c) There shall be an Assistant Judge Advocate General with the rank of major general, who shall be selected and appointed as prescribed in section 249 of Public Law 759, Eightieth Congress.

"TITLE III—ORGANIZATION OF THE ARMY

"COMPOSITION OF THE ARMY

"Sec. 301. The Army includes the Regular Army, the National Guard of the United

States, and the Organized Reserve Corps; all persons appointed, enlisted, or inducted in the above-named components; all persons appointed, enlisted, or inducted in the Army without specification of component; and all persons serving in the Army under call or conscription under any provision of law, including members of the National Guard of the several States, Territories, and the District of Columbia when in the service of the United States pursuant to call as provided by law.

"COMPOSITION OF THE REGULAR ARMY

"Sec. 302. (a) The Regular Army is that component of the Army which consists of persons whose continuous service on active duty in both peace and war is contemplated by law, and of persons who are retired members of the Regular Army.

"(b) The Regular Army shall include the commissioned officers, warrant officers, and enlisted members, holding appointments or enlisted in the Regular Army as now or hereafter provided by law; the professors and cadets of the United States Military Academy; the retired commissioned officers, warrant officers, and enlisted members of the Regular Army; and such other persons as are now or may hereafter be specified by law. No person who is now a member of the Regular Army, active or retired, shall, by reason of the enactment of this Act, be deprived of his or her membership in the Regular Army.

"ARMY COMMANDS

"Sec. 303. Except as otherwise prescribed by law, the Army shall be divided into such commands, forces, and organizations as may be directed by the Secretary of the Army.

"TERRITORIAL ORGANIZATION

"Sec. 304. For Army purposes, the United States of America, its Territories and possessions, and other territory in which the Army may be stationed or operate, may be divided into such areas as may be directed by the Secretary of the Army; and officers of the Army may be assigned to command of Army activities, installations, and personnel in such areas. In the discharge of the Army's functions or such other functions as may be authorized by other provisions of law, officers of the Army so assigned shall perform such duties and exercise such powers as the Secretary of the Army may prescribe.

"ORGANIZED PEACE ESTABLISHMENT

"Sec. 305. The organized peace establishment of the Army, including the Regular Army, the National Guard of the United States, and the Organized Reserve Corps, shall include all military organizations, with their supporting and auxiliary elements, including combat, training, administrative, and logistic organizations and elements; and all personnel, including those not assigned to units; necessary to form the basis for a complete and immediate mobilization for the national security.

"BRANCHES OF THE ARMY

"Sec. 306. (a) There shall be in the Army certain branches, which shall be known as basic branches of the Army, to which members of the Army shall be assigned by the Secretary of the Army; but the Secretary shall not assign to any basic branch any officer who has been appointed and commissioned in one of the special branches specified in subsection (b) of this section. The basic branches of the Army shall be: Infantry, Armor, Artillery, Corps of Engineers, Signal Corps, Adjutant General's Corps, Quartermaster Corps, Finance Corps, Ordnance Corps, Chemical Corps, Transportation Corps, Military Police Corps, and such other basic branches as the Secretary of the Army deems to be necessary. For the duration of any war or national emergency hereafter declared by the Congress, the Secretary of the Army may discontinue or consolidate

the basic branches enumerated in this subsection.

"(b) There shall be in the Army certain branches, which shall be known as special branches, and which shall consist of Regular Army officers appointed and commissioned therein, and such other members of the Army as may be assigned thereto by the Secretary of the Army; but the Secretary shall not assign to any special branch any officer who has been appointed and commissioned in some other special branch, or in the Regular Army without specification of branch. The several corps of the Army Medical Service, the Judge Advocate General's Corps, and the chaplains, authorized by sections 307, 308, and 309 of this Act, shall constitute the special branches of the Army.

"(c) Under such regulations as the Secretary of the Army may prescribe, commissioned officers of the Army may be detailed as general staff officers and as inspectors general; and members of the Army may be detailed to duty in particular fields to be designated from time to time by the Secretary of the Army, including, but not limited to, the fields of intelligence, counterintelligence, and military government.

"(d) Members of the Army, appointed or assigned to one branch, may, under regulations prescribed by the Secretary of the Army, be detailed for duty with any other branch.

"(e) Members of the Army while not serving on active duty may, under regulations prescribed by the Secretary of the Army, be assigned to the branches of the Army provided for in this Act, or to such other branches or groups, and to such organizations as the Secretary of the Army may deem to be appropriate.

"(f) Under regulations prescribed by the Secretary of the Army, officers of the Army assigned to technical, scientific, or other professional duties shall possess qualifications suitable for the performance of those duties; and, when the duties involve the performance of professional work, the same as or similar to that usually performed in civil life by members of a learned profession, such as engineering, law, medicine, or theology, they shall, unless the exigencies of the situation prevent, possess, by education, training, or experience, qualifications equal or similar to those usually required of members of that profession.

"ARMY MEDICAL SERVICE

"Sec. 307. There shall be in the Army an Army Medical Service, which shall consist of the Surgeon General and the Assistant Surgeons General authorized by sections 206 and 208, respectively, of this Act, the Medical Corps, the Dental Corps, the Veterinary Corps, the Medical Service Corps, the Army Nurse Corps, and the Women's Medical Specialist Corps. Each such corps shall consist of Regular Army officers appointed and commissioned therein and such other members of the Army as may be assigned thereto by the Secretary of the Army; but the Secretary shall not assign to any corps of the Army Medical Service any officer who has been appointed and commissioned in some other corps of the Army Medical Service, or in some other special branch, or in the Regular Army without specification of branch. The Medical Service Corps, the Army Nurse Corps, and the Women's Medical Specialist Corps shall include the Chiefs and Assistant Chiefs, and shall include the sections, as now prescribed by law.

"JUDGE ADVOCATE GENERAL'S CORPS

"Sec. 308. There shall be in the Army a Judge Advocate General's Corps, which shall consist of the Judge Advocate General and the Assistant Judge Advocate General authorized by sections 206 and 208, respectively, of this Act, three officers with the rank of brigadier general, Regular Army officers appointed and commissioned therein, and such

other members of the Army as may be assigned thereto by the Secretary of the Army; but the Secretary shall not assign to the Judge Advocate General's Corps any officer who has been appointed and commissioned in some other special branch or in the Regular Army without specification of branch. The authorized number of commissioned officers of the Regular Army on the active list in the Judge Advocate General's Corps shall be prescribed by the Secretary of the Army, but such authorized number shall not be less than 1½ per centum of the authorized number of commissioned officers on the active list of the Regular Army. The Judge Advocates' promotion list prescribed in section 247, Public Law 759, Eightieth Congress, shall include only commissioned officers of the Regular Army on the active list in the Judge Advocate General's Corps.

"CHAPLAINS

"Sec. 309. There shall be chaplains in the Army. The chaplains shall include the Chief of Chaplains authorized by section 206 of this Act, Regular Army officers appointed and commissioned as chaplains, and other officers of the Army appointed and commissioned as chaplains in the Army, or in any component thereof, as now or hereafter provided by law.

"WOMEN'S ARMY CORPS

"Sec. 310. There shall be in the Army a Women's Army Corps as now authorized by law.

"TITLE IV—REPEALS, AMENDMENTS, AND SAVING PROVISIONS

"REPEALS

"Sec. 401. The following laws and parts of laws are hereby repealed, and all other laws and parts of laws inconsistent with the provisions of this Act are hereby repealed: *Provided*, That any such laws and parts of laws shall remain in effect to the extent, but only to the extent, that they are applicable to the Department of the Air Force, the United States Air Force, or any officers or agencies thereof, by virtue of the National Security Act of 1947 (61 Stat. 495), as amended, or action taken under the authority of that Act:

"(a) Sections 1, 2, 3, 5a, 5b, 6, 7, 8, 9, 9a, 10, 12, 12a, 13, 15, 17, 18, 19, 20, 25, and 30 of the National Defense Act, as amended;

"(b) All of section 5 of the National Defense Act, as amended, except that part which was inserted by section 2 of the Act of June 15, 1933 (ch. 87, 48 Stat. 153; 10 U. S. C. 38);

"(c) Sections 219, 1104, 1105, 1108, 1112, 1132, 1157, 1164, 1165, 1166, and 1167 of the Revised Statutes, as amended;

"(d) The Act of March 5, 1890 (ch. 26, 26 Stat. 17; 5 U. S. C. 182), as amended;

"(e) Section 2 of the Act of October 1, 1890 (ch. 1266, 26 Stat. 653; 10 U. S. C. 212);

"(f) Section 3 of the Act of April 22, 1898 (ch. 187, 30 Stat. 361; 10 U. S. C. 3);

"(g) Section 31 of the Act of February 2, 1901 (ch. 192, 31 Stat. 756; 10 U. S. C. 641);

"(h) The Act of February 14, 1903 (ch. 553, 32 Stat. 830);

"(i) Sections 1, 3, and 4 of the Act of January 25, 1907 (ch. 397, 34 Stat. 861);

"(j) Section 108 of title 3 of the United States Code (ch. 644, 62 Stat. 672);

"(k) The Act of February 24, 1925 (ch. 307, 43 Stat. 970);

"(l) The Act of February 23, 1929 (ch. 298, 45 Stat. 1255; 10 U. S. C. 22a);

"(m) Section 4 of the Act of July 31, 1935 (ch. 422, 49 Stat. 506; 10 U. S. C. 552b);

"(n) The Act of April 13, 1938 (ch. 146, 52 Stat. 216);

"(o) Section 2 of the Act of August 30, 1935 (ch. 830, 49 Stat. 1028), as amended by section 6 of the Act of April 3, 1939 (ch. 35, 53 Stat. 557; 10 U. S. C. 487a);

"(p) All of section 1 of the Act of August 30, 1935 (ch. 830, 49 Stat. 1028), as amended by section 5 of the Act of April 3, 1939 (ch.

35, 53 Stat. 557); except the last proviso thereof as amended by the Act of July 25, 1939 (ch. 349, 53 Stat. 1079), the Act of December 10, 1941 (ch. 562, 55 Stat. 796), and section 2 of the Act of June 20, 1949 (Public Law 108, Eighty-first Congress);

"(q) Section 1 of the Act of December 16, 1940 (ch. 931, 54 Stat. 1224), as amended by the Act of December 15, 1944 (ch. 591, 58 Stat. 807), and section 2 of the Act of May 15, 1947 (ch. 60, 61, Stat. 93; 5 U. S. C. 181a);

"(r) Section 1 of the Act of July 20, 1942 (ch. 509, 56 Stat. 663; 10 U. S. C. 156);

"(s) So much of the Appropriation Act of June 20, 1874, as reads: 'and hereafter it shall be unlawful to allow or pay to any of the persons designated in this Act any additional compensation from any source whatever, or to retain, detail, or employ in any branch of the War Department in the city of Washington, any person other than those herein authorized, except in the Signal Office and the Engineer Corps, and except such commissioned officers as the Secretary of War may from time to time assign to special duties' (ch. 328, 18 Stat. 101; 10 U. S. C. 642a);

"(t) The proviso only, appearing on page 238 of volume 22, chapter 389, of the Statutes at Large, being a part of the Appropriation Act of August 5, 1882 (5 U. S. C. 183);

"(u) The first two provisos and the sentence following the second proviso only, appearing on page 109 of volume 23, chapter 217, of the Statutes at Large, being a part of the Army Appropriation Act of July 5, 1884 (10 U. S. C. 1200);

"(v) The proviso beginning on page 110 and ending on page 111 only, of volume 23, chapter 217, of the Statutes at Large, being a part of the Army Appropriation Act of July 5, 1884;

"(w) The second proviso only, appearing on page 242 of volume 34, chapter 3078, of the Statutes at Large, being a part of the Army Appropriation Act of June 12, 1906 (10 U. S. C. 641);

"(x) The first proviso only, appearing on page 250 of volume 34, chapter 3078, of the Statutes at Large, being a part of the Army Appropriation Act of June 12, 1906 (10 U. S. C. 1240);

"(y) The first complete paragraph only, appearing on page 418 of volume 34, chapter 3514, of the Statutes at Large, being a part of the Appropriation Act of June 22, 1906 (5 U. S. C. 188);

"(z) The second and third provisos only, appearing on page 733 of volume 35, chapter 252, of the Statutes at Large, being a part of the Appropriation Act of March 3, 1909 (10 U. S. C. 1174);

"(aa) The fourth proviso only, appearing on page 254 of volume 36, chapter 115, of the Statutes at Large, being a part of the Army Appropriation Act of March 23, 1910 (10 U. S. C. 811);

"(bb) The fourth and fifth provisos only, appearing on page 1049 of volume 36, chapter 209, of the Statutes at Large, being a part of the Army Appropriation Act of March 3, 1911 (10 U. S. C. 642);

"(cc) So much of the Army Appropriation Act of March 4, 1915, as reads: 'In addition to detailing for duty at said disciplinary barracks such number of enlisted men of the Staff Corps and departments as he may deem necessary, the Secretary of War shall assign a sufficient number of enlisted men of the line of the Army for duty as guards at said disciplinary barracks and as non-commissioned officers of the disciplinary organizations hereinafter authorized. Said guards, and also the enlisted men assigned for duty as noncommissioned officers of disciplinary organizations, shall be detached from the line of the Army, or enlisted for the purpose;' (ch. 143, 38 Stat. 1085; 10 U. S. C. 1454);

"(dd) The fifth proviso only, appearing on page 1279 of volume 41, chapter 124, of

the Statutes at Large, being a part of the Appropriation Act of March 3, 1921 (10 U. S. C. 273).

"AMENDMENTS—TRANSFERS OF DUTIES AND POWERS

"SEC. 402. Wherever by the following Acts or parts of Acts, as amended, certain duties and powers are imposed upon or vested in the Quartermaster Corps, the Ordnance Department, the Finance Department, the Medical Department, the Adjutant General's Department, or the Chiefs or other officers of such branches of the Army, such Acts and parts of Acts are hereby amended so that hereafter such powers and duties shall be vested in and performed by whatever branch, office, or officers of the Army the Secretary of the Army may from time to time designate:

"(a) Sections 1135, 1141, 1143, 1144, 1145, and 3715 of the Revised Statutes of the United States;

"(b) The first proviso on page 111 of volume 23, chapter 217, of the Statutes at Large, being a part of the Army Appropriation Act of July 5, 1884 (10 U. S. C. 73);

"(c) The last proviso on page 178 of volume 27, chapter 195, of the Statutes at Large, being a part of the Army Appropriation Act of July 16, 1892 (10 U. S. C. 1335);

"(d) Only that part of the Appropriation Act of June 4, 1897, included in the paragraph commencing with the words: 'Soldiers' Home, District of Columbia;' appearing on page 54 of volume 30, chapter 2, of the Statutes at Large (24 U. S. C. 58);

"(e) The proviso on page 216 of volume 31 of chapter 586 of the Statutes at Large, being a part of the Army Appropriation Act of May 26, 1900;

"(f) The proviso on pages 832 and 833 of volume 33, chapter 1307, of the Statutes at Large, being a part of the Army Appropriation Act of March 2, 1905 (10 U. S. C. 177);

"(g) Section 14 of the Act of May 28, 1908 (ch. 215, 35 Stat. 443; 50 U. S. C. 64);

"(h) The second complete paragraph on page 751 of volume 35, chapter 252, of the Statutes at Large, being part of the Army Appropriation Act of March 3, 1909 (34 U. S. C. 540; 50 U. S. C. 70);

"(i) Section 47 of the Act of March 4, 1909 (ch. 319, 35 Stat. 1075);

"(j) The first proviso on page 362 of volume 38, chapter 72, of the Statutes at Large, being a part of the Army Appropriation Act of April 27, 1914;

"(k) The first proviso on page 1079 of volume 38, chapter 143, of the Statutes at Large, being a part of the Army Appropriation Act of March 4, 1915 (10 U. S. C. 1234; 34 U. S. C. 539);

"(l) Paragraph 3 of section 2 of the Army Appropriation Act of March 4, 1915 (ch. 143, 38 Stat. 1085; 10 U. S. C. 1453);

"(m) The first proviso on page 635 of volume 39, chapter 418, of the Statutes at Large, being a part of the Army Appropriation Act of August 29, 1916 (31 U. S. C. 488);

"(n) The Act of October 30, 1941 (ch. 465, 55 Stat. 758; 10 U. S. C. 1304).

"INTRUSTING OF PUBLIC MONEY

"SEC. 403. Under such regulations as may be prescribed by the Secretary of the Army, officers of the Army accountable for public moneys may intrust moneys to other officers of the Army for the purpose of having them make disbursements as their agents, and the officer to whom the moneys are intrusted, as well as the officer who intrusts the moneys to him, shall be held pecuniarily responsible therefor to the United States.

"SAVING PROVISIONS—MISCELLANEOUS MATTERS

"SEC. 404. (a) The Armor shall be a continuation of the Cavalry; the Artillery shall be a continuation of the Field Artillery and the Coast Artillery Corps; and the offices, positions, branches, corps, services, components, and organizations referred to in this Act shall be continuations of corresponding

offices, positions, branches, corps, departments, services, components, and organizations previously authorized or existing. The reappointment, reassignment, or re-detail of members of the Army, or of civil officers or employees, now holding any such offices, or now appointed, assigned, or detailed to any such positions, branches, corps, departments, services, components, or organizations shall not be required.

"(b) Notwithstanding the repeal or amendment of any law by this Act, no civil officer or employee now serving, and no member of the Army now in service, active, inactive, or retired, shall, in consequence of the passage of this Act, be deprived of any civil or military office, appointment, commission, warrant, or rank, held by him, or of any right to pay, allowance, promotion, retirement, or of any other right, privilege, or benefit to which he is or may be entitled under the authority of laws or regulations existing immediately prior to the effective date of this Act.

"(c) Nothing in this Act shall be construed as changing the numbers of officers authorized by law in each of the several commissioned officer grades in the Army; or as changing the laws applicable to the promotion and retirement of members of the Army; or as giving to any person any right to retirement, to pay, or to allowances not heretofore authorized by law.

"(d) Nothing in this Act shall be construed as changing existing laws pertaining to the Chief of the National Guard Bureau.

"(e) Nothing in this Act shall be construed as reducing or eliminating the professional qualifications required by existing laws or regulations of officers of the several different branches of the Army.

"(f) Nothing in this Act shall be construed as changing existing laws pertaining to the military or civil functions of the Chief of Engineers or the Corps of Engineers of the Army, or as changing the Act of June 25, 1948 (Public Law 777, Eightieth Congress), pertaining to rank, pay, and allowances of the Assistant Chief of Engineers in charge of civil works. The number of officers and enlisted men set forth in section 11 of the National Defense Act, as amended, shall be a minimum strength and not a limitation.

"(g) Nothing in this Act shall be construed as changing existing laws, orders, or regulations pertaining to the Panama Canal or the Panama Railroad Company.

"SAVING PROVISION—EXISTING ORDERS AND REGULATIONS

"SEC. 405. Notwithstanding the repeal by this Act of any law vesting any power in or imposing any duty upon any officer, civil or military, of the Army Establishment, or in or upon any department, corps, branch, or organization of the Army; and notwithstanding the several provisions of this Act to the effect that the powers and duties of various officers, civil and military, of the Army Establishment, and of various branches and organizations of the Army, shall be such as the Secretary of the Army shall prescribe; and in order that there shall be no interruption in the performance of duties; and in order that the immediate issuance and promulgation of new orders and regulations shall not be required; it is hereby prescribed that every power vested in and every duty imposed upon any officer, civil or military, of the Army Establishment, or in or upon any department, corps, branch, or organization of the Army, by any law, regulation, or order, in force immediately prior to the effective date of this Act, shall continue to be exercised and performed by the same officer, department, corps, branch, or organization, or by his or its successor, until the Secretary of the Army shall otherwise direct in accordance with the authority conferred upon him by this Act.

"ARMY MINE PLANTER SERVICE

"Sec. 406. Nothing in this Act shall be construed as amending existing provisions of law concerning the Army Mine Planter Service, except that that service shall no longer be a part of the Coast Artillery; but it may hereafter be discontinued or assigned to or consolidated with such other branch of the Army, or such other service as the President may direct.

"SAVING PROVISION—POWERS OF THE SECRETARY OF DEFENSE

"Sec. 407. Nothing in this Act shall be construed as amending, repealing, limiting, enlarging, or in any way modifying any provision of the National Security Act of 1947, as amended.

"SEPARABILITY PROVISION

"Sec. 408. If any provision of this Act or the application thereof to any person or circumstances be held invalid, the validity of the remainder of the Act and of the application of such provision to other persons and circumstances shall not be affected thereby."

And the Senate agree to the same.

CARL VINSON,
OVERTON BROOKS,
PAUL J. KILDAY,
DEWEY SHORT,
LESLIE C. ARENDS,

Managers on the Part of the House.

MILLARD E. TYDINGS,
HARRY F. BYRD,
VIRGIL M. CHAPMAN,
HARRY P. CAIN,

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 8198) to provide for the organization of the Army and Department of the Army, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House passed the bill H. R. 8198 and the Senate amended the House bill by striking out all after the enacting clause. The managers on the part of the House have receded from the disagreement to the Senate amendment, with an amendment.

There were 58 points of difference between the original House bill and the Senate amendment. Most of these differences involved new subtitles, typographical corrections, errors of punctuation, a table of contents, and one incorrect citation. There were 10 substantive differences between the two bills as follows:

1. Subsection 201 (a) (3) of the original House bill provided a limitation on the number of Deputy Chiefs of Staff and Assistant Chiefs of Staff to be authorized within the Department of the Army. The Senate amendment placed no limitation upon the number of Deputy Chiefs of Staff and Assistant Chiefs of Staff. The Senate conferees agreed to the numerical limitations previously contained in the House bill and, as a result, the bill limits the Department of the Army to not to exceed three Deputy Chiefs of Staff and not to exceed five Assistant Chiefs of Staff. The Senate recedes.

2. In subsection 201 (c) of the original House bill there was a limitation on the number of officers who could be detailed or assigned to permanent duty in the Department of the Army. Included in this limitation was a further restriction that of this number not more than 1,000 could be detailed or assigned to duty with the Army General Staff. This provision was not applicable in time of war or national emergency hereafter declared. The Senate amendment permitted this limitation to be exceeded upon a finding by the Secretary of the Army,

concurring in by the Committees on Armed Services of the Senate and House of Representatives. The conferees retained the limitation provided in the original House bill but agreed upon a proviso which will permit the numerical limits to be exceeded upon a finding by the President that such an increase is necessary in the national interest. The proviso further requires that the Secretary of the Army report quarterly to the Congress the number of officers on duty in the Department of the Army, as well as the number of officers serving on or with the Army General Staff, along with the justifications therefor.

3. Subsection 201 (d) of the House bill and the Senate amendment placed a limit of 4 years on the length of the tour of duty of a commissioned officer in the Department of the Army, but the House bill provided that such a tour of duty could be extended upon a special finding by the Secretary of the Army that the extension was necessary in the public interest. To permit an orderly transfer of personnel, the House bill provided that tours of duty performed prior to the enactment of the bill would not be included in computing the 4-year limitation. The Senate amendment struck out that portion of the House subsection which excluded the period of time served prior to the enactment of the bill in computing the limitations on the tours of duty. The conferees agreed to the Senate amendment of the subsection which requires that time served in a tour of duty in the Department of the Army be included in the 4-year limitation, but to permit an orderly transfer the conferees agreed that the subsection would not take effect until 1 year after the enactment of the bill.

4. Subsection 204 (b) of the House bill contained a provision that the Chief of Staff was to be directly responsible to the Secretary of the Army for the efficiency of the Army, the state of preparation for military operations and the plans therefor. The Senate amendment modified this subsection by providing that the Chief of Staff would have this responsibility subject to the provisions of section 101 of the act and of subsection (c) of section 204 of the act. Section 101 fixes upon the Secretary of the Army full responsibility for all of the affairs of the Army Establishment. Thus the Senate amendment clarified the intent of the proposed act that the responsibility for Army affairs is not shared jointly by the Secretary and the Chief of Staff, but that the responsibility is in the Secretary of the Army and that the Chief of Staff's responsibility is to the Secretary. The House recedes.

5. Subsection 207 (a) of the House bill provided that the Inspector General and the Provost Marshal General would be detailed to those positions for periods not to exceed 4 years. The Senate amendment added to this section a qualification that such tours of duty may be extended beyond 4 years upon a special finding by the Secretary of the Army that the extension is necessary in the public interest. Subsection 201 (d) of the act provides that any commissioned officer may have his tour of duty extended beyond 4 years upon a special finding by the Secretary of the Army. The House recedes.

6. Section 306 (a) of the House bill established 12 basic branches within the Army but provided that the Secretary of the Army could establish new basic branches or discontinue or consolidate the basic branches enumerated in the subsection for the duration of any war or national emergency hereafter declared by the Congress. The Senate amendment permitted the Secretary of the Army to establish new basic branches and to discontinue or consolidate branches now in existence, both in times of peace or war. In lieu of the House or Senate versions of the subsection, the conferees agreed to the original language in the House bill that there

should be 12 basic branches, but further provided that the Secretary of the Army may establish other basic branches as he deems necessary. However, only in time of war or national emergency hereafter declared may the Secretary of the Army discontinue or consolidate the basic branches enumerated in the subsection. It should also be noted that the Senate amendment would have changed the name of the "Corps of Engineers" to the "Engineer Corps". The House bill retained the historical name of the Corps of Engineers and the conferees agreed to retain the name "Corps of Engineers".

7. Subsection 401 (c) of the Senate bill repeals section 11 of the National Defense Act of 1916, which is the prewar law prescribing the composition and strength of the Corps of Engineers. The House bill did not repeal this section of the National Defense Act of 1916. The conferees agreed to strike out from the Senate amendment the subsection which repealed that portion of the National Defense Act which prescribes the composition and strength of the Corps of Engineers, thus preserving the minimum statutory strength of the Corps of Engineers. The Senate recedes.

8. Subsection 401 (s) of the Senate amendment repealed the act of December 1, 1941, which prescribes the military duties of the Chief of Engineers. The House bill did not repeal the afore-mentioned act. The Senate recedes.

9. Subsection 404 (f) of the House bill provided that nothing in the act should be construed as changing existing laws pertaining to the "military or civil functions" of the Chief of Engineers or the Corps of Engineers. Likewise, the last sentence of subsection 404 (f) of the House bill provided that "the number of officers and enlisted men set forth in section 11 of the National Defense Act, as amended, shall be a minimum strength and not a limitation." The Senate amendment did not contain the words "military or", nor the reference to the minimum strength. In view of the fact that the conferees agreed not to repeal section 11 of the National Defense Act, and in view of the dual functions of the Corps of Engineers, the conferees agreed to the original House bill which provides that nothing in the act shall be construed as changing the existing law pertaining to military or civil functions of the Corps of Engineers or the Chief of Engineers, and likewise prescribes that the statutory strength of the Corps of Engineers shall be considered a minimum strength and not a limitation. The Senate recedes.

10. The original House bill did not include a saving provision as to the Panama Canal and the Panama Railroad Company. The Senate amendment contained a subsection which provided that nothing in the act should be construed as changing existing laws, orders, or regulations, pertaining to the Panama Canal or the Panama Railroad Company. Since it was not the intent of the act to change any laws, orders, or regulations, pertaining to the Panama Canal or the Panama Railroad Company, the House accepted this portion of the Senate amendment. The House recedes.

The report agreed to by the conferees contains substantially the language of the original House bill with the exception of the modifications heretofore mentioned. The act will provide the flexibility deemed necessary for the better administration of the Army Establishment.

CARL VINSON,
OVERTON BROOKS,
PAUL J. KILDAY,
DEWEY SHORT,
LESLIE C. ARENDS,

Managers on the Part of the House.

Mr. KILDAY. Mr. Speaker, this bill was passed by the House recently and as it comes from the conference is substan-

tially the bill as passed by the House. It is a unanimous report of the conferees.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

The conference report was agreed to. A motion to reconsider was laid on the table.

HOUSING AND RENT ACT OF 1950

Mr. SPENCE. Mr. Speaker, I call up the conference report on the bill (S. 3181) to extend the Housing and Rent Act of 1947, as amended, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

The conference report and statement follow:

CONFERENCE REPORT (H. REPT. No. 2285)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3181) to extend the Housing and Rent Act of 1947, as amended, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "That this Act may be cited as the 'Housing and Rent Act of 1950'."

"Sec. 2. Section 4 (e) of the Housing and Rent Act of 1947, as amended, is hereby amended by striking out 'June 30, 1950' and inserting in lieu thereof 'June 30, 1951'."

"Sec. 3. Section 204 (a) of the Housing and Rent Act of 1947, as amended, is hereby amended by striking out 'June 30, 1950' and inserting in lieu thereof 'June 30, 1951'."

"Sec. 4. Section 204 (f) of the Housing and Rent Act of 1947, as amended, is hereby amended to read as follows:

"(f) (1) The provisions of this title, except section 204 (a), shall cease to be in effect at the close of December 31, 1950, except that they shall cease to be in effect at the close of June 30, 1951—

"(A) in any incorporated city, town, or village which, at a time when maximum rents under this title are in effect therein, and prior to December 31, 1950, declares (by resolution of its governing body adopted for that purpose, or by popular referendum, in accordance with local law) that a shortage of rental housing accommodations exists which requires the continuance of rent control in such city, town, or village; and

"(B) in any unincorporated locality in a defense-rental area in which one or more incorporated cities, towns, or villages constituting the major portion of the defense-rental area have made the declaration specified in subparagraph (A) at a time when maximum rents under this title were in effect in such unincorporated locality.

"(2) Any incorporated city, town, or village which makes the declaration specified in paragraph (1) (A) of this subsection shall notify the Housing Expediter in writing of such action promptly after it has been taken.

"(3) Notwithstanding any provision of paragraph (1) of this subsection, the provisions of this title shall cease to be in effect

upon the date of a proclamation by the President or upon the date specified in a concurrent resolution by the two Houses of the Congress, declaring that the further continuance of the authority granted by this title is not necessary because of the existence of an emergency, whichever date is the earlier.

"(4) Notwithstanding any provision of paragraph (1) or (3) of this subsection, the provisions of this title and regulations, orders, and requirements thereunder shall be treated as still remaining in force for the purpose of sustaining any proper suit or action with respect to any right or liability incurred prior to the termination date specified in such paragraph."

"Sec. 5. Section 204 (j) (3) of the Housing and Rent Act of 1947, as amended, is hereby amended to read as follows:

"(3) The Housing Expediter shall terminate the provisions of this title in any incorporated city, town, village, or in the unincorporated area of any county upon receipt of a resolution of its governing body adopted for that purpose in accordance with applicable local law and based upon a finding by such governing body reached as the result of a public hearing held after ten days' notice, that there no longer exists such a shortage in rental housing accommodations as to require rent control in such city, town, village, or unincorporated area in such county: *Provided*, That where the major portion of a defense-rental area has been decontrolled pursuant to this paragraph (3), the Housing Expediter shall decontrol any unincorporated locality in the remainder of such area."

"Sec. 6. Nothing in this Act or in the Housing and Rent Act of 1947, as amended, shall be construed to require any person to offer any housing accommodations for rent.

"Sec. 7. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the validity of the remainder of the Act, and the applicability of such provision to other persons or circumstances, shall not be affected thereby.

"Sec. 8. This Act shall become effective on the first day of the first calendar month following the month in which it is enacted."

And the House agree to the same.

BRENT SPENCE,
PAUL BROWN,
WRIGHT PATMAN,
BROOKS HAYS,

Managers on the Part of the House.

BURNET R. MAYBANK,
J. WILLIAM FULBRIGHT,
JOHN SPARKMAN,
RALPH E. FLANDERS,
JOHN W. BRICKER,

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3181) to extend the Housing and Rent Act of 1947, as amended, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House amendment struck out all of the Senate bill after the enacting clause and inserted a substitute amendment. The conferees have agreed to a substitute for both the Senate bill and the House amendment. Except for clerical changes, the following statement explains the differences between the House amendment and the substitute agreed to in conference.

The Senate bill contained a provision extending rent control under the Housing and Rent Act of 1947 through December 31, 1950, and authorizing further extension through June 30, 1951, under local option. The House amendment provided for an extension through January 31, 1951, and contained a

similar local-option provision. The substitute agreed to in conference follows the language of the Senate bill.

BRENT SPENCE,
PAUL BROWN,
WRIGHT PATMAN,
BROOKS HAYS,

Managers on the Part of the House.

Mr. SPENCE. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, this is a conference report on the rent-control bill.

I would like to call to the attention of the House the fact that we have just agreed to a conference report providing the means by which the support price for farm products may be maintained. That conference report has received the almost unanimous support of Members from the cities. Members from the cities have taken a larger view of the subject and have voted for an agricultural bill. Now the city people are in need of some protection, and they ask you, Who are the beneficiaries of that conference report which they have just supported, to heed their Macedonian cry for help and to give them some assistance?

This has been a remarkable conference. We have brought back to the House a bill that is substantially the same bill that was reported by the committee. In the House we increased the first period of rent control from December 31 to January 31. I thought that was a good amendment, because 42 legislatures meet next January, and I thought they might handle the matter satisfactorily to the States. But the conferees were of other opinion. The Senators said the Senate would not agree to the conference report with that provision in it, at least without great delay, and we receded.

So we bring the bill back to you as it was reported by the committee, with one minor amendment, which gives the counties the right to decontrol unincorporated areas within their boundaries.

There was no material difference between the Senate bill and the House bill that came to conference save in one instance. The minority conferees, however, did not sign the report. The report is signed by all the Senate conferees. The reason the minority members of the conference committee did not sign the report is because the conferees did not agree to the Douglas amendment, which was never considered by the House, and which the Senate conferees readily receded from. That was a remarkable condition that prevailed. This bill was brought to the House under an open rule. Any germane amendment was in order. No amendment of that character was offered, and none was considered. Because the managers on the part of the House did not agree to the Senate amendment, from which the Senate readily receded, the conferees broke up, as far as the minority and majority on the part of the House is concerned, in disagreement.

What does the Douglas amendment do? I think it is unnecessary to consider it because it was never in issue, but the Douglas amendment provided that where there was an appreciable number

of people in an establishment ordinarily called a hotel who received the ordinary services of the hotel, such as bellboy service, desk service, laundry service, the furnishing of linen, maid service, and so forth, that the hotel would be decontrolled as a unit. In many hotels there are permanent residents who have remained there for years, but because an appreciable number receive these services the hotel would be decontrolled. What is "an appreciable number"? Webster's Dictionary defines "appreciable" as "large or material enough to be recognized; perceptible." Any number, it seems to me, would be an appreciable number, and any institution could qualify itself for decontrol by furnishing these few services to one or more persons. Those words are weasel words that just suck the meaning out of the amendment and the amendment may be construed as making every institution eligible for decontrol.

Is it not an unreasonable position for any of the conferees on the part of the House to oppose the House bill passed under an open rule subject to all germane amendments, because the conferees did not accept a Senate amendment that the Senate itself did not seem to want? There is no doubt that in many sections of this country we still need rent control.

This is a bill that takes back to the people themselves the right to say whether control shall be continued. Every council elected by the people of the cities can decontrol rents at any time after this bill is enacted into law, and if they desire to continue the controls after the 31st of December they must take affirmative action. Why should we cloak this bill with restrictive amendments when we are sending the whole matter back to the people to decide for themselves? It may be that rent control is on the way out; it probably is. But certainly there would not be such an insistent demand for this bill from certain sections of the country unless there were a real need for it. We know how active the members from city districts have been for this measure; we know that it not only means much to their citizens but also that it means much to their future political welfare. They are acting on the demand, the crystallized sentiment of their people, and they have asked you to give them the protection that may come from the authority of the city government or the citizens themselves to decide whether or not they need the extension of rent control. It certainly is a logical and reasonable thing to do. I feel confident that the membership will agree to this conference report, for with one exception it is practically the bill which passed the House—agree to the conference report and give the people the right they have asked, to decide this issue themselves, a question which is essentially local and about which they know more than the Congress could possibly know.

Mr. Speaker, if this conference report is not adopted the protection that they have asked for will probably go out of the window. The Members who want this most have recently shown that they

view legislation from a national standpoint because if you will look at the Record tomorrow morning and observe the vote on the Commodity Credit Corporation conference report you will find that most of the Members from the city voted for it. They come now and ask you to help them in order that their people may be treated fairly, in order that there may be an orderly discontinuance of rent control, in order that the impact of decontrolling rents abruptly at this time may not be felt and in order that the unhappiness and inconvenience that would result may be obviated.

Housing is essential to our people. It is not only essential for their comfort and their welfare but it is essential for our domestic tranquillity. I hope this bill will be administered in such a way that it will be fair to both the property owner and the tenant. They have mutual rights and mutual obligations.

The SPEAKER pro tempore (Mr. PRIEST). The time of the gentleman from Kentucky was expired.

Mr. SPENCE. Mr. Speaker, I yield 10 minutes to the gentleman from Michigan [Mr. Wolcott].

Mr. WOLCOTT. Mr. Speaker, as the chairman of the Committee on Banking and Currency has stated, the conference report brings back a bill which is substantially the bill as passed by the House, the one major exception being that the House had adopted an amendment continuing rent control until January 31, 1951, unless by resolution of the governing body in any incorporated city, town, and municipality, it was decontrolled before then. When the Committee on Banking and Currency reported the bill to the House it provided that rent controls would expire on December 31, 1950 in localities outside of these incorporated areas and in the incorporated areas which had not taken action to continue controls. The conferees on the part of the House yielded to the Senate in that particular so that as the bill comes back to us now rent controls terminate in all unincorporated areas and in the incorporated areas which do not take affirmative action to continue them on December 30, 1950. In the incorporated areas in which this affirmative action is taken, then rent controls shall continue to not beyond June 30, 1951.

That is the substantial difference. But I think that, in justice to many Members who have consulted with me and other members of the committee in respect to an amendment which the Senate had already adopted, I should comment upon the fact that the Senate receded from the action which it had taken in respect to the so-called Chicago amendment, and I presume that there was nothing else for the House to do, inasmuch as the so-called Chicago amendment was not in the House bill, but to accept the position which the Senate conferees took in respect to their own amendment.

I am placed in the very embarrassing, if not humiliating, position of having told at least six Members of the House that there was no question but that the Senate amendment decontrolling the residential and apartment hotels in the city of Chicago would stay in the bill. I

had reason to believe that the sponsor of that amendment in the Senate would be a member of the conference. He has been a member of many conferences on housing and rent control ever since he has been in Congress. I felt—and nothing to the contrary has convinced me otherwise—that he used good faith in presenting the amendment in the Senate to decontrol the Chicago residential and apartment hotels, but, frankly, I never saw conferees on the part of the Senate yield so quickly on anything in my life, and without consultation with the Member who offered the amendment in the Committee on Banking and Currency of the Senate and who was responsible for its enactment on the floor of the Senate. So I want to apologize to those Members whom I advised against offering a similar amendment in the House for my lack of understanding of what the tactics might be in respect to this particular amendment. I still do not understand it. A good many of us have been in conference with the Senate on a good many occasions, and a good many of us have sat around the conference room for hours while the Senate conferees were trying to contact the sponsor of amendments which were in controversy in the conference committee. Not so in this case. The sponsor of this amendment was not a member of the conference committee. He was temporarily absent from the city. He returned to the city the night of the conference and could have been consulted in respect to his wishes.

I am a little chagrined because of the rapidity with which the Senate yielded on its own language. There was every reason to believe that the Senate language decontrolling the Chicago residential and apartment hotels would stay in, because the same Member of the other body who offered the amendment this year decontrolling the residential and apartment hotels in Chicago offered the amendment successfully last year which kept them under control. He did it because, as he argued, there are something over 12½ percent of vacancies in the Chicago residential and apartment hotels at the present time, and undoubtedly there was not any goodly number of vacancies a year ago when he offered the amendment to keep them under control.

You will recall that the language of the 1949 Housing and Rent Control Act provided that apartment and residential hotels as distinguished from transient hotels would not be decontrolled in cities having a population of more than 2,500,000 inhabitants which, of course, confined the operation of the act to the cities of New York and Chicago. New York has enacted its own rent-control law and will come out from under Federal control, so it left Chicago the only city in interest.

I think if the arguments which have been made for the continuance of rent control were applied to this situation it would justify anyone's taking the position that this particular class of controlled property should come out from under control. When Tighe Woods was before the House Committee on Banking and Currency he said that controls could

safely come off when there were 5 percent of vacancies, which of course we realized meant depression vacancies, because in the depression there were only about 5 percent vacancies. We are confronted with this fact, not a theory but a fact, that vacancies in these properties in Chicago are about 12½ percent. So if there is any logic to decontrolling on the advice of the Expediter when properties generally have a vacancy of 5 percent, then of course the same logic would apply to the decontrol of the apartment and residential hotels in Chicago which have a vacancy of 12½ percent.

I have no brief to hold for Chicago or the apartment hotels in Chicago or anywhere else, but I merely take this time to make a matter of record the fact that hereafter, forewarned by the strategy which was followed in this particular, we will arm ourselves against a recurrence of it.

Otherwise, the bill is no better and no worse than it was when it left the House. I think I may reiterate what I have said, that this bill is going to create uncertainty, and in the attempts to administer it we are likely to get the same results we got in 1946 in attempting to administer a bill equally as bad as this, that one being in respect to price control.

As far as I am personally concerned, I do not want any responsibility for the uncertainty and perhaps chaos which will result from the enactment of this bill, budgetary as well as in any other respect; and I want it very distinctly understood that most of us who voted against this bill on the occasion of its final passage in the House did so because we were fearful of the consequences of the stability of the American economy. As far as I am concerned, I still feel the same way about it.

Mr. SPENCE. Mr. Speaker, I yield 5 minutes to the gentleman from Arkansas [Mr. HAYS].

Mr. HAYS of Arkansas. Mr. Speaker, I had hoped the conference report would retain the so-called Judd amendment extending the time of Federal control until February 1 of next year. Under ordinary circumstances I would have fought vigorously for the retention of the House action in the conference. I think it is appropriate, however, to point out that unusual conditions confront us. These controls expire on June 30 and the necessity for acting promptly is apparent. Therefore, I reluctantly signed the conference report, although it is contrary to my views with reference to the January date.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. HAYS of Arkansas. I yield.

Mr. JUDD. I regret that the House conferees did not insist on the bill as it passed the House because I believe events will prove it would have been much better for both the country and the Congress, inasmuch as rent control was certainly going to be extended for 6 months, and then transferred to local control, to have had the transfer 1 month later, on January 31, in order to make the transition as orderly and smooth as possible.

As the chairman of your committee just said, rent control has now become essentially a local problem. I believe it was the responsibility of the national Congress to transfer the problem from the Federal level to the State and local level under the most favorable circumstances possible from the standpoint of all involved, which was what my amendment sought to do. However, I recognize fully the practical problem to which the gentleman has referred, and that to insist, when the Senate conferees refused to yield, on sending it back to the other body for a vote on my amendment as passed by the House might get the bill into interminable difficulties. You had a deadline to meet and while I regret the action I think there is nothing else that can be done now except to accept the conference report.

Mr. HAYS of Arkansas. I am so glad the gentleman from Minnesota agrees on that point. It is the only point I wanted to make. I agree thoroughly with him. It therefore appears the only wise course for us is to approve the conference report.

Mr. SPENCE. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore (Mr. PRIEST). The question is on the conference report.

The question was taken; and on a division (demanded by Mr. MILLER of Nebraska) there were—ayes 72, noes 50.

Mr. MILLER of Nebraska. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER pro tempore. The Chair will count. [After counting.] One hundred and forty-two Members are present, not a quorum.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 176, nays 145, answered "present" 2, not voting 107, as follows:

[Roll No. 179]

YEAS—176

Addonizio	Chelf	Garmatz
Allen, La.	Chesney	Gordon
Andrews	Christopher	Gorski
Aspinall	Chudoff	Granahan
Baring	Clemente	Grant
Barrett, Pa.	Colmer	Green
Bates, Ky.	Cooper	Gregory
Battle	Corbett	Gross
Bennett, Fla.	Crook	Hardy
Bentsen	Crosser	Harris
Biemiller	Davenport	Hart
Blatnik	Davies, N. Y.	Havener
Boggs, La.	Davis, Tenn.	Hays, Ark.
Bolling	Dawson	Hays, Ohio
Bolton, Ohio	Deane	Hedrick
Bonner	DeGraffenried	Heseltun
Bosone	Delaney	Hollifield
Boykin	Denton	Howell
Brooks	Dollinger	Huber
Brown, Ga.	Donohue	Hull
Buchanan	Douglas	Jacobs
Buckley, Ill.	Doyle	Javits
Burnside	Eberharter	Jonas
Burton	Elliott	Jones, Ala.
Byrne, N. Y.	Engle, Calif.	Judd
Camp	Evins	Karst
Canfield	Fallon	Karsten
Cannon	Feighan	Kean
Carnahan	Flood	Kee
Carroll	Forand	Kelly, N. Y.
Case, N. J.	Fugate	King
Cavalcante	Fulton	Kirwan
Celler	Furcolo	Klein

Lane	O'Brien, Ill.	Secret
Lanham	O'Hara, Ill.	Shelley
Larcade	O'Konski	Sheppard
Lichtenwalter	O'Neill	Smith, Va.
Lind	O'Toole	Spence
Linehan	Patman	Staggers
Lynch	Patterson	Sullivan
McCarthy	Peterson	Tackett
McCormack	Philbin	Tauriello
McGuire	Powell	Thornberry
McKinnon	Price	Trimble
Mack, Wash.	Priest	Underwood
Madden	Rains	Van Zandt
Magee	Ramsay	Vinson
Mansfield	Rhodes	Wagner
Marcantonio	Ribicoff	Walter
Marsalis	Robeson	Whitaker
Marshall	Rodino	Wier
Mills	Rogers, Mass.	Wigglesworth
Multer	Rooney	Williams
Murdock	Roosevelt	Willis
Murphy	Sasser	Withrow
Nelson	Saylor	Wolverton
Noland	Scott, Hardie	Woodhouse
Norrell	Scott,	Yates
Norton	Hugh D., Jr.	Zablocki

NAYS—145

Abernethy	Golden	Norblad
Albert	Goodwin	O'Hara, Minn.
Allen, Calif.	Gossett	Pace
Allen, Ill.	Graham	Passman
Andersen,	Gull	Patten
H. Carl	Hagen	Pickett
Anderson, Calif.	Hale	Poage
Angell	Hall,	Potter
Arends	Leonard W.	Poulson
Auchincloss	Halleck	Preston
Earden	Harden	Rankin
Barrett, Wyo.	Harrison	Reed, Ill.
Bates, Mass.	Harvey	Reed, N. Y.
Beall	Herter	Rees
Beckworth	Hill	Rich
Bennett, Mich.	Hinshaw	Riehman
Bishop	Heeven	Rogers, Fla.
Boggs, Del.	Hoffman, Mich.	Sadiak
Bolton, Md.	Holmes	St. George
Bramblett	Horan	Scrivner
Brown, Ohio	James	Scudder
Burleson	Jenison	Shafer
Byrnes, Wis.	Jenkins	Short
Carlyle	Jennings	Simpson, Ill.
Case, S. Dak.	Jensen	Simpson, Pa.
Chatham	Johnson	Smathers
Chiperfield	Jones, N. C.	Smith, Kans.
Clevenger	Kearney	Smith, Wis.
Cole, Kans.	Keating	Steed
Cole, N. Y.	Kilburn	Stefan
Crawford	Kilday	Taber
Cunningham	Kruse	Talle
Curtis	Kunkel	Teague
Dague	LeCompte	Thomas
Davis, Ga.	LeFevre	Thompson
Davis, Wis.	Lucas	Velde
D'Ewart	McCulloch	Vorys
Dondero	McDonough	Vursell
Doughton	Mahon	Wadsworth
Durham	Martin, Iowa	Weichel
Eaton	Martin, Mass.	Werdell
Ellsworth	Mason	White, Idaho
Elston	Meyer	Whitten
Fellows	Michener	Whittington
Fenton	Miller, Nebr.	Widnall
Fisher	Murray, Tenn.	Wilson, Tex.
Gathings	Murray, Wis.	Winstead
Gavin	Nicholson	Woodcott
Gillette	Nixon	Woodruff

ANSWERED "PRESENT"—2

Jackson, Calif. Tollefson

NOT VOTING—107

Abbitt	Frazier	Kelley, Pa.
Andresen,	Gamble	Kennedy
August H.	Gary	Keogh
Bailey	Gilmer	Kerr
Blackney	Gore	Latham
Breen	Granger	Lodge
Brehm	Gwinn	Lovre
Bryson	Hall,	Lyle
Buckley, N. Y.	Edwin Arthur	McCannell
Bulwinkle	Hand	McGrath
Burdick	Hare	McGregor
Burke	Hébert	McMillan, S. C.
Combs	Heffernan	McMillen, Ill.
Cooley	Heller	McSweeney
Cotton	Herlong	Mack, Ill.
Coudert	Hobbs	Macy
Cox	Hoffman, Ill.	Merrow
Dingell	Hope	Miles
Dolliver	Irving	Miller, Calif.
Engel, Mich.	Jackson, Wash.	Miller, Md.
Fernandez	Jones, Mo.	Mitchell
Fogarty	Kearns	Monroney
Ford	Keefe	Morgan

Morris	Polk	Stigler
Morrison	Quinn	Stockman
Morton	Rabaut	Sutton
Moulder	Redden	Taylor
O'Brien, Mich.	Regan	Towe
O'Sullivan	Richards	Walsh
Perkins	Rivers	Welch
Pfeifer	Sabath	Wheeler
Joseph L.	Sadowski	White, Calif.
Pfeifer	Sanborn	Wickersham
William L.	Sikes	Wilson, Ind.
Phillips, Calif.	Sims	Wilson, Okla.
Phillips, Tenn.	Smith, Ohio	Wood
Plumley	Stanley	Young

So the conference report was agreed to. The Clerk announced the following pairs:

On this vote:

Mr. Hand for, with Mr. Miller of Maryland against.

Mr. Coudert for, with Mr. Smith of Ohio against.

Mr. Keogh for, with Mr. Blackney against. Mr. Sadowski for, with Mr. Hoffman of Illinois against.

Mr. Fogarty for, with Mr. Gilmer against. Mr. Joseph L. Pfeifer for, with Mr. William L. Pfeiffer against.

Mr. Mack of Illinois for, with Mr. Towe against.

Mr. Heller for, with Mr. Dolliver against. Mr. Hébert for, with Mr. Wood against.

Mr. Rabaut for, with Mr. Cox against. Mr. Perkins for, with Mr. Regan against.

Mr. Welch for, with Mr. Phillips of California against.

Mr. Kerr for, with Mr. Macy against. Mr. Miller of California for, with Mr. Jackson of California against.

Mr. Heffernan for, with Mr. Gwinn against. Mr. Jackson of Washington for, with Mr. Plumley against.

Mr. McSweeney for, with Mr. Redden against.

Mr. O'Sullivan for, with Mr. Wilson of Oklahoma against.

Until further notice:

Mr. Morgan with Mr. McGregor.

Mr. Morrison with Mr. Engel of Michigan.

Mr. Sabath with Mr. Gamble.

Mr. Sims with Mr. Ford.

Mr. Gary with Mr. August H. Andresen.

Mr. Herlong with Mr. Stockman.

Mr. Stanley with Mr. Taylor.

Mr. Burke with Mr. Wilson of Indiana.

Mr. Cooley with Mr. Hope.

Mr. Young with Mr. Edwin Arthur Hall.

Mr. Wheeler with Mr. Sanborn.

Mr. Wickersham with Mr. Tollefson.

Mr. Sutton with Mr. Phillips of Tennessee.

Mr. O'Brien of Michigan with Mr. Morton.

Mr. Kelley of Pennsylvania with Mr. Lovre.

Mr. Irving with Mr. Brehm.

Mr. Polk with Mr. Cotton.

Mr. Abbitt with Mr. Merrow.

Mr. Bailey with Mr. McMillen of Illinois.

Mr. Walsh with Mr. Latham.

Mr. Stigler with Mr. Keefe.

Mr. Sikes with Mr. McConnell.

Mr. DAVIS of Wisconsin and Mr. HINSHAW changed their votes from "yea" to "nay."

Mr. WITHROW changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

PERSONAL ANNOUNCEMENT

Mr. JACKSON of California. Mr. Speaker, on roll call 178 I had a pair with the gentleman from California, Mr. MILLER. I voted "no." Had he been present, he would have voted "aye." Therefore, I withdraw my vote and answer "present."

Mr. Speaker, on roll call No. 179 the same situation prevails, and I withdraw my vote and answer "present."

REORGANIZATION PLANS NO. 24 AND NO. 27

Mr. RIEHLMAN. Mr. Speaker, I ask unanimous consent that the minority members of the Committee on Expenditures in the Executive Departments may have until midnight Saturday, the 24th of June, to file minority views on Reorganization Plan No. 24 and Reorganization Plan No. 27.

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

There was no objection.

GOVERNMENT STORAGE OF DRIED EGGS

Mr. HESELTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. HESELTON. Mr. Speaker, the Federal Government had in storage on April 30, 1950, 88,444,915 pounds of dried eggs; \$919,345.07 is shown as a loss incurred on this item between July 1, 1949, and April 30, 1950. I have not been able yet to obtain any report from the Department of Agriculture as to how much of that loss is due to spoilage or destruction. But it is significant that the Department reports 68,839,013 pounds were purchased in 1949 and it has cost the taxpayers \$1,970,458.13 to keep them in storage. It is even more significant that 28,446,183 pounds were purchased back in 1948 and the taxpayers' money has been wasted for storing them in the amount of \$1,083,286.37.

Considered from the point of view of the use of this money in paying transportation charges to make this food available to people who could and would eat it, the obstinate refusal to do this is tragic. That amount of money would have paid for the transportation from Atchison, Kans., to New York of 174,493,902 pounds of dried eggs or almost double the amount hoarded by the Federal Government on April 30.

It is difficult to obtain, and even more difficult to analyze, the factual information as to this program. But I am confident that in the end the truth will become public and the American people will demand action. In the meantime, those who are opposing any action must be ready to accept full responsibility for the results. It is particularly difficult to understand the reason for opposition from those who profess to be interested in a sound agricultural program.

CONDUCT OF FEDERAL COMMUNICATIONS COMMISSION

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

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

There was no objection.

Mr. RODINO. Mr. Speaker, I would like to direct your attention to the remarks of Hon. STEPHEN YOUNG, of Ohio, under date of June 6, 1950; of Hon. ANTHONY TAURIELLO, of New York, under date of May 3, 1950; and of Hon. HUGH ABBONIZIO, of New Jersey, under date of June 15, 1950, with reference to the Federal Communications Commission in its present attempt to not renew the licenses of radio stations WJR, of Detroit; WGAR, of Cleveland; and KMPC, of Los Angeles. Each of these gentlemen stressed the conduct of the Federal Communications Commission in these present proceedings, with particular reference to the fact that it used—as its star witness—a man by the name of Clete Roberts who, while under oath, took a scurrilous and defamatory position against all Italians of the southern part of Italy.

As these gentlemen have pointed out, Mr. Speaker, there are some very serious questions involved in the present conduct of the Federal Communications Commission in this case. Insofar as its star witness, Roberts, is concerned, we of southern Italian ancestry are very much alarmed over the fact that this defamer of Italian people can well cause a continuation of increasing reaction against the Federal Communications Commission for having supported in the past, and continuing to support as of now, the credibility of such a discredited witness.

Mr. Speaker, when the Federal Communications Commission issued its so-called Blue Book indicating its intent to control all that goes out over the air, Broadcasting Magazine wrote as follows:

The meddling of Government in the instruments which enlighten public opinion is contrary to the precepts of the Constitution and rebuts the fundamental thinking of our leaders from George Washington down to Harry Truman. There is more at stake than the ultimate pattern of American broadcasting—there is at stake the pattern of American life, and you can find that truth in the charred ruins of a chancellery in Berlin.

When an agency of our Government, Mr. Speaker, proceeds to use a witness who so ill-advisedly and stupidly attacks in such a scurrilous manner the Italian people, I believe that the Federal Communications Commission—and its discredited witness, Clete Roberts—should hurriedly make the apology that is long overdue before an outraged public opinion begins its attack on a national basis.

Mr. Speaker, as an American of Italian ancestry and having great pride in my forbears and supporting the remarks of my colleagues in every way, I say now that the conduct of the Federal Communications Commission in this particular case must be investigated at the quickest possible moment.

RENT-CONTROL BILL

Mr. SPENCE. Mr. Speaker, was there not an error made in the announcement of the vote on the adoption of the conference report on the rent-control bill?

The SPEAKER. One Member withdrew his vote and answered "present." As the vote now stands, it is 174 yeas and 145 nays, and two answering "present."

GENERAL LEAVE TO EXTEND REMARKS

Mr. SPENCE. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days in which to revise and extend their remarks on the rent-control bill.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. MANSFIELD. Mr. Speaker, on Monday last I received permission to extend my remarks and include a speech by Col. Melvin J. Maas to the Marine Corps Officers Association. I am informed by the Public Printer it will exceed the amount allowed by two and two-thirds pages, slightly in excess of the usual cost. I ask unanimous consent to include the resolution, notwithstanding.

The SPEAKER. Notwithstanding, and without objection, the extension may be made.

There was no objection.

PROSPECTING, DEVELOPMENT, MINING, AND REMOVAL OF MINERAL RESOURCES WITHIN SUPERIOR NATIONAL FOREST, MINN.

Mr. MARSHALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill H. R. 4895, an act to permit the prospecting, development, mining, removal, and utilization of the mineral resources within the Superior National Forest, Minn., and for other purposes, together 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 1, lines 7 and 8, strike out "Superior National Forest," and insert "national forests in."

Page 2, line 10, strike out all after "Agriculture" down to and including "purposes" in line 14.

Amend the title so as to read: "An act to permit the prospecting, development, mining, removal, and utilization of the mineral resources within the national forests in Minnesota, and for other purposes."

The SPEAKER. Is there objection to the request of the gentleman from Minnesota [Mr. MARSHALL]?

Mr. CRAWFORD. Reserving the right to object, Mr. Speaker, will the gentleman from Minnesota give a brief explanation of the Senate amendments?

Mr. MARSHALL. Mr. Speaker, this bill passed the House approximately a year ago. The Senate has made some changes in the bill, which it seems to me improve the bill to some extent.

This bill is to permit the prospecting and development of mineral resources removable from the Superior National Forest, Minn. The Senate amended it to include all national forests in Minnesota, which was a good amendment, in that it does create less confusion within the State when all of the forest lands are put in one category, so to speak.

It also strikes from the bill some language which is duplicated in connection with the authority of the Secretary of Agriculture, making his responsibility more clearly defined.

Mr. CRAWFORD. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota [Mr. MARSHALL]?

There was no objection.

The Senate amendments were agreed to.

A motion to reconsider was laid on the table.

PERMISSION TO ADDRESS THE HOUSE

Mr. DOYLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. DOYLE. Mr. Speaker, I am so sure that you will instantly recognize the meritorious, sound, and just objectives of this bill that I do not consider it essential that I have any attitude of trying to argue with you in support thereof but merely to call its objectives thoroughly and briefly to your attention. I desire to say and ask that you take immediate notice that yesterday I filed H. R. 8875 and this bill was immediately referred to the Committee on Veterans' Affairs. Its objective is to provide for payments to certain disabled veterans commonly described as paraplegics who sold or will shortly sell, in the area adjacent and close by the former Van Nuys Veterans' Hospital, or Birmingham Hospital, whichever you know it as, their homes in order to move and receive care and treatment which is so necessary to the protection of their lives at the Long Beach Veterans' Hospital, which is located in the Eighteenth Congressional District of California, which I represent. I herewith read you the text of the bill:

H. R. 8875

A bill to provide for payments to certain disabled veterans who sold their homes in order to move from Van Nuys, Calif., to Long Beach, Calif., for the purpose of receiving care and treatment at the Veterans' Administration hospital at Long Beach, Calif.

Be it enacted, etc., That where any person (hereinafter referred to as "veteran") who served in the active military or naval service of the United States and who is entitled to compensation under the provisions of Veterans Regulation No. 1 (a), as amended, for permanent and total service-connected disability due to the loss, or loss of use, by reason of amputation, ankylosis, progressive muscular dystrophies, or paralysis, of both lower extremities, such as to preclude locomotion without the aid of braces, crutches, canes, or a wheel chair—

(1) received care or treatment at the Veterans' Administration hospital at Van Nuys, Calif.;

(2) owned a housing unit in the vicinity of such hospital; and

(3) sold or shall sell such housing unit after April 30, 1950, and before July 1, 1951, in order to move to the vicinity of the Veterans' Administration hospital at Long Beach, Calif., for the purpose of receiving care or treatment at such Long Beach Hospital, the Administrator of Veterans' Affairs shall, under such regulations as he may prescribe, pay such veteran a sum equal to the amount, if any, by which the cost of such housing unit exceeded the amount for which such housing unit was sold by such veteran; except that where the Administra-

tor of Veterans' Affairs finds that a veteran sold or shall sell any such housing unit for an amount substantially less than the fair market value of such housing unit, the sum paid under this act shall be equal to the difference between the cost of such housing unit and the fair market value of such housing unit at the time of such sale. Application for payment under this act shall be made on or before August 31, 1951.

SEC. 2. Nothing in this act shall be deemed to create any liability in the Government of the United States with respect to any housing unit serving as the basis of a payment to a veteran under this act.

SEC. 3. For the purposes of this act—

(1) The term "housing unit" includes special fixtures and facilities, if any, and necessary land; and

(2) The term "cost of such housing unit" means the cost of such housing unit to the veteran, including as part of such cost any assistance which such veteran may have received with respect to such housing unit under part IX of Veterans Regulation No. 1 (a), as amended.

Recently before returning to my duties in this Congress after attending the primary election vote in California on June 6, I twice visited this great Long Beach Veterans Hospital and found that the transfer of these paraplegics and other patients from the Van Nuys, or Birmingham Hospital, about 50 miles away, had been accomplished with dispatch, promptly and with an exceedingly high degree of care to the best interests of these paraplegic veterans and also to all the other patients. It appeared to me clear that the greatest concern and worry with those whom I conferred was a few dozen of them had acquired homes nearby the Van Nuys Hospital with Government aid and that they anticipated they would have to take a serious financial loss on the sale of these specially equipped homes in the event they sold them on the market in order to move their investment and their families residing in these homes to be adjacent to the Long Beach Veterans Hospital.

Paraplegic, by the way, is such a distinguished veteran as has a permanent and total service-connected disability due to loss, or loss of the use, by reason of amputation, ankylosis, progressive muscular dystrophies, or paralysis, of both lower extremities, such as to preclude locomotion without the aid of braces, crutches, canes, or a wheel chair.

I talked with one of these veterans who invested \$10,000 in such a home close by the veterans' hospital in which his wife and two children now reside while he is necessarily hospitalized at the Long Beach Veterans Hospital. His natural and normal heart's desire was concern that his wife and children should be close by him so that on occasions he could have the joy of residing with them in such home and nevertheless be able immediately and frequently reach the Long Beach Veterans Hospital in which he could receive the essential and necessary hospitalization to protect and preserve his life and health as long as possible.

Upon inquiry the Veterans' Administration here at Washington informed me that there are approximately 100 paraplegics in the Los Angeles County area—where both Van Nuys and Long Beach are located—and that they believed only

a few less than half were closer to the Long Beach Veterans' Hospital than they were to the Van Nuys Veterans' Hospital which has discontinued paraplegic care and which site has been announced by the Veterans' Administration as the one upon which a great new and necessary neuropsychosis veterans' hospital is to be promptly constructed. Therefore they decided the essential move was to transfer these paraplegics to the Long Beach Veterans Hospital which was the closest by and the closest to where they could have the specialized care so essential to them. The Veterans' Administration also informed me several days ago that the first week of June there had been installed at the Sawtelle Veterans' Hospital, closed to Van Nuys by 15 to 25 miles, than the Long Beach Hospital, an out-patient clinic to which the paraplegics needing only out-patient treatment can promptly, instead of making the round trip of approximately 90 miles from Van Nuys to Long Beach, have out-patient treatments. Therefore, it is only the highly specialized and more permanent treatment which is essential which they must receive at the Long Beach Veterans' Hospital. This is the comparatively small group who would stand to suffer real financial loss and deprivation of economic security if they are compelled to give up their substantial investment in specially constructed and equipped homes in order to have their funds to use at and in connection with such special home facilities and construction at or near Long Beach, Calif.

I am informed by the Veterans' Administration that the number of those who might reasonably be expected to sell their homes at Van Nuys would range from as few as 10 to 15 up to as high as 50 or 60. There is no presently accurate data or way of determining how many may or may not desire to sell.

The bill I have proposed provides that if any do sell after April 30, 1950, and before June 1, 1951, in order to move to the vicinity of the Long Beach Veterans Hospital for the purpose of receiving care or treatment and that then the Administrator of Veterans Affairs shall, under such regulations as he may prescribe, pay such veteran a sum equal to the amount, if any, by which the cost of such home exceeded the amount for which such home was sold by such veteran. And to protect the veterans and their families and also the Government funds involved my bill expressly provides that where the Administrator of Veterans Affairs finds that any such paraplegic veteran sells his home, if he does, for an amount substantially less than the fair market value of such that then the sum paid to such paraplegic veteran by the Administrator of Veterans Affairs shall be equal to the difference between the cost of such home and the fair market value of such home at time of such sale.

I am sure you will agree with me that this is a fair provision as to Government funds and also the paraplegic and his family.

A copy of my bill was immediately furnished to the Veterans' Administration here in Washington; a copy was imme-

diately furnished the Veterans' Affairs Committee of this House; a copy was immediately air-mailed to the Veterans Hospital at Long Beach and the Veterans' Administration offered immediate cooperation to ascertain the material facts necessary to a high and sound conclusion at the earliest possible date.

You will recognize that time is of the essence in consideration of this bill. If we are to protect these lads and their families against sharp economic losses in these few cases involved it must be decided at the earliest possible date.

I urge favorable consideration of this bill at the earliest possible moment by the Veterans' Committee. I have already spoken to the distinguished chairman, Hon. JOHN RANKIN about it. I urge that he and the other distinguished members of his committee give it immediate and favorable consideration. I urge that the appropriate Senate committee and the Senate give it the earliest possible favorable consideration.

As I now speak briefly to you of the bill and explain it to you, I note with pleasure that several heads are nodding in approval and others are smiling in apparent approval of this worthy objective.

Let us do it and do it promptly and remove from these distinguished permanently paralyzed and paraplegic veterans the present mental hazard to themselves and their families and all concerned as the result of this present hazard and loss which they are facing.

It is just; it is meritorious; it is an expression of the heart of America toward these relatively few distinguished veterans who thus come right up to the open door of death itself and have given their almost all to the service of our national security and the independence and happiness of our great Nation. The amount involved will be relatively negative. The objective is of the highest within the gift of the heart, mind and spirit of the American people.

WAGE-HOUR VIOLATOR FINED

Mrs. BOLTON of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a news release of the United States Department of Labor.

The SPEAKER. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. BOLTON of Ohio. Mr. Speaker, on Wednesday, April 19, 1950, I inserted in the Appendix of the RECORD on page A2807 a letter written by the president of Row, Peterson & Co., of Evanston, Ill., to the Secretary of Labor, Mr. Maurice J. Tobin, in which he gave a very vivid picture of the problems created by the inspectors.

It has recently been suggested to me that inasmuch as this insertion was critical of the Department of Labor it would be no more than fair to balance this with another case which would evidence constructive action on the part of the Department.

I am, therefore, asking unanimous consent to include in my remarks today a release of recent date which shows

that a violator of the wage-hour law was duly apprehended and fined. Believing thoroughly in a fair presentation of both sides of any situation, I am happy to spread this in the RECORD:

WAGE-HOUR VIOLATOR FINED

CAMDEN, N. J.—An Atlantic City, N. J., sweater manufacturer and retailer was fined \$500 and severely reprimanded in the United States district court of New Jersey for criminal contempt of court in connection with flagrant violations of the Federal wage-hour law. The defendant, Avalon G. Paxson, had previously been compelled to pay \$4,277 in illegally withheld back wages to her employees.

Federal Judge Thomas F. Madden called Miss Paxson a plain, ordinary liar and cheat. He said that only her age and physical ailments saved her from a stiff jail sentence for defrauding her employees and submitting false wage receipts to the court.

Miss Paxson has been found in violation of wage-hour provisions on four separate occasions. Sweaters for which home workers received only \$3 were sold at Miss Paxson's Atlantic City shop for as much as \$50. She also shipped sweaters to shops in other States, investigators of the United States Labor Department's Wage and Hour and Public Contracts Division found.

The sentence imposed by Judge Madden follows a previous contempt conviction in the same court, on April 25, 1947. At that time Miss Paxson was charged with failure to carry out the court's order to pay the \$4,277 in back wages found due to her employees. The defendant had pleaded guilty to violations of the overtime provisions of the Fair Labor Standards Act, falsification of wage and hour records, and failure to pay the minimum wage, then 40 cents an hour.

Six months later, on October 24, 1947, Miss Paxson's attorney informed the court she had made payments of all sums due the employees and claimed that receipts had been submitted to the Wage and Hour Division. The court dismissed the action, believing settlement had been made. More recently, wage-hour investigators found that these receipts had been falsified or signed under misapprehension by employees. In many cases no back wages had been paid employees; in other instances only token payments had been made. In some cases, these partial payments were made by Miss Paxson only after she had learned that the wage-hour investigators were interviewing those who had signed receipts.

PERMISSION TO ADDRESS THE HOUSE

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

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

There was no objection.

[Mr. VAN ZANDT addressed the House. His remarks appear in the Appendix.]

ONE HUNDREDTH ANNUAL REPORT OF BOARD OF DIRECTORS OF PANAMA RAILROAD—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States, which was read, and together with the accompanying papers referred to the Committee on Merchant Marine and Fisheries:

To the Congress of the United States:

I transmit herewith, for the information of the Congress, the One Hundredth

Annual Report of the Board of Directors of the Panama Railroad Company for the fiscal year ended June 30, 1949.

HARRY S. TRUMAN.

THE WHITE HOUSE, June 21, 1950.

EXTENSION OF REMARKS

Mr. ALLEN of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks and include an address by a great Texan.

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

There was no objection.

Mr. McCULLOCH asked and was given permission to extend his remarks.

Mr. JUDD asked and was given permission to extend his remarks in two instances and include extraneous matter.

Mr. O'KONSKI asked and was given permission to extend his remarks and include a resolution.

Mr. CRAWFORD asked and was given permission to extend his remarks and include an editorial.

Mr. MADDEN asked and was given permission to extend his remarks in two instances; in one to include a resolution passed by the Polish American Council on Constitution Day; and in the other to include a resolution passed by the Common Council of the City of East Chicago, Ind.

Mr. ROONEY asked and was given permission to extend his remarks and include a platform adopted by the Ninth Biennial State Convention of Affiliated Young Democrats of New York City.

Mr. KRUSE asked and was given permission to extend his remarks and include an editorial from the June 6 issue of the Fort Wayne Gazette.

Mr. LUCAS asked and was given permission to extend his remarks and include an editorial on the tidelands decision which appeared in the Union Banner, Fort Worth's labor paper.

Mr. QUINN (at the request of Mr. LYNCH) was given permission to extend his remarks and include extraneous matter.

Mrs. DOUGLAS asked and was given permission to extend her remarks in two separate instances and in each to include extraneous matter.

Mr. GRANT asked and was given permission to extend his remarks and include an editorial.

Mr. HAGEN asked and was given permission to extend his remarks and include an article on the subject of trees and soil conservation.

Mr. WOODRUFF asked and was given permission to extend his remarks and include an editorial.

Mr. MARTIN of Iowa asked and was given permission to extend his remarks and include a speech by the Honorable HUGH D. SCOTT, JR., of Pennsylvania.

UNITED STATES PARTICIPATION IN INTERNATIONAL ORGANIZATIONS

Mr. KEE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the resolution (H. J. Res. 334) to amend

certain laws providing for membership and participation by the United States in certain international organizations.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of House Joint Resolution 334, with Mr. HOLIFIELD in the chair.

The Clerk read the title of the resolution.

By unanimous consent, the first reading of the resolution was dispensed with.

Mr. KEE. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, at the time of the adoption of the rule for the consideration of the pending bill, House Joint Resolution 334, I addressed the House briefly, naming the five international organizations involved in the proposed legislation. I also stated, as to each of the five, the amount of the present annual assessment of the United States for the maintenance of such organization, as well as the amount in each case, of the assessment proposed by the resolution we are now considering.

I feel that it is well to again give this same information to the Members of the House.

The organizations included in the provisions of the measure under consideration are as follows:

First. The Food and Agricultural Organization.

Second. The South Pacific Commission.

Third. The American International Institute for the Protection of Childhood.

Fourth. The World Health Organization.

Fifth. The International Labor Organization.

While a history of the five organizations, including the date and circumstances under which they were instituted, would be interesting, the time at our disposal precludes us from going into such details. As a matter of fact, information of that character would have but little, if any, bearing upon the issues involved in the measure now under consideration.

In passing, however, it might be well to call attention to some facts about the origin and purpose of each of the five organizations included in the legislation.

The Food and Agricultural Organization is the first of the new permanent United Nations organizations to be established. It came into existence at Hot Springs, Va., in the year 1945 as a direct result of United States initiative. It is one of the specialized agencies of the United Nations.

The South Pacific Commission was established following an agreement, signed at Canberra, Australia, on February 6, 1947, between the United States, the United Kingdom, Australia, France, the Netherlands, and New Zealand, all Governments possessing non-self-governing territories in the South Pacific area. The principal function of the Commis-

sion is the development of a cooperative effort on the part of the several countries, parties to the agreement, to promote the social and economic welfare of the inhabitants of the territories within the scope of the Commission.

The American International Institute for the Protection of Childhood was established in 1925, with Uruguay taking the leadership in the movement. Membership in the organization has so far been confined to the Latin-American countries and the United States. It is now a specialized agency of the Organization of American States. Its headquarters are located at Montevideo, Uruguay. The organization is perhaps the most popular of all similar organizations with the South American nations. As its name implies, its interest and operations are in the field of child welfare.

The World Health Organization is one of the specialized agencies of the United Nations. It was established in 1948. The organization has made significant headway in formulating plans, and, indeed, in carrying forward the long-term work for which it was established. It is because of this very progress, entailing, as it does, additional expenditures and necessitating an increase in budget, that calls for an increase in the contributions of all member nations and makes necessary this legislation.

The International Labor Organization, the oldest of all the international agencies now functioning, is the instrumentality through which 60 member countries get together in consultation and effort to work out international standards to improve conditions of labor and employment. It must be understood that this is actually not a labor organization in the sense the name usually implies. It is actually an organization in which representatives of management, government, and labor have a part. The organization was established in 1919, as an independent agency of the League of Nations. The United States became a member in 1934, and in 1946, the organization acquired the status of a specialized agency of the United Nations.

I shall now pass to the purpose of the legislation now before us. The object of the resolution is to raise to some extent the ceilings placed by former acts of the Congress on the appropriations necessary to pay the contributions of the United States Government toward the support of the five organizations I have named.

I shall take the organizations, one at a time, in the order already used, state the sum the United States has been heretofore contributing, the proposed new assessment in each case, the additional amount this Nation will be asked to pay during the present year, and the ceiling proposed by the pending legislation we now have under consideration.

The table I hold in my hand, and from which I read, supplies the information I have mentioned. It will appear in the RECORD in connection with my remarks.

Organization	Present legislative ceiling	Proposed legislative ceiling	Maximum possible increase in United States assessment	Proposed 1-time contribution	1950 assessment of organization	Increase in assessment over present ceiling
American International Institute for the Protection of Childhood.....	\$2,000	\$10,000	\$8,000	\$24,000	\$10,000	\$8,000
Food and Agriculture Organization.....	1,250,000	2,000,000	750,000	-----	1,355,000	105,000
South Pacific Commission.....	20,000	75,000	55,000	-----	32,575	12,575
World Health Organization.....	1,920,000	3,000,000	1,080,000	560,000	2,520,000	600,000
International Labor Organization.....	1,091,739	1,750,000	658,261	-----	1,269,870	178,131
Total.....	4,283,739	6,835,000	2,551,261	584,000	5,187,445	\$93,706

In connection with the International Labor Organization, we have heard some question raised with reference to its duties and the possibility of its adopting conventions which will force its will upon the different countries that are members of the organization. It has been said in some quarters that the International Labor Organization will propose that some of its conventions, adopted at its annual meetings, be put into effect without any ratification on the part of the different member countries. That idea is absolutely erroneous.

Mr. PHILLIPS of California. Mr. Chairman, will the gentleman yield?

Mr. KEE. I yield.

Mr. PHILLIPS of California. My question is in regard to the amount the gentleman gave as to the total increases. They add up to something like \$4,000,000, although the gentleman gave a figure which was slightly less than \$1,000,000. I thought perhaps the gentleman would like to correct that.

Mr. KEE. The total increase was \$903,706, approximately \$1,000,000.

Mr. JUDD. That is for ILO alone.

Mr. KEE. No.

Mr. JUDD. The increase for all five is about \$2,500,000.

Mr. KEE. The gentleman is right insofar as the ceilings are concerned. But the increase in the assessments against the United States by all five organizations amounts to the figure I have stated, \$903,706. It is an increase of \$8,000 in the case of the American International Institute for the Protection of Childhood. The increase on FAO is \$105,000. The increase on the South Pacific Commission is \$12,572. The increase on the WHO is \$600,000. The increase on the ILO is \$178,131. This makes a total of \$903,706.

That is the increase in the assessments. As to the increases in the ceiling there is a latitude and a possible increase may amount to \$2,551,000.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. KEE. I yield.

Mr. JUDD. And it is true, is it not, that the total increase of \$2,500,000, approximately, in the ceilings could never be used except as other countries belonging to these organizations increase their contributions in exactly the same proportion?

Mr. KEE. That is right; it must be in the same ratio.

Mr. MILLER of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. KEE. I yield.

Mr. MILLER of Nebraska. I notice in House Report 1257, at pages 25 and 26, I have counted up the organizations to which the United States makes contri-

butions. There are 48 or 49 organizations, and the total amount is \$128,734,489, which is 47²³/₁₀₀ percent of the amount of the total contributions to some 48 various international organizations to which we now belong and contribute; is that correct? Are the findings correct?

Mr. KEE. I presume they are correct, but the gentleman understands we are only dealing with five organizations here.

Mr. VORYS. Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota, Dr. JUDD.

Mr. JUDD. Mr. Chairman, this joint resolution grew out of a resolution which I introduced last year to increase the ceiling on American annual contributions to the World Health Organization. When a subcommittee was set up by the chairman of the Committee on Foreign Affairs to study that it came to our attention that four other organizations were faced with a similar problem. So the subcommittee held hearings and considered all five of the organizations, and decided that, instead of introducing five separate resolutions, the convenient and proper way was to consider them altogether in a one-package bill, which we prepared and Chairman KEE introduced, with the unanimous approval of the full committee.

As a result we have House Joint Resolution 334 before us today. There are two main questions that arise. First, should there be definite ceilings in the legislation by which the United States participates in and makes contributions to these international organizations? And second, what should the ceiling be for each organization? Members may recall that for most of the organizations which we joined prior to the Eightieth Congress, including some that we have been in for many, many years, there were no such ceilings. When we joined the United Nations itself, when we joined its first specialized agencies, like UNESCO, the Universal Postal Union, and others, no such ceilings were provided. Then there developed in one or two organizations situations which we could not approve. One or two of the organizations came to be dominated by groups which tended to operate in directions which we felt were not wholly in our interest or in the direction of freedom and human betterment. Also, in instances where the United States was providing more than half of the budget—in some cases up to 72 percent as we did with UNRRA—and all the rest of the world had to put up only \$1 to get about \$3 out of the United States, it was understandable that they would never willingly give up so good a proposition as that. On the contrary they would in-

evitably tend to continue and expand its activities with minimum contributions from themselves and maximum contributions from us.

Our committee felt that was a bad setup. It might be justified occasionally in a temporary organization for emergency relief, but it is not justified in permanent organizations to which we would be making contributions annually. So in the later organizations we joined we provided ceilings in the authorizing legislation to permit annual review by Congress, to prevent our paying too large a share of an international organization's budget, and to help control over appropriations vested in Congress, without any misunderstanding by the organizations or their member countries.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield.

Mr. BROWN of Ohio. Are the provisions contained in this particular bill the same or practically the same as were defeated by the last Congress?

Mr. JUDD. No; this bill never came to a vote.

Mr. BROWN of Ohio. I do not mean this bill. I mean the items contained therein or the authorities contained therein.

Mr. JUDD. No.

Mr. BROWN of Ohio. We had before us in the first session of the Eighty-first Congress some of these proposals to increase the responsibility of the United States with reference to contributions to these international organizations. As I recall it, the House either refused to consider, or turned down those measures.

Mr. JUDD. This same resolution was before the House last October in the closing days of the first session. It did not get to a vote. It was being discussed one day under the 21-day rule, and before the time had expired it was laid aside for a conference report which had a deadline date on it, and it was not taken up again for consideration in the first session of the Eighty-first Congress or in this session until last week when the debate on the rule was concluded under the 21-day rule.

Mr. BROWN of Ohio. This bill provides for an increase in the contributions made by the United States to these international organizations of approximately \$800,000?

Mr. JUDD. The total increase in ceilings is approximately \$2,500,000. The increase in the amount that will be appropriated this next year is about \$900,000.

Mr. BROWN of Ohio. The gentleman does not have any doubt but that we will reach the ceiling?

Mr. JUDD. We will reach the ceilings only if the other countries increase their contributions proportionately. I think under those circumstances we should increase ours, up to the ceiling level if that is reached.

Mr. BROWN of Ohio. Do you in any way propose to reduce the percentage of contributions made by the United States to these organizations?

Mr. JUDD. No; this bill does not require reduction of percentage; but that is our Government's policy in all cases

where our percentage is more than a third. It is much lower than that in many cases.

The CHAIRMAN. The time of the gentleman from Minnesota [Mr. Judd] has expired.

Mr. VORYS. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. BROWN of Ohio. Originally, of course, when the United States first entered into these agreements, if I recall correctly, many of the other nations which were members of these various UN organizations, were in very difficult economic situations. It was impossible for them to make heavy contributions. Since that time we have spent billions upon billions of dollars of American money to help those nations recover in an economic way. I am just wondering if we are taking into consideration the fact that those other countries now have a greater ability to bear their fair share of the load and are going to see that they do meet their fair share of responsibility, now that we have aided them to recover to such an extent they have 40 or 50 percent greater production of goods and commodities than prior to the war.

Mr. JUDD. I think that is a good question, and the answer is "Yes."

Mr. BROWN of Ohio. Now what action do you take? What guaranty is there, if any, that the burden on us will be reduced? If I support this legislation, how can I go back to my people and say, "We have acted to protect your interests?" What guaranty is there of that in this bill?

Mr. JUDD. There is no guaranty of that in the bill, and I do not see how we could insert it. We cannot try to dominate the organization or control the shares of other countries, any more than we intend to let them control our appropriations. Let me point out the percentages now in existence. The United States is contributing 25 percent of the budget of the Food and Agricultural Organization. Twelve and one-half percent of the South Pacific Commission. There are only six countries in that organization and we are one of the smallest contributors, because we have only a few islands in that area, whereas Great Britain, Australia, the Netherlands, and New Zealand have larger holdings, New Caledonia and other islands.

Our share of the World Health Organization's budget was almost 40 percent, originally. A year ago the organization under our persuasion, reduced it in a resolution which said precisely what the gentleman has suggested, namely, that as economic conditions improve in those countries it shall be the policy of the World Health Organization to reduce the share of the United States, so that ultimately not more than one-third of its budget should come from any one country. They reduced it to 36 percent last year, and in the meeting in Geneva a month ago they reduced it to 35 percent. I have every confidence that it will go down to 33½ percent.

Mr. BROWN of Ohio. As I understand it, you are dealing with 5 international organizations out of about 48?

Mr. JUDD. That is right.

Mr. BROWN of Ohio. The average increase on these five will be about two and one-half million, if everyone else puts up their full amount?

Mr. JUDD. That is the maximum increase.

Mr. BROWN of Ohio. What will be the reduction in percentage from the present figure the United States will be putting up under this bill?

Mr. JUDD. In the case of the World Health Organization, it will unquestionably go down to 33½ percent. I do not think the percentage of the ILO should go below the present 22 percent, or the South Pacific Commission below the present 12½ percent; or Food and Agriculture Organization below the present 25 percent.

Mr. BROWN of Ohio. If I can check correctly, the grand total of contributions, by the United States is \$128,734,000, or 47.23 percent of the total amounts furnished by all the other countries of the world to these various UN organizations.

Mr. JUDD. That is right.

Mr. BROWN of Ohio. The point I am driving at is simply this: When are we going to cut that percentage down and lessen the burden on our own people? We are now running a large deficit, the heaviest tax burden and the greatest national debt we have ever had in our history.

Mr. JUDD. If the gentleman will look in the appendix of the committee report he will find under the heading, United Nations and specialized agencies, two groups: permanent and temporary. There are three of the latter, the International Refugee Organization to which the United States contribution is over \$70,000,000; the United Nations International Children's Emergency Fund, for which we have authorized \$25,000,000, or 72 percent of its budget; and the third is United Nations Relief for Palestine Refugees, \$8,000,000. Since this report was prepared the Congress has voted about \$27,000,000 more for this one agency.

Mr. BROWN of Ohio. The gentleman says those are only temporary organizations?

Mr. JUDD. That is true, they are to provide relief in emergency situations arising out of war.

Mr. BROWN of Ohio. Has the gentleman ever heard of one of these temporary organizations being discontinued?

Mr. JUDD. Yes. For example, UNRRA, which was by far the biggest of all.

Mr. BROWN of Ohio. But in its place we devised something bigger and better, the ECA, and now this point 4 program, which I am sure will soon be larger than UNRRA ever thought of being.

What I am driving at is to ascertain, if I can, why on earth we in this Congress are not trying to protect the interests of the American taxpayers who are having to pay for all these world-wide organizations, and a lot of useless operations, like UNESCO, and some of those others which have not paid off. They have not paid off, and now we find ourselves spending the money of the people of this country in an armaments race and for defense preparations. Our expenditures

in these international fields certainly have not accomplished what we started out to accomplish, and I am wondering what we are doing to protect the interests of the American people.

Mr. JUDD. I have recently returned from the World Health Organization meeting in its annual assembly in Geneva, and I can assure the gentleman that the American representatives there took a strong, firm, persistent position that the United States could not be bled by increasing by any percentage the contributions from this country. A delegate from another country got up in that meeting and said that the contributions should be on the basis of ability to pay and that the United States was the most able because it had the highest per capita national income.

Mr. BROWN of Ohio. And the gentleman took a very strong stand that the United States could not continue to be bled in the way we have been bled and are being bled?

Mr. JUDD. That it could not be bled by increasing our percentage.

Mr. BROWN of Ohio. The gentleman meant "further."

Mr. JUDD. There were delegates from some countries who openly sought to increase our percentage and wanted to go back to the UNRRA formula of our paying 72 percent which was worked out by Mr. Acheson and his deputy, Mr. Hiss, in the Atlantic City conference which set up that organization.

Mr. BROWN of Ohio. By whom?

Mr. JUDD. By Mr. Acheson and Mr. Hiss. Mr. Acheson was our chief representative there and agreed to that formula for UNRRA.

Mr. BROWN of Ohio. I am sure that neither gentleman has contributed a great deal to the peace of the world or to the benefit of the United States.

Mr. JUDD. I mentioned that illustration because I wanted to show the gentleman that we have gotten away from that pattern of thinking. Some wanted to go back to it in the WHO Assembly, and I suppose they would like to in other organizations, too. They said that the United States on the basis of annual per capita income ought to be paying 72 percent now the same as in the case of UNRRA. But they will not succeed. We got up and said, among other things, that if they want to consider the per-capita income they should also consider the per-capita debt, and we pointed out that the per-capita debt of every American citizen is over \$1,700. We were able without difficulty to resist the pressure to increase our share. Instead of an increase there was a decrease.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. KEE. Mr. Chairman, I yield two additional minutes to the gentleman from Minnesota [Mr. Judd].

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield to the gentleman from Iowa.

Mr. GROSS. I hope that when the foreign agent spoke up in meeting and said the contribution should be based upon ability to pay, the gentleman from Minnesota promptly reminded him that

the United States debt was more than the debt of all the rest of the world put together.

Mr. JUDD. That is what we said; I myself pointed out that the per capita debt for every man, woman, and child in the United States was over \$1,700.

Mr. GROSS. The gentleman from Minnesota reminded him of that?

Mr. JUDD. I did, and as a result of our representation they reduced our percentage from 36 to 35. So I believe the interests of the American taxpayer were reasonably well protected; and I wish to add that the State Department representatives, and Dr. Scheele, the head of our Public Health Service, who was the chairman of the American delegation, were just as firm and vigorous as any Congressman could be in protecting the interests of the United States, which action I am sure is also in the interest of the organization.

It is just as bad for the organization itself as it is for the contributor, to have more than a third, and in my opinion, more than one-fourth of its budget coming from any one of its members.

Mr. PHILLIPS of California. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield to the gentleman from California.

Mr. PHILLIPS of California. Is this an authorization for the expenditure of funds?

Mr. JUDD. It is, yes.

Mr. PHILLIPS of California. And this will have to go to the Appropriations Committee?

Mr. JUDD. Yes. This puts a limitation on the amount that we may contribute. The Appropriations Committee cannot go beyond these ceilings. It does not have to come up to them. As a matter of fact, the present request in one case is for only about 40 percent of the ceiling.

Mr. PHILLIPS of California. May we have it understood through the gentleman, then, that we have not, therefore, obligated ourselves to give immediately this full amount that has been mentioned?

Mr. JUDD. The gentleman may understand that firmly and definitely. As I have said, there has been no request for anything like the maximum as yet.

Mr. Chairman, before I yielded to answer questions, I stated that one of the basic questions in considering this subject is, Why should we have ceilings? I may say that there are some people, including the State Department, who believe we should not have such ceilings in legislation. I myself, and our committee, think we should have them, first, so it is understood by all concerned that the Congress has the right and intends to review every year what is going on in these organizations. Secondly, because we believe that you and I, having taken an oath to support the Constitution of the United States, cannot delegate to any other organization the determination of what our appropriations for any purpose are to be. I believe that in the case of these organizations that are proving themselves sound and are operating reasonable and useful programs that need moderate expansion, we should make

larger contributions, but we should not allow any organization to get control over how much we should give or should not give. Hence, I am firm in the belief that we should have ceilings. Whenever an organization has demonstrated that it is doing a good job and needs and can use advantageously a larger amount than our ceiling permits, and other countries will increase their contributions proportionately, I believe the Congress should be willing to raise our ceilings appropriately, which is what we seek to do by this joint resolution.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. VORYS. Mr. Chairman, I yield the gentleman two additional minutes.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield to the gentleman from Tennessee.

Mr. JENNINGS. In the very interesting statement the gentleman is making he said a moment ago that Mr. Acheson was connected with something. Does the gentleman mean Dean Acheson, our present Secretary of State?

Mr. JUDD. Yes.

Mr. JENNINGS. And the gentleman also mentioned a Mr. Hiss. Was that Mr. Alger Hiss?

Mr. JUDD. Yes.

Mr. JENNINGS. There is an axiom of the law that fraud vitiates everything. Is there anything good that Alger Hiss ever did or that I ought to follow, adopt, or swallow, or jam down the necks of my people?

Mr. JUDD. The pattern that was adopted for UNRRA by those gentlemen is no longer being followed. The pattern in this resolution is a quite different sort of pattern. Under it the Congress, which I am sure the gentleman approves, has control over appropriations to the international organizations in question and nobody in the executive branch or in any other country or any organization can commit us to appropriate or contribute any amount to their support in excess of the limitations we here establish.

Mr. JENNINGS. This resolution makes it possible, if the Appropriations Committee should so far forget itself, to raise the appropriations \$2,500,000?

Mr. JUDD. A total increase of approximately \$2,500,000. I am sorry I have not had opportunity to discuss the work or merits of the individual organization. I believe they are all deserving of the increases provided.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. KEE. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. ROOSEVELT].

Mr. ROOSEVELT. Mr. Chairman, I wish to urge most vigorously the adoption of House Joint Resolution 334, which will lend new strength to America's program of positive action for world peace. The reasons for expanding our support of these five agencies can be stated simply. First, they are proof to the rest of the world that our foreign policy is not limited to a negative drive to stop communism but rests on an affirmative desire to raise the standard of living of all the free peoples.

Three of the agencies involved here are part of the United Nations system, and they are proving again and again the validity of the principles of international cooperation. These agencies are the World Health Organization, Food and Agriculture Organization, and the International Labor Organization. The other two agencies are the South Pacific Commission and the American International Institute for Protection of Childhood. There can be no doubt but that through our work in these organizations, too, we establish to the mass of the world's people, our good faith in international relations, the main responsibility for implementing total diplomacy which the President and Secretary of State have set down as our international goal.

It is a truism that of all of our representative institutions, this Chamber is closest to the American people. By adopting House Joint Resolution 334, we shall offer a forceful proof that our foreign policy draws its real strength from the whole country.

These organizations are so obviously resigned to eliminate the human suffering on which communism and other totalitarianisms feed, that it is inconceivable to me that anyone really anxious to oppose dictatorships can fail to support House Joint Resolution 334.

Perhaps the best known of these agencies is the International Labor Organization. Since 1919 the ILO has done a valiant job of raising the world living and working standards. It is a completely voluntary organization, in which the leading spokesmen for labor, management, and Government work out joint solutions to common problems. Since 1934 the United States has given its support to the ILO and we have every reason to continue to strengthen that support. At the present session, our Government is ably represented by Assistant Secretary of Labor Philip M. Kaiser and Senator HERBERT R. O'CONNOR, and our able colleague the gentleman from Pennsylvania, Congressman GUS KELLEY, is the alternate delegate. Our country's employers are represented by Charles P. McCormick, of McCormick & Co., and the labor spokesman is George P. Delaney, of the A. F. of L.

Adoption of House Joint Resolution 334, is the best and most immediate proof that we can give to the citizens of the world democracies that we are committed to a better life for them as well as for ourselves.

Mr. KEE. Mr. Chairman, I yield such time as he may desire to the gentleman from Wisconsin [Mr. BIEMILLER].

Mr. BIEMILLER. Mr. Chairman, I hope there is no disposition in this House to treat the resolution before us, House Joint Resolution 334 as a matter of minor importance.

The sums of money concerned are relatively small. There are no great pressure groups working for or against passage. The resolution comes to the floor unheralded by headlines or radio broadcasts. But House Joint Resolution 334 is a piece of legislation which ranks with the Voice of America as a potential for making the force of our democratic ideals known around the world. I believe its approval is imperative if we

are to make progress in the multi-tongued battle of the free world against the Communists.

Just what does this resolution do? It would raise the ceiling on United States contributions to three specialized agencies of the United Nations: the World Health Organization, the Food and Agriculture Organization, and the International Labor Organization. It also provides for raising the ceilings on our contributions to the South Pacific Commission and the American International Institute for the Protection of Childhood.

Before we discuss the specific amounts involved and the reasons for requesting increased American aid, I want to say just a few words about our obligation to the United Nations itself. I am among those who believe that our conduct in that forum in which so much of world opinion is formed has been above reproach. I think we have done everything that we could to make the United Nations a success. That the United Nations is not yet a success is the fault of Soviet Russia and her all-obedient satellites. But there are those in the world, who remain unconvinced, who have lived too long in the shadow of distrust to place their trust easily.

These agencies of the United Nations are the best possible route to the end of that distrust. They are the best method of rehabilitating the United Nations as a force for peace in the world—and making it clear that this country is ever ready to work for world cooperation within the UN.

I am particularly interested in the matter of the World Health Organization. This unit has done a magnificent job under almost unbelievable handicaps. Yet as I speak, the United States has still not paid \$600,000 of its obligation to the current budget of the WHO. And unless this resolution passes, this Government will default that amount. Furthermore, the United States was not able to give any support to the new budget when the World Health Assembly approved that budget in Geneva on May 8.

I cannot believe the Members of Congress want to undermine the work of the World Health Organization. Many problems of public health have ceased to be matters for merely national concern. They must be solved by international teamwork. We have learned that the only sound long-range defense against epidemic diseases is an attack upon diseases at their source. Today the rapid increase in the speed and amount of travel has sharpened the threat of the invasion of our own shores by diseases that infest other areas. The World Health Organization is the international agency which has been created to carry on an integrated attack against disease everywhere. Each of its projects aiming at eliminating reservoirs of disease aids not only the people of the infested area, but all of us.

The World Health Organization, although it was not established as a permanent body until September 1948, has already paid rich dividends in human lives, in better health, and in general economic improvement. The campaign

against malaria in Greece, for example, has resulted in an almost 98-percent reduction in malaria cases, and has made available the equivalent of 30,000,000 man-days a year in increased labor.

WHO demonstration teams are operating in many countries showing local health personnel effective methods of combatting malaria and venereal disease. The largest mass immunization campaign in history, the antituberculosis campaign in Europe and other areas, is being carried on through the cooperative efforts of the WHO and the United Nations Children's Emergency Fund. A WHO fellowship program is making possible the training of hundreds of doctors, nurses, and other desperately needed health personnel.

WHO is making progress in applying the magnificent discoveries of modern science which have provided us for the first time truly effective weapons against disease. I am convinced that no one in this House would wish this progress impeded.

Yet, this is exactly what will happen if House Joint Resolution 334 is not approved. This resolution provides for raising the ceiling on the United States contribution to the World Health Organization from \$1,920,000 to \$3,000,000. I would like to emphasize that this is a maximum, not a minimum, amount. The budget of WHO has already been increased from \$5,000,000 to \$7,000,000, and although the United States share of the budget was reduced by the second World Health Assembly from 38.54 percent to 36 percent, our share of the present budget is \$2,520,000. This already exceeds the ceiling previously authorized by Congress.

On the other hand, the budget of the WHO is small indeed when the magnitude of its task is considered. WHO has completed its initial organization, and it now must have funds to carry out the field programs and other operations which are the core of its program. Without this, their objectives become a mockery and our claimed interest a sham.

It is not that the members of WHO expect the United States to carry more than its share of the load. On the contrary, the member states have all agreed that the United States share of the budget would be reduced gradually to 33½ percent as the economic conditions of other members improve.

The United States percentage is higher than that of any other state, but other members are contributing as much and more than the United States on a per capita basis. Our contribution amounts to a cent and one-half a year for each person in the United States, a very small investment for a program that is helping to protect our health, the health of the world, and more than that, I firmly believe, helping to preserve world peace.

The World Health Organization is not planning any major increase in its budget beyond the figure of \$7,000,000 voted for 1950. The budget for 1951, approved by the executive board of the WHO, which will be considered at the world health assembly in May, is \$7,100,000—an increase of only \$100,000.

Our Committee on Foreign Affairs has examined the proposed plan of operations of WHO extremely carefully, and has declared in its report that—

It was made apparent that the organization is proceeding along sound lines avoiding temptation of trying too much too soon.

The committee concluded that—

The World Health Organization amply justifies confidence from the United States and the increased contribution is fully warranted.

I would like to add a final warning. If the United States defaults on its contributions to the World Health Organization for 1950, the organization will be required to reduce its operations. Furthermore, if the United States defaults, the support of the organization by other states may be greatly weakened. Other states may seize on the United States failure to meet its assessment as an excuse for also defaulting and an atmosphere be created which would result in breaking the back of the entire international health program.

This would be disastrous. The improvement of the health of the people in many areas is an integral part of our effort to improve economic conditions. We are spending billions to spur the economic recovery of Europe. The work of the World Health Organization contributes greatly to economic advancement, not only in Europe but in the underdeveloped areas of the world. We must not permit the World Health Organization to founder by failing to authorize an increase in our contribution to that organization of only slightly more than a million dollars. The failure of the WHO would be a blow to all of the international efforts to develop through the United Nations and its specialized agencies a foundation for enduring peace.

Mr. KEE. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri [Mr. CARNAHAN].

Mr. CARNAHAN. Mr. Chairman, the legislation now before the House deals with the contributions which our Government shall make to five international organizations: the American International Institute for the Protection of Childhood, the Food and Agriculture Organization, the South Pacific Commission, the World Health Organization, and the International Labor Organization.

Adequate hearings were held, and the committee then considered in a number of sessions the problems raised by the needs of the groups involved. The committee considered the following questions:

(a) Whether or not an increase in United States contributions to the organizations concerned was justified.

(b) Whether ceilings should be eliminated as sought by the executive department, or whether new ceilings should be set, taking into consideration any need for increases.

(c) Whether the approach should be through one piece of legislation or through five individual items of legislation.

The committee decided to recommend keeping limitations on contributions to

the organizations involved and to deal with the problem in one piece of legislation. Thus, you have House Joint Resolution 334 before you for your consideration.

It should be helpful to give you a comparison of the money involved in this legislation in comparison to the total United States expenditures in the field of international organizations. This is done for you in appendix I of the committee report for the fiscal year 1949. The total contribution of the United States to permanent international organizations during that year was in round figures, \$24,500,000.

This figure represents about six ten-thousandths of the total expenditures of this Government in the fiscal year 1949. In relation to the Government's military expenditures in the same period, it stands in the ratio of 1 to 588. It stands as about 1 to 250 in relation to the Government's expenditures for foreign assistance for the like period.

In the determination of the fiscal position of the Nation, expenditures on permanent international organizations are thus a minor factor. This is not intended, however, to waive aside the importance of these expenditures or the necessity of considering them with care. To the contrary, these expenditures should be measured in accordance with principles of strict economy—not necessarily in the sense of economy which counts as lost every dollar spent, but rather in the sense of insisting that every dollar spent must be justified by results.

In the American philosophy of government, we look to public authority to do the things that are beyond the reach of individuals and private groups, and we look to the central government to do only those necessary things that cannot be done by the local units of government. A parallel exists in this respect in relation to national and international governmental activities.

Therefore we should look to international organizations to do those things, desirable in terms of human benefits, which are beyond the reach of nations acting alone. Thus we can reasonably expect international organizations to make an increasingly convincing demonstration to all men of the hope that lies ahead in the path of international cooperation.

Everyone should realize that international organizations cannot properly function if they are encased in a financial strait-jacket. Their areas and levels of action must be given reasonable room to function. Successful organizations must, in a measure, determine their own limits of value and action. By the very fact of their operation in one period, they will tend to transform situations so as to increase the needs of their activity in a subsequent period. Such growth is nothing more or less than a characteristic of success, and yet, such development must be kept within bounds and made to respond to reasonable standards.

Each of the organizations here involved is a voluntary group organized and functioning as a democratic body. All the nations involved, including our own, are getting actual international democratic experience, which we all

need. Each organization involved is actually applying the democratic concept of cooperation to the solution of problems they are each designed to cope with. This is an opportunity we should welcome. Are we then as a leading exponent of democracy going to withhold our encouragement of such action?

This legislation is, in my opinion, vitally necessary if we make the contribution we should make toward expanding and strengthening democratic concepts through the world. Such expansion and strength is necessary if we perpetuate our way of life. At such a comparatively small expenditure it would, of course, be utterly foolish to pursue any other course.

In closing, I earnestly urge all my colleagues to support this legislation in the interest of peace through international cooperation, understanding, and friendship.

Mr. VORYS. Mr. Chairman, I yield 8 minutes to the gentleman from Indiana [Mr. HARVEY].

Mr. HARVEY. Mr. Chairman, it was my privilege to go to Europe and the Near East last fall as a member of the Select Committee on Expenditures in the Executive Departments to look particularly into the operation of various United Nations Organizations. I followed this report with a great deal of interest. One of the organizations that we gave a great deal of attention to, because it was not an action agency, but one of the so-called advisory and technical information services, was the World Health Organization.

I note on page 19 of the committee report there is a statement of the testimony of Dr. Scheele, for whom I have a very high regard. This statement starts out this way:

WHO is a new organization. It is getting its feet wet. It is taking its first steps. It has gone a long way.

I suggest that, as I follow through other statements of the testimony, there is a definite philosophy prevalent, as evidenced by the testimony here, that they are going to utilize some of the functions of UNICEF, following its proposed extinction next year, to embark in other fields than a purely advisory and technical assistance program. In other words, WHO was set up as an advisory and technical assistance organization, but I have every reason to believe, from the committee print here, that there is going to be an attempt made to make it an action agency. I think that would be certainly detrimental to the theory under which WHO was organized, and I certainly would hope that that is not going to be the case.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. HARVEY. I yield to the gentleman from Minnesota.

Mr. JUDD. I can give the gentleman categorical assurance that that is not going to be the case. I think that may be the major reason why the Russians and their satellites have refused to participate further in the work of the Organization. Apparently, they thought they could maneuver the World Health Organization into operating a great, ex-

pensive commodity-supply program, so that it would be furnishing powdered milk, vitamins, and what have you to the people in their areas as the UNICEF did for children. And when it became clear that WHO was sticking to technical assistance, not commodity supply, they pulled out. But there are certain medical operations that UNICEF has been carrying on in connection with tuberculosis, vaccination, and other public-health measures which should be on a permanent basis. When we do terminate the Children's Emergency Fund, because the emergency for which it was created has ended, then these long-term functions should be permanently under WHO.

Mr. HARVEY. That is exactly the thinking I am talking to the gentleman about.

Mr. JUDD. But it is not a supply program, it refers to the medical aspects of it.

Mr. HARVEY. As this says, you are going to get your feet wet. You are going to get them wet in an action agency. That is where you are headed just as sure as the world.

Mr. JUDD. It cannot be very large under this ceiling established in this resolution.

Mr. MANSFIELD. Mr. Chairman, will the gentleman yield?

Mr. HARVEY. I yield to the gentleman from Montana.

Mr. MANSFIELD. It has been the policy of the Congress to send a committee of Representatives from the House and Senate each year to sort of check on this organization. Last year we sent the gentleman from New York, Dr. PFEIFFER. This year we sent our distinguished colleague, the gentleman from Minnesota, Dr. JUDD. These people give a first-hand report on what is going on. In that way the Congress can remain cognizant of what these organizations are doing.

Mr. HARVEY. I am not casting aspersions at the gentleman from Minnesota, Dr. JUDD, at all. I am simply giving the report as I saw the picture over there.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HARVEY. I yield to the gentleman from Iowa.

Mr. GROSS. I do not quite understand what the gentleman means by an action agency. Is that when they get both feet in the trough and start spending billions of dollars instead of a few million?

Mr. HARVEY. I would say that the amount of spending as far as a United Nations organization is concerned is not a measure of whether they are an action agency or not. As the point was just made, the function of the World Health Organization is advisory, and I think it should at the very least remain in that capacity. But if you start vaccinating children all over the world, then you become an action agency.

Mr. MANSFIELD. If the gentleman will yield further, I want to take this occasion to compliment him and the committee of which he is a member on the fine and thorough job you did in carrying on your investigation last fall.

You did a splendid job, and I think we owe you a debt of gratitude.

Mr. HARVEY. I thank the gentleman.

Mr. JUDD. If the gentleman will look down further on page 19, where he was reading, to about the middle of the page, he will find this also from Dr. Scheele's testimony:

The International Children's Emergency Fund is a supply organization whereas the World Health Organization is not.

That is the crux of the matter. This ought not to be and I am utterly opposed to its being a supply program.

Mr. HARVEY. There is a difference between even a supply program and an action agency, I suggest to the gentleman, and I think certainly it is headed in direction of an action agency. We should certainly recognize the fact we ought to be getting out of the supply phase because we were in Warsaw in Poland as an official committee there of the Congress. We had been granted admission, but then when we finally arrived there they would not even let us see how they were disposing of UNESCO's supplies. So I never entertained the thought that there was any thought in the WHO organizations of continuing the supply activity, but I do say you are heading directly toward that very thing that I am warning you about which is that you are getting your feet wet as an action agency which was never contemplated for WHO.

Mr. JUDD. If by the term "action agency" the gentleman means field activities, why of course WHO always has contemplated and should carry on field activities. It has two types of operations. One is in the field. For instance, it picked out three major problems on which to focus its work in the field. They are the greatest health problems in three-fourths of the world, namely, malaria, tuberculosis, and venereal diseases. Its method of approach is not the supplying of drugs or medicines. Rather it sends technical experts to help individual countries to strengthen their own public health services so that they can handle their own problems. Those are field activities.

Mr. HARVEY. I will say to the gentleman that the distinction lies in the fact that you should be sending technical personnel over there to advise with their medical and technical men in the field, not to go out and do the work. That is exactly the direction, I think, in which you are headed.

Mr. JUDD. It is understood, of course, that experts must go to the various countries. For instance, in India they have already set up a demonstration center where they can bring doctors and public health officials in from the various provinces to see what can be done for venereal diseases. With the discovery of penicillin and similar drugs it is possible to carry out rapid treatment that can almost eliminate those diseases as was never possible before in the long history of man. But the techniques are rather complicated and exact and only by bringing in the local doctors and the local health officers, can they observe the techniques so that they can then go

back and attack the problems in their own areas.

Mr. HARVEY. That comes back again to the very thing I attempted to try to point out to the gentleman and explain my thinking, which is that you are going to finally wind up doing the program. That is just exactly the reason why a great many of the people of our country take a very dim view of many of these organizations. They feel we have been led far afield from the original intent of the United Nations Organization.

Mr. JUDD. Of course the gentleman will agree that an organization whose budget for the whole world is only \$7,300,000 cannot get into very extensive operations.

Mr. HARVEY. I know, but under the program you say that is just the start, and that is exactly the complaint I am talking about.

Mr. JUDD. No, it was understood when we joined this organization, that under the orderly development, which I hope will come about, it will probably have eventually a program on a permanent basis with a budget of up to \$15,000,000. It ought to do that much work a year, and the United States ought to put up for it at least the \$3,000,000 this resolution authorizes. But as for an extensive and expensive supply program like the Children's Fund and UNRRA and IRO, there is no chance of that happening unless this Congress were to vote for it.

Mr. HARVEY. I hope what the gentleman says is true. I have wanted to say this on the floor of the House and to get it into the Record, because I have every right to feel that WHO at the present, if it sticks to its last, is going to do a good job, but I believe it is headed out into the realm of an action agency and when it does you will see a \$150,000,000 budget.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. HARVEY. I yield.

Mr. KEATING. Which section of the bill relates to WHO? Is it this subsection (b)? I cannot link the report up with the bill. How much is it proposed to increase the budget for WHO?

Mr. HARVEY. May I suggest that the gentleman direct his inquiry to the gentleman from Minnesota.

Mr. KEATING. Would the gentleman from Minnesota advise how much they are seeking by this bill to increase WHO?

Mr. JUDD. The ceiling would be increased from \$1,920,000, which is the present ceiling, to \$3,000,000. But the annual budget which has already been adopted by WHO would require from the United States only about \$2,500,000. This ceiling of \$3,000,000 is above WHO's present requirements, but rather than come back here every single year for a change in ceiling, we provided for a reasonable amount of growth and expansion, a certain cushion which is particularly important in health matters.

Suppose a world-wide epidemic of influenza, were to break out, such as we had at the end of World War I, the organization ought to have a certain amount of elasticity for emergencies.

But when the organization has only \$3,000,000 as the ceiling on the total appropriation from the United States, believe me it cannot run away very much, can it?

Mr. HARVEY. May I say in conclusion I do not think it is the intention of the Members of the Congress of the United States to attempt to raise enough money to make the whole world healthy.

Mr. JUDD. That is completely true, and this resolution makes that certain.

Mr. KEE. Mr. Chairman, I ask unanimous consent that the gentleman from California [Mr. HOLIFIELD] may extend his remarks at this point in the Record.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. HOLIFIELD. Mr. Chairman, I wish to commend to the House House Joint Resolution 334 which would raise the ceiling which Public Law 843 placed upon United States contributions to the International Labor Organization and certain other international organizations. I am in full support of this resolution because I am a strong believer in the principle that if, in this atomic age, we are to attain peace in the world, one of our major instruments for attaining that peace is the United Nations and its specialized agencies.

For 30 years the ILO has been carrying on effective and constructive work in the labor field. I need not emphasize the importance of labor in the world we live in today. We are faced with two major tasks. First, we must raise economic and living standards throughout the world so that peoples everywhere may attain at least those minimum conditions which will satisfy their material needs. Secondly, we must do everything in our power to check expanding world communism. These two objectives, of course, are inseparably related because a major bulwark against communism is raising standards of living.

For 30 years the ILO has devoted itself to raising standards of living. It has not done this in the theoretical plane. It has done it concretely. The ILO knows that standards of living cannot be raised without corresponding increases in productivity and the ILO's program in the fields of manpower utilization and training workers in specific skills are geared directly to increasing productivity.

In short, the ILO is in my opinion an important instrument for world peace, because the ILO is an efficient international organization and because it is devoted to constructive efforts to solve those economic problems which stand in the way of peaceful relations between nations.

House Joint Resolution 334 is designed to remedy a major impediment to effective United States participation in the ILO and other international organizations. All that it does is to raise the limitation on United States contributions to the ILO, FAO, WHO and certain other international organizations. It does not say that United States contributions to the ILO must be more than they are now, nor does it say what the United States contributions to the ILO should be. That, I submit is not related to authorizing legislation. Ever since the

ceiling limitation imposed by Public Law 84E has been in effect, our delegation to ILO meetings have been seriously hampered. The budget of the ILO and all other international organizations is determined by general democratic agreement of the member countries.

This is no time for the United States to risk compromising the efforts of international organizations which are in line with the objectives of our foreign policies. The ILO is doing this. Let us keep our friends where we have them.

(Mr. SHELLEY asked and was given permission to extend his remarks at this point in the RECORD).

Mr. SHELLEY. Mr. Chairman, I want to speak in support of House Joint Resolution 334, which would raise this country's contribution to several international agencies, among them the International Labor Organization. Unless this bill is passed, we will be unable to meet our fair share of the running expenses of the ILO.

As an American and as an American trade unionist, I am particularly interested in the ILO. Its creation in 1919 was due in large measure to the inspiration of Samuel Gompers, the first president of the AFL, whose one hundredth anniversary we have just celebrated.

But my support of the ILO is not limited to this sentimental attachment for its past. I have seen the ILO at work in the present-day world and I know that it is carrying on its job with efficiency and vigor. Its job—the raising of working and living standards throughout the world—is one I am sure we will all support.

I was a member of the United States delegation to the ILO Conference in 1948, held in San Francisco. There I saw government, management, and labor representatives from all over the world working together and finally coming to agreement on the best ways to improve labor standards. Delegates to that conference represented all the leading industrial countries of the world with the exception of the U. S. S. R., which is not a member of the ILO. The political scenes and the economic structures in the delegates' home countries varied greatly, as you would imagine. Yet we were able to agree on a number of important points.

Watching the ILO at work, I thought that it offered the best possible medium for real representation for the United States.

Our Government is, of course, represented in all UN agencies, but only the ILO provides a meeting place for our free-labor movement and for our employers. In all ILO meetings the voices of industry and labor are heard, as well as that of government. Our system of free enterprise is nowhere shown to better advantage internationally than in the councils of the ILO.

Compared to other funds which have been voted or are contemplated by the Congress, the money involved in this legislation seems very little indeed. Yet if we do not pass this legislation, we will seriously cripple the ILO's current program.

Before closing, I want to mention a part of that program which is, I believe,

of particular importance. The ILO has been working with notable success assisting the Marshall plan countries of western Europe in the solution of their manpower problems. It has given them technical assistance in the problems of training and retraining workers for industry and in the establishment of employment services so that the job and worker can be brought together.

In addition to its work in western Europe, the ILO is giving similar assistance to the countries of Asia where the need for trained workers is acute. This activity of the ILO, which fits in so well with the programs contemplated by the point 4 legislation, should be supported and not curtailed. I therefore want to register my wholehearted support for House Joint Resolution 334.

Mr. VORYS. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. JAVITS].

Mr. JAVITS. Mr. Chairman, this bill seeks to raise the ceilings for certain United Nations organizations and I favor it as a necessary measure. I think, also, that it is a very good place at which to make a few observations about the United Nations itself.

Two impressions have been sought to be created with respect to the United Nations.

First, that all of these activities, like the World Health Organization, the Food and Agricultural Organization, and the International Labor Organization, are little extra appendages which really did not belong to the original conception of the United Nations.

Second, that there is something fundamentally invalid about what was the very leading point in the bipartisan foreign policy which saw this country through a great world war and into the auspicious beginning of a great peace—bipartisanship in foreign policy or the United Nations.

Let us understand that when we are facing the American people today with a \$14,000,000,000 budget for defense we have at the same time got to offer them some feeling that we are trying to work for peace. One of the two major hopes that we offer them that we are trying to work for peace is the work we do through the United Nations. The hope we offer to the millions and millions of free peoples throughout the world, is the hope that we offer them through these very programs which are so lightly condemned here on the theory that we are being financially bled, which seek to improve their own standards of living, their own health, and their own agriculture, and to keep them from getting into that state of despair, which is the royal road to communism.

On this question of being bled white due to the cost of these programs, I would like to say this: We had general Marshall before us the other day in the Foreign Affairs Committee, testifying on the mutual defense assistance program, which is more popularly known as "arms for Europe." Mr. Vorys and I jointly handling this phase of the testimony, asked the General to give us an estimate of what it would mean to the budget and to the people of the United States if the

United States instead of being isolationist, which was the old worry in the days before World War II, should become isolated by the fact that the major free countries of the world went the Communist way. General Marshall, after some thought and deliberation, said that in his opinion, at the minimum it would cost us \$30,000,000,000—not \$14,000,000,000 but \$30,000,000,000—for the defense of the United States, and, Dr. Judd reminds me, \$30,000,000,000 this is annually—recurring each year.

Let those gentlemen who think we are being bled white who are weighing in the balance an addition of about \$2,500,000 as a ceiling increase for these organizations, which make the work of the United Nations go round, let them weigh the cost in terms of more military expenditure alone of following any view which would isolate the United States. Let them add to that the regimentation. We have debated here on the floor about regimentation. Just think over the regimentation of our country if we had to have a \$30,000,000,000 military establishment, and if the country was girding itself for war. Everything we are talking about today that we call regimentation would be a pale shadow by comparison. Add to this also the mandatory decrease in the standard of living of all Americans attributable to the diversion of so much more of our production to military needs.

It is extremely important that the United Nations be maintained. It is extremely important that the free peoples of the world, sustained by us and by the great body of nations, shall have this hope for peace.

I would like to tell you one specific reason why. We are dealing with the Soviet Union in a very difficult struggle between freedom and slavery, not only for the world's mind but for the world's spirit, for its opportunities and resources, and for the future of all people. In that struggle, if we should shut out the Soviet Union and its satellites as we have been advised to do on occasion and make the United Nations just a social club for our own friends, then we would be giving the Soviet Union and its satellites the greatest vindication for their own people that could be had. Remember they have their own people that they have to deal with every day. Because what they are saying to their own people is that we hate them—the people—that the Western World hates them. They tell them that the Western World intends to attack and to subjugate and to exploit them, and you can see how we would just be confirming everything that this blind leadership in the Kremlin is telling the 200,000,000 Soviet and satellite people if we by our own unilateral action should eject them from the United Nations. No; Mr. Chairman, the way to deal with the Soviet Union is to have infinite patience. We can stick it out for a lot longer than they—we have the morale and the resources to do so—and we want to stick it out because we want peace. If we keep our shirts on we can win; for all free people and for those who desire freedom; if we lose our heads we are in grave danger of losing for all.

Mr. KEE. Mr. Chairman, I yield such time as he may desire to the gentleman from Montana [Mr. MANSFIELD].

Mr. MANSFIELD. Mr. Chairman, I ask unanimous consent that the gentleman from Washington [Mr. JACKSON] may insert his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. JACKSON of Washington. Mr. Chairman, House Joint Resolution 334, which we are now considering, increases the ceilings on United States contributions to five international organizations of which we are members.

I have had personal experience with one of those organizations—the International Labor Organization. I have had the privilege of participating in some activity of the ILO every year since 1945. In 1946, I had the honor of presiding over the International Maritime Conference in Seattle.

Based on what I have seen, I believe that the ILO is an organization that gets results—results which are extremely helpful to American industry and labor, and which probably save the United States money in the long run—because they help to further European recovery, in which we are investing billions of dollars.

I think our participation in and contribution to the ILO is a good investment for America—one that will pay good dividends.

Take ILO's contribution to European recovery, as an example. One of the great obstacles to faster recovery is the shortage of skilled workers—which, sadly enough, often goes along with a surplus of unskilled workers. The committee of European nations—the OEEC—asked the ILO to help out. The ILO has helped to set up training programs to help correct this situation. It has also improved the operation of employment services throughout Europe, so that labor can move more easily to the places where it is most needed. We have spent billions of dollars trying to accomplish European recovery. If the ILO is able to further this objective, then I think our contribution to the ILO is an investment well spent.

One of the fine things that comes out of the ILO is the establishment of minimum wages and standards of working conditions. This is good for American industry as well as for American labor. It is good for our working people because it helps to guarantee for them the standards they have been able to achieve. It is good for industry as well, because it tends to equalize costs of labor all over the world, and eliminate disadvantageous competition.

Now it may appear that the ILO is nothing more than a debating society, since in many cases its conventions are not formally ratified by the member nations. Yet these conventions do have a noticeable effect. For example, in the renovation of certain passenger ships after the war, shipping companies did pay heed to a convention passed at the International Maritime Conference in

Seattle in 1946, which dealt with the conditions of crews' quarters.

Even if the ILO were just a debating society, I believe it would still have considerable merit, in bringing together the representatives of government, industry, and labor, so that they can discuss their common problems, and get a better idea of what the problems of their industry all over the world mean to them.

The United States contribution to the ILO is considerably less than its contribution to the UN itself, as well as many of the major specialized agencies. While we contribute up to 40 percent of the budget of other agencies, our contribution to the ILO is only 22 percent.

Many of you may know that the ILO has recently come under the direction of David Morse, formerly our own Under Secretary of Labor. Under his guidance, the ILO is striking out in new directions. The present ceiling on our contribution to the ILO does not permit it to maintain the programs the organization is now calling for.

I urge you to support an increase in the ceiling on our contribution to the ILO—for the welfare both of American industry and American labor, and as a good investment in our entire world program.

Mr. VORYS. Mr. Chairman, I yield 4 minutes to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Chairman, we have before us a joint resolution dealing with the participation of this country in international organizations. I want to say to the Members of the House, both Democrats and Republicans, that I have come to the conclusion unreservedly that it is about time for the American people to wake up and realize just what is being done by our Foreign Affairs Committee and our State Department and those who are fostering the things we are doing in these international organizations to the point that eventually we will be so complicated in the affairs of all the nations of the world that America will be no more.

Whenever the time comes that we give more attention and more time to looking after foreign countries than to looking after our own people it is about time for the American people to wake up and look after the Congress of the United States and get men here who will work to save America. I am afraid that the complications you are getting us into will eventually wreck us, as the money you are taking from the American taxpayers to look after foreign countries has about reached its zenith. I just looked at a comparison between this country and Great Britain. Great Britain is in the black; the United States is in the red. The United States budget for 1950 is substantially this: Receipts, \$36,600,000,000; expenditures, \$42,000,000,000; deficit, \$5,400,000,000, but it will go beyond that; it will be closer to \$7,000,000,000 deficit. Look at Great Britain. Their budget for 1950 is: Receipts, \$11,000,000,000; expenditures, \$5,500,000,000; a balance in the treasury of a billion and a half; yet you Members of this Congress are giving socialized Great Britain more than a billion and a half of our own money, sticking up your own American taxpayers and

asking them to go down in their pockets to raise that money. If that is not downright foolishness then I do not know what is. It is time you woke up; it is time the American taxpayers woke up. Before it is too late.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield.

Mr. HOFFMAN of Michigan. Why are you looking at me and the rest of the fellows on this side? We are not doing any such thing.

Mr. RICH. Well, you fellows who are voting right like the gentleman from Michigan need not worry. Look at the record of some of the Members—they are the fellows I am talking about.

Mr. HOFFMAN of Michigan. Look over there on the other side.

Mr. RICH. Well, I am looking over there; and I want the people of this country to know, too, their voting record—they are selling America short. I do not care whether you are a Democrat or a Republican. If you are going to pass this legislation—there are a few Republicans doing too much of this to suit me. I want them to get their just dues. I am not here to talk as a Democrat or Republican; I want to talk as an American. When the time comes that I do not want to be an American then I shall get out of the United States, I shall be ready to go to heaven or to some place else, but I am going to stay here and fight as long as there is any fight left. I shall fight for American liberty, freedom, and solvency.

Everything is hopeless unless we stop a lot of these appropriations. Beware of foreign entanglements.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

All time has expired. The Clerk will read the bill for amendment.

The Clerk read as follows:

Resolved, etc., That the following laws of the United States are hereby amended in the following particulars:

(a) Public Resolution 31, Seventieth Congress, is revised to read as follows:

"That in order to meet the obligations of the United States as a member of the American International Institute for the Protection of Childhood, there are hereby authorized to be appropriated to the Department of State—

"(a) the sum of \$24,000 for payment by the United States of its assessed annual contributions for the period beginning July 1, 1946, and extending through the fiscal year expiring June 30, 1949; and

"(b) such sums, not to exceed \$10,000 annually, as may be required thereafter for the payment by the United States of its share of the expenses of the Institute, as apportioned in accordance with the statutes of the Institute."

(b) Public Law 174, Seventy-ninth Congress, is amended by striking out the figure "\$1,250,000" in section 2 thereof and inserting in lieu thereof the figure "\$2,000,000."

(c) Public Law 403, Eightieth Congress, is amended by striking out the figure "\$20,000" in subsection (a) of section 3 thereof and inserting in lieu thereof the figure "\$75,000."

(d) Public Law 643, Eightieth Congress, is hereby amended:

(1) By striking out the words "There is hereby authorized to be appropriated annually to the Department of State" in section 3 thereof and inserting in lieu thereof

the words "There are hereby authorized to be appropriated to the Department of State for contribution to the working capital fund of the organization the sum of \$560,000 and as annual appropriations the following"; and

(2) By striking out the figure "\$1,920,000" in subsection (a) of section 3 thereof and inserting in lieu thereof the figure "\$3,000,000."

(e) Public Law 843, Eightieth Congress, is hereby amended:

(1) By striking out the figure "\$1,091,739" in subsection (a) of section 2 thereof and inserting in lieu thereof the figure "\$1,750,000";

(2) By striking out the words "article 13 (c)" in section (a) of section 2 thereof and inserting in lieu thereof the words "article 13 (2) (c) and 13 (3)"; and

(3) By striking out the words "not to exceed \$95,000 per annum" in subsection (b) of section 2 thereof.

Mr. MILLER of Nebraska. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, before we vote upon this piece of legislation we ought to understand that while this resolution affects only five international organizations we presently contribute to 48 international organizations. You will find them named on pages 25 and 26 of House Report No. 1257 of the Eighty-first Congress, first session.

The total amount that we are contributing to these 48 organizations is \$128,734,489, which amounted to 47.23 percent of the total amount of the appropriations. While it is true we are asked here in this bill for additional money for five separate international organizations the over-all increase will be about \$2,500,000.

I am concerned, Mr. Chairman, as to how many of these international organizations we might well belong to and whether these other countries should not now carry a larger percentage of the amount of money involved. Our country has a larger debt than all the other countries put together, some \$260,000,000,000. Our money is being diluted and polluted to the point where the dollar is worth less and less as time goes by.

The European nations who participate in these organizations to an extent of less than 50 percent are recovering their economy. Why should they not be called upon to contribute a larger percentage to the operation of these groups? In fact, I feel this way: That many of these organizations could be dispensed with. While I am in sympathy with the purposes of the World Health Organization, I think its objectives are good. I know this: That when once these agencies are set up they go far beyond the purposes for which they were first created. They become an expanding bureaucracy. They will expand in this organization to vaccinate all the peoples of the world, if they could, and I would be for it if we could afford it. But, my colleagues, we cannot afford all these things, no matter how good they are. About 10 years ago we entered upon a program of vaccinating the children of the United States against smallpox, diphtheria, and typhoid fever; and I am for it; I think that is where we really should start, because we have several millions that are

still unprotected in these United States. But here we have an organization which takes in all of the peoples of the world. Well, we just cannot afford it. This country is broke, and it seems to me, while we may have some obligation to perform in going on and continuing them as is for a little while longer, the appropriation to them should not be increased. In fact, I think there ought to be a careful review of the 48 international agencies that we now support. Oh, yes; somebody said some of them were temporary agencies. I guess originally they were temporary, but they soon become permanent. You might be surprised to read the names of some of these organizations. There are 48 international organizations that we are bolstering up with the taxpayers' money. It amounts to more than \$128,000,000. The committee say, "Now we come along with these five groups; let us give them some more money to enlarge their activities." I think it is time to shave these off, to cut them down, and not expand them.

Mr. CLEVINGER. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Nebraska. I yield to the gentleman from Ohio.

Mr. CLEVINGER. I might say to the gentleman from Nebraska that there are some 250 of these international organizations altogether. I think the hearings for State, Justice, and Commerce show that some 100 or 101 are authorized to have meetings during the fiscal year 1950, and that the check for the expenses of these will be somewhere around \$1,650,000. These four or five mentioned here are just a few of them. There are about 250 of them altogether. I put the names in the Record 2 years ago.

Mr. MILLER of Nebraska. I thank the gentleman. I noticed on pages 25 and 26 at least 48 are listed to which we make contribution. They always get a disease called "meetitis." They meet ever so often to discuss their problems, and that all costs money. I hope the House will reject these increases and take definite steps to cut the others down.

Mr. TABER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, here we go again; the circus is on. Are we going to spend more money or are we going to use a little sense? According to this report, as the gentleman from Nebraska just told you, we are spending \$128,000,000 a year on these foreign organizations. As I understand from the hearings, the people who went through the appropriation bill said that most of those items should be cut in half. I wonder if that is not correct. The gentleman from Ohio [Mr. CLEVINGER] was on that committee. Is that not correct, that most of these organization expenses could be cut in half without hurting them much?

Mr. CLEVINGER. I should think so, and I would like to go further than that and say that I think the number might be reduced from about 250 to 50 and the others entirely dispensed with.

Mr. TABER. And then you would really be operating the Government on a progressive basis instead of a reactionary basis running further behind.

Mr. MILLER of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. MILLER of Nebraska. I want to qualify my statement, to the effect that these 48 organizations are not all the international organizations; they are the ones operating under the United Nations Organization.

Mr. TABER. Yes; but there are a lot of others besides those.

Mr. MILLER of Nebraska. About 100 more.

Mr. TABER. Yes.

We can go ahead and authorize increased expenditures that the State Department will work out and build up when it comes before the Budget and the Appropriations Committee to implement the authorizations. If we start in and open the door and add to the amount that can be appropriated instead of reducing it the way we should, we are just going to be getting more and more in trouble and in deeper and deeper. I hope the Members of the House will not vote for any more bills increasing authorizations, or we will absolutely break the United States. Is it not time for us to have a sense of responsibility, for us to feel a responsibility to the people back home to treat them honestly, to treat them fairly, and not try to build up an enormous expense here all the time? Would it not be nice if some committee could someday bring in a bill which would reduce authorizations instead of increase them all the time?

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Iowa.

Mr. GROSS. May I commend the gentleman from New York on his statement? Let me also observe that a moment ago the gentleman from Nebraska spoke of \$260,000,000,000 of Federal debt. He might well have added to that \$17,000,000,000 of municipal debt in this country and \$4,000,000,000-plus of State debt.

Mr. TABER. We can owe money, but unless the owing of that money and the paying of interest upon it makes enough of an impression upon the people of the United States so that they demand that we treat them honestly and fairly and stop fooling away their money, it is just too bad.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Minnesota.

Mr. JUDD. I appreciate the gentleman's yielding, to allow me to make clear for the record that of these 48 organizations to which we give a total of \$128,000,000 a year, \$104,000,000 of the \$128,000,000 goes to the three expensive relief operations which are temporary. The other 45 to which we make annual contributions have to do with regulation of shipping and lighthouses and international postal union and allocation of air waves and civil aviation, and other organizations to which we must belong if we are to have trade and commerce with the rest of the world. Our contributions to those 45 are less than \$25,000,000 per year, so I do not believe that it can be said that we are squandering money like

a drunken sailor when we are giving only \$25,000,000 a year to the 45 international organizations which are essential if we are to have orderly relations with the rest of the world.

Mr. TABER. A great lot of those organizations can and should function on very small amounts of money, and most of them are already very well provided for.

Mr. VORYS. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, it seems to me it would be a good idea to get our sights fixed right, let us not strain at gnats and swallow camels.

Our committee staff has gotten together, on page 25 of our report, an official list of international organizations so we can get a look at them. These are the ones covered by appropriations made or allocated to the Department of State. There are about 48 of them. They amount to about \$128,000,000, of which \$104,000,000 is for temporary United Nations organizations.

Our percentages on all 48 vary from 72.13 percent to the Pan American Union, the highest, as I see it, down to 2.04 percent for the Central Bureau for the International Map of the World on the millionth scale, an organization for which our annual contribution is \$50.

Look over this list. There are many of them that are outside the United Nations. There are 10 connected with the Western Hemisphere. There are 8 temporary ones outside the United Nations group. There are 17 others that are mostly scientific or technical in character. They are extremely worth while.

When we entered the United Nations we thought it was going to bring a peaceful world. The United Nations and its subsidiaries in this list cost about \$22,000,000. If we could double or treble our contributions to the United Nations and get a little peace so that we would not have to spend \$15,000,000,000 a year for arms and another billion dollars a year for arms aid, and further billions of dollars for economic aid for our own security, we would be making money fast, and we could reduce our budgets here at home.

But as we consider this particular bill I point out to you that the amount of increase involved is less than a million dollars for the current year, as far as appropriations are concerned. Three of the organizations involved are United Nations organizations and subsidiaries. One has to do with our inter-American relations and one has to do with our responsibilities in the South Pacific. Those are pretty legitimate organizations for us to support.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. VORYS. I yield.

Mr. KEATING. What is the organization in subparagraph (b), on page 2, where the maximum is raised from \$1,250,000 to \$2,000,000?

Mr. VORYS. That is the FAO.

Mr. KEATING. Then what is the one on page 3, subparagraph (e) 1? That is the one where the maximum is raised from \$1,091,000 to \$1,750,000.

Mr. VORYS. That is the ILO, the International Labor Organization.

Mr. KEATING. What do they do?

Mr. VORYS. The International Labor Organization was started in 1919 as a League of Nations organization. It carries on investigations for improved labor standards all over the world. None of their recommendations are adopted, except by constitutional action of the 60 member countries individually. The representation in that Organization consists of two members of government, one of management, and one of labor for each delegation. One of the things they are going to take on very shortly under the United Nations is an investigation of the Russian slave-labor camps, an investigation which will reveal to the world labor conditions which I think will dim the enthusiasm of some of those who are wavering toward the Communist way of life. That is one of the things this Organization does.

Mr. KEATING. Can they do that against the opposition of Russia?

Mr. VORYS. They will have to do the best they can. Since the WFTU, the Communist-front labor organization, has been shown up, Russia and her satellites have not been participating in the ILO. But the ILO is an official United Nations organization and is in a position to go ahead with that investigation.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. VORYS. I yield.

Mr. SMITH of Virginia. In connection with the item the gentleman is speaking of, the last item strikes out the figures of \$95,000 per annum. The effect of that is to lift entirely any restriction on the authorization for that item. May I ask the gentleman to explain why such an unprecedented provision is contained in this bill as to take off all limitation on the appropriation?

Mr. VORYS. The proposed ceiling for ILO contributions is \$1,750,000.

Mr. KEATING. The gentleman is referring to the last paragraph where the words "not to exceed \$95,000 per annum" are stricken out.

Mr. VORYS. That was the former limitation, as I understand it.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. VORYS. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. VORYS. I yield to the gentleman from Minnesota.

Mr. JUDD. That \$95,000 is a limitation in existing law on the amount that the United States may spend in sending delegates to conventions or in its own actual participation in the work of the Organization. Removing it does not remove the limitation on the United States contribution to the ILO.

Mr. SMITH of Virginia. The question I would like to have answered is why your committee should recommend the

unprecedented thing of taking the limit off of an appropriation entirely.

Mr. VORYS. The limit was not taken off for contributions.

Mr. SMITH of Virginia. Then there is something the matter with your language.

Mr. VORYS. It was raised from \$95,000 to \$1,750,000. In each case there has been a legislative ceiling put on for each of those organizations.

Mr. JUDD. If the gentleman from Virginia will look at the last paragraph on page 24, the action is explained.

Mr. SMITH of Virginia. I am looking at page 29, where the matter is set out under the Ramseyer rule, which shows the change in the law:

Such additional sums, not to exceed \$95,000 per annum, as may be necessary to pay the expenses incident to participation by the United States in the activities of the organization—

And so forth. When you strike out \$95,000, it then reads:

Such additional sums as may be necessary to pay the expenses—

And so forth. So you entirely take the lid off. I want to know why the unprecedented thing of taking the lid off of an appropriation.

Mr. JUDD. Will the gentleman yield?

Mr. VORYS. I yield.

Mr. JUDD. As that paragraph in our report says:

The existing law also sets a limit of \$95,000 on the annual cost of United States participation in the International Labor Organization; this is the only organization for which this type of limitation has been set.

Then it continues:

The sum has proved inadequate for proper representation at all International Labor Organization meetings. Expenses of travel are paid not only for United States Government representatives but also for employer and worker representatives. The increase in technical committee meetings, the scheduling of some meetings in the Far East, as well as in Europe and the Western Hemisphere, and other unpredictable factors make an estimable annual cost impossible. An additional factor, not taken into account at the time this limit was set, is the charge made by the FBI for its investigation of personnel connected with United States participation.

It was felt that the value derived from holding meetings in various parts of the world, rather than all in Geneva, more than offset the additional money required for such purposes.

Mr. VORYS. The limitation has been removed from one place and put in another. It has been increased, but in my judgment the limitation is similar for each of these organizations.

Now, I want to get a minute or so to say something on my own account.

I am happy to answer such questions as I can, but one thing I wanted to say was this: that the members of the Foreign Affairs Committee of the House have to stand for a great deal on this floor. There are not many votes in being on Foreign Affairs, because we do not authorize appropriations for particular districts or local interests or pressure groups. However, I want to say

that, insofar as I know, none of the members of the Foreign Affairs Committee ever recommended any authorizations that they felt were not in the interest of this country. I get sick and tired of having members of our committee who labor on these matters, involving our national security and the national interest of our country, criticized as if we were some sort of aliens and were unpatriotic. As far as economy is concerned, you have heard today what it would cost to carry out the recommendations that some have made here; that we pick up our marbles all over the world and come home and not spend a dime for these international organizations, and stop doing what we are doing in Japan, Germany, and Europe. Do you know what that would cost? The figure came from the former Chief of Staff who handled a rather successful war. Certainly he ought to know something about it. His estimate is that it would cost \$30,000,000,000 a year for military expenditures if we try to stand alone against Russia. Now some of you economy experts who think that we can save money ultimately by cutting out our participation in world affairs better look around and try and face your own responsibility when you criticize the patriotism of those of us who are trying for both peace and economy.

Mr. RICH. Mr. Chairman, I move to strike out the last word; not only the last word, but the whole bill.

Mr. Chairman, the gentleman from Ohio made the statement that we should get our sights fixed right. I think that is the watchword right here now: Get your sights fixed right. But I am not looking through the same sights as the gentleman from Ohio.

I am interested in trying to help foreign countries in a manner that is commensurate with our ability to help them. I want to help anybody; I have not anything against anybody either in the House or anywhere in the world; I do not hold any animosity. But I know that there are some things we can do and some things we cannot do. I do not believe in the way the gentleman from Ohio wants to handle the affairs of this Nation. Here we are a country of 150,000,000 people in a world of 2,400,000,000. Looking at this report and studying it you find that the committee through these various organizations wants the 150,000,000 people of America to carry the load of the 2,400,000,000 people of the world. I say it just cannot be done. It is foolish to think so.

Let me show you the percentages of the cost of some of these organizations that they expect us to carry: 39.89; 25; 38.79; 45.57; 72; 54.35; 51; 47; 72—these are percentages—the lion's share. I can go on down the line and show you that this 150,000,000 people are carrying the elephant's load for the whole world. How do you think we can do it? We are running in the red \$7,000,000,000 a year, yet some of these other countries have balanced budgets and a surplus in the treasury. Still you come in and ask the American taxpayers to carry the load. There is something wrong in the upper story of your anatomy when you think that way.

I remember when we started the United Nations. I was for the United Nations, but I predicted that the United Nations would fail when they refused to open their session with prayer; and you admit that they have failed. You then went into the Bretton Woods agreement and you lauded the Bretton Woods Agreement and the wonderful things it would do for people, how we would make loans, and all that. Instead of making loans to other countries you are out now making them gifts. Your whole intent and effort is to give something away that belongs to the American people. You do not think of trying to do the things that can be done on a good, sound business basis, but you run around the world giving America away. Then you came in here with the Dumbarton Oaks Conference, and how you lauded the Dumbarton Oaks Agreement and how it was going to do a great deal for the world. You want this country to run the affairs of all the other countries. You meddle in their affairs too much to suit me. I want to say to you that when this is all over and you stop giving money to these foreign countries because you can no longer give when you are broke, they will all turn against you, turn on you, and you will wonder who is your friend.

The gentleman from Ohio makes the statement that it is going to cost \$30,000,000,000 to fix up our Armed Forces because we do not go in and take the lion's share of all these organizations. I do not agree with him. He is on the wrong road to peace. I think that you are entirely wrong when you appropriate \$15,000,000,000 a year for our Armed Forces, when you spend a billion and a half dollars and more in foreign countries to arm those countries right under Stalin's nose. Suppose Stalin should come over here and arm Mexico and Cuba. You would rise up in holy horror and say: "That is no way to get peace." It is no way to get peace when we arm all of the countries of the world. You are only building up an organization here for war, and every one of you knows it. There is not one of you who does not believe that. If you do not, you want to go to a psychiatrist to look you over.

If you prepare for war, you generally get war. If we used our good offices to try to settle our differences by peaceful means, by arbitration and conciliation, we could no doubt prevent war. We would save our country and our boys. What was gained by World War II? Happiness? Peace? Good will? No; nothing but distrust, discontent, disillusion, debt, destruction, and death. Let there never be another war.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. HOFFMAN of Michigan. Mr. Chairman, I move to strike out the requisite number of words.

THE RESULT OF INTERNATIONALISM

Mr. Chairman, the gentleman from Ohio [Mr. VOYTS] generated a little heat. Apparently he does not like some of us who disagree with this foreign policy which we have been following for 10, all these many years. Of course, that is his privilege as it is also his privilege to

express his opinion, not only of our ideas but of us personally.

The gentleman spoke about the United Nations. What has the United Nations accomplished to date? What has the head of the United Nations been doing recently? He has been in Russia trying to compromise with, and conciliate Joe Stalin. Since the day in 1933 the United States recognized the Russian Government we have been in trouble.

Our foreign policy over the years has involved us in two wars. I ask you now, what have we won? I remember very well when we were told that the British Navy was our defense. There is now no British Navy.

We are now told our first line of defense is in Europe—but under Acheson we need some in the East—in China.

What about this armament program that the gentleman from Ohio talks about and this foreign policy of ours, giving to all the other nations on the theory that they will help us in time of war? Does the gentleman deep down in his heart believe any one of those nations which is receiving our money, our military aid, will help us if war comes? I wonder whether the gentleman, I repeat, deep down in his heart honestly and sincerely believes any one of them would go to war and fight if the United States and Russia became involved. There have been plenty of statements in the press from informed sources that if war with Russia came we would have to fight it alone.

He talks about the cost of defense. How does anyone know it will cost \$30,000,000,000? I do not know where he got that figure. Nor has he any assurance that our foreign policy will prevent war, give us peace.

Do you know how much World War I cost us, not in money or property, for I care not so much about that? We can recover from a financial depression. But how much did it cost us in suffering, in blood, in the death of young men and women?

What did World War II cost us in the same terms? Have you ever figured it out? What will be our future bill for the veterans we are under deepest obligation to aid?

As the gentleman from Pennsylvania asked, how long do you think 150 or 160 million people can support the rest of the world? The gentleman from Minnesota [Mr. JUMP] told us here earlier in the day that the debt we have now amounts to about \$1,700 for each man, woman, and child. Has anyone told us how many men, women, and children cannot, will not, pay 1 cent of that debt and what the proportion is that the workers of America, those of us who have earned a dollar, who have saved a dollar, who have earned dollars by getting down in the dirt or working in the factory, mill, or mine, must pay?

I get tired, too, sometimes. I can take criticism and the gentleman should take it. The man who cannot take criticism should get out of Congress. He has no business here, because that is what our lot will always be. How much money now, I ask, have all these advocates of this giving or spending taken from our people who work? How much

have those people earned by honest labor, their sweat, their callouses on their hands? How much? Altogether too many of them have calluses from loafing in swivel leather-cushioned chairs in air-cooled offices. They can sit around and tell people how to spend their money, and they can aid in giving away the hard-earned dollars of our people, but they did very little either to create wealth or to practice thrift. What have we got now out of the policy we have been following? What is the present situation? Five years after the second World War ended, after the fighting ended, what have we? Have we liberty and freedom in America? Oh, no. They are clamping down even on the Members of Congress trying to restrict their rights to express their opinions given to them under the Constitution. What have we accomplished abroad? Is there peace in the world? Our young men and our young women and the people working at home won the war. The politicians and the American internationalists lost the peace and the victory won through suffering and death. What have we now? A national debt about to bankrupt us and the threat of another war. That is the result of your foreign policy, of the policy of the internationalists—not of the isolationists.

The CHAIRMAN. Under the rule, the Committee rises.

Mr. JUDD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. JUDD. I understand that this concludes debate on the resolution and the vote will be put over until tomorrow.

The CHAIRMAN. That will be determined in the House. The Chairman has no information as to that.

Mr. MARTIN of Massachusetts. I may say that the understanding is, as far as I know, there will be no vote today. The majority leader was obliged to go to the White House for a conference.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HOLIFIELD, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the resolution (H. J. Res. 334) to amend certain laws providing for membership and participation by the United States in certain international organizations, pursuant to House Resolution 350, he reported the resolution back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

Mr. MANSFIELD. Mr. Speaker, I ask unanimous consent that the further consideration of House Joint Resolution 334 be postponed until tomorrow.

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

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, a parliamentary inquiry?

The SPEAKER. The gentleman will state it.

Mr. BROWN of Ohio. It is my understanding that under the unanimous-consent request made by the gentleman

from Montana, this measure will be the first order of business tomorrow.

The SPEAKER. That is correct.

Mr. KEE. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days in which to extend their remarks on House Joint Resolution 334.

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

There was no objection.

EXTENSION OF REMARKS

Mr. PERKINS (at the request of Mr. CHELF) was given permission to extend his remarks.

Mr. BOYKIN asked and was given permission to extend his remarks.

Mr. O'SULLIVAN asked and was given permission to extend his remarks and include extraneous matter.

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks in two instances and include extraneous matter.

Mr. JENISON asked and was given permission to extend his remarks and include an editorial.

SPECIAL ORDER

The SPEAKER. Under previous order of the House, the gentleman from Michigan [Mr. HOFFMAN] is recognized for 20 minutes.

(Mr. HOFFMAN of Michigan asked and was given permission to revise and extend his remarks and include newspaper comments and other documents.)

FREE SPEECH, A FREE PRESS, THE RIGHT TO PETITION, OR THE GAG AND A DICTATOR

Mr. HOFFMAN of Michigan. Mr. Speaker, the liberty of the citizen, the security of the Nation, cannot be preserved if freedom of speech, a free press, the right to petition the Congress, is denied or impaired.

The representative, republican form of Government which was given us by the founding fathers in the Declaration of Independence, the Constitution and the Bill of Rights, cannot exist if a President or a political party or one branch of the Federal Government can by either force or through fear stifle criticism.

Equally true is it that the freedom of the citizen, the security of the Republic, can be undermined and destroyed through the influence of secret, powerful, continuous propaganda, the result of which is to destroy the effectiveness of legislation.

Hence it was that the Congress, alarmed by the fear that pressure groups, through propaganda, were exerting a strong and improper effect upon the legislative process, enacted the Federal Regulation of Lobbying Act—title III of the Legislative Reorganization Act of 1946, Public 601 of the Seventy-ninth Congress, August 2, 1946, chapter 753, title 3, section 303; Sixtieth Statutes, page 840; Second United States Code, chapter 8, section 261.

REGULATION OF LOBBYING ACT DOES NOT DEFINE LOBBYING

Strange as it may seem, the act does not define lobbying.

It provides for the keeping of detailed accounts of contributions made for the purpose of lobbying.

The act provides for the filing with the Clerk of the House, between the first and tenth day of each calendar quarter, of a statement containing detailed information of the activities of the lobbyist.

Section 307, being section 266 of title 2 of the code, designates the persons to whom the lobbying act is applicable as follows:

THE ACT PUNISHES ANYONE WHO COLLECTS OR RECEIVES MONEY OR VALUABLE THING IN AN ATTEMPT TO INFLUENCE LEGISLATION

SEC. 266. Persons to whom chapter is applicable:

The provisions of this chapter shall apply to any person (except a political committee as defined in chapter 8 of this title, and duly organized State or local committees of a political party), who by himself, or through any agent or employee or other persons in any manner whatsoever, directly or indirectly, solicits, collects, or receives money or any other thing of value to be used principally to aid, or the principal purpose of which person is to aid, in the accomplishment of any of the following purposes:

(a) The passage or defeat of any legislation by the Congress of the United States.

(b) To influence, directly or indirectly, the passage or defeat of any legislation by the Congress of the United States. (Aug. 2, 1946, ch. 753, title III, sec. 307, 60 Stat. 841.)

The succeeding section, section 308, being section 267 of title 2 of the code, requiring the registration of lobbyists with the Secretary of the Senate and Clerk of the House, provides that—

SEC. 267. (a) Any person who shall engage himself for pay or for any consideration for the purpose of attempting to influence the passage or defeat of any legislation by the Congress of the United States shall, before doing anything in furtherance of such object, register with the Clerk of the House of Representatives and the Secretary of the Senate and shall give to those officers in writing and under oath, his name and business address, the name and address of the person by whom he is employed, and in whose interest he appears or works, the duration of such employment, how much he is paid and is to receive, by whom he is paid or is to be paid, how much he is to be paid for expenses, and what expenses are to be included. Each such person so registering shall, between the 1st and 10th day of each calendar quarter, so long as his activity continues, file with the Clerk, and Secretary a detailed report under oath of all money received and expended by him during the preceding calendar quarter in carrying on his work; to whom paid; for what purposes; and the names of any papers, periodicals, magazines, or other publications in which he has caused to be published any articles or editorials; and the proposed legislation he is employed to support or oppose. The provisions of this section shall not apply to any person who merely appears before a committee of the Congress of the United States in support of or opposition to legislation; nor to any public official acting in his official capacity; nor in the case of any newspaper or other regularly published periodical (including any individual who owns, publishes, or is employed by any such newspaper or periodical) which in the ordinary course of business publishes news items, editorials, or other comments, or paid advertisements, which directly or indirectly urge the passage or defeat of legislation, if such newspaper, periodical, or individual, engages in no further or other

activities in connection with the passage or defeat of such legislation, other than to appear before a committee of the Congress of the United States in support of or in opposition to such legislation.

Section 311, being section 270 of title 2 of the code, exempts from the Lobbying Act the practices and activities which are regulated by the Federal Corrupt Practices Act—Second United States Code, chapter 8, section 241.

DISCUSSION OF THE LOBBYING ACT IN YALE LAW JOURNAL

Discussions of the Lobbying Act will be found in the January 1947 issue of the Yale Law Journal, volume 56:

In a world in which the center of political gravity is shifting from legislature to executive the Legislative Reorganization Act of 1946¹ represents an attempt by Congress to reassess and strengthen its position as an integral part of representative government. Congress has recognized the need for reorganizing and streamlining the decision-making process if it is to recapture its position as the dominant policy determining branch of Government. Reformation of the standing committees, increased use of governmental experts, higher salaries for Members, prohibition of private legislation, regulation of lobbying activities are all methods of improving the intelligence function of Government so as to increase the probability of rational legislative decision.

The provisions of the act which regulate lobbying are, therefore, to be regarded as one element in a larger scheme to improve present political processes. Democratic political theory assumes that rational decision can best be reached after hearing and evaluating the interests of the component members of society. These interests are in theory expressed by individuals through the medium of their elected representatives in the legislature. Election of these representatives on a geographical basis overlooks the fact that individuals identify their interests not only with a State or political subdivision, but more importantly with a business, economic, social, or fraternal group. Technological advances in communications and transportation have facilitated group interests which are no longer confined within political boundaries. The failure of the Constitution to provide for group representation, the decline of the political party as a promoter of opinion and policy, the intrusion of government into virtually all fields of economic activity, and the increasing complexity of modern legislative problems have led to the development of a powerful extralegal machinery for achieving group aims. Today legislation is the result of a compromise between these conflicting group interests, but survival of geographical representation largely obscures the functional basis for legislative action.

Two groups have advanced remedies designed to reconcile the existing fact situation with political theory. The first seeks a means by which group interests can be fitted into the formal pattern of government, a system of functional representation as a substitute for, or supplement to, existing political institutions. On the other hand, a second group regards the problem of representation as subordinate to a rationalization of the whole legislative process. Their emphasis is upon administrative efficiency, extension of Federal research and information services, increased governmental planning, and bringing lobbying activities into the open. It is this view which Congress has espoused in the Reorganization Act.

¹ Public Law 601, 79th Cong., 2d sess. (Aug. 2, 1946), title III.

THE PROBLEM

If lobbying is defined in its broadest terms as an attempt by individuals or groups to influence governmental decision, it is apparent that in some form it inheres in all government. American history is full of examples of legislation passed at the instance of and for the benefit of special interests. But lobbying today is both qualitatively and quantitatively a different problem from lobbying in the past. Whereas the old-style lobby, confined almost entirely to representatives of business interests, operated secretly and depended for its success upon personal solicitation of legislators, often accompanied by corruption; such methods are largely obsolete today. Modern lobbyists, or legislative agents, act on behalf of almost every conceivable business, economic, and social group, generally operated openly and frankly, and rely upon public opinion, real or stimulated, through judicious use of publicity and propaganda, to compel legislative action. * * *

Pressure groups with large memberships are an effective threat to an elective officeholder through the votes they control and the large segment of public opinion they represent; those with a smaller popular base can secure legislative consideration of their proposals only by stimulating or feigning public approbation.

Legislative investigations aimed at disclosing the extent of lobbying practices bear striking testimony to the effectiveness of utilization of mass channels of propaganda provided by the newspaper, the radio, the school, the theater, and the church. Pressure can be brought on legislators by publicity campaigns designed to prompt constituents, within or without the pressure group, to bring influence to bear by writing letters or sending telegrams, at election dates, candidates, regardless of party affiliation, considered favorably disposed toward group interests can be supported by the organization; or public opinion can be skillfully molded to identify the public interest with legislation favored by the group. * * *

Even if no practical or constitutional difficulties were encountered, few observers today would advocate the abolition of pressure groups or forbid the activities of lobbyists. In addition to providing an unofficial form of functional representation, pressure-group activities which publicize the legislative process, focus attention upon the voting records of Congressmen, and keep the public informed as to the content and significance of legislative proposals are desirable in a democracy. The expert analysis of bills made by the competent lobbyist before congressional committees, and the link he provides between legislators and a large segment of the public, may well improve the quality of legislative decision. While the larger and more cohesive the interest represented the more justification can be found for its activities, it remains true that the smallest minority has a right to be heard. It is hopeless to classify lobbies in terms of "good" or "bad," i. e., those which concern themselves with what they conceive to be the public welfare and those which work for the direct interests, usually economic, of their membership. All lobbies identify their interests with those of the general public and may, in particular situations, be justified in doing so. The danger to rational legislative decision lies not from hearing the claims of organized groups, but from inability to determine when those claims legitimately represent the welfare of the general public. This difficulty stems from the ignorance of legislators amidst the growing complexity of governmental functions, the unequal power of pressure groups, and the abuses which have survived the old lobby or arisen in the new lobby.

The evils disclosed by legislative investigations of lobbying fall roughly into two categories: (1) Activities which leave the public and legislators with inadequate or unbalanced information on which to make decisions; and (2) activities which coerce or corrupt legislators.

Pressure-group propaganda aimed primarily at influencing the public is often characterized by misrepresentation or distortion of fact, made more effective by concealment of source. When the source of a statement is undisclosed, or appears nonpartisan, legislators and the public, ignorant of motivation, cannot evaluate possible bias. Special interests have often created a favorable climate of opinion by such questionable practices as controlling newspaper editorial policy by placement or withdrawal of advertising; sending "canned copy" to country presses; hiring radio commentators and columnists to express favorable views, educators to write textbooks, and speakers to address clubs, schools, and churches without revelation of the contract of employment.

While most lobbyists openly admit their affiliations, many are prone to exaggerate the size and cohesion of their membership and sometimes work for interests other than those they claim to represent. Oftentimes one group will serve as a "front" for another, disguising the partisan nature of the views it advocates, some lobbies of this type exist on paper only. The forces of group opinion can be magnified by instigation of letters, telegrams, and phone calls to Congressmen which, though the sole creation of a special interest group, create a false impression of opinion in the legislator's home district.

Activities which coerce or corrupt Congressmen are a hangover from the old lobby, and, though of lesser importance, are occasionally resorted to. Included in this category are such crude devices as bribery, threats, and promises of financial security, as well as the subtler techniques of social pressure. (1947 Yale Law Journal, vol. 56, pp. 304-311.)

Section 305 (a) provides that "Every person receiving any contributions or expending any money" to influence legislation must file a detailed statement every calendar quarter with the Clerk of the House. The term "person" again is defined to include any individual or group of persons, corporation, partnership, or association, but excludes anyone registering under the Corrupt Practices Act.

As in the case of individual lobbyists, the provisions of section 305 are limited by section 307. Thus construed, only those organizations which solicit money or receive contributions principally to aid in the influencing of legislation, or those receiving or expending money whose principal purpose is to influence, directly or indirectly, legislation, must register. Obviously, the efficacy of the provision hinges on judicial interpretation of the word "principal."

Past congressional investigations have disclosed the fact that the most important pressure groups today are the National Association of Manufacturers, the chamber of commerce, the A. F. of L., the CIO, various trade and professional associations, labor groups, farm associations, and veterans' organizations. All of these special interests could argue that their principal activity is dissemination of information within the group for business or social purposes, trade promotion, or research, and that their lobbying activities, however extensive, are not the principal purpose of the organization. Such an interpretation would completely emasculate the act; almost no group which exercises a substantial influence over public or legislative opinion would be required to register. Groups spending hundreds of thousands of dollars in propaganda activities would be exempt from reporting such expenditures, while

other groups spending only insignificant sums would have to submit detailed accounts.

Despite the fact that a literal interpretation of "principal" makes little sense in the light of the factual situation, a strong argument to support this view can be made from the legislative history of section 307. The Smith bill, from which the section was copied almost verbatim, originally used the phraseology "in whole or in part," and its sponsor substituted the word "principally" when the breadth of the former provision was brought to his attention. When asked whether labor and fraternal organizations would have to register, Representative SMITH replied in the negative. He stated that the provision was intended to exclude many large organizations with thousands and millions of members who spent only a minor part of their funds influencing legislation.

In debate on the instant act it was stated that the groups which were included in this section were "those whose principal purpose, not incidental purpose" was "to influence the passage of legislation." Juxtaposition of the words "principal" and "incidental" indicates that all purposes of an organization which are not "incidental" are in the category covered by the act, suggesting a much broader meaning of the word "principal" than it might be given if taken alone.

A classification of activities which only incidentally influence legislation can be found in cases construing provisions of the Internal Revenue Code. Tax exemption is provided for gifts to charitable and educational organizations "no substantial part of the activities of which is * * * attempting to influence legislation." The test imposed by the courts has been whether or not the political activity is incidental to the main purposes of the organization, and relevant criteria include its stated purpose as determined by the article of association, the amount expended in political activities as contrasted with other business, the presence or absence of a political program, and the controversial nature of the propaganda promulgated. Under these rules gifts to trade associations, labor unions, professional groups, and social reform organizations have been deemed taxable. Although the analogy of the instant problem to taxation is far from perfect, neither the classification of groups nor the criteria imposed seem entirely inapposite.

If a test case should bring section 307 before the courts for judicial construction, any one of three results is possible. The court could construe "principal" narrowly to mean "primary," "chief," or "most important." Although this interpretation would exempt most pressure groups and vitiate the act, it would, nevertheless, have the support of Representative SMITH's remarks, coupled with legal dogma requiring a strict construction of criminal statutes. * * *

An interpretation of "principal" to mean "substantial," or any activity not purely incidental, would overcome most of the objections to which the narrowed construction is subject and has already proved workable in tax cases. (Yale Law Journal, 1947, vol. 56, pp. 321-324.)

CONCLUSION

It is probable that the Lobbying Act will prove largely ineffective. The loopholes provided by the "principal" requirement, the incompleteness of the information required to be filed, the lack of an adequate enforcement agency, and the weakness of the publicity provisions may combine to make the act as dead a law as similar State statutes.

Congress has recognized the need for regulating pressure group activities. It has seen the solution not as prohibition of an undesirable practice but as an adaptation of present imperfect mechanisms for expressing

group opinion into a political pattern which will utilize this opinion to improve the decision-making process. It is to be hoped that this growing realization of the problem will lead Congress to amend the present act to effectuate more nearly the congressional purpose. (The Yale Law Journal, vol. 56: 304, pp. 331-332.)

Reference to the conclusions of the writer in the Columbia Law Review, 1947, are similar to those reached by the writer of the article in the Yale Law Journal:

CONCLUSION

Those who attempt to influence the passage or defeat of legislation fall into three classes: (1) The organized pressure group, (2) the paid lobbyist, and (3) the citizen who expresses his individual opinion. It seems unnecessary, and perhaps undesirable, to regulate the third class. Elimination of the undesirable aspects of lobbying by the first two groups may best be accomplished by publicizing their activities. Apparently the most feasible distinction between those who are to be regulated and those who are not is to be drawn in terms of the amount of money expended to influence legislation. In these respects the Federal Regulation of Lobbying Act is theoretically sound, and its accounting and registration provisions would serve to accomplish its purpose if the act were more precisely phrased.

But the act was neither carefully drafted nor fully considered. Its ambiguous terms encourage evasion, and in providing for enforcement Congress has failed to draw upon the experience of the States in dealing with this problem. Their experience indicates that the regular law-enforcement agencies are not adapted to handling the peculiarly specialized duties involved in regulation of lobbying. Whether enforcement is best accomplished by the establishment of a permanent legislative committee for that purpose is immaterial, provided some agency is given the sole duty of enforcing the act. Effective regulation of lobbying requires correction of the faults of the act. (Columbia Law Review, vol. 47, pp. 108-109.)

RESOLUTION AUTHORIZING INVESTIGATION BY HOUSE LOBBYING COMMITTEE

That it might, to some extent at least, be informed of the propaganda, the sources from which it came and the motives back of it, the Congress has in the past authorized committees of both Houses to hold hearings, make investigations, and to report back to the Congress the result of those hearings.

The most recent attempt of the House along this line is House Resolution 298 of the Eighty-first Congress, first session, adopted August 12, 1949, which created a committee of seven, which was "authorized and directed to conduct a study and investigation of, first, all lobbying activities intended to influence, encourage, promote, or retard legislation; and, second, all activities of agencies of the Federal Government intended to influence, encourage, promote, or retard legislation."

The committee was given the usual investigatory powers.

At the first meeting of the committee, which was held on March 27, 1950, the chairman, the gentleman from Pennsylvania [Mr. BUCHANAN], among other things, said:

When the Eighty-first Congress decided to take another look at the lobbying problem, the assignment given this committee was unlimited in scope.

It is almost impossible to investigate all pressure groups and governmental lobbying in the limited time and with the appropriation available. We can, however, investigate broadly and report generally on the forms which lobbying has taken in the 3½ years of the existence of the Federal Regulation of Lobbying Act of 1946.

This act is a very significant and important forward step, pioneering in a field in which the Congress has always been vitally concerned. The Congress never before had the kind of information which is now available to us under the terms of this act. The present act does not regulate lobbying. It merely requires registration and a detailed account of contributions and expenditures. We have been able to make a detailed study and survey of the forms, and of the material and information furnished on these forms, some of which are very abbreviated and others more complete.

The word "lobbying" has developed unfavorable connotations over the years. One reason for that may be that most congressional investigations of lobbying activities in the past were designed to show up fraud or corruption or sinister or evil practices. I personally look upon lobbying as necessary and essential. While lobbying in itself is not an evil, there are evils in lobbying.

We must keep before us at all times the spirit and letter of the first amendment to the Constitution of the United States, wherein the right of petition is expressed:

"Congress shall make no law * * * abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for redress of grievances."

NECESSITY OF DISTINGUISHING BETWEEN FREE SPEECH, FREE PRESS, RIGHT TO PETITION, AND ILLEGAL LOBBYING

The committee is at the outset confronted by a most difficult problem. The most painstaking care and soundest judgment must be used if the result of its action is to be constructive, rather than destructive.

If the result of the committee's action is to silence critics of the party in power, of governmental or administrative policy and practices; to silence critics of attempts, direct or indirect, by propaganda or political pressure to ignore or run counter to the principles upon which our Government is founded; if the committee, through its staff or those working with it, creates an atmosphere of fear, intimidates, makes silent, all critics of the administration, of governmental policy, of corruption in office, of individuals who are disloyal, then the committee will not only have failed of the purpose for which it was created, but it will have contributed to the establishment of a dictatorship and the always resulting tyranny.

If the committee, its staff or those working with it, lends itself to those individuals or those organizations which do not believe in our form of government, which advocate a surrender of our sovereignty and independence, which stir up and encourage class conflict, then it will find itself in the same position as those who would by force destroy the citizen's freedom, the security of the Republic.

The committee's first task, and perhaps the most difficult one, would seem

to be to accurately define the line of demarcation between free speech, a free press, the right to petition, and the use of propaganda, the application of pressure, by individuals or organizations using vast sums of money to corruptly influence the enactment, or the enforcement, of the laws of the land.

Under the resolution, one of the duties of the committee is to conduct a study and investigation of all lobbying activities intended to influence, encourage, promote, or retard legislation.

In my humble judgment, the first task confronting the committee would be to obtain, no matter how difficult the task, an accurate definition of lobbying.

The committee should then confine its activities to lobbying which is improper or unlawful, strictly avoid even the appearance of interfering with free speech, a free press, the right to petition the Congress.

It is extremely difficult, in view of the record, to understand the contradictory statements of the chairman of the committee, the gentleman from Pennsylvania [Mr. BUCHANAN].

UNSUCCESSFUL ATTEMPT FROM THE FLOOR TO OBTAIN FROM BUCHANAN DEFINITION OF "LOBBYING"

On Thursday, June 15, 1950, when an attempt was made to obtain from the chairman a definition of lobbying, the following occurred—CONGRESSIONAL RECORD, pages 8691-8693:

Mr. HOFFMAN of Michigan. The thing that is troubling me is to learn what constitutes lobbying within the meaning of the act creating the lobbying committee.

It has been the belief of many of us for some time at least that lobbying was a specialized activity, that a lobbyist was one who advocated the passage or the rejection of legislation, one who engaged in persuasion for hire—the purpose being to influence legislation.

Now it seems that lobbying—at least I gather that the committee accepts this view—that a man is a lobbyist if he attempts to influence legislation, no matter what purpose motivates him. Am I right? I ask the gentleman from Pennsylvania [Mr. BUCHANAN] is that the fact?

Mr. BUCHANAN. I may say that the Committee on Lobbying has come to no conclusion as to any definition of the word lobbying.

Mr. HOFFMAN of Michigan. It would seem to me that the first thing the committee should do—I hesitate even to offer a suggestion—that the first thing the committee should do would be to get a definition of lobbying. Can the gentleman tell me what he considers lobbying to be? Can he give me some definition?

Mr. BUCHANAN. I would remind the gentleman from Michigan that ours is an investigating committee, not a legislative committee; that the definition of the word "lobbying" comes within the realm of the proper legislative committee of the House; it is up to them to define the term and to make their recommendation.

Mr. HOFFMAN of Michigan. With all due respect, if the chairman of the committee investigating lobbying cannot give me a definition of lobbying, I cannot see how he is going to get very far. How can a committee investigate lobbying if it does not know what it is looking for, if it does not know the definition of lobbying?

Mr. PHILLIPS of California. I came in when a statement was being made by the gentleman from Pennsylvania in which I understood him to say that the committee had

not yet determined what lobbying was. Am I correct in that?

Mr. HOFFMAN of Michigan. That is correct.

Mr. PHILLIPS of California. Do you mean the committee does not know what lobbying is?

Mr. HOFFMAN of Michigan. I asked the chairman, the gentleman from Pennsylvania [Mr. BUCHANAN] if he knew what lobbying was, and he said he had not made up his mind. He sits here now, and if he wants to give a definition of lobbying, I will be glad to have it, and I think the Members of the House and the people of the country would be glad to know what he is trying to investigate.

Mr. PHILLIPS of California. How can you investigate something if you do not know what it is?

Mr. HOFFMAN of Michigan. Well, ask him. Mr. BUCHANAN. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield to the gentleman from Pennsylvania.

Mr. BUCHANAN. I might say that in the present Lobbying Act there is no definition, and I do not feel that it is within the realm of the investigating committee to state at this stage of the game and set up any definition of the term lobbying.

BUCHANAN'S LAPSE OF MEMORY AND INCONSISTENT STATEMENTS RELATING TO DEFINITION OF "LOBBYING"

If the replies of the chairman of the committee, the gentleman from Pennsylvania [Mr. BUCHANAN], made on the floor mean anything at all, the meaning is that he had not attempted to obtain for the use of the committee, and that he did not have in mind, any definition of lobbying. Note his statement last above quoted:

Mr. BUCHANAN. I might say that in the present Lobbying Act there is no definition.

That statement is correct. The gentleman then continued:

And I do not feel that it is within the realm of the investigating committee to state at this stage of the game and set up any definition of the term "lobbying."

BUCHANAN'S DEFINITIONS OF "LOBBYING"

Permit me now, without in any way being critical, to quote from pages 6 and 7 of part 1 of the hearings before the gentleman's committee, held on the 27th day of March 1950. The following is from the statement of the chairman:

As our resolution states, we are to investigate "all lobbying activities."

Before calling on our first witness I want to read a few definitions of the term "lobbying." I am indebted for these to Dr. George B. Galloway, senior specialist in American Government for the Legislative Reference Service of the Library of Congress—and, incidentally, one of our witnesses here tomorrow morning—for some definitions of the term. Many of the definitions he has supplied us are taken from laws intended to regulate lobbyists in one way or another. I shall save those for tomorrow when they become more relevant to the subject matter of the hearing.

But some of the definitions are general, and I will read a few:

From Webster's New International Dictionary: "To address or solicit members of a legislative body in the lobby or elsewhere, as before a committee, with intent to influence legislation."

From the report of the House Investigating Committee of 1933: "The activity of a person or body of persons seeking to influence Congress in any way whatsoever."

According to Senator Thomas, of Colorado, in 1913, lobbying is "any effort to substitute for the public interest a private interest.

The lobbyist," he said, is "a man who tries to induce the legislator to forget temporarily all the people and to do something that will promote the fortunes of a single citizen or a group of citizens."

The laws of Georgia of 1923 defined it as "personal solicitation not addressed solely to the judgment of the legislators."

And, along the same lines, Wolff's Statutes (La.), 1920, defined it as "an attempt to influence the action of a member of the legislature by any method other than appealing to his reason."

For some of those definitions one might find wide disagreement.

The final definition I will read today comes from the Yale Law Journal of January 1947, wherein lobbying is described as "any attempt by individuals or groups to influence governmental decision."

The last one is, in my opinion, the one we should follow in our investigation. It is as broad in its scope as our own investigation.

Again, if the foregoing means anything at all, it means that the committee, through the chairman, early in the hearings had and adopted a definition of lobbying.

What, then, did the chairman of the committee mean, in answer to my question from the well of the House on June 15—CONGRESSIONAL RECORD, page 8691—when he said, and I quote:

Mr. BUCHANAN. I may say that the Committee on Lobbying has come to no conclusion as to any definition of the word "lobbying."

One conclusion which might be put upon his contradictory remarks would be that when, on June 15, he was asked for a definition of lobbying he had completely forgotten his own statement made at the committee's first hearing.

LEGAL DEFINITIONS OF LOBBYING

There are other definitions of lobbying:

Lobby: As a noun, a passage or hall of communication, especially when large enough to serve also as a waiting room, etc., as in the British House of Commons and in the capitols of the United States.

Lobbying: The term "lobbying" has a well-defined meaning in this country, and signifies to address or solicit members of a legislative body in the reception hall or elsewhere with the purpose of influencing their votes. Presentation by argument in a public and legitimate manner the injurious effect proposed legislation will have on a particular business does not constitute lobbying.

Lobby member: A person who frequents the lobby of a house of legislation for the purpose of influencing measures.

Lobby services: A term generally defined to mean the use of personal solicitation, the exercise of personal influence, and improper or corrupt methods, whereby legislative or official action is to be the product.

Lobbyist: One who frequents the lobby or the precincts of a legislature or other deliberative assembly with the view of influencing the views of its members. Sometimes the term is defined as a person who hangs around legislators and solicits them for the purpose of influencing legislation. (54 C. J. S., pp. 659-660.)

There have been many attempts to distinguish between conduct and propaganda which is lawful and proper, an exercise of the right of free speech, a free press, the right to petition the Congress, and efforts to influence legislation through improper, corrupt, or illegal means.

Space and time do not permit an exhaustive discussion of the subject, but a footnote carries brief excerpts from some of the authorities, which aid in drawing a distinction between legal and illegal activities which tend to influence governmental action:

The law will not lend its aid to the enforcement of any agreement which expressly or impliedly contemplates the employment of corrupt or otherwise improper methods to influence the official conduct of legislators or others charged with public duty. But it does not forbid all efforts of interested persons or classes to secure the adoption of desired legislative measures. The courts do not condemn the attempts to secure legislation for legitimate purposes and in a legitimate manner. A person may contract to appear before the legislature to present, openly and fairly, the merits of a proposed claim or to urge the passage of a bill, and provided he openly acknowledges his interest in the measure, and does not resort to any questionable and unfair methods in urging the consideration of the subject matter in which he is interested, a recovery may be had on such contract. Thus, an agreement to render proper professional services, for example, the professional services of an attorney, is not illegal. Although it has been said that if a layman engages to procure or aids in obtaining the passage of a bill, he necessarily contracts for lobby services, this statement appears to be too broad. Where the services to be rendered are of a legitimate nature, the fact that the person employed is not a member of the legal profession would seem to make no difference, at least where it appears that the services require special knowledge and training and that the person who is to render them has qualified himself to do so. * * *

The fact that the agreement contemplates the use of money does not necessarily render it void. The use of money to influence legislation is not always wrong. Whether its use is wrong depends altogether upon the manner of its use. If it is used directly in bribing or indirectly in working up a personal influence upon individual members by means well known to lobbyists, which aim to secure a member's vote without reference to his judgment, then it is illegal. If, however, it is to be used for the publication of circulars or pamphlets or otherwise for the collection or distribution of information openly and publicly among the members of the legislature, there is nothing objectionable or improper.

As the law does not presume that a person intends to violate its provisions, the general principle controlling the construction of an agreement to influence legislation when the agreement itself does not in terms stipulate for improper means seems to be that it will be upheld, unless the use of such means appears by necessary implication. The test is, Does the contract, by its terms or by necessary implication, require the performance of acts which are of a corrupt character or which have a corrupting tendency? This test has, however, not been applied in the case of agreements to influence legislation by withdrawing opposition to legislative action. Such agreements have been declared to be against public policy.

Personal influence or solicitation: The distinction between valid and invalid agreements to further legislation appears to be that in the former the services or the results thereof are used, or designed to be used, either before the legislature itself or some committee thereof as a body, while in the latter a person is employed to exert his personal influence, whether great or little, with individual members, or to labor privately in any form with them, out of the legislative halls, in favor of or against any act or subject of legislation. The cases are in general accord in holding that all agreements stipulating for the performance of lobbying serv-

ices, in the sense of exerting private or personal influence with members of the legislature, or in interviewing or bringing pressure to bear on them, outside of the legislative halls, or which by their terms imply that such services are to be rendered, are void as contrary to sound legislation and public policy. (12 American Journal, chs. 203-204, pp. 703-706.)

But back to the record and the chairman of the committee.

From page 7 of part 1 of the hearings held by the gentleman's committee, permit me to again quote him. Referring to the definitions which he had read, the chairman said:

For some of those definitions, one might find wide disagreement.

The final definition I will read today comes from the Yale Law Journal of January 1947, wherein lobbying is described as "any attempt by individuals or groups to influence governmental decision."

The last one is, in my opinion, the one we should follow in our investigation. It is as broad in its scope as our own investigation.

When the chairman read from the Yale Law Journal of January 1947, the definition of "lobbying" which, in his opinion, was the one which the committee should follow, he inadvertently misquoted the Journal.

The statement from the Journal which the gentleman apparently was attempting to follow reads as follows:

If lobbying is defined in its broadest terms as any attempt by individuals or groups to influence governmental decision, it is apparent that in some form it inheres in all government. (56 Yale Law Journal, pp. 304, 306 (for 1947).)²

Mr. Speaker, that cannot be the meaning of the term "lobbying activities" which the committee was authorized to make. If it were, then the committee would have the power to modify, to qualify, the right of free speech, a free press, to petition the Congress.

This it could accomplish by requiring one who exercised any or all of those rights to appear before it and give an account of all the means which enabled him to exercise that right.

The committee, by its actions in requiring detailed information as to how and from whom one received the funds which enabled him to speak, write, or petition the Congress freely, would be attaching a penalty to the exercise of that right.

If one, under the Constitution, has the right to speak freely, the Congress is without power, so long as the right is exercised in such a manner as not to interfere with the national welfare or the

²In general see Blaisdell, TNEC report, Economic Power and Political Pressure, Monograph No. 26 (1941); Chase, Democracy Under Pressure (1945); Crawford, The Pressure Boys (1939); Herring, Group Representation Before Congress (1929); Lobby, 9 Encyc. Soc. Sciences 565 (1933); Boeckel, Regulation of Congressional Lobbies (1928) 1st ed., Res. Rep. 207; Brewer, Congressional Lobbying (1946) 1 id. 317; Logan, Lobbying (1929) 144 The Annals (July supp.); Pressure Groups and Propaganda (1935) 179 id., passim. More specialized studies which throw light on the pressure-group problem are Schattschneider, Politics, Pressures, and the Tariff (1935), and Zeller, Pressure Politics in New York (1937).

rights of other citizens, to adopt any legislation which in the slightest degree limits that right.

HOFFMAN'S DEFINITION OF "LOBBYING"

In my own humble judgment, lobbying which the Congress under the Constitution has the power to regulate, which the Congress by the adoption of title III of Public Law 601, Seventy-ninth Congress, intended to regulate, might be defined in this way:

Any attempt—other than through the presentation of facts, expressions of opinion labeled as such, or appeals to reason—by individuals or groups, through pressure, political or economic, the offer of reward or the threat of punishment, or the use of money, to influence the enactment or administration of legislation or any governmental activity, is hereby declared to be illegal lobbying.

Or, phrasing it in another way:

Illegal lobbying is any attempt—other than through the presentation of facts, expressions of opinion labeled as such, or appeals to reason—by individuals or groups, through pressure, political or economic, the offer of reward or threat of punishment, to influence the enactment or administration of legislation or governmental activities.

QUERY AS TO PURPOSE OF LOBBYING COMMITTEE'S STAFF, I. E., "WORKING ONE SIDE OF THE STREET"

From the well of the House on the 15th, I raised the issue as to whether the staff of the House Select Committee on Lobbying Activities, in its study and investigation, was engaged in an effort to ascertain the individuals or organizations who were engaged in improper or illegal lobbying, the purpose of such lobbying and the methods used; or whether there was justification for the thought that the staff was itself engaged in propagandizing for administration policies, left-wing activities, and in an effort to suppress critics of policies or principles to which the staff adheres, critics of the administration, those who were attempting to expose Communists.

Some doubts as to the intentions of some members of the committee staff were raised in my mind by what at the time seemed to be a one-sided inquiry and search for information, and by the attempt of some member of the committee's staff to publicize, without authority, the circulation by Congressmen of frankable material.

There seems to be evidence that staff members were engaged in what was referred to as "working one side of the street."

First, "As to working one side of the street": On May 31, the chairman sent out a letter, seeking detailed information, to some 166 corporations, as follows:

CHAIRMAN BUCHANAN'S LETTER
CONGRESS OF THE UNITED STATES,
HOUSE SELECT COMMITTEE
ON LOBBYING ACTIVITIES,
May 31, 1950.

GENTLEMEN: You are requested to furnish this committee with the following information for the period from January 1, 1947, to date, in order to assist the committee

in its investigation being carried out pursuant to House Resolution 298, Eighty-first Congress.

(a) Travel expenses: As to each trip to or from Washington, D. C., which your organization has paid for any person, please supply details in tabulated form under the headings: Date of trip, total expenses paid by your organization, name of person making trip, title of office of person making trip, purpose of trip.

(b) Maintenance of Washington office: Please supply details in tabulated form under the headings: Year, total cost, purpose of office.

Total cost should include salaries paid, rent, telephone and telegraph, office supplies, etc. It is realized, of course, that such offices sometime serve functions of a non-legislative nature.

(c) Expenditures for printed or duplicated matter: As to each expenditure by your organization for printed or duplicated matter dealing with public issues which might be the subject of Federal legislative action, please supply details in tabulated form under the headings: Date, cost of such printed or duplicated matter, cost of distribution, title of printed or duplicated matter, process used (mimeographed, multigraphed, printed, etc.), brief description, number of copies issued, source of printed or duplicated matter, disposition of such copies.

Forward copies of such matter where available.

The committee specifically desires you to include all expenditures in connection with the following organizations:

1. American Enterprise Association.
2. America's Future, Inc.
3. Committee for Constitutional Government, Inc.
4. Constitutional Educational League.
5. Constitution and Free Enterprise Foundation.
6. Economists National Committee for Monetary Policy.
7. Foundation for Economic Education.
8. Public Affairs Institute.

(d) Expenditures for advertising services: As to each newspaper or other periodical advertisement (dealing with public issues which might be the subject of Federal legislative action) paid for or whose insertion was arranged by your organization, please supply details in tabulated form under the headings: Date, cost of insertion, brief description of matter, where published.

Forward copies of such advertisements where available.

(e) Contributions: As to each contribution made by your organization: (i) to any organization which, to your knowledge, was exempt from taxation under subdivisions (6) or (7) of section 101 of the Internal Revenue Code; or (ii) which was deducted by your organization from gross income under section 23 (g) of the Internal Revenue Code (charitable or other contributions by corporations); or (iii) which was deducted by your organization from gross income under section 23 (a) of the Internal Revenue Code (trade and business expenses), and was made to an organization which prepares and/or distributes books, pamphlets, or other printed or duplicated matter dealing with public issues, please supply details in tabulated form under the headings: Date, amount, recipient (give name and address—address need not be listed more than once), category (add the code description (i), (ii), or (iii), or the applicable combination, depending on which of the above listed categories encompasses the contribution).

(f) Expenditures in connection with legislative interests: As to each expenditure by your organization relating to any attempt to influence, direct or indirectly, the passage or defeat of any Federal legislation (and not elsewhere listed in this reply), please list details in tabulated form under the head-

ings: Date or dates, amount, name and address of recipient, purpose. Expenditures in connection with testimony before congressional committees should be included here.

It is requested that the reply to each subdivision of this letter be started on a separate sheet of paper. The response to each subdivision should be submitted as completed, rather than waiting until the entire reply is prepared. It is requested that this information be submitted to the committee not later than June 15, 1950. Each reply letter should identify the person responsible for the accuracy of the statements contained therein. Immediate acknowledgment of receipt of this letter is requested.

Very truly yours,

FRANK BUCHANAN,
Chairman.

LIST OF CORPORATIONS TO WHOM QUESTIONNAIRE WAS SENT

Allied Chemical & Dye Corp., New York, N. Y.; Allis-Chalmers Manufacturing Co., Milwaukee, Wis.; Aluminum Co. of America, Pittsburgh, Pa.; American Automobile Insurance Co., St. Louis, Mo.; American Can Co., New York, N. Y.; American & Foreign Power Co., Inc., New York, N. Y.; American Gas & Electric Corp., New York, N. Y.; American Power & Light Co., New York, N. Y.; American Telephone & Telegraph Co., New York, N. Y.; American Tobacco Co., New York, N. Y.; American Viscose Corp., Philadelphia, Pa.; Anaconda Copper Mining Co., New York, N. Y.; Armco Steel Corp., Middletown, Ohio; Armour & Co., Chicago, Ill.; Armstrong Cork Co., Lancaster, Pa.; Association of Casualty & Surety Cos., Manhattan, N. Y.; Atchison, Topeka & Santa Fe Railway Co., Chicago, Ill.; Baltimore & Ohio Railroad Co., Baltimore, Md.; Beech Aircraft Corp., Wichita, Kans.; Belden Manufacturing Co., Chicago, Ill.; Bethlehem Steel Corp., New York, N. Y.; Borden Co., New York, N. Y.; Burroughs Adding Machine, Detroit, Mich.; Carolina Power & Light Co. (North Carolina), Raleigh, N. C.; Celanese Corp. of America, New York, N. Y.; Central Power & Light Co. (Tex.), Corpus Christi, Tex.; Champion Spark Plug Co., Toledo, Ohio; Chesapeake & Ohio Railway Co., Cleveland, Ohio; Chrysler Corp., Detroit, Mich.; Cities Service Co., New York, N. Y.; Cleveland Electric Illuminating Co., Cleveland, Ohio; Coca-Cola Co., New York, N. Y.; Columbia Gas & Electric Corp., name change, Columbia Gas System, New York, N. Y.; Columbus & Southern Ohio Electric Co., Columbus, Ohio; Commonwealth Edison Co., Chicago, Ill.; Commonwealth & Southern Corp., Wilmington, Del.; Connecticut Light & Power Co., Hartford, Conn.; Consolidated Edison Co., New York, Inc., New York, N. Y.; Consumers Power Co. (Mich.), Jackson, Mich.; Continental Can Co., Inc., New York, N. Y.; Curtiss-Wright Corp., Wood-Ridge, N. J.; Deere & Co., Moline, Ill.; Delaware Power & Light Co., Wilmington, Del.; Detroit Edison Co. (Mich.), Detroit, Mich., and New York, N. Y.; Distillers Corp.—Seagrams, Ltd., Montreal, Canada; Dow Chemical Co., Midland, Mich.; du Pont & Co., E. I. de Nemours, Wilmington, Del.; Eastman Kodak Co., Rochester, N. Y.; Electric Power & Light Corp., New York, N. Y.; Empire Gas & Fuel Co., Ltd., Wells-ville, N. Y.; Empire State, Inc., New York, N. Y.; Erie Railroad Co., Cleveland, Ohio.; Firestone Tire & Rubber Co., Akron, Ohio; Florida Power & Light Co., Miami, Fla.; Ford Motor Co., Dearborn, Mich.; Fruehauf Trailer Co., Detroit, Mich.; General Electric Co., Schenectady, N. Y.; General Motors Corp., Detroit, Mich.; Georgia Power Co., Atlanta, Ga.; B. F. Goodrich Co., Akron, Ohio; Goodyear Tire & Rubber Co., Akron, Ohio; Great Northern Railway Co., St. Paul, Minn.; Gulf Oil Corp., Pittsburgh, Pa.; Harnischfeger Corp., Milwaukee, Wis.; Humble Oil & Refining Co., Houston, Tex.

Illinois Central Railroad Co., Chicago, Ill.; Indianapolis Power & Light Co., Indianapolis, Ind.; Inland Steel Co., Chicago, Ill.; International Elevator Co., New York, N. Y.; International Harvester Co., Chicago, Ill.; International Hydroelectric System, Boston, Mass.; International Nickel Co., Inc., New York, N. Y.; International Paper Co., New York, N. Y.; International Telephone & Telegraph Co., New York, N. Y.

Jersey Central Power & Light Co., Asbury Park, N. J.; Johns-Manville, New York, N. Y.; Jones & Laughlin Steel Corp., Pittsburgh, Pa.; Kennecott Copper Corp., New York, N. Y.; Kentucky Utilities Co., Inc., Lexington, Ky.; Alfred Kohlberg, Inc., New York, N. Y.; S. H. Kresge, Detroit, Mich.

Libby-Owens Ford Glass Co., Toledo, Ohio; Liggett & Myers Tobacco Co., St. Louis, Mo.; Eli Lilly & Co., Indianapolis, Ind.; Lone Star Cement Corp., New York, N. Y.; Lone Star Gas Co., Dallas, Tex.

Manufacturers Mutual Fire Insurance Co., Manhattan, N. Y.; Marshall-Wells Co., Duluth, Minn.; Mellon National Bank & Trust Co., Pittsburgh, Pa.; The Middle West Corp., Wilmington, Del.; Monongahela Power Co., Fairmont, W. Va.; Monsanto Chemical Co., St. Louis, Mo.; Montana Power Co., Butte, Mont.; Montgomery Ward Co., Chicago, Ill.; Mountain States Power Co., Albany, Ore.

Nash-Kelvinator Corp., Detroit, Mich.; National Dairy Products Corp., New York, N. Y.; National Distillers Products Corp., Richmond, Va.; National Steel Corp., Wilmington, Del.; New York Airbrake Co., New York, N. Y.; National Power & Light Co., New York, N. Y.; New York Central Railroad Co., New York, N. Y.; Niagara Hudson Power Corp., Syracuse, N. Y.; Norfolk & Western Railway Co., Roanoke, Va.; North American Co., New York, N. Y.; Northern Indiana Public Service Co., Hammond, Ind.; Northern Pacific Railway Co., St. Paul, Minn.

Ohio Edison Co., Akron, Ohio; Owens Illinois Glass Co., Toledo, Ohio.

Pacific Gas & Electric Co., San Francisco, Calif.; Pacific Power & Light Co., Portland, Ore.; Pacific Telephone & Telegraph Co., San Francisco, Calif.; Pennsylvania Electric Co., Johnstown, Pa.; Pennsylvania Power & Light Co., Allentown, Pa.; Pennsylvania Railroad Co., Philadelphia, Pa.; Philadelphia Electric Co., Philadelphia, Pa.; Pittsburgh Plate Glass Co., Pittsburgh, Pa.; Potomac Electric Power Co., Washington, D. C.; Procter & Gamble Co., Cincinnati, Ohio; Public Service Co. of Colorado, Denver, Colo.; Public Service Co. of Indiana, Inc., Indianapolis, Ind.; Public Service Co. of New Hampshire, Manchester, N. H.; Public Service Corp. of New Jersey (Public Service Electric & Gas Co.), Newark, N. J.; Public Service Co. of Oklahoma, Tulsa, Okla.; Public Service Electric & Gas Co., Newark, N. J.; Puget Sound Power & Light Co., Seattle, Wash.; Pullman, Inc., Wilmington, Del.

Radio Corp. of America, New York, N. Y.; The Reading Co., Philadelphia, Pa.; Republic Steel Corp., Cleveland, Ohio; R. J. Reynolds Tobacco Co., Winston-Salem, N. C.; Rochester Gas & Electric Corp., Rochester, N. Y.

San Diego Gas & Electric Co., San Diego, Calif.; Schenley Distillers Corp., New York, N. Y.; Sears, Roebuck Co., Chicago, Ill.; Shell Oil Corp., New York, N. Y.; Singer Manufacturing Co., Elizabeth, N. J.; Socony-Vacuum Oil Co., Inc., New York, N. Y.; Southern California Edison Co., Ltd., Los Angeles, Calif.; Southern Pacific Co., San Francisco, Calif.; Southern Railway Co., Washington, D. C.; Southwestern Gas & Electric Co., Shreveport, La.; Standard Oil Co. of California, San Francisco, Calif.; Standard Oil Co. of Indiana, Chicago, Ill.; Standard Oil Co. (New Jersey), New York, N. Y.; Sun Oil Co., Philadelphia, Pa.; Swift & Co., Chicago, Ill.; Standard Gas & Electric Co., New York, N. Y.

The Texas Co., New York, N. Y.; Texas Electric Service Co., Fort Worth, Tex.

Union Carbide & Carbon Corp., New York, N. Y.; Union Electric Co. of Missouri, St. Louis, Mo.; Union Pacific Railroad Co., New York, N. Y.; United Gas Improvement Co., Philadelphia, Pa.; United States Gypsum Co., Chicago, Ill.; United States Rubber Co., New York, N. Y.; United States Steel Corp., New York, N. Y.; Utah Power & Light Co., Salt Lake City, Utah.

Virginia Electric & Power Co., Richmond, Va.

The Washington Water Power Co., Spokane, Wash.; Western Electric Co., Inc., New York, N. Y.; Western Massachusetts Electric Co., Greenfield, Mass.; Westinghouse Electric Corp., Pittsburgh, Pa.; Wisconsin Electric Power Co., Milwaukee, Wis.; Wisconsin Power & Light Co., Madison, Wis.

Youngstown Sheet & Tube Co., Youngstown, Ohio.

Mr. Speaker, the list of organizations to which the chairman's request was sent is significant in that practically all, other than those which were exclusively engaged in business, have been and are vigorous proponents of a constitutional form of government, have been critical of the New Deal and of the Communists.

So far as I was able to learn at that time, friends of the administration, like Kaiser, Latex Corp., Consolidated Vultee, the CIO, the PAC, labor organizations supporting the President, or left-wing propaganda organizations, like Friends of Democracy, the Antidefamation League, or other organizations listed by the Attorney General or the House Committee on Un-American Activities as subversive, had not at that time received requests for similar information or subpoenas to appear before the committee.

News Bulletin, published here in Washington by Paul O. Peters, in its Friday, June 16, 1950, letter, gives this report on Friends of Democracy:

ARE THESE "FRIENDS OF DEMOCRACY"?

Friends of Democracy, 137 East Fifty-seventh Street, New York, N. Y., recently distributed a confidential report to friends and supporters in which it is stated:

"Extreme rightist groups now very active: (1) Very reactionary groups: National Association of Manufacturers; Committee for Constitutional Government; National Industrial Conference Board; Freedoms Foundation; Americans for the Competitive Enterprise System; Wage Earners Committee of the United States of America; National Small Business Association; Conference of American Small Business Organizations; Freedom Forums; Tool Owners' Union; Southern States Industrial Council, Inc.; Foundation for Economic Education.

"(2) 'Anti' organizations of the reactionary variety: National Council for American Education; The Constitutional Educational League; National Economic Council; Judge George W. Armstrong Foundation; Gerald L. K. Smith's Patriotic Tract Society and Christian Nationalist Crusade."

L. M. Birkhead, national director, announced:

"One of the basic jobs that Friends of Democracy does is to collect all the 'anti' propaganda, publications, reports of meetings, facts about organizations and individuals."

Personally, we do not subscribe to the principle that any organization in the United States should set itself up as a snooping agency to gather facts about organizations and individuals.

Over the past 10 years we have, without attempting to snoop, gathered considerable material on L. M. Birkhead and the Friends of Democracy.

On Saturday, April 11, 1942, the St. Louis Post-Dispatch in an editorial, Leave It to the FBI, said:

"Friends of Democracy, Inc., with headquarters in Kansas City, sends out an appeal for funds, which says in part:

"We must continue to be on guard at home as well as abroad. Our own Nation has its quislings who are doing their utmost to disrupt and disunite us.

"Of course they can't win—they can't, that is, if we Americans stand guard. That is why Friends of Democracy will continue to police these men who have been giving aid and comfort to our enemies both here and abroad. We know their game and we'll beat them at it.

"Friends of Democracy, which is acting for you as one of the guardians of our democracy, must have \$100,000 to do our part of the job of defending our way of life. When you send your contribution you will receive 64 colorful flag stamps."

What makes this communication worthy of notice is the fact that on the back of the letterhead is a list of names of prominent Americans, who are described as the "national committee." Among these are: Louis Bromfield, president; Van Wych Brooks, Walter B. Cannon, David Cushman Coyle, John Dewey, Paul H. Douglas, Will Durant, Frank P. Graham, Jay William Hudson, Edward C. Lindeman, Thomas Mann, Robert A. Millikan, and Rex Stout.

We cannot believe that these people are in favor of organized private spying such as this letter pledges. We cannot believe that they think that work which falls within the province of the FBI should be assumed by this or any other voluntary organization. Friends of Democracy, Inc., has a good record in exposing demagogues and spreaders of religious prejudice, but it is off base this time.

News-Bulletin of Friday, June 16, 1950, reports:

"From the materials we have at hand and from our study of the old Un-American Activities Committee hearings, we conclude that Friends of Democracy, Inc., needs to be fully investigated by an appropriate committee of the Congress, since many of its alleged members have been at one time or another connected with organizations which have been listed as Communist or subversive."

PAUL O. PETERS.

Mr. Speaker, nor have I been able to learn that the committee sent any questionnaire to the Communist Party, United States of America, with national headquarters at 35 East Twentieth Street, New York, N. Y.

Nor did the committee, so far as I have been able to learn, send any such questionnaires to the district and local officials of the Communist Party.

The names of the organizations and the officers, the committee's staff could easily have found on pages 22 to 32, inclusive, of "One Hundred Things You Should Know About Communism," published by the House Committee on Un-American Activities.

Missing from the list of organizations to which the questionnaire went is the Jefferson School of Social Science in New York; the California Labor School; the People's Institute of Applied Religion, located at 4105½ Third Avenue South, Birmingham, Ala.; the Methodist Federation for Social Action, 150 Fifth Avenue, New York; the Protestant, published by Protestant Digest, Inc., 521 Fifth Avenue, New York—all listed by a House committee as subversive organizations.

Then, on page 65 of the same document, there is a list of communistic

schools. None of those, which are engaged in lobbying as defined by the definition adopted by the chairman, is listed for interrogation.

Missing from the list of those to whom questionnaires were sent by the Lobbying Activities Committee are some 29 organizations listed as subversive by the Attorney General—all named on page 68 of the report of the Committee on Un-American Activities.

Missing, too, from the list of those from whom the committee's staff was seeking information are all those individuals and organizations, some 33 in number—cited either by the Attorney General or by the House Committee on Un-American Activities as being subversive.

Why is it, may I ask, that the committee's staff is not, as stated by the chairman, "working both sides of the street"?

It is now my understanding that, since the question was raised on the floor of the House on the 8th of June, a few individuals or corporations which might be termed to the left rather than to the right have been called upon for information.

GRILLING THREE ORGANIZATIONS WHICH HAVE BEEN FIGHTING FOR CONSTITUTIONAL GOVERNMENT

Perhaps the three most vigorous and effective organizations which have propagandized for constitutional government are the Committee for Constitutional Government, Inc., the Constitutional Educational League, and the National Economic Council.

Over the years, these three organizations have carried on a campaign to expose Communists who had infiltrated into not only the executive departments of the Federal Government, but into the schools, religious, labor, and other groups and organizations. In 1925 John L. Lewis called attention to this infiltration into the labor movement, though later the Communists and their methods were used to organize and establish the CIO. Just recently the CIO has by public sentiment been forced to oust some Communist-controlled unions.

The campaigns of these three organizations—the Committee for Constitutional Government, Inc., the Constitutional Educational League, and the National Economic Council—to educate the American people, to alert them to the necessity of vigilance if the liberty of the citizen and the security of the public were to be maintained, were apparently producing results, becoming more and more effective.

So far as I have been able to learn, the organizations were not carrying on any illegal activities nor were they apparently taking any part in any campaign for the election of any particular individual.

ASKING CORPORATIONS TO DISCLOSE CONTRIBUTIONS TO EDUCATIONAL ORGANIZATIONS

Nevertheless, in the questionnaire to the more than 150 corporations, the committee stated that it "specifically desires you to include all expenditures in connection with the following organizations":

1. American Enterprise Association.
2. America's Future, Inc.

3. Committee for Constitutional Government, Inc.
4. Constitutional Educational League.
5. Constitution and Free Enterprise Foundation.
6. Economists National Committee for Monetary Policy.
7. Foundation for Economic Education.
8. Public Affairs Institute.

The committee subpoenaed Edward Rumely, Joseph Kamp, and Merwin K. Hart, officers of the three organizations, in an effort to ascertain, among other things, who was supplying funds for the support of these organizations.

Hart, of the National Economic Council, appeared willing to disclose the information requested.

Rumely, of the Committee for Constitutional Government, and Kamp, of the Constitutional Educational League, refused until it was made to appear that the committee had authority to inquire into the activities of the organizations of which they were officers.

If the Lobbying Committee is sincere and if it follows a logical course, will it not then be required to call the officers of the National Republican and Democratic Committees and, using the information now required to be filed, question those who make contributions to the national committees, to disclose, as Hart was required yesterday by Mr. Little, attorney for the committee, to disclose, the organizations and the policies which the contributors to these two national political committees entertain and support?

Mr. PHILLIPS of California. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield.

Mr. PHILLIPS of California. If the newspaper reports of that hearing yesterday are correct, it seems to be that both sides of the table, both Democrat and Republican Members, felt that line of inquiry was out of order. Am I right?

Mr. HOFFMAN of Michigan. I cannot answer adequately, because I did not attend the hearing.

CONTEMPT CONVICTION OF JOSEPH KAMP

In the House on the 5th of June, the gentleman from Wisconsin [Mr. BIEMILLER] made, and at other times and places others have made, much of Joseph Kamp's conviction on a charge of contempt of the House; also of a conviction of Edward Rumely, of the Committee for Constitutional Government.

It happens that I was a witness before the Anderson committee where Kamp refused to give that committee, which was investigating political expenditures, information which would have disclosed the names of those who were at that time contributors to the Constitutional Educational League.

At that time, I advised Mr. Kamp to answer the questions put to him and told him that, if he persisted in his refusal and if Congress took action, he would undoubtedly be sentenced to jail for contempt of the Congress.

Kamp replied in substance that, inasmuch as the league was not engaged in political activities, the committee has no authority to ask for the names of those who contributed to its support and that, in any event, the disclosure of those contributors would result in merciless persecution by left-wing organizations,

such as the Antidefamation League, Friends of Democracy, and organizations which were Communist fronts.

He then stated that, rather than subject his friends to such a smear campaign, to such persecution—and he was then familiar with the Washington Post's persecution of the so-called seditionists, none of whom were ever convicted of that offense—stated that, if the result was jail, he would pay the penalty, and that without whining.

In my mind, he is the victim of his own considered determination to preach constitutional doctrine, to expose Communists, at whatever the cost to himself.

During the last 15 years, communism has had no more factual, vigorous, effective opponent than Joe Kamp. The statements made in the pamphlets which he has written and which the league has distributed have seldom, if ever, been successfully challenged.

Congressman Dies was persecuted when chairman of the Committee on Un-American Activities, and finally driven from Congress. The gentleman from Mississippi, Congressman RANKIN and the gentleman from Louisiana, Congressman HÉBERT were removed from that committee, evidently because they were too active against Communists, refused to take orders from those in high places.

To those familiar with the methods of the Communists, of their friends, and of those who are using them, it is not at all strange that they finally got Kamp and that he is now incarcerated in a Washington jail.

Kamp is now paying the price for the freedom from persecution and vilification which others who contributed to the Constitutional Educational League might otherwise have suffered at the hands of left-wing, of Communist, organizations, had he disclosed their names.

It may be that the attack on the Constitutional Educational League and Joseph Kamp, on the Committee for Constitutional Government, and Edward Rumely, engineered by members of the staff of the Lobbying Activities Committee and what was said from the well of the House on June 5 by the gentleman from Wisconsin [Mr. BIEMILLER] and the gentleman from Texas [Mr. PATMAN] are but coincidental.

Be that as it may, the same pattern is followed in each case.

CHARGES OF BIEMILLER AND PATMAN AGAINST RUMELY

From the CONGRESSIONAL RECORD of June 5, page 8078, note the following excerpts:

Mr. BIEMILLER. * * * In 1937, the committee was organized to fight President Roosevelt's proposal to expand the Supreme Court. Frank Gannett, millionaire publisher and a very active reactionary, furnished most of the money, and Edward Rumely most of the work. After the defeat of the proposal Gannett revealed that the committee had mailed out more than 10,000,000 pieces of literature against it and went around bragging of the success of what he called "mail-order government."

Gannett then put his friend and mentor, Edward Rumely, in charge of the committee as executive secretary. This man Rumely—the same now under subpoena in

the lobby investigation—has a background passing strange for the active director of an organization pretending to 200-percent Americanism.

Shortly after World War I, he was indicted for over-close cooperation with the agents of the German Government—the government with which we had been at war at the time of the alleged cooperation. Mr. Rumely escaped from that situation relatively well—with a sentence to serve a year in the Federal prison at Atlanta.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. BIEMILLER. I yield to my distinguished friend, the gentleman from Texas.

Mr. PATMAN. Is it not a fact that in that case it was disclosed that this man, Edward A. Rumely, received more than a million dollars directly from the German Government, and that money was used to buy a newspaper in New York City and the newspaper was used to spread German propaganda preceding and during the First World War, and he was convicted of espionage and sentenced to the penitentiary? That is the same Rumely?

Mr. BIEMILLER. That is my understanding of the situation exactly.

Mr. PATMAN. And he is the one who is spearheading this organization, which I consider the most outstanding and most dangerous Fascist movement in America and has been for the last 13 years.

Mr. BIEMILLER. I agree entirely with the gentleman from Texas, and later in my remarks I intend to pay tribute to the fine fight which the gentleman from Texas made a few years ago in exposing the machinations of this nefarious organization.

To give you further insight into this episode and Rumely's attitude toward it, considering these paragraphs from hearings held by Senate investigating committee which once expressed curiosity about the funds of the old Committee to Uphold Constitutional Government:

"Senator SCHWELLENBACH. When a man comes in and represents himself as a patriotic American it is relevant to see if it is the same campaign being conducted by you as was conducted by the German Government in 1915—

"Mr. RUMELY. You have no right to say that—

"Senator GREEN. Weren't you convicted and didn't you serve a term in Atlanta?

"Mr. RUMELY. I did because I fought on an unpopular side.

"Senator GREEN. And didn't you take an appeal to the Supreme Court and didn't the Supreme Court deny an appeal of the case?

"Mr. RUMELY. That is correct.

"The CHAIRMAN. Let me read into the record what the Circuit Court of Appeals said that case was all about—I am reading now from *Rumely et al. v. U. S.* (293 Fed. 532 at p. 533): 'The plaintiffs in error have been convicted under an indictment which charged them with having conspired to defraud the United States from seizing and administering a certain indebtedness of the defendant Rumely to the Imperial German Government.'

Then, after referring to an essay contest which apparently the Committee for Constitutional Government had held in Texas, the gentleman from Wisconsin continued—CONGRESSIONAL RECORD, page 8079:

And who do you suppose they sent down to take charge of these essay contests? None other than convicted-enemy agent Edward Rumely. A man who brushed off conniving with an enemy government to prejudice the American people against their allies as "choosing the unpopular side." A man who told a House committee that they had no right to question him about his unsavory connections with Franz von Papen, chief foreign conniver for the Kaiser and later for

Hitler. A man who was indicted for contempt for refusing to turn over the records of the Committee for Constitutional Government to the Senate committee in 1938. That is the man whom self-styled patriot Frank Gannett chose to go to Texas and conduct essay contests for school children in Americanism.

CHARGES UNJUSTIFIED BY THE RECORD

One listening to the gentleman from Wisconsin [Mr. BIEMILLER] and the gentleman from Texas [Mr. PATMAN], or reading the CONGRESSIONAL RECORD as quoted above, would reach the conviction that Edward Rumely had committed some heinous offense; that he was an agent of the German government during the war.

Let us for a moment analyze the statements from the RECORD above quoted. Is there any reason why any individual, any organization, was not, is not at liberty through any lawful means, to oppose the late President Roosevelt's proposal to expand the Supreme Court? Some Democratic Senators did oppose that plan, and it was defeated.

Is the Committee for Constitutional Government to now be condemned because it exercised its right of political expression? The statement carries its own absurdity.

Now what about the conviction of Mr. Rumely? So far as I recall, I never met the gentleman. Let him present his own case, cite his own authorities.

The present is not the first time Mr. Rumely has appeared before an investigating committee. From the committee's booklet, *Needed Now*, permit me to quote the reprint of chapter 8, captioned "The right of privacy," which reads as follows:

THE RIGHT OF PRIVACY (Ch. 8)

Freedom of the citizen is probably our most basic right. And a fundamental of that freedom is what the late Justice Brandeis repeatedly upheld as the right of privacy.

When the reorganization bill of 1938 neared a vote in the Senate, pressure on Congress from both sides was intensive. A special Senate committee to investigate lobbying activities, headed by Senator Sherman Minton, of Indiana, had an excellent opportunity to investigate the activities of both sides. Toward lobbying for the reorganization bill it kept its eyes tightly closed, but about activities of the National Committee To Uphold Constitutional Government, which had done no lobbying, it displayed wide-eyed curiosity.

March 17, 1938, two agents of the Minton committee visited the New York office and demanded that Executive Secretary Rumely give them access to documents of any kind—papers, letters, telegrams—in the Constitutional Committee's files. The investigators would not describe what documents they sought. They proposed to seize and examine everything.

Citizens had long and meekly submitted to demands like these from congressional committees. Sometimes they gave in because they feared it might be dangerous or expensive to defy such demands. But more often they yielded because they did not realize what their constitutional rights were, or their sense of congressional rights and duties was dulled, or because they had never exercised the courage of a good conscience.

According to the fourth amendment to the Constitution:

"The rights of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures,

shall not be violated, and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

Commenting upon this guaranty, the Supreme Court once said, "A governmental fishing expedition into private papers on the possibility they may disclose evidence of crime is contrary to the first principles of justice." Still legislative committee continue to fish in private files.

Dr. Rumely told the Senate committee visitors that they could not fish. He refused to permit them to dragnet the office files of the National Committee To Uphold Constitutional Government either in its New York office or elsewhere. The Minton Committee investigators intimated that this refusal might result in fine and imprisonment. Dr. Rumely still refused, whereupon he was subpoenaed for appearance in Washington the next morning before the Senate investigating committee.

When Dr. Rumely took the stand, Senator Minton demanded all documents of the National Committee To Uphold Constitutional Government. Dr. Rumely asked the Senator to describe what documents he sought. Mr. Minton declined to go into details but demanded repeatedly, "all records, papers, memoranda, books, and documents in your possession." Each demand met with refusal. Mr. Minton finally asked, "Will you produce what I have asked for or not?"

"I will not."
Whereupon Dr. Rumely was excused for 5 days. He took counsel with Chairman Gannett and Representative Pettengill. The committee had nothing to hide. Would it be wise to compromise with the Minton Committee? All three conferees opposed compromise because they believed that a firm stand would teach a timely lesson as to the full meaning of constitutional guaranties.

"We'll resist," said Mr. Gannett, "even if it means we go to jail for awhile."

Again Dr. Rumely faced the Minton Committee. Again he refused to surrender the Constitutional Committee's files. Senator Minton tried coaxing.

"No," said the witness.
The Senator tried intimidating.
"No," was the answer.

"In any event," said Senator Minton, "whether these papers are here or in New York you refuse to produce them?"

"Absolutely," said Dr. Rumely.
Whereupon many people in Washington anticipated that something terrible would happen to Dr. Rumely and to other officers of the committee. But no retribution fell. When the dragon was defied, it evaporated. Dr. Rumely and other officers of the committee were not cited for contempt; they were not even reprimanded by the Senate. In fact, the Senate refused to grant Senator Minton's request for additional funds and thus ended the Black-Minton Committee which had harassed business for years.

Mr. Speaker, permit me also at this point to quote a statement released to the press by Mr. Rumely after his appearance before the Buchanan Select Committee on Lobbying on June 6, 1950, and a statement released to the press thereafter by Sumner Gerard, trustee of the Committee for Constitutional Government, Inc. I read:

RUMELY STATEMENT TO BUCHANAN COMMITTEE
(A statement released to the press after Dr. Rumely's appearance on the stand before the Buchanan Select Committee on Lobbying Activities—June 6, 1950)

I ask the opportunity to make a statement while I am under oath and subject to cross-examination rather than to be compelled to release it to the press without such scrutiny by you and your committee.

This statement, I believe, may be helpful to you, your committee and to the Congress in presenting the matters at issue, in their proper perspective. First, let me say that nothing in this statement is intended as a personal criticism of Mr. Louis Little or his assistants. During the 2 weeks while they were in our offices, they acted with courtesy and consideration.

Our complaint goes to part of the job that they were sent to do, and to what we believe is a wholly misguided and unconstitutional conception on your part of your powers.

When Mr. Louis Little first called, he said, "Chairman BUCHANAN thinks that a new form of lobbying has developed. Lobbyists no longer primarily buttonhole Congressmen but instead reach out to the public back home and build public opinion that causes constituents to speak up to their Congressmen, and thus legislation is influenced. Your organization, we regard as the most efficient operation on the right or conservative side, and we want to see just how you project your viewpoint to the country."

I was horrified at the thought that a branch of Congress could enter the field of dissemination of ideas among citizens in an area where, under the Bill of Rights, they are guaranteed privacy and complete freedom from Government interference.

When I was a young man, a student of medicine in Europe, almost 50 years ago, an incident occurred that left a lifelong impression. One fall, one of our friends, a fellow interne in medicine did not return as we had expected he would for his studies. About a month later, a middle-aged Russian woman, a fellow student of medicine, came and asked, "Please give me 10 francs. The reason our friend and fellow student did not return is that he has been exiled into the coldest part of Siberia where he is shivering without adequate clothing and we are collecting money to buy sheepskin coats and blankets with the wool on them to keep him warm."

This student, leaving for home in July, had left a little money to have his mail forwarded, but he had subscribed to a magazine published in Switzerland, to come to this hospital and it was also forwarded. It was on the prohibited list of the czar's secret police, and the arrival of a single number, showing a year's subscription, caused the police to put this student away for 1 year in exile in Siberia.

In history that is the kind of thing that happens when government invades the area of molding people's thinking—in Russia under Stalin, in Italy under Mussolini, in Germany under Hitler. American correspondents who observed the rise of Hitler report that it was not so much the excellence of his own propaganda as the ability to knock down and shut off the expression of any opposing viewpoint. That, Mr. BUCHANAN, is exactly what you are doing.

The CIO News, in an editorial directed to your committee, entitled "Lobby Probe," said on May 8: "We would like to see a full explanation of such outfits as the Committee for Constitutional Government." In the June 5 number, reporting on your meeting with the press, this same publication says, "At a press conference BUCHANAN made no bones of his personal distaste for these three organizations." We were one of the three. You are further quoted, "Congress is entitled to know which financial interests are back of attempts to influence public opinion and legislation."

Do not clergymen and educators influence public opinion? Are you going to suppress them?

This statement quoted by the CIO News—also on page 1 of the New York Times—confirms the viewpoint outlined by your representative, Louis Little, as the objective of your investigation. We challenge your power to meddle in the processes by which

the American people have facts and educational material in books and other publications, presented to them, from which, ultimately, public opinion results.

Of the thousand or more opinion-molding organizations at work, the most gigantic machine ever built is that of the labor monopolies. They report collection of \$425,000,000 annually of regular dues, with an estimated \$200,000,000 additional in assessments and the services of 100,000 shop stewards, paid by stockholders but misused for political purposes, often against the long-range interests of the workers themselves, as well as the stockholders.

Next in power is the bureaucracy of the Federal Government itself, with 45,000 on the payroll engaged primarily in press-agentry, and costing \$70,000,000 annually, plus tens of millions in free postal service to promote their loaded propaganda for bigger and bigger government. The CIO News reports: "The name of the CCG first came up in the lobby probe several weeks ago when Leo Goodman, director of the housing committee, charged that it financed some of the activities of the real estate lobby. Goodman said the CCG sent out mail, paid for print material attacking rent control and Federal housing legislation." The CIO has spent probably hundreds of times as much as we, using its gigantic machine to pressure for rent control, urging confiscation of part of the home owner's income by rent control.

Now, at CIO behest, you and your agents are digging into how we distribute our educational material to citizens back home, on these rent-control and housing issues.

We are carrying on, in the area of public opinion, a nonpartisan, nonprofit educational effort, influencing public opinion, as do newspapers, magazines, periodicals, churches, service clubs, colleges, and innumerable other forces.

It was Jefferson's concept and that of the men who wrote our Bill of Rights that with the free play of such forces all sides, uncurbed and uninfluenced by government, even the unpopular side of a question could be presented and heard. The citizens, with the information before them, could come to sound conclusions and, by their votes, wisely guide the course of their government.

Your agents showed little interest in the tens of thousands of individual purchases of books and literature. For example, on the day after Lincoln's Birthday we received 2,171 units, aggregating \$9,452; 30 of these were contributions, averaging \$12 each; more than 2,000 purchases of books and literature and the Bill of Rights, with an over-all average of \$4.50 each.

Your agents took back to Washington, for your information, copy of our auditor's annual financial reports for the years 1949, 1948, and 1947. For example, the 1949 report shows that we had received no contributions in excess of \$490, and only 158 contributions ranging from \$101 to \$490; 5,526 contributions of less than \$10; 1,707 ranging from \$11 to \$25; and 1,051 ranging from \$26 to \$100. The average amount received in contributions during 1949 was \$22.20, just about the amount the average union member pays in dues. In that same year we sold books and literature in 22,000 separate orders, averaging \$15 each.

You had these facts before you, yet you put out a totally false statement that went through the press of the whole United States, saying that you were seeking to find out Rumely's "financial angels." It is true that a few who bought more than 100 books or whose support amounted to more than \$100 are public-spirited citizens with means or in prominent position. If you now demand their names and present them as typical of the support of the committee, as you have done, you ignore the evidence before you and misuse the confidence of the press in a congressional committee to project to the Nation a totally false picture. If any private

individual or institution put out such a biased and unfounded press interview, it would be looked upon as downright dishonesty.

We have sold about 600,000 copies of Flynn's book, *The Road Ahead*, during the past 5 months, in tens of thousands of individual orders, ranging from 1 to 10 copies each; a small percentage of the total sales were purchased in quantities, by individuals and institutions, for redistribution. Demanding and releasing the names of these buyers, you would again create a false picture in the public mind. The CIO reports: "BUCHANAN believes that the Committee for Constitutional Government is the parent of a network lobbying against labor and the Fair Deal," and he believes that "the investigation of the financial backing of three organizations will reveal the ties."

That statement of yours, based on our surmise, is false, for our committee has no ties with other organizations. With 80,000 who have given financial support, it, of course, is probable that a small percentage also have given support to other organizations. But you have projected to the whole country an unfounded surmise, before your committee has had a chance to see the facts. That's biased propaganda on your part and not objective investigation.

See attached hereto a statement released by Sumner Gerard, one of our trustees, setting forth how your demand for the names of the purchasers of our books and literature violates our rights—the rights of all citizens—under the first and fourth amendments to the Constitution.

Four of your agents went to work in our office during 2 weeks, going through books of accounts, our files, correspondence, and inspecting every piece of literature and the books that we have printed and distributed. We gave your representatives more than 98 percent of what they asked for—responding to 24 out of 25 demands, although much of it was irrelevant to the purposes of this investigation. For example, your agents went through our correspondence with Members of Congress. They picked out correspondence with Republicans or with Jeffersonian Democrats like Senator BYRD, but when they saw comment from men like Senator PEPPER on our releases they left that to one side.

It is for the reasons set forth in the Gerard statement and these reasons that we are declining to give you the names of the quantity purchasers of our books and literature; also, the names of a few who made loans for the purpose of enabling us to advertise and promote the Fighters for Freedom movement, which has no relation to lobbying activities before Congress; also, to pay for the printing and promotion of early editions of *The Road Ahead*.

I am taking this stand after consultation and on the advice of my counsel, Neil Burkinshaw, and after consultation with the trustees of the Committee for Constitutional Government, Inc.

EDWARD A. RUMELY.

STATEMENT RELEASED BY SUMNER GERARD, TRUSTEE OF THE COMMITTEE FOR CONSTITUTIONAL GOVERNMENT, INC.

The House Select Committee on Lobbying Activities has ordered the Committee for Constitutional Government, Inc., to produce at 10 a. m. on June 6 in Washington various records and data including the names and addresses of quantity purchasers of books which it has published. These include: *The Constitution of the United States*, by Thomas James Norton; *The Road Ahead*, by John T. Flynn; *Compulsory Medical Care and the Welfare State*, by Melchior Palyi; *Why the Taft-Hartley Law?* by Irving G. McCann.

A basic right of every American citizen is, in our judgment, involved in the Buchanan committee's procedure—as well as the basic

right of every publisher, whether of books, newspapers, magazines, pamphlets, or handbills.

Wherever freedom of the press is lost, freedom of the individual citizen is eventually lost. Press freedom is guaranteed in the Bill of Rights not primarily for newspapermen or for printers. It was put there to protect the basic right of the people to know.

Framers of our Constitution demanded it because they knew that in Europe men who dared to criticize the government had their tongues slit, their ears cut off, were imprisoned and fiendishly tortured. Our forefathers wanted to be secure against such government suppression of the voice of the people.

Therefore, the issue coming up in Washington concerns all the people.

For the precedent sought by Chairman BUCHANAN, if not resisted and overthrown, will expose any publisher's private files to unreasonable search and seizure. Nor would he or those who buy his publication or give it financial support be free from smearing attacks, intimidation, and coercion if he printed a book or a paper displeasing to some pressure group powerful enough to cause misuse of the legitimate prerogatives of congressional committees.

We base this conclusion on the current experience of the Committee for Constitutional Government, Inc., of which I am a trustee.

For many years a major portion of the work of this organization, fighting to uphold the principles of constitutional freedom, has been publishing and distributing books.

In the last 6 months it has published and sold some 600,000 copies of its special-size edition of John T. Flynn's book, *The Road Ahead*. Only a small percentage of sales has been to organizations and individuals purchasing in quantities for redistribution. The Buchanan committee's agents demanded the names of all who purchased 100 or more copies.

Why? To expose them to smear attack by radical commentators and some of the left-wing press. What other purpose?

In 1943 the Committee for Constitutional Government acquired copyright of Thomas James Norton's book, *The Constitution of the United States*. This book had been selected by a committee of the American Bar Association as the best available on that all-important but long-neglected subject. It had languished in regular publishers' hands. More than 600,000 copies have been distributed since 1943.

William H. Cowles, Jr., editor and publisher of the *Spokane Spokesman-Review*, like his father before him, every year has purchased from 1,000 to 1,200 copies of the Norton book to present to high school graduates. Has the Buchanan committee's demand for the names of such purchasers anything to do with the investigation of lobbying activities as defined in the authorizing resolution of Congress?

The Committee for Constitutional Government has printed 100,000 copies of Dr. Melchior Palyi's book *Compulsory Medical Care and the Welfare State*, and it has in page proof Irving G. McCann's book, *Why the Taft-Hartley Law?* Mr. McCann was counsel to the House committee in its hearings on which that law was based. Explaining his demand for the names of the book purchasers, the chief investigator of the Buchanan committee said, "If an employer buys more than 100 copies of this book on the Taft-Hartley law, why shouldn't his employees be informed about it?" Such disclosure and potential intimidation of book purchasers is outside the legitimate field of investigating lobbying activities. The publicity threat of the Buchanan committee is the reason why one order for 1,000 copies of the Taft-Hartley book was cut to 50.

Since Congress, under article I of the Bill of Rights, cannot abridge the freedom of the

press, and since a book publisher, or any publisher, is guaranteed protection against unreasonable search and seizure, Mr. Frank Gannett, a fellow trustee, heartily approves the stand of the committee in resisting this unwarranted invasion of its constitutional rights—the rights of every publisher and of every American. He writes our executive secretary:

"I agree that the Buchanan committee has gone far out of bounds in considering the committee's sale of books as coming under the Lobbying Act. I don't think they have any right to demand the names of purchasers of the books, and I hope our committee stands firm in refusing to give out such information. I believe the Constitution protects the right of privacy in such matters."

Our committee is striving to uphold the rights of every citizen as well as the rights of a free press. If we value our freedoms—and freedom of the press is only one of them that can be lost for all of us—we will recognize the danger of the precedent which Chairman BUCHANAN evidently seeks to establish, and resist it with all the forces that public opinion can muster. Let us thank God for what we now enjoy—and fight to maintain it.

Now back to Rumely's conviction—the one referred to by the gentleman from Wisconsin [Mr. BIEMILLER] and by the gentleman from Texas [Mr. PATMAN].

Here is Mr. Rumely's statement on that subject:

II. WARNING OF JIBEL

(Edward A. Rumely, as executive secretary of the Committee for Constitutional Government, Inc., in resisting what we believe to be an unconstitutional and unwarranted invasion of every citizen's right of privacy under the Bill of Rights, is acting as custodian and under direction of this committee's officers and trustees. His refusal has their full approval and support. They hope by carrying this case to the highest court, if that is necessary, to establish a precedent good as long as our constitutional government endures.)

Some publishers, editors, columnists, radio stations and commentators have fallen into the habit of repeating, inadvertently or maliciously, gross libels against Dr. Edward A. Rumely, and incidentally creating unjustified and damaging prejudice against the Committee for Constitutional Government.

THE FACTS

Edward A. Rumely never was indicted as, nor was he ever convicted of being, a German agent, nor of other of the many defamatory charges loosely disseminated.

He was tried, together with two attorneys, law partners of the well-known jurist Arthur Garfield Hays, for allegedly making a false report under the Trading With the Enemy Act in World War I. All three were convicted—by jurors, five or whom later admitted that "it was our disposition to give to the Government" (not to the accused) "the benefit of whatever doubt existed."

Suffice it to say that within 3 weeks after the conviction, 11 of the 12 jurors recommended that their verdict be set aside by executive clemency. And when evidence suppressed at the trial was made available, 11 of the jurors signed the petition for Dr. Rumely's unconditional pardon. A majority signed a statement saying that had they had before them the evidence which was withheld, they would not have voted as they did, for conviction.

President Calvin Coolidge granted the pardon, with full restoration of citizenship on the ground that there had been a miscarriage of justice and that the convicted men were innocent. The sentence served was

1 month in the Westchester (N. Y.) County penitentiary.

Dr. Rumely was informed, and no proof that he had knowledge to the contrary was ever produced, that the funds which he borrowed to finance, in part, his purchase of the New York Evening Mail in 1915, were those of private individuals. He was informed it was the capital of Herman Sielcken, an American citizen residing at Baden-Baden, but transmitted 2 years before the United States entered the war, via the only means then available, German diplomatic channels. Under war conditions many private transactions for all countries were handled by and through Government channels. The late Charles Nagel, a St. Louis attorney who was President Taft's Secretary of Commerce, cooperated in helping to make this loan for Dr. Rumely possible.

The courts have held that to mention a conviction without also mentioning a pardon, where pardon has been granted, is libel per se.

Permit me to quote further from a statement from Rumely under the caption "An old red herring";

AN OLD RED HERRING

The Minton committee's attack was the most determined campaign conducted against the Constitutional Committee by its enemies. Innuendo spreaders failed to pry into its files. They failed in efforts to discover and harass committee supporters—and to misrepresent them as "wealthy reactionaries" and "contributors of huge slush funds." Likewise, they failed in their ambition to wreck the committee. They had hoped to halt its work when Senator Minton dragged into the hearing slanders on Dr. Rumely.

These slanders are now the fairly exclusive property of irresponsibles and of left-wing publications. They arise out of the case of the New York Evening Mail, of which Dr. Rumely was once editor and publisher. And an examination of the facts of the case indicates one reason for Dr. Rumely's devotion to a cause which resists arbitrary acts of Government.

Dr. Rumely is a native of Indiana, where his people settled nearly a century ago. One of his grandfathers accompanied Carl Schurz to this country after the unsuccessful democratic German revolution of 1848. The Rumelys built agricultural implements. Although educated as a physician and surgeon in England and Germany, Dr. Rumely entered the family business after his father's death and, among other pioneering developments in power farming, brought out one of the first tractors. At the same time, he pioneered in modern education, establishing the famous Interlaken School for Boys near La Porte.

Two years before the United States entered World War I, Dr. Rumely purchased the New York Evening Mail. It was an old ambition, paralleling the urge that led him to found his Interlaken School. Under his editorship, the Mail stood with the United States Government for the rights of neutrals—and in particular it strongly condemned German brutality. Furthermore, the Rumely newspaper was the recognized mouthpiece of his friends, Theodore Roosevelt and Gen. Leonard Wood. It fought vigorously for military preparedness and a watchful America.

In the summer of 1918, Dr. Rumely and two members of the law firm of which the senior partner was the well-known liberal, Arthur Garfield Hays, were charged with conspiring to make an improper report to the Allen Property Custodian. This report had to do with a pre-war indebtedness contracted in the purchase of stock in "The Mail." The trial turned upon the point whether a report of indebtedness contracted 2 years before the

United States entered World War I was technically correct. Evidence of pivotal importance was withheld from the defendants and all three were convicted upon this technicality.

A full report of this matter is available. Suffice it here to say that within 3 weeks after the conviction, 11 of the 12 jurors recommended executive clemency. Thereafter, the majority of the surviving 11 jurors stated that at the time of the trial "it was our disposition to give to the Government the benefit of whatever doubt existed" and that they had expected that the conviction, with their recommendation of extreme mercy, would carry at most a monetary fine. They further stated that had the jury had the evidence which was withheld from the defendants at the time of trial, but which was later brought to attention by the Honorable Charles Nagel, who was Secretary of Commerce under President Taft and attorney for the witness whose testimony was withheld, they would have reached a different verdict. The petition of these jurors to the President concluded with the following: "Since in our judgment this new evidence would have altered our verdict or resulted in a disagreement, we therefore respectfully recommend that by the exercise of executive clemency this verdict be now completely set aside."

Both the prosecuting attorney and the trial judge joined in recommending a pardon.

The President, following the request of the jurors that their verdict be set aside, and the supporting recommendations by outstanding national leaders, among them statements of Cabinet members and judges, granted a full and unconditional pardon to all three.

In a later proceeding for the reinstatement to the bar of the two attorneys, Mr. Justice Cardozo, then of the New York Court of Appeals, later a Justice of the United States Supreme Court, in his decision stated: "The President in granting this pardon acted in accordance with the recommendation of his Attorney General, now Mr. Justice Stone of the Supreme Court of the United States, who after examining the record expressed a belief that the petitioners were innocent." In the same decision, Justice Cardozo added: "A pardon may in some conditions be a warning as significant as a judgment of reversal that the looms of the law have woven a fabric of injustice. The very case at hand is indeed an opposite illustration. The record makes it plain that the pardon was granted because the President of the United States was advised by his Attorney General that the petitioners were innocent."

LEGAL OPINIONS

The view has been taken that a person charged with crime may maintain an action for libel or slander if, before the speaking of the words, a pardon has been granted to him. In fact, the opinion has been expressed that even though the words charging a criminal offense expressly fixed such offense to a particular period, since which the liability to punishment therefor must have been discharged by a general pardon, yet the words were actionable, as the scandal of the offense remained. (33 American Jurisprudence, p. 47, sec. 16.)

In the case of a full pardon, it relieves the punishment and blots out of existence the guilt of the offender to such an extent that in the eye of the law he is innocent as if he had never committed the offense. So completely is an offense considered to be obliterated by a pardon that it has been held that pardon of treason or felony, even after conviction, will enable a man to have an action of slander for calling him a traitor or felon. (39 American Jurisprudence, p. 550, sec. 51.)

Effect of pardon: The fact that the liability to punishment is discharged by a pardon prior to the publication of words imputing a crime will not deprive plaintiff of his right of action. (36 Corpus Juris., p. 1196, sec. 106.)

A pardon is construed as a whole to carry out the intention of the grantor and should be construed most strictly against the State and most liberally in favor of the person pardoned. (46 Corpus Juris., p. 1192, sec. 31.)

When a full and absolute pardon is granted, it exempts the individual upon which it is bestowed from the punishment which the law inflicts for the crime which he has committed. The crime is forgiven and remitted and the individual is relieved from all of its legal consequences. (46 Corpus Juris., p. 1192, sec. 32.)

A pardon by the President relieves the recipient from all disability or responsibility on account of the commission of the offense for which he was pardoned. (*Rison v. Farr* (24 Ark. 161, 87 Amd. 52), (C. J. 46, p. 1183).)

MR. JUSTICE CARDOZO, MR. JUSTICE STONE CONCURRED IN OPINION THAT RUMELY WAS NOT GUILTY OF CHARGE OF WHICH HE WAS CONVICTED

Now I ask you, after reading the report of the actions of Mr. Justice Cardozo at the time the two attorneys convicted with Mr. Rumely and who had been disbarred were restored to good standing—after reading the recommendation of the then Attorney General, later Mr. Justice Stone of the Supreme Court, who, after examining the record of Rumely's conviction, expressed the belief that the petitioners were innocent—just how much weight do you give to the present charge that Rumely is an ex-convict, that he was convicted of a crime? To the present attempt to intimidate, to force into silence, this officer of the Committee for Constitutional Government? Does not the pardon wipe out that conviction?

EDITORIAL FROM WASHINGTON STAR

In the same connection, note this editorial from the Washington Evening Star of October 10, 1944. I quote:

THE RUMELY PARDON

In an editorial commenting on the indictment last week of Dr. Edward A. Rumely for refusing to supply the House Campaign Expenditures Committee with names of contributors to the Committee for Constitutional Government, of which he is executive secretary, the Star stated that after the first World War he was convicted and served a prison term on a charge of violating the Trading With the Enemy Act. That complaint grew out of the purchase by Dr. Rumely of a New York newspaper before this country went to war with Germany in 1917. The prosecution contended that the German government supplied some of the funds for the purchase, a circumstance of which Dr. Rumely denied knowledge. He and two attorneys were convicted, however, on a conspiracy charge based on a report of the transaction which they made to the Allen Property Custodian.

Later, after evidence not introduced at the trial had become available, President Coolidge commuted their sentences, pardoned all three men and restored their civil rights. Mr. Coolidge acted on a recommendation by Harlan F. Stone, then Attorney General and now Chief Justice of the Supreme Court, who expressed the belief that the three men were innocent. In a proceeding for the reinstatement of the two attorneys to the New York bar, Chief Justice Cardozo of the New York Court of Appeals, later an associate justice of the Supreme Court, also indicated his belief that the men had been unjustly convicted. Similar opinions were expressed by other prominent lawyers and jurists.

The Star's editorial did not state that Dr. Rumely had been pardoned, and it is in

fairness to him that the circumstances of the pardon are published at this time.

EDITORIAL FROM THE TIMES-HERALD

Then, if you care to bring the story down to date, listen to this editorial from the Times-Herald of June 12, 1950:

ANOTHER BLACK COMMITTEE

The conduct of an investigation into lobbying by a committee under Representative FRANK BUCHANAN, of Pennsylvania, has drawn deserved condemnation from other Member of the House. Mr. BUCHANAN has proceeded with little respect for normal congressional procedures of subpoenaing witnesses and examining them or for the constitutional protection of free speech and a free press.

If anything approaching such high-handed methods were employed by a congressional committee dealing with suspected Communists or other subversives, there would be an immediate outcry from the "liberal" wing of the eastern press. Representative BUCHANAN's activities, however, have been greeted with dead silence by these professed champions of due process and the inviolability of the individual.

It has been established by the officers of certain private organizations dedicated to the safeguarding of the American-constitutional system that Mr. BUCHANAN has had the volunteer assistance in his smearing campaign of a poison-pen outfit misnamed "Friends of Democracy."

This is a propaganda racket conducted by Rex Stout, a goat-bearded mystery writer, once on the editorial board of the Communist magazine, *New Masses*, in association with Leon Birkhead, an ex-preacher, and one Avedis Derounian, a Levantine of many aliases, sometimes known as John Roy Carlson.

REWARDED BY TAX EXEMPTIONS

The principal interest of this crowd seems to be to advance the creeping New Deal revolution by assassinating the character of anyone manful enough to withstand its mud guns and to defend a constitutional Republic. The New Deal recognizes that it has valuable auxiliaries in Stout, Birkhead, and Derounian, and has conferred upon them tax exemption for what contributions they can get by shaking the bushes, justifying this extraordinary boon on the ground that the outfit is engaging in an educational work.

It has become apparent that Mr. BUCHANAN's interest in lobbying is confined to the activities of organizations which openly oppose the New Deal and call for a return to constitutionalism. One such group, in furtherance of the goal of acquainting the people with the New Deal's progress into socialism, appears to have published some books and to have assisted in the publication and distribution of at least one other—John T. Flynn's *The Road Ahead*.

Representative BUCHANAN has endeavored to represent these activities, which certainly are valid, as some sort of nefarious plot, and has levied upon the publishing agency a demand that it spread before him the names of those contributing to publication and those who purchased the books. This approach is in open contravention of the first amendment guaranteeing that the state may not abridge the right to a free press, and it would also appear to violate the fourth amendment governing security of person and property against unreasonable searches and seizures.

The further BUCHANAN proceeds, the more it is apparent that he has patterned his star-chamber proceedings upon the model of the infamous inquisition into lobbying conducted by Senator Hugo Black in the early period of the New Deal. In that fishing expedition, Black subpoenaed the complete telegraphic correspondence of more than 1,000 specified persons and groups, piling up

more than 5,000,000 copies of messages, which were then used to smear the opponents of the Roosevelt administration.

FORMER MEMBER OF KU KLUX KLAN

For this contemptible service, Black was elevated by Roosevelt to the Supreme Court, despite his acknowledged former membership in the Ku Klux Klan, an organization whose terroristic methods conformed to his own.

If the House wishes to preserve respect for its integrity, it will lay Mr. BUCHANAN and his committee away in the freezing compartment before they proceed to still greater outrages. Black finally came a cropper when, having been accused of violating the fourth amendment, he was severely taken to task by the District of Columbia Court of Appeals.

If the House wants to spare itself similar disgrace, it will rebuke BUCHANAN for his illegal methods and strip his committee of all authority.

WHERE IS THE COMMITTEE STAFF HEADING?

While no investigation has been made, from information which has been volunteered, some doubt is created as to the direction in which two members of the staff are traveling.

SPINGARN OF THE STAFF AND PART OF HIS PREVIOUS RECORD

The CONGRESSIONAL RECORD of January 19, 1950, at page 669, shows that Jerome H. Spingarn was employed as research assistant to the chairman of the committee.

During the activities of the House Select Committee Investigating the Federal Communications Commission—in 1943-44—Spingarn was Assistant Chief of the FCC's War Problems Division, which Division and others of the FCC, operated in conjunction with the Office of War Information too, and in the opinion of some caused many American citizens to be taken off the air and out of their jobs at numerous foreign language broadcast stations in the United States.

Americans taken off the air were frequently replaced with alien refugees, some enemy alien refugees; and some of those replacements in their jobs censored our religious programs—such as Easter and Christmas programs, and the like.

The FCC never called Spingarn as a witness when it made its defense of charges against it; but, as shown by the hearings of said committee, Spingarn's name was mentioned and referred to by other witnesses as having taken a prominent part in preventing due renewal of the foreign language broadcast station licenses and in taking Americans off the radio.

An examination of the testimony taken in the hearings just referred to shows that many times other witnesses referred to Mr. Spingarn in such a way that it might be construed as indicating that he was not one who would give unbiased consideration to an inquiry into the activities of organizations engaged in a campaign designed to jealously guard and promote constitutional government.

COMMITTEE STAFF ATTORNEY LOUIS LITTLE—BUCHANAN'S STATEMENT

From the well of the House on the 15th, it was stated that I had been advised, in substance, that another member of the committee staff, Louis Little, an at-

torney, had acted as bondsman for certain individuals charged with criminal offenses, some of whom were or became his clients.

After that statement was made, the chairman of the committee, the gentleman from Pennsylvania [Mr. BUCHANAN] advised me that I was in error—that there might be another Louis Little in Pittsburgh. The following then occurred:

Mr. HOFFMAN of Michigan. * * * Can you give me the street address and something that I may determine whether or not I have unjustly referred to Louis Little? I find in the telephone directory but one Louis Little, and he is listed as an attorney.

Mr. BUCHANAN. He has a law office at No. 7 Court Place, Pittsburgh.

Mr. HOFFMAN of Michigan. That is the one that is in the directory. * * *

Mr. HOFFMAN of Michigan. Did the gentleman say that I was in error when I said that he had signed bonds?

Mr. BUCHANAN. That is correct. He is not a professional bondsman.

Mr. HOFFMAN of Michigan. That is your statement?

Mr. BUCHANAN. That is my statement, and I believe verification of this fact has been handed to me by a member of the staff who has talked to Mr. Little. I believe that he is in the House Gallery listening to this colloquy.

Mr. HOFFMAN of Michigan. I will be glad to correct any misstatement I may have made, if I find court records do not refer to the Louis Little who is on the committee staff.

Mr. BUCHANAN. I thank the gentleman for his contribution.

In view of the foregoing, which I assume means that the Louis Little who is on the staff of the committee has not signed, nor is responsible for the signing of any bond in criminal cases, in some of which cases he later appeared as the attorney, and in view of the fact that Mr. Little, whom the gentleman from Pennsylvania [Mr. BUCHANAN] stated he believed was in the House Gallery listening to the colloquy, the gentleman's statement, which I assume means that Mr. Little had nothing to do with bailing out those charged with criminal offenses, it may be assumed that the Members of the House will accept the statement of the gentleman from Pennsylvania [Mr. BUCHANAN].

QUERY AS TO WHETHER, IN SPITE OF BUCHANAN'S STATEMENT ON FLOOR, LOUIS LITTLE IS NOT INTERESTED IN SIGNING OF BONDS FOR THOSE CHARGED WITH OFFENSES

However, permit me to inquire of the attorney for the committee, Mr. Little, through the courtesy of the gentleman from Pennsylvania [Mr. BUCHANAN], the chairman of the Lobbying Committee, whether he, Mr. Little, was not interested in procuring bondsmen for the individuals named hereafter and who were charged with certain offenses in the courts of Pittsburgh.

Adam Hilliard, 121, Feb. 1949, solicitation to sodomy.

Giles Royston, 189, Feb. 1949, felonious assault and battery.

Harvey Condon, 262, Feb. 1949, violation Public Apartment Act.

Theodore Ferris, 294, Feb. 1949, felonious assault and battery.

Ellsworth Ferris, 221, Mar. 1949, assault.

Richard Ziller, 118, Mar. 1949, arson.

Henry Taylor, 396, Mar. 1949, solicitation to sodomy.

Jackie Green, 284-295, May 1949, keeping assignation house, prostitution, assignation.

Bernard Nichols, 310, Sept. 1949, felonious assault and battery.

Wm. Jennings, 156, 1949, felonious assault and battery.

Virginia Clark, 44, Oct. 1949, prostitution and assignation.

Huston Henderson, 462, Sept. 1949, larceny, receiving stolen goods.

Louise Radgett, 461, Sept. 1949, violation public arrest.

Engus Dixon, 363, Apr. 1950, prostitution and assignation.

Boswell Ellis, 651, June 1949, felonious assault; 77, June 1949, prostitution, assignation, K. B. H.—K. D. H., failure to support legal children.

Helen Wliams, 255-256, June 1949, 704, Sept., prostitution and assignation, K. B. H.—K. D. H.

Julius Gordon, 390, Sept. 1949, larceny, R. T.

Leon McLean, 901, Sept. 1949, aggravated assault and battery.

Calvin Homsky, 781, Sept. 1949, larceny, receiving stolen goods.

Albert Meyors, 525, Sept. 1949, fraudulent conversion.

Geo. Jones, 202, June 1949, felonious assault and battery.

George Hill, 143, Apr. 1950, felonious assault and battery.

Herman Beasley, 140, Nov. 1949, felonious assault and battery.

Mary Stewart, 289, Oct. 1949, prostitution and assignation.

Jessie Brown, 143, Nov. 1949, keeping house assignation.

Ollie Davis, 64, Nov. 1949, prostitution.

Anna Ford, 446 and 447, Nov. 1949, keeping prostitution house and assignation.

Unic Ernest, 36 and 47, Dec. 1949, keeping body house, violation beverage act.

Pauline Brown, 264, Jan. 1950; 51, Jan. 1950, O. and T.

Elmer Malsh, prostitution and assignation, robbery of person.

Robert Grady, 55, Mar. 1950, O. and T., burglary, receiving stolen goods (repeater).

William H. Coleman, 22, May 1950, O. and T. solicitation.

Robert Lott, 78, May 1950, malicious mischief.

John Green, alias O. 297, Apr. 1950, felonious assault and battery, Harry Hanks, 153, May 1950, assault and battery to rape; George Hanks, O. and T., 52, May, receiving stolen goods.

Thomas Miller, 377, May 1950, pointing firearms and assault (long record).

William Edwards, 722, Sept. 1949, Lowl., 500, Feb. 1950, larceny and receiving stolen goods.

James Austen, 510, Jan. 1949, larceny and receiving stolen goods.

Roy Jack, 525, Oct. 1948, pointing firearms.

Frank Talck, assault with intent to ravish.

Louise Baxton, O. 90, Feb. 1949, assault and battery, 597, Feb. 1949, surety.

Carlton Barrett, Jr., 256-261, Feb. 1949, public indecency.

Henry Gathers, 349, Feb. 1949, violation of liquor laws.

Theodore Fair, 100, Mar. 1949, felonious assault.

Richard Gauffrey, 293, Mar. 1949, pointing firearms, assault.

James Guerry, two charges, involuntary manslaughter.

Leo Chapman, 433, Sept. 1949, violation firearms act (record of moral offenses).

Robert Hoezenrother, 436, Sept. 1949, larceny, receiving stolen goods.

Robert E. Bechtold, 221-222, Nov. 1949, worthless checks, conspiracy.

John Sobrush, 184, Mar. 1950, adultery and bastardy.

Kenneth Richtold, 373-374-515-840, Sept. 1949, worthless check, conspiracy.

Meto Ehrum, (Gypsy), public asst. violation.

Sam Flurellen, 7-8, Jan., receiving stolen goods.

Emmett Jones, 373, Nov. 1948, assault and battery.

Sam Dickson, 978, Oct. 1948, assault and battery.

Gus Jordan, 2, Oct. 1948, felonious assault and battery.

Pearl Davis, sodomy (long record liquor).

James Hunter, 196, Sept. 1948, O. and T., burglary, receiving stolen goods.

Thomas Avery, 990, Sept. 1948, adultery.

Robert Almond, 989, Sept. 1948, adultery.

Wm. Campbell, 994, Sept. 1948, keeping bawdy house.

Robert Grant, 425, June 1948, assault and battery.

Joseph Hyfnagel, 485, June 1948, self-administering drugs.

David S. Daughterty, 640, Oct. 1947, O. and T., robbery from person.

Henry Huriston, 197, Mar. 1948, violation of public asst. act.

Ralph Boyce, 97, May 1948, assault and battery.

James Hamilton, 66-67, May 1948, aggravated assault and battery.

Eugene Barber, 146, Nov. 1947, violation public asst. act; 453, Apr. 1948, larceny.

Francis King, 37, Apr. 1948, indecent assault (repeater).

Amanda Clark, 301, Mar. 1948, assault and battery, 409, Mar., surety.

La Verne Allen, 66, Feb. 1948, prostitution and assignation.

Delbert Kidd, 48, Feb. 1948, aggravated assault and battery.

Wilbert Brower, 164, Jan. 1948, larceny, automobile.

Kenneth Lowe, 143, Dec. 1947, violation liquor laws.

Carrie Bradley, 45, Nov. 1947, robbery from person (has long record as prostitute).

Wylie Coyle, 19, Nov. 1947, receiving stolen goods.

Margaret Fagan, 68, Oct. 1947, adultery.

Lewzie Gross, 278, Oct. 1947, drunk and disorderly.

Margaret Anderson, 134, Sept. 1947, sodomy.

Clarence Budd, 682, Sept. 1947, Feb., assault and battery.

Richard Ellis, 375, Sept. 1947, larceny.

Dunbar King, 332, Sept. 1947, drunk and disorderly.

Stanley Dushac, 379, June 1948, neglect of minor children.

Dolores Adams, 29, Sept. 1949, prostitution and assignation.

Zayuna Allen, 66, Feb. 1948, prostitution and assignation.

SNOOPING BY COMMITTEE STAFF

That at least some member or members of the committee staff seek the intimidation of Congressmen who oppose the New Deal policies, some of the policies of the administration, and who have been fighting communism, is shown by the fact that a staff member went snooping into the folding room, from which some material sent out by Congressmen is mailed, and made inquiry as to what and how much franked mail had been sent out by five Congressmen.

Inasmuch as material which is printed in the CONGRESSIONAL RECORD is frankable and as no claim has been made that any one of those named used the frank on anything that was not printed in the RECORD, the only logical conclusion is that the snooper desired to get material which would enable him to smear those who sent out statements or arguments in

opposition to policies which he, his associates or those for whom he acted advocated.

That procedure is nothing new. As I pointed out from the well of the House on the eighth, it has been tried before. It did not work then; it will not work now, except as to those who do not feel it worth while to stand up and fight the vicious vilification which all must suffer when they oppose the policies of certain powerful groups, groups determined to have their own way, regardless of the effect upon the welfare or security of the Nation.

I have nothing to say about the other individuals who attempted to enlighten their constituents by the circulation of material which the snooper or his associates did not approve, for they are able and willing to make their own fight.

For myself, let me make the situation clear.

On September 29, 1949, from the floor of the House I made a speech in opposition to the attempt of the President to settle the steel strike through the appointment of his own fact-finding board.

The Constitutional Educational League saw fit to reprint that speech in a pamphlet and, at its own expense and without a cent of cost to the taxpayer, with postage fully prepaid, to send it out to individuals of its own choosing.

Is that fact any business of the snooper or of anyone else? Is not anyone exercising his right to free speech, to a free press, at liberty to reprint any article carried in the CONGRESSIONAL RECORD, especially when he has the consent of the author? What kind of thinking motivated this snooper or those for whom he was acting?

Those in control of the Committee for Constitutional Government at their own expense photolithed that speech and again, at their own expense and with postage fully prepaid, sent it through the mail.

May I ask this snooper: Is he, are his bosses, the only ones who have the right to reproduce parts of the CONGRESSIONAL RECORD and at their own expense send them out through the mail?

In addition, the Committee for Constitutional Government asked permission to have reprinted in pamphlet form copies of that same speech and it paid the full cost of the reprinting of those speeches. I caused some of those speeches to be franked out and again I ask, there being no violation of law, what business was that of the committee snooper, or, for that matter, of the committee?

We have not yet reached that stage where a committee of the House or any of its staff can tell a Member of Congress what he shall say, what he shall print, or what he shall, under the frank, send out.

I made two other talks, each a page and a half; one was entitled "Misuse of Hoover Label"; the other was entitled "Taking From All of Us To Give To Some of Us." Each in part was a reprint of statements published by the Committee for Constitutional Government.

I hazard the statement that, on every day that the CONGRESSIONAL RECORD is printed, it carries a reprint from some

publication or a letter from some constituent of a Congressman.

Not only has it never been considered an offense to reprint these letters or these articles, but unanimous consent is first given for the purpose of having them inserted in the RECORD, and there is no doubt of the right of the people to receive this frankable material or of a Member of Congress to mail it.

What the snooper and those responsible for his action were evidently trying to do was to silence, through intimidation, through the false charge that franking out anything which came from any one of these three organizations, was reprehensible, a violation of some Federal law, Congressmen who oppose administration policies.

In my time here I have seen some vicious attacks by unscrupulous individuals and organizations made upon Members of this and the other body in an attempt to silence opposition.

Never, so far as I can recall, has any member of a committee staff had the effrontery, without any justification whatsoever, to act as a tool of those who would cover up and conceal Communists in or out of the Federal Government and whose purpose is to destroy our Government.

Members of the House Committee on Lobbying should realize that in permitting their snooper to inquire into and to criticize lawful activities of their colleagues, they are but following the methods of one, who just a few days ago was characterized by the gentleman from Georgia [Mr. Wood] as the arch character assassin of all times.

I have been wondering what the gentleman from Pennsylvania and the Members on his side of the aisle who are also members of the House Lobbying Committee will have to say if after the November election, in January of 1951, the opposition should come into power and a House committee should call the chairman of the present Lobbying Committee and his financial backers and political friends to the stand, and inquire as to their political beliefs, methods, and contributions.

Just how far does the Committee on Lobbying intend to go in permitting this Louis Little, who gained much of his experience as a criminal and divorce court lawyer, in grilling American citizens who attempt to exercise their constitutional rights?

IS LOBBYING COMMITTEE, IN A CAMPAIGN YEAR, MAKING EFFORT TO SILENCE OPPOSITION?

Is it not evident from what has been here said that there is at this time, a political campaign being now on, a deliberate attempt to intimidate, to silence, those who would criticize any policy, any action, of the present administration and its adherents?

Are these efforts to be successful? Are we, the people's representatives, to tamely submit to the unauthorized snooping into our legitimate affairs by the staff of this committee?

That their efforts are meeting with cooperation from at least one columnist is evident from an article which appeared in one of the papers in my own congressional district. The writer, not daring to make a direct charge, nevertheless, by

telling but a part of the story, sought by innuendo to convey the impression that I and other Members of Congress had improperly—yes, unlawfully—sent out material in violation of the law.

The writer of that article knew that the inference conveyed was false. Lacking the courage to make the charge directly, it was sought to do it by indirection.

I for one am convinced that, if those sought to be silenced stand up and fight as they should, the result of the effort to purge will be as futile as have been previous efforts on the part of the administration in power.

PREVIOUS EFFORTS FAILED

Some remember Wilson's demand that the people return a Democratic Congress. Result? The people sent back a Republican Congress.

President Roosevelt sought to purge certain Senators. The people returned them to office.

The late President Roosevelt did succeed, with the aid of the American Labor Party, in purging one Democratic Congressman, John O'Connor, of New York.

President Truman, in a primary election, succeeded in preventing the renomination of a Democratic Congressman, Roger Slaughter, who had opposed some of the administration's policies. There is evidence that that purge was accomplished through the casting of fraudulent votes. The net result was the election of a Republican from that district.

At the moment, the President has opened certain files relating to incomes to a Senate committee probing gambling. But he is still holding closed and secret the files which would reveal the truth or falsity of the charges made by a Member of the other body to the effect that there have been and are Communists in the State and other executive departments; the files which would show whether there are or there are not at this time, after 91 homosexuals have been discharged from the State Department, other individuals with like characteristics still drawing Federal pay.

Nor should it be forgotten that, when a House committee sought to look into the files which would show the tax returns of the President's friend, Paul Dillon, who admitted he received a fee of \$10,000 for assisting in obtaining the parole of the five Capone gangsters, the President denied the request of the House committee.

He also denied a request for a look at the files which would have shown the income of Maury Hughes, a friend of the then Attorney General, now Supreme Court Justice Tom Clark, who testified that from an unknown individual he received a fee of \$15,000 for assisting in procuring the dismissal of an indictment which barred a parole to the five Capone gangsters—gangsters who were convicted of an attempt to extort more than a million dollars from union employees.

DO CONGRESSMEN LACK COURAGE OR INCLINATION TO FIGHT BACK?

There is an old saying that murder will out. It is my humble opinion that, if those who believe in constitutional government, who believe that right and justice will prevail, have the courage of

their convictions, will stand up and fight, this smear effort will but strengthen the convictions, increase the courage and determination of those who wish to preserve the liberty of the citizen, the security of our Nation.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. EBERHARTER. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan may proceed for three additional minutes in order that I may ask him one or two questions.

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

There was no objection.

Mr. EBERHARTER. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield to the gentleman from Pennsylvania.

Mr. EBERHARTER. Does the gentleman from Michigan charge any illegal act at all or is he charging an unethical act against a highly successful, eminently qualified lawyer from the State of Pennsylvania? Is the gentleman charging anything of that sort?

Mr. HOFFMAN of Michigan. Does the gentleman want me to answer that question?

Mr. EBERHARTER. Yes. That is the question.

Mr. HOFFMAN of Michigan. All right. The answer is this: Emphatically no. I am charging that the gentleman has specialized in criminal cases and in divorce matters and in view of the manner of questioning that he is reported to have followed yesterday he is not the proper man to conduct either an investigation or the interrogation of witnesses for a House committee. That is what I charge.

Mr. EBERHARTER. If the gentleman would refer to the bar association of the home county of Mr. Little, if he will refer to the State bar association and the American Bar Association, he would have the answer that this man is very reputable and has been for 25 years. He has earned the reputation of being one of the most successful and one of the most moral and ethical men who ever practiced law. If the gentleman from Michigan wants to continue with his innuendo it is all right with me, but there is no crime in practicing criminal law.

Mr. HOFFMAN of Michigan. That is right. Now will the gentleman listen to me for a minute? Will the gentleman just inquire and come back and say on his honor as a Congressman that Mr. Little is not causing professional bonds to be signed and whether or not he has not in the cases where he caused those bonds to be signed acted as attorney? Come back and tell me that. If that is not unethical conduct and so branded by every bar association in the country I do not know what unethical conduct is. As for being a member of the Bar Association, look at your newspaper today and note the news item that there are 5,000 lawyers in the guild who are Communists.

Mr. EBERHARTER. The gentleman asked me whether I think it is unethical for a lawyer who has a client accused of criminal conduct to obtain a bondsman.

Mr. HOFFMAN of Michigan. I did not say obtain a bond.

Mr. EBERHARTER. The gentleman asked me a question. The gentleman himself has practiced law in the State of Michigan for many years. I wonder whether or not he himself has ever defended any person accused of crime and whether or not in defending those persons accused of crime he would want to be accused of unethical conduct for defending somebody in a court of justice in this country? That is the innuendo he is putting out. I say frankly and honestly. It requires a man of ability to make the reputation that this gentleman did.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. HOFFMAN of Michigan. Mr. Speaker, I ask unanimous consent to proceed for one additional minute.

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

There was no objection.

Mr. HOFFMAN of Michigan. Of course not. Everyone knows that is a silly question because if a man is accused of a crime and he does not have an attorney it is the duty of the court to appoint an attorney for him. Everyone accused has the right to an attorney. There is no question about that. In Michigan an attorney cannot sign a bond in a criminal case. The point I am making is this: Has not Mr. Little over a period of years, since 1947, in at least 150 cases been personally interested in the signing of a bond? That is easily answered. You can take the cases I put in the RECORD today, and then come back and tell us whether he or his agent did not cause bonds in criminal cases to be signed.

Mr. EBERHARTER. The gentleman knows that he is using the familiar tactics of associating somebody else with somebody that he is talking about.

Mr. HOFFMAN of Michigan. You are defending the gentleman.

Mr. EBERHARTER. Those are perhaps the only tactics that the gentleman can use.

Mr. HOFFMAN of Michigan. Before we get through you will get the record.

Mr. EBERHARTER. And before the public you can create a wrong impression by asserting all these things by association. I thought the gentleman said the other day he did not believe in the theory of guilt by association.

The SPEAKER. The time of the gentleman from Michigan has expired.

The SPEAKER. Under previous order of the House the gentleman from Connecticut [Mr. SADLAK] is recognized for 10 minutes.

HON. JOHN DAVIS LODGE

Mr. SADLAK. Mr. Speaker, since the first congressional primaries this year, and earlier than that in other instances, there has been indicated to us in the House that distinguished Members, with whom each of us has been privileged to be associated, will not be colleagues in this body during the Eighty-second Congress.

Some as the result of successful primaries will vie for seats in the other body;

others will contest elections for gubernatorial seats; a number are retiring voluntarily; and the Grim Reaper has made untimely visits, thereby lessening the group of familiar names and faces.

The Republican State Convention at New Haven, Conn., on last Thursday by its action added another famous name to the list when it nominated as its candidate for Governor my friend and your colleague, JOHN DAVIS LODGE, the Representative from the Fourth District of the great Constitution State.

From my close observance of the gentleman and association with him, I am of the opinion that JOHN DAVIS LODGE is a man of outstanding ability, of unquestioned integrity and one possessing a great capacity for hard work. It was in recognition of his ability, background, and experience that Mr. LODGE has been selected for a larger opportunity of service to all of the people in Connecticut.

Mr. KEATING. Mr. Speaker, will the gentleman yield?

Mr. SADLAK. I am happy to yield to my colleague from New York.

Mr. KEATING. JOHN LODGE came to Congress at the same time I did, and it so happened that I had the good fortune to occupy an office next to his. I feel that, perhaps, with the exception of his Connecticut colleagues, I learned to know his great qualities of mind and heart as well, if not better, than any other Member in the House. Frequently we had occasion to discuss, after the heat of the day was over, problems affecting the veterans, for whom our distinguished colleague, Mr. LODGE, was always a strong supporter, himself being a veteran with a distinguished record. We discussed problems of agriculture, problems of the industrial worker, and problems relating to the responsibilities of our country in the international field, and many others. JOHN LODGE always displayed a great interest in all of these matters; an unusual grasp of the fundamental issues involved, and what is perhaps of even greater importance in the performance of the duties to which many of us hope he will be called, a deep and sincere quality of heart in his desire to see this made a better country, in his desire to see that all of its citizens enjoyed greater prosperity and well-being.

I am very happy that the gentleman has risen here today for this purpose and privileged to have the opportunity of saying on behalf of JOHN LODGE that I know of no Member of this body who has contributed more during his service than has he. I sincerely hope that the people of the great State, for which the gentleman now speaking is the Congressman at Large, will recognize the rare privilege which is theirs to support a man of JOHN LODGE's ability and integrity for the office of Governor. We, his colleagues and the Nation will miss his outstanding services here, but Connecticut will be the gainer through our loss.

Mr. SADLAK. I am most grateful for the gentleman's gracious statement in regard to my colleague [Mr. LODGE].

Mrs. BOLTON of Ohio. Mr. Speaker, will the gentleman yield?

Mr. SADLAK. I yield to the gentleman from Ohio.

Mrs. BOLTON of Ohio. I want to thank my colleague from Connecticut [Mr. SADLAK] very much for the opportunity this gives some of us to express ourselves in the matter of JOHN LODGE's leaving this House, we hope, as our colleague from New York has said, to take on the chief administrative job in the State of Connecticut.

I happen to have a particular interest in Connecticut because my people came from there. They went out to the Connecticut Western Reserve in Ohio when the British burned their properties. We still have in the family the little farmhouse 50 miles from Hartford, where they lived for several centuries.

JOHN LODGE exemplifies so many things that I like to feel the younger men exemplify, men like yourself, Mr. SADLAK, the finer qualities of American manhood, courage, willingness to work, and ability to apply themselves to those things that matter.

JOHN LODGE has had a wide experience. His war service was in the Navy, where he proved his capacities and his courage. A man of great personal charm, with a gift in languages, he has served this country in unusual ways. He came to the Committee on Foreign Affairs as one of what we of longer experience called the "young fry," and soon made himself felt in the committee. He has done a very splendid job.

As a member of a subcommittee of which I was chairman several years ago he went to Europe, stopping off in Italy and France. His report was most interesting and helpful to the Committee on Foreign Affairs and to the other Members of Congress.

I know all the Members on both sides of our committee table are exceedingly interested that John be given an opportunity to use his fine capacity to the greatest extent, and although probably the other side of the table would like to see the other fellow win this fall, when John wins they will give him a hand because they admire him and like him, and they find him good to work with.

I do not know that there is anything finer that can be said of a man than that he is good to work with. You get to know him, you get to understand him, and then you are able to laugh with him, too.

I want to thank the gentleman from Connecticut once again for the privilege of saying these few words about this colleague of ours. With many others of this great body I shall miss him greatly. May he have Dame Fortune on his side.

Mr. SADLAK. I am most grateful for those kind words.

Mr. CANFIELD. Mr. Speaker, will the gentleman yield?

Mr. SADLAK. I yield to the gentleman from New Jersey.

Mr. CANFIELD. May I say to my friend and colleague from Connecticut that I, too, regret that JOHN LODGE is to leave the House of Representatives. During our association here I found him more interested in people than in things. I shall always remember his concern for the displaced Polish soldiers who fought in the forces of freedom in World War II. We now know that the new Displaced Persons Act provides for the entry of thousands of those soldiers through the

amendment sponsored by him on this floor. That is one of the monuments to his work here.

Mr. SADLAK. I thank the gentleman, Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. SADLAK. I yield to the minority leader.

Mr. MARTIN of Massachusetts. I appreciate the yielding by my good friend, the able and distinguished Representative from Connecticut [Mr. SADLAK].

It is true, as he says, that there are many older members leaving the House, men we can ill afford to lose. Through years of experience and knowledge they are of great value to the Congress and in helping to solve our many difficult problems. But that is the way of life. Time marches on and the call of duty beckons to other fields of State and national service.

So it has been with the gentleman from Connecticut [Mr. LODGE]. I have been acquainted with Mr. LODGE for a good many years. It was my privilege many years ago to be the campaign manager for his illustrious grandfather in his final contest for the United States Senate. The Lodge family has been a family with a long history of national service—of men who enter the service of country with but one purpose, and that is to serve their country and make this life a better one.

I am happy over the nomination of Mr. LODGE for Governor of Connecticut. I think he will be elected. I know he will be a good Governor. I know the people of Connecticut will be very fortunate indeed to get a man of his many attainments and abilities, of his courage and praiseworthy purpose.

Men like JOHN LODGE bring a new spirit and a new life into the national service. He knows people and how to deal with them. He has the capacity to give a sound and able administration; the desire to promote the welfare of all the people.

So I join with my good friend from Connecticut [Mr. SADLAK] in congratulating Mr. LODGE upon his call to a higher service. I know Connecticut will prosper if it chooses him for the high office of Governor.

Mr. SADLAK. I am grateful for the gentleman's fine contribution.

I yield to my colleague the gentleman from California [Mr. McDONOUGH].

Mr. McDONOUGH. Mr. Speaker, I would like to say in connection with this symposium which the gentleman from Connecticut is so aptly putting on at this time that we are all happy for Mr. LODGE on his nomination for Governor of Connecticut.

We are hopeful that he will be successful. In that same connection, may I say that it is my hope that the gentleman from Connecticut [Mr. SADLAK] who is a candidate for Congressman-at-large from the State of Connecticut, will also be successful in his own reelection to the House as a Member of the Eighty-second Congress.

In my opinion he has shown a courage and statesmanlike attitude in the House of Representatives that the people of the State of Connecticut can be proud of. The fact that he has to run at large, just

as the governor, as well as the fact that he belongs to the present minority party, makes his task difficult and I hope he will be successful.

I trust the people of Connecticut will fully appreciate his excellent services here in the House of Representatives and that they will return him for another term which he has earned and is so deservedly entitled to.

Mr. SADLAK. I am most grateful for this unexpected tribute from my friend, the gentleman from California.

I yield to the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Speaker, I should like also to pay tribute to the gentleman from Connecticut [Mr. SADLAK]. I hope he will return to the House with even a greater majority than he had before.

He has worked mightily for the protection of the industries of New England and is fighting day by day for everything that is fine in America.

I join with the gentleman from Connecticut [Mr. SADLAK] in our appreciation of Mr. JOHN LODGE. We shall miss him in the House. I have a personal feeling of interest and affection for him because of his Massachusetts association and his Massachusetts forbears. We were very sorry to lose him to the State of Connecticut.

I would like also to mention that I believe the gentleman is making a very real sacrifice in leaving the House, because he is a prominent member of the Committee on Foreign Affairs of the House of Representatives, and has taken an enormous interest in all our international affairs as well as the internal affairs of the United States of America.

He will make a very able governor. We shall miss him. We shall also miss his charming helpmeet who has been very helpful to Mr. LODGE in his career.

Mr. SADLAK. I thank the gentlewoman very much.

Mr. Speaker, I ask unanimous consent that all Members who desire to do so may extend their remarks at this point in the RECORD.

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

There was no objection.

Mr. HERTER. Mr. Speaker, I am delighted to have this opportunity of joining with my colleagues in saying a few words regarding JOHN DAVIS LODGE. While as a Massachusetts man I have known members of his family for many years, I did not have an opportunity to get to know him intimately until he came to the House. During the years here, we have worked on many problems together. Not only has he been practical, but he has been able to apply a very keen and discriminating intelligence to each legislative problem as it came along. In addition, with his diligence and conscientiousness, he has made an outstanding legislator.

The Republican Party of Connecticut is to be congratulated in choosing him for its nominee for Governor. My one regret in his acceptance is that the House of Representatives will be the loser. All of us who know him will wish him the victory he so fully deserves in November.

Mr. PATTERSON. Mr. Speaker, it has often been said that the great men and their accomplishments die with them; that their descendants are people of average or mediocre ability, who contribute very little to the national scene. Not so in the case of my good friend and your colleague, the Honorable JOHN DAVIS LODGE, who is a member of a family that has distinguished itself in many fields of work. John epitomizes the growing concern of the American people for a world which is ever growing smaller; for a world in which nations, through the sheer necessity of the atomic age, must learn to live together. In him we find a man with vigorous ideas which are keyed to the needs of this modern day and age.

During my close association with and observation of John, I have always been impressed with his warm friendliness of manner, his competence and his integrity, and have found him to be a man of the people. As one who has served the State of Connecticut and the Nation capably in Congress, who served with distinction in the naval service, who has comprehensive knowledge of domestic and foreign affairs, John is undoubtedly well fitted to become the Governor of the great State of Connecticut, particularly in a time when all public officials must have vision and understanding not only of national but international problems.

Connecticut sorely needs a helmsman capable of steering the State through the turbulent waters of economic dislocation. JOHN LODGE is the direct antithesis of the present executive in our State and, under John's able guidance, our citizens may look forward to a steady course in the future. I doubt not that our citizens will recognize his worth and ability, as have the constituents in his congressional district on two occasions, and as have we who served with him in the Congress.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. KEOGH (at the request of Mr. CLEMENTE), for June 21, on account of official business.

To Mr. HINSHAW, for the balance of this week, on account of family business.

To Mr. AUGUST H. ANDRESEN (at the request of Mr. O'HARA of Minnesota), for the remainder of this week, on account of official business.

ENROLLED BILLS SIGNED

Mrs. NORTON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 1082. An act conferring jurisdiction upon the United States District Court for the Southern District of New York to hear, determine, and render judgment upon a claim of the Bunker Hill Development Corp.;

H. R. 2230. An act for the relief of Arthur S. Horner, Leah B. Horner, and Maude Brewer, doing business as the A. S. Horner Construction Co.;

H. R. 2803. An act for the relief of Albert J. Peterson;

H. R. 3254. An act for the relief of Iva Gavin;

H. R. 4371. An act for the relief of Shiro Takemura;

H. R. 4692. An act to provide for the extension of the term of certain patents of persons who served in the military or naval forces of the United States during World War II;

H. R. 5019. An act for the relief of Fella H. Holbrook;

H. R. 5682. An act for the relief of William T. Orton;

H. R. 5846. An act for the relief of Mrs. Lillian Coolidge;

H. R. 6691. An act for the relief of Paul D. Banning, Chief Disbursing Officer, Treasury Department, and for other purposes; and

H. R. 6934. An act for the relief of E. H. Corrigan.

BILLS PRESENTED TO THE PRESIDENT

Mrs. NORTON, from the Committee on House Administration, reported that that committee did on the following dates present to the President, for his approval, bills of the House of the following titles:

On June 20, 1950:

H. R. 3436. An act to amend the War Contractors Relief Act, as amended.

On June 21, 1950:

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

H. R. 4100. An act for the relief of Calvin E. Cranford;

H. R. 4163. An act for the relief of Mr. and Mrs. C. S. Walker;

H. R. 4960. An act for the relief of Mrs. Elizabeth H. Whitney;

H. R. 5979. An act for the relief of John Tweit;

H. R. 6652. An act for the relief of Mrs. Fujiko Chichie Imbert, wife, and Robert Imbert, Jr., son of an American soldier;

H. R. 7050. An act for the relief of Louie Gam Yean;

H. R. 7065. An act for the relief of Kazuko Miyama Akana and Chang King Akana;

H. R. 7066. An act for the relief of Setsuko Amano;

H. R. 7073. An act for the relief of Koto Kogami Kitsu and Jeannette Akemi Kitsu;

H. R. 7199. An act for the relief of Nobuko Maeda;

H. R. 7254. An act for the relief of Mrs. Bernard Smith;

H. R. 7315. An act for the relief of Daijro Yoshida;

H. R. 7362. An act for the relief of Mrs. Willard Thulin (formerly Jutta Kono);

H. R. 7416. An act for the relief of Suzuko Takanashi;

H. R. 7579. An act to extend the Rubber Act of 1948 (Public Law 469, 80th Cong.), and for other purposes;

H. R. 7656. An act for the relief of David George Callaway;

H. R. 7658. An act for the relief of Mitsuko Ito;

H. R. 7682. An act for the relief of Mrs. Akiko Osada Gustafson; and

H. R. 8270. An act relating to the renewal of contracts for the carrying of mail on star routes.

ADJOURNMENT

Mr. MANSFIELD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 10 minutes p. m.) the House adjourned until tomorrow, Thursday, June 22, 1950, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from

the Speaker's table and referred as follows:

1506. A letter from the President, Board of Commissioners of the District of Columbia, transmitting a draft of a proposed bill to amend section 7 of an act entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes," approved July 1, 1902; to the Committee on the District of Columbia.

1507. A letter from the Acting Attorney General, transmitting the annual report of the activities of the Office of Alien Property, Department of Justice, for the fiscal year ended June 30, 1949; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BYRNE of New York: Committee on the Judiciary. H. R. 4709. A bill conferring jurisdiction upon the United States District Court for the District of Massachusetts to hear, determine, and render judgment upon claims arising out of certain blasting operations on the Merrimack River; with amendment (Rept. No. 2301). Referred to the Committee of the Whole House on the State of the Union.

Mr. BRYSON: Committee on the Judiciary. H. R. 5003. A bill to authorize War Assets Administration or its successor to reimburse the people of the State of New York for certain lands at Manhattan Beach, Kings County, N. Y., in pursuance of an agreement between the people of the State of New York and the Government of the United States; with amendment (Rept. No. 2302). Referred to the Committee of the Whole House on the State of the Union.

Mr. REDDEN: Committee on Public Lands. H. R. 8606. A bill to amend the act of March 12, 1914, to authorize the construction and operation of a cement plant in the Territory of Alaska, and for other purposes; with amendment (Rept. No. 2303). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DENTON: Committee on the Judiciary. H. R. 1500. A bill for the relief of Mrs. Barbara Guanapoulos; with amendment (Rept. No. 2290). Referred to the Committee of the Whole House.

Mr. DENTON: Committee on the Judiciary. H. R. 1586. A bill for the relief of Harold E. Trautwein; without amendment (Rept. No. 2291). Referred to the Committee of the Whole House.

Mr. DENTON: Committee on the Judiciary. H. R. 2805. A bill for the relief of John F. Ostli; without amendment (Rept. No. 2292). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 3304. A bill for the relief of José Cotto Santiago; without amendment (Rept. No. 2293). Referred to the Committee of the Whole House.

Mr. KEATING: Committee on the Judiciary. H. R. 3412. A bill for the relief of N. H. Kelley, Bernice Kelley, Clyde D. Farquhar, and Gladys Farquhar; without

amendment (Rept. No. 2294). Referred to the Committee of the Whole House.

Mr. KEATING: Committee on the Judiciary. H. R. 4136. A bill for the relief of Helen M. Booth; with amendment (Rept. No. 2295). Referred to the Committee of the Whole House.

Mr. DENTON: Committee on the Judiciary. H. R. 4657. A bill for the relief of J. R. Fleming & Co.; with amendment (Rept. No. 2296). Referred to the Committee of the Whole House.

Mr. BYRNE of New York: Committee on the Judiciary. H. R. 4775. A bill for the relief of Harold L. Corzett, commander, United States Naval Reserve; without amendment (Rept. No. 2297). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 4954. A bill for the relief of Jacob F. Hutt; with amendment (Rept. No. 2298). Referred to the Committee of the Whole House.

Mr. BYRNE of New York: Committee on the Judiciary. H. R. 6312. A bill to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon a certain claim of Joseph Lundborg and others against the United States; with amendment (Rept. No. 2299). Referred to the Committee of the Whole House.

Mr. DENTON: Committee on the Judiciary. H. R. 6417. A bill for the relief of Mrs. Frieda Gray (formerly Frieda Putman); with amendment (Rept. No. 2300). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII public bills and resolutions were introduced and severally referred as follows:

By Mr. DURHAM:

H. R. 8904. A bill to amend section 503 (b) of the Food, Drug, and Cosmetic Act of June 25, 1938, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. HAND:

H. R. 8905. A bill to provide for the deduction and credit of contributions or subscription charges to certain prepayment health-service plans for the purposes of the Federal income tax, and for other purposes; to the Committee on Ways and Means.

By Mr. PETERSON:

H. R. 8906. A bill to repeal certain legislation relating to the Gallup-Durango Highway and the Gallup-Window Rock Highway at the Navajo Indian Reservation; to the Committee on Public Lands.

By Mr. HOLFIELD:

H. R. 8907. A bill to provide for payments to certain disabled veterans who sold their homes in order to move from Van Nuys, Calif., to Long Beach, Calif., for the purpose of receiving care and treatment at the Veterans' Administration hospital at Long Beach, Calif.; to the Committee on Veterans' Affairs.

By Mr. LANE:

H. R. 8908. A bill to provide for the storage in New England of at least 150,000 bales of cotton owned or controlled by the Commodity Credit Corporation; to the Committee on Banking and Currency.

By Mr. McMILLAN of South Carolina:

H. R. 8909. A bill to authorize the District of Columbia government to establish an Office of Civil Defense, and for other purposes; to the Committee on the District of Columbia.

By Mr. MURDOCK:

H. R. 8910. A bill to promote the rehabilitation of the Papago Tribe of Indians and a better utilization of the resources of the Papago Tribe, and for other purposes; to the Committee on Public Lands.

By Mrs. BOSONE:

H. J. Res. 490. Joint resolution to authorize and direct the Secretary of the Interior to study the respective tribes, bands, and groups of Indians under his jurisdiction to determine their qualifications to manage their own affairs without supervision and control by the Federal Government; to the Committee on Public Lands.

By Mr. BATES of Massachusetts:

H. Res. 662. Resolution for the relief of Mrs. Catherine Regina Andrews; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. AUCHINCLOSS:

H. R. 8911. A bill for the relief of Mala Andre and her mother, Mrs. Juliane Altenbrun; to the Committee on the Judiciary.

By Mr. BARRETT of Pennsylvania:

H. R. 8912. A bill for the relief of Marianne Ese Banck; to the Committee on the Judiciary.

By Mr. BUCKLEY of New York:

H. R. 8913. A bill for the relief of Martin, Margarita, Hersch, Serina, and Yolanda Low; to the Committee on the Judiciary.

By Mr. CHUDOFF:

H. R. 8914. A bill for the relief of Charalampos Pitsilos; to the Committee on the Judiciary.

By Mr. JENNINGS:

H. R. 8915. A bill for the relief of Erika Kroenes; to the Committee on the Judiciary.

By Mr. KARST:

H. R. 8916. A bill for the relief of Leroy Peebles; to the Committee on the Judiciary.

By Mr. RIBICOFF:

H. R. 8917. A bill for the relief of Margareta (Margaret) Klapp; to the Committee on the Judiciary.

By Mr. SAYLOR:

H. R. 8918. A bill for the relief of Mary Rynik Baran; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2208. By Mr. CANFIELD: Resolutions of Quentin Roosevelt Post, No. 8, American Legion, Clifton, N. J., adopted in regular meeting on June 19, 1950, requesting that the Justice Department make public a full report on the 1945 Amerasia case as requested by the Federal grand jury; to the Committee on the Judiciary.

2209. By Mr. MILLER of Maryland: Resolution of Stanley Cochrane Post, No. 16, American Legion, Crisfield, Md., in opposition to any form of compulsory insurance or any system of political medicine designed for national bureaucratic control; to the Committee on Interstate and Foreign Commerce.

2210. Also, resolution of Worcester Post, No. 67, American Legion, Inc., Snow Hill, Md., opposing any form of compulsory health insurance or any system of political medicine designed for national bureaucratic control; to the Committee on Interstate and Foreign Commerce.

2211. By the SPEAKER: Petition of Gordon W. Hirtle, secretary, Morgantown Chamber of Commerce, Morgantown, W. Va., requesting the passage of legislation that will curtail the importation of foreign oil that affects adversely the economic life of Morgantown and Monongalia County; to the Committee on Ways and Means.

SENATE

THURSDAY, JUNE 22, 1950

(Legislative day of Wednesday, June 7, 1950)

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

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

God our Father, we thank Thee for the unquenchable impulse toward Thee Thou hast planted in us. Open our eyes to see Thee, not out on the far rim of the universe, in some distant star, but in human love which hallows our lives and which edges with crimson and gold the common days.

Conscious of Thy overshadowing presence, we pray for fidelity, not to shirk the issues of these momentous days. May our own lives freed of pettiness and prejudice, and radiant with good will which leaps all barriers, be channels through which Thy saving grace may flow for the healing of the nations. Amen.

THE JOURNAL

On request of Mr. MCFARLAND, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, June 21, 1950, was dispensed with.

MESSAGES FROM THE PRESIDENT— APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on June 21, 1950, the President had approved and signed the following acts:

S. 1146. An act for the relief of Francis W. Dodge;

S. 1769. An act to reimburse the Stebbins Construction Co.; and

S. 2070. An act for the relief of the Clark Funeral Home.

MESSAGE FROM THE HOUSE—ENROLLED BILLS AND JOINT RESOLUTION SIGNED

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

S. 118. An act for the relief of Clemente Sabin Dopico;

S. 330. An act for the relief of George Gabriel Herrmann, Greta (Marketa) Herrmann (wife), and Alice Herrmann (daughter), known also as George Gabriel Herman, Greta Herman, and Alice Herman;

S. 1165. An act to provide relief for the sheep-raising industry by making special quota immigration visas available to certain alien sheepherders;

S. 1452. An act for the relief of Dr. Juan A. Queralt Balleste;

S. 1484. An act for the relief of Augustino Marlia;

S. 1637. An act for the relief of Marie Henriette de Bruyn;

S. 2107. An act for the relief of Georges Gregory Alpiar;

S. 2265. An act for the relief of Marina George Papadopoulos;

S. 2309. An act for the relief of Oscar (Oszkar) Nemenyi, Marianna Nemenyi (wife), and Thomas John Nemenyi (son);